



2013
**INDIANA PESTICIDE CONTROL
SUMMARY REPORT of ACTIVITIES**
Office of Indiana State Chemist

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MISSION & STAFF: The pesticide section of the Office of Indiana State Chemist (OISC) is charged with administration of the Indiana pesticide laws I.C. 15-16-4 and I.C.15-16-5, and also represents the Environmental Protection Agency (US EPA) in Indiana for the purpose of enforcing federal pesticide law. The mission of OISC under these laws is to protect Indiana citizens and the environment from hazardous, ineffective and improperly formulated and labeled pesticide products and from unacceptable pesticide exposure. Nineteen and one-half professional staff, four clerical staff, and nine shared support staff are responsible for carrying out this mission. During 2013 OISC added one and one-half field investigators and one product registration clerical position.

PRODUCT REGISTRATION: In 2013, pesticide manufacturers registered 15,047 pesticide 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 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.

To assist Indiana beekeepers and blueberry growers with specific pest problems that arose in 2013, OISC was able secure from U.S. EPA some special state registrations for products that would have otherwise been unavailable for use in combating those economically devastating pests.

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 2013 are consistent with the ten year annual average of 27,434.

During 2013 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 forestry, turf, and aerial categories of commercial pesticide applicators. OISC also reviewed and approved over 678 continuing certification training programs for pesticide applicators.

COMPLIANCE & ENFORCEMENT: Pesticide staff investigated 363 complaint cases and conducted 1776 routine compliance inspections, exceeding the ten year annual averages of 198 complaint cases and 1127 compliance inspections. These investigations and inspections required OISC laboratory analysis of 1004 environmental residue samples and 49 product integrity samples. The 1004 environmental samples significantly exceeded the ten year annual average of 247 samples. This increase was attributed to the record number of off-target drift complaints investigated and the record number of structural pest control misuse investigations conducted, both requiring laboratory support for evidence development.

For investigations finalized to date there have been 104 formal violations, including 104 written warnings/citations, 45 administrative fines, two applicator credential suspensions, 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 88% 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.

For the first time in 2013, OISC administered state penalties against a product manufacturer that failed to comply with federal pesticide product registration requirements. In addition, with OISC's assistance, the manufacturer was brought into compliance within mere months of the original inspection. Previously, referring such cases to U.S. EPA for federal enforcement follow-up rarely resulted in such expedient compliance by the offending party. The number of off-target pesticide drift complaints (108) responded to by OISC significantly exceeded the ten year average of 55. To date 14 enforcement actions have been taken as a result of those investigations. Many of the remaining investigations have not yet been finalized due to processing backlog, based on caseload.

In addition, OISC finalized the first phase of a multi-year investigation of the misuse of fipronyl insecticide by a regional structural pest control firm at no fewer than 53 different locations, resulting in one license suspension and one license revocation.

TRAINING, OUTREACH & COMPLIANCE ASSISTANCE: During 2013, as a result of the federal sequestration, OISC experienced a reduction in anticipated federal funding to support pesticide programs. To allow some existing programs to continue uninterrupted, both the Purdue Pesticide Programs Office (Cooperative Extension Service) and OISC stepped forward with funding to conduct 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. In addition, OISC was able to coordinate with private industry to arrange for a no-cost minibulk pesticide container recycling effort in conjunction with the clean sweep project.

OISC was able to secure a grant from US EPA to develop a week long training course for over 20 pesticide laboratory analysts from other state regulatory programs. OISC has developed a reputation as being extremely proficient in pesticide sample analysis and was asked to share some of this expertise with colleagues from neighboring states.

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.

Again in 2013 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 2013, the Board and OISC finalized the much needed revision of the rule addressing liability insurance requirements for pesticide businesses. In addition, the Board reviewed and studied: 1) the potential environmental impacts of 2,4-D and dicamba herbicide tolerant crops; 2) recent pollinator protection efforts by U.S. EPA and industry; 3) misuse of bed bug control pesticides in rental properties; and 4) pesticide exposure to those who use recreational trails immediately adjacent to agricultural areas.

Information accurate as of 2-1-14