2012
INDIANA PESTICIDE CONTROL
SUMMARY REPORT OF ACTIVITIES

Office of
INDIANA STATE CHEMIST & SEED COMMISSIONER
Protecting Indiana's Agriculture and Environment – Feed, Fertilizer, Pesticide, and Seed
www.oisc.purdue.edu (765) 494-1492

The Indiana pesticide program administers the Indiana Pesticide Review Board; Product Registration & Distribution Law (IC 15-16-4) and the Indiana Applicator & Dealer Certification & Licensing; Use & Application Requirements Law (IC 15-16-5).

- **OUR MISSION:**
  The mission of the Office of Indiana State Chemist Pesticide Section is to protect the public and the environment by ensuring that pesticide products distributed within the state are properly formulated and labeled and that individuals who apply pesticides have met minimum competency standards, when required, and apply those pesticides without causing harm to people or property.

- **PRODUCT REGISTRATION:**
  In 2012, pesticide manufacturers registered 15,011 products for sale and distribution in Indiana. This number exceeds the ten year annual average for Indiana of 14,210. It also exceeds the ten year average of 12,623 pesticide products registered by neighboring states.
  OISC continued to work with US EPA and manufacturers to improve or correct misleading or violative product labeling on Indiana registered products, taking action on over 41 problem labels. Requiring corrected labels with improved safety and use directions protects Indiana's environment and citizens as well as those in other states where these products are distributed and used.
  OISC also coordinated with the Indiana Pesticide Review Board to promulgate a rule to restrict the distribution of methomyl containing fly baits. OISC had determined through undercover investigations, internet searches, and communications with other state regulatory agencies that these widely available fly baits were being intentionally misused to illegally poison wildlife and domestic animals. Efforts urging US EPA to restrict distribution of these products nationally have been unsuccessful to date, thus prompting state action.

- **CERTIFICATION & CREDENTIALING:**
  OISC issued 27,410 pesticide credentials. This included licenses for 3,078 pesticide application businesses, 6,950 pesticide applicators, 2,313 in-house and government applicators, 2,805 pesticide technicians, 567 pesticide dealers, and 11,358 farmers using pesticides. The 27,410 total credentials for 2012 is consistent with the ten year annual average of 27,434.
  During 2012 OISC worked with the Purdue Cooperative Extension Service (CES) and a team of industry representatives to develop or upgrade subject-matter-valid certification exams for the core (general standards), aquatic, and termite pesticide applicators as well as an exam for fertilizer applicators.
  OISC also reviewed and approved over 678 continuing certification training programs for pesticide applicators.

- **COMPLIANCE & ENFORCEMENT:**
  Pesticide staff investigated 309 complaint cases and conducted 1,824 routine compliance inspections, exceeding the ten year annual averages of 198 complaint cases and 1,127 compliance inspections. These investigations and inspections required OISC laboratory analysis of 626 environmental residue samples and 56 product integrity samples. The 656 environmental samples exceeded the ten year annual average of 221 samples.
  For investigations finalized to date there have been 121 formal violations, including 121 written warnings/citations, 52 administrative fines, one applicator credential suspension, and two stop use/sale orders. Less than 1% of the enforcement actions involved repeat violators. Follow-up or compliance assurance inspections were performed in 76% of the violation cases to insure that the non-compliant behavior had been corrected. Enforcement action numbers have been relatively consistent with the ten year annual average of 109.

Numbers of off-target pesticide drift complaints (57) and resulting violations (31 to date) were relatively consistent with the ten year averages of 55 and 25 respectively. However, as a subset of those cases, OISC did receive an extraordinary number of bee kill complaints (8). OISC investigations determined that the insecticide clothianidin was involved in the bee deaths, but the exposure appears to be from handling of insecticide treated seed rather than direct exposure from misuse of the insecticide during application. OISC has committed to work with US EPA in the coming year to seek a solution to address this unanticipated route of pesticide exposure to honey bees.

- **TRAINING, OUTREACH & COMPLIANCE ASSISTANCE:**

With funding from US EPA, OISC conducted a Pesticide Clean Sweep Project, collecting 26,590 pounds of hazardous waste pesticides from Indiana applicators at little or no cost to the participants. This 26,590 figure exceeded the annual average over the last five years of 18,800 pounds. Both agricultural and structural pesticide users have continued to praise the benefits of this waste collection program.

OISC also utilized a grant from US EPA to develop a week long training course for over 40 state and tribal pesticide inspectors and investigators. The focus of this training was the investigation of pesticide drift incidents. OISC has developed a reputation as being proactive in off-target drift regulation and was asked to share some of this expertise with colleagues from across the country.

OISC continued to participate in professional and regulatory association affairs with at least 9 staff members serving as officers or committee members on no fewer than 24 regional and national committees and work groups.

The Indiana Department of Environmental Management (IDEM) and OISC worked cooperatively to develop and implement a National Pollutant Discharge Elimination System (NPDES) general permit for pesticides. The need for a general permit for discharging pesticides into water was created as a result of a recent federal court decision and was passed down from US EPA to the states. OISC and IDEM were successful in crafting a permit that has been implemented almost seamlessly and with a minimum of new requirements for already heavily regulated licensed Indiana pesticide applicators. This serves as a shining example of state agencies working together to avoid onerous government duplication of regulatory requirements.

Special US EPA funding also enabled a 2012 project in which OISC teamed with Purdue's Agronomy Department to examine residual environmental impacts resulting from the 2011 use of a new lawn and turf product *Imprelis Herbicide*. Widespread non-target ornamental tree damage had resulted in this product's first year of commercial use. This study focused on a small sub-sampling of the almost 400 tree damage complaints investigated by OISC in 2011. The results demonstrated that *Imprelis* residues are still analytically detectable in target soils and damaged trees in 2012, up to a year after exposure, and that mulch made from those damaged trees still contains residues that negatively impact sentinel tomatoes planted adjacent to the mulch. This study provided objective technical information to decision makers at US EPA who are, like OISC, still dealing with the aftermath of the 2011 *Imprelis* damage incidents.

- **INDIANA PESTICIDE REVIEW BOARD:**

Created through IC 15-16-4-42 in 1971, this twenty-member board is appointed by the Governor to develop pesticide policy and regulations for the State of Indiana. Board members include scientists, government officials, conservationists, industry representatives and a public representative. In 2012, the Board and OISC amended a rule outlining liability insurance requirements for pesticide businesses, finalized a rule restricting the distribution and use of a widely misused pesticide, and worked with the Indiana legislature to amend the state pesticide law. Specific legislative changes include eliminating license fees for not-for-profit organizations, eliminating a retail pesticide consultant registration requirement, and creating the ability to perform federal pesticide production inspections and enforcement under state authority.

Information accurate as of 1-30-13