



2023-2024

Compliance What is That?

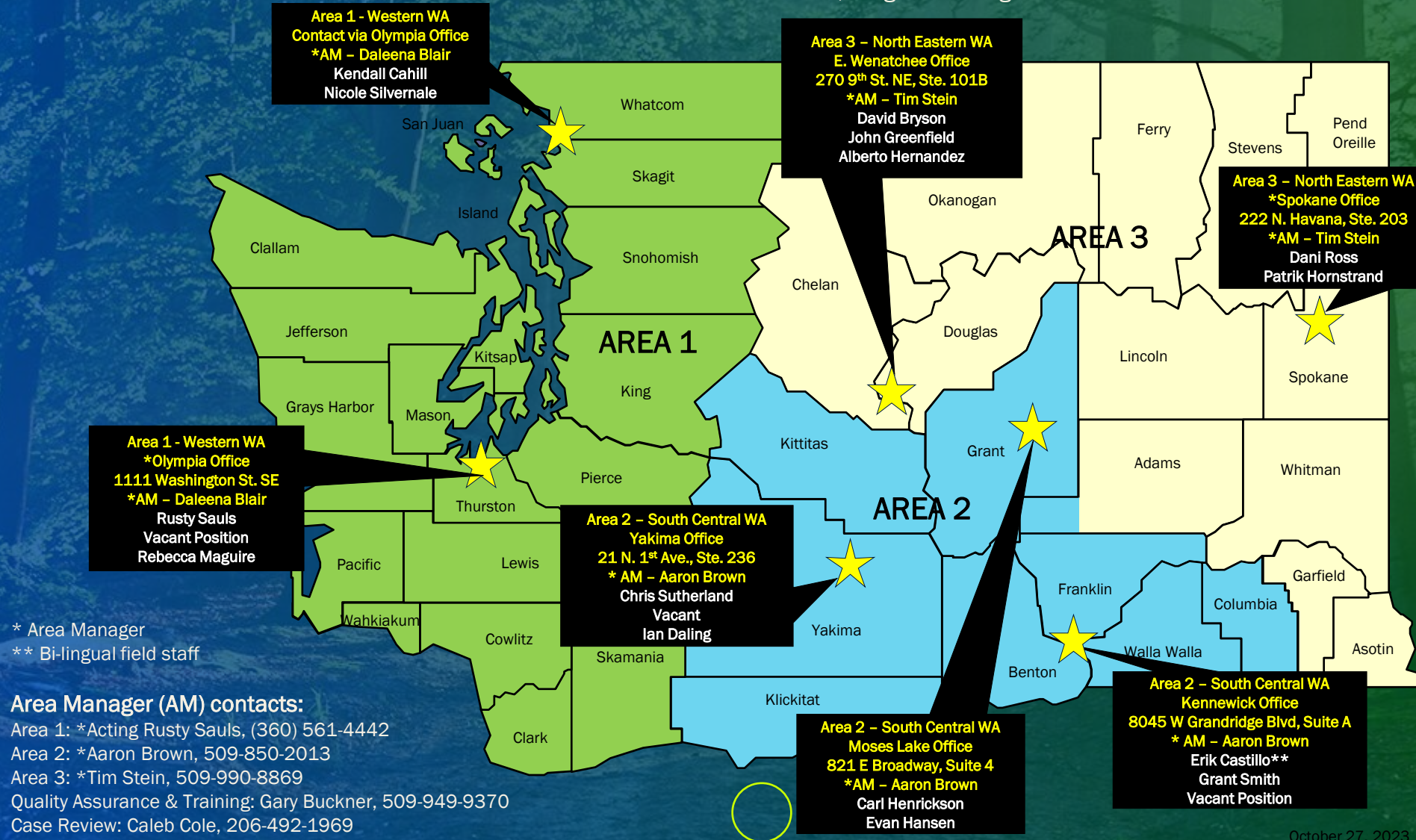
Patrik Hornstrand
Pesticide Compliance Investigator

Pesticide Compliance Offices and Coverage Areas

Main Olympia Office: 360-902-2040, Toll Free 1-877-301-4555

Toll Free Drift Complaint Line 1-844-388-2020

Scott Nielsen, Program Manager



October 27, 2023



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Overview

- **THE ENDANGERED SPECIES ACT**
- **WHAT ARE BULLETINS?**
- **OBTAINING BULLETINS**
- **BULLETIN EXAMPLES**
- **COMPLIANCE & RECORDKEEPING**
- **FAQS**



The Endangered Species Act “ESA”

- Enacted in 1973
- Administered by two federal agencies
 - U.S. Fish and Wildlife Service (FWS)
 - National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS)
- (Collectively known as the Services)

THE ENDANGERED SPECIES ACT

ESA requires that all federal agencies, including EPA, make sure that any action they authorize, fund or carry out won't jeopardize the existence of listed species or "destroy or adversely modify" any designated critical habitat for that species.

Listed Species includes both Endangered and Threatened:

- **Endangered:** In danger of extinction throughout all or a significant portion of its range.
- **Threatened:** Likely to become an endangered species within the foreseeable future.



THE ENDANGERED SPECIES ACT

The background of the slide is a photograph of a calm lake reflecting a dense forest of evergreen trees. In the distance, mountains are visible under a blue sky with some clouds. A semi-transparent rectangular box with a dark blue-to-green gradient is overlaid on the right side of the image, containing the text and bullet points. A thin yellow horizontal line is positioned above the first bullet point.

- EPA's role in implementing the ESA is to ensure that when registering pesticides:
 - The use of those pesticides does not cause any unreasonable adverse effects on the environment ... which includes that the use is not likely to jeopardize listed species or destroy or adversely modify their designated critical habitat.
- One of ways EPA is meeting its obligations under the ESA is through the use of Bulletins.

WHAT ARE BULLETINS?

- A part of EPA's Endangered Species Protection Program.
- Notifications of geographically specific pesticide use limitations for the protection of threatened and endangered species and their designated critical habitat.
- Limitations effective within an area called a Pesticide Use Limitation Area or “PULA.”
- Additional directions for use, which may limit the application area, timing, or type.
- An extension of the pesticide label.

WHY ARE BULLETINS IMPORTANT TO ME?

For the first time, Washington State has Bulletins.

EPA issued Bulletins for salmonids in February 2023.

Endangered Species:

- Chinook & Sockeye Salmon

Threatened Species:

- Coho & Chum Salmon, Steelhead Trout

Designated critical habitat:

- Columbia River Basin
- Rivers flowing into Puget Sound
- Ozette River and Lake system



Sockeye salmon and arctic char -
Sockeye salmon - Wikipedia

WHY ARE BULLETINS IMPORTANT TO ME?

Currently, the Washington State Bulletins are only for 5 active ingredients:

- *Prometryn*
- *Telone*
- *Bromoxynil*
- *Metolachlor*
- *Cyantraniliprole*



HOW DO I KNOW IF I NEED TO GET A BULLETIN?

Read the Pesticide label!

If your pesticide contains requirements to obtain a Bulletin, information will be located in the *Directions for Use* section of the label and will specifically direct you to obtain a Bulletin.

EPA is now describing “obtain” to mean, “take a look at”

If your pesticide label does not direct you to obtain a Bulletin ... no further Bulletin action is required.

Endangered Species Protection Requirements:

It is a Federal offense to use any pesticide in a manner that results in an unauthorized “take” (e.g., kill or otherwise harm) of an endangered species and certain threatened species, under the Endangered Species Act section 9. When using this product, you must follow the measures contained in the Endangered Species Protection Bulletin for the area in which you are applying the product. You must obtain a Bulletin no earlier than six months before using this product. To obtain Bulletins, consult <http://www.epa.gov/espp/>, call 1-844-447-3813 or email: ESPP@epa.gov. You must use the Bulletin valid for the month in which you will apply the product.

LET'S GET A BULLETIN

First Step—Read the label!

Label specifically states that a Bulletin must be obtained before using this product.

Endangered Species Protection Requirements:

It is a Federal offense to use any pesticide in a manner that results in an unauthorized "take" (e.g., kill or otherwise harm) of an endangered species and certain threatened species, under the Endangered Species Act section 9. When using this product, you must follow the measures contained in the Endangered Species Protection Bulletin for the area in which you are applying the product. You must obtain a Bulletin no earlier than six months before using this product. To obtain Bulletins, consult <http://www.epa.gov/espp/>, call 1-844-447-3813 or email: ESPP@epa.gov. You must use the Bulletin valid for the month in which you will apply the product.

Contains petroleum distillate. Harmful if swallowed or absorbed through skin. Causes moderate eye irritation. *Avoid* contact with eyes, skin, or clothing.

Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves, such as barrier laminate or Viton® ≥ 14 mils
- Shoes plus socks

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

User Safety Recommendations

Users should:

- Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment wash water or rinsate.

Reporting Ecological Incidents: to report ecological incidents, including mortality, injury, or harm to plants and animals, call UPL NA Inc. at 1-800-438-6071.

Ground Water Advisory

S-metolachlor is known to leach through soil into ground water under certain conditions as a result of label use. This chemical may leach into ground water if used in areas where soils are permeable, particularly where the water table is shallow.

Surface Water Advisory

This product may impact surface water quality due to runoff of rain water. This is especially true for poorly draining soils and soils with shallow ground water. This product is classified as having high potential for reaching surface water via runoff for several weeks or months after application. A level, well-maintained vegetative buffer strip between areas to which this product is applied and surface water features such as ponds, streams, and springs will reduce the potential loading of S-metolachlor from runoff water and sediment. Runoff of this product will be reduced by avoiding applications when rainfall or irrigation is expected to occur within 48 hours.

NON-TARGET ORGANISM ADVISORY: This product is toxic to plants and may adversely impact the forage and habitat of non-target organisms, including pollinators, in areas adjacent to the treated site. Protect the forage and habitat of non-target organisms by

walls, and sink holes. Operations that involve mixing, loading, rinsing, or washing of this product into or from pesticide handling or application equipment or containers within 50 ft of any well are prohibited, unless conducted on an impervious pad constructed to withstand the weight of the heaviest load that may be positioned on or moved across the pad. Such a pad shall be designed and maintained to contain any product spills or equipment leaks, container or equipment rinse or wash water, and rain water that may fall on the pad. Surface water shall not be allowed to either flow over or from the pad, which means the pad must be self-contained. The pad shall be sloped to facilitate material removal. An unroofed pad shall be of sufficient capacity to contain at a minimum 110% of the capacity of the largest pesticide container or application equipment on the pad. A pad that is covered by a roof of sufficient size to completely exclude precipitation from contact with the pad shall have a minimum containment capacity of 100% of the capacity of the largest pesticide container or application equipment on the pad. Containment capacities as described above shall be maintained at all times. The above-specified minimum containment capacities do not apply to vehicles when delivering pesticide shipments to the mixing/loading site.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

Endangered Species Protection Requirements:

It is a Federal offense to use any pesticide in a manner that results in an unauthorized "take" (e.g., kill or otherwise harm) of an endangered species and certain threatened species, under the Endangered Species Act section 9. When using this product, you must follow the measures contained in the Endangered Species Protection Bulletin for the area in which you are applying the product. You must obtain a Bulletin no earlier than six months before using this product. To obtain Bulletins, consult <http://www.epa.gov/espp/>, call 1-844-447-3813, or email ESPP@epa.gov. You must use the Bulletin valid for the month in which you will apply the product.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 24 hours. Exception: If the product is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated.

For early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, wear:

- Coveralls

LET'S GET A BULLETIN

Moccasin MTZ Herbicide

Contains: S-metolachlor and Metribuzin

EPA Reg No. 70506-335

WSDA

13

70506-335, Moccasin MTZ Herbicide, 70230328, 201, 70506.pdf

s-metolachlor	GROUP	15	HERBICIDE
metribuzin	GROUP	5	HERBICIDE

MOCCASIN[®] MTZ

HERBICIDE

For control of certain grasses and broadleaf weeds in potatoes, soybeans, and tomatoes.

SALE, USE AND DISTRIBUTION OF THIS PRODUCT IN NASSAU AND SUFFOLK COUNTIES IN THE STATE OF NEW YORK IS PROHIBITED

ACTIVE INGREDIENTS:

S-metolachlor (CAS No. 87392-12-9).....	38.94%
Metribuzin (CAS No. 21087-64-9).....	12.98%
OTHER INGREDIENTS*	48.08%
TOTAL:	100.00%

Contains 3.35 lbs of S-metolachlor and 1.116 lbs of metribuzin per gallon. This represents a ratio of 3:1 S-metolachlor:metribuzin.
*Contains approximately 37% petroleum distillates.

EPA Reg. No. 70506-335 EPA Est. No. 70506-SC-001

KEEP OUT OF REACH OF CHILDREN

CAUTION

FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure, or accident, call CHEMTREC 1-800-424-9300.

See inside for additional Precautionary Statements and complete Directions For Use.


Net Contents: 2.5 Gallons

FIRST AID	
If swallowed • Immediately call a poison control center or doctor. • Do not induce vomiting unless told to by a poison control center or doctor. • Do not give any liquid to the person. • Do not give anything to an unconscious person.	
If in eyes • Hold eye open and rinse slowly and gently with water for 15 - 20 minutes. • Remove contact lenses, if present, after the first 5 minutes then continue rinsing eye. • Call a poison control center or doctor for treatment advice.	
If on skin or clothing • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 - 20 minutes. • Call a poison control center or doctor for treatment advice.	
If inhaled • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.	

NOTE TO PHYSICIAN	
May pose an aspiration pneumonia hazard. Contains petroleum distillate.	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For medical treatment, call Rocky Mountain Poison and Drug Safety at 1-866-673-6671.	

HERBICIDE

UPL NA Inc. • 630 Freedom Business Center, Suite 402
King of Prussia, PA 19406 U.S.A. • 1-800-438-6071



Endangered Species

Bulletins Live! Two -- View the Bulletins

For assistance in using Bulletins Live! Two, [view the tutorial](#). Also see [background information on the website for the](#)

Directions

This tool displays Bulletin Two for the United States (NULAS). An interactive web tool for Endangered Species Protection Bulletin Two. To generate a printable bulletin, please follow these steps:

1. Navigate to your intended pesticide application area using the "Location Search" tool on the left and clicking on the map tool.
2. Select your Application Month from the Application Date dropdown.
3. Search for a specific pesticide product using the EPA registration number and

Unpin

Location Search:

Find a location

Application Month:

May 2023

EPA Registration Number:



OBTAINING BULLETINS

THIS is the Bulletins Live! Two webpage!

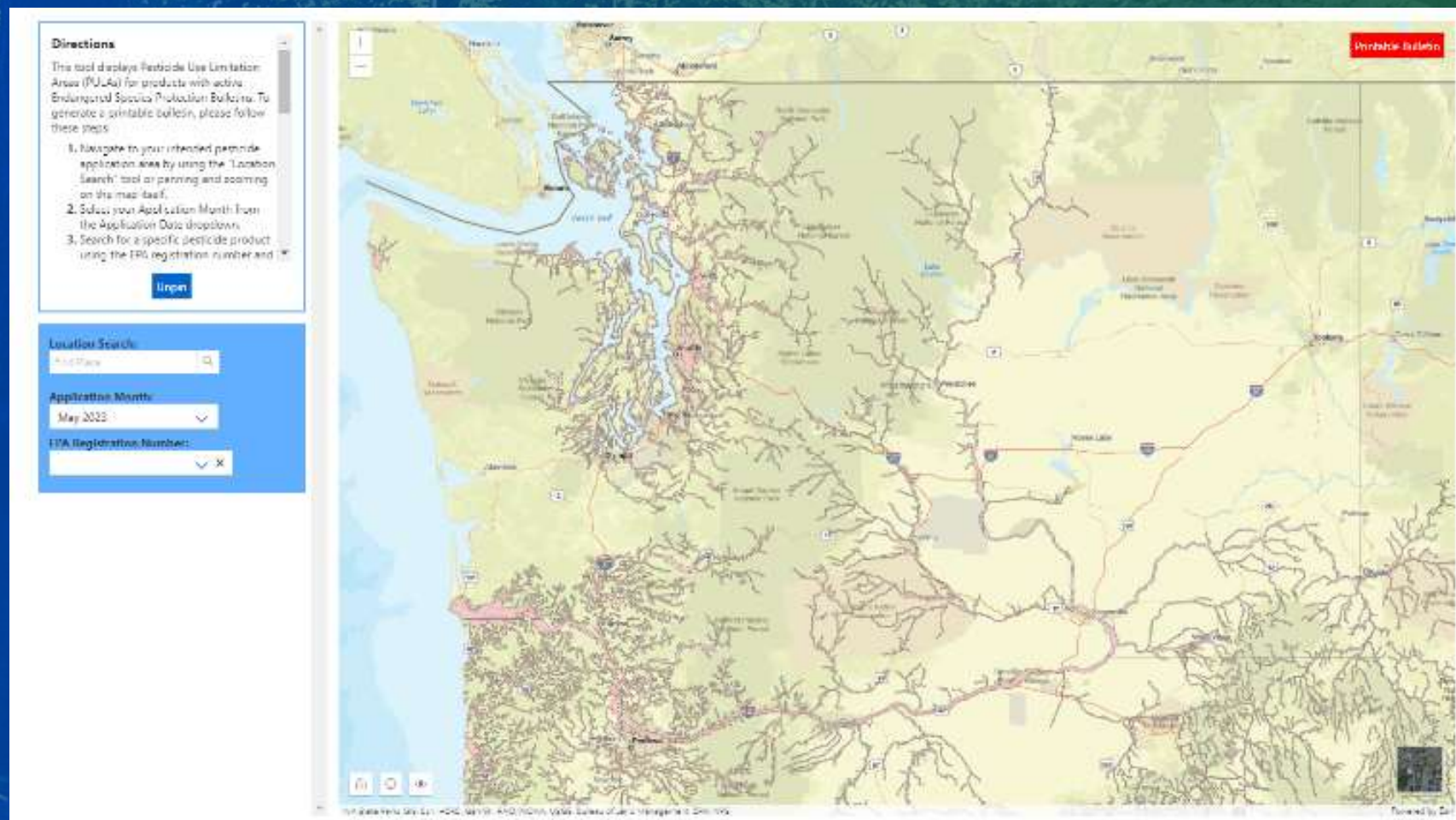
Search for “Bulletins Live! Two” – first choice that pops up will take you to the page.

Others on label:

<https://www.epa.gov/espp/>

Phone: 1-844-447-3813

Email: ESPP@epa.gov



OBTAINING BULLETINS

Zoomed in and centered the map on Washington state.

The squiggly lines are “Pesticide Use Limitation Areas” or PULAs.

These are the current designated critical habitat areas (rivers) for our endangered and threatened species.

LET'S GET A BULLETIN

Directions

This tool displays Pesticide Use Limitation Areas (PULAs) for products with active Endangered Species Protection Bulletins. To generate a printable bulletin, please follow these steps:

1. Navigate to your intended pesticide application area by using the "Location Search" tool or panning and zooming on the map itself.
2. Select your Application Month from the Application Date dropdown.
3. Search for a specific pesticide product using the EPA registration number and

Unpin

Location Search

Find Place

Find Application Month

May 2023

Find Registration Number

05506-335

Find Product Name

Mocasin MTZ Herbicide

FIRST - Enter the EPA registration number in the 3rd field in the blue box. A list of possible product matches will appear, select your product.

SECOND - Use the drop-down arrow in the "Application Month" field to select the actual month you are going to apply the pesticide.

THIRD - Enter your address, zip code, or click your location on the map.

OBTAINING BULLETINS

“Lower Crab Creek Road”
entered in the “Location Search”
box.

The website displayed a list of
addresses—the one closest to the
application area was selected:

Lower Crab Creek Road SW, Royal
City WA, 99357, USA

The location was still not quite
correct-- used the “hand” icon and
pulled the map to the general
application area.



The “pink” area on the map is the
Pesticide Use Limitation Area or
“PULA.”

LET'S GET A BULLETIN

Directions

This tool displays Pesticide Use Limitation Areas (FULAs) for products with active Endangered Species Protection Bulletins. To generate a printable bulletin, please follow these steps:

1. Navigate to your intended pesticide application area by using the "Location Search" tool or panning and zooming on the map itself.
2. Select your Application Month from the Application Date dropdown.
3. Search for a specific pesticide product using the EPA registration number and...

Location Search:

Lower Cobb Creek Rd SW

Application Month:

May 2021

EPA Registration Number:

70506-335

Product Name:

Moxaquin MTZ Herbicide

Satellite view:
Zoom in and pinpoint the actual application area.

Printable Bulletin button is red:
You cannot generate a Bulletin from this page.

The screenshot shows a web-based application interface. On the left is a sidebar with search and filter options. The main area is a satellite map of a rural landscape with a pink-shaded application area. A red arrow points to a button in the top right corner of the map area.

LET'S GET A BULLETIN

Directions
This tool displays Pesticide Use Limitation Areas (PULAs) for products with active Endangered Species Protection Bulletins. To generate a printable bulletin, please follow these steps:

1. Navigate to your intended pesticide application area by using the "Location Search" tool or panning and zooming on the map itself.
2. Select your Application Month from the Application Date dropdown.
3. Search for a specific pesticide product using the EPA registration number and

[Map](#)

Limitations for Selected Area

Pula ID: 63
Event Name: Salmon BiOp 7
Application Month: May 2023

Product	Count
Mocasin MTZ Herbicide (70506-335)	1

[Full Details](#)

[Clear Selected](#) [Zoom To Selected](#)

[Printable Bulletin](#)

Zoomed in and found the circle that's getting the application of Moccasin. Click inside the "pink" PULA area.

Note that the "Printable Bulletin" button has turned green.

The webpage identified that a Bulletin was available for this location.
PULA ID: 63 Event Name: Salmon BiOp7

LET'S GET A BULLETIN

Directions:
This tool displays Pesticide Use Limitation Areas (PULAs) for products with active Endangered Species Protection Bulletins. To generate a printable bulletin, please follow these steps:

1. Navigate to your intended pesticide application area by using the "Location Search" tool or panning and zooming on the map itself.
2. Select your Application Month from the Application Date dropdown.
3. Search for a specific pesticide product using the EPA registration number and...

Limitations for Selected Area

Area ID: 03
Event Name: Salmon B Dip T
Application Month: May 2023

Product	Count
Mobexin RTZ Lerbicide (EPA-111)	1

Printable Bulletin

Clicking "Printable Bulletin" will create a pdf to be downloaded. Open the pdf to view it.

EPA guidance recommends you either save the pdf to your computer or print and file it with your application records.

WSDA

bulletin (1).pdf

BULLETIN EXAMPLE

Showing the PULA and listing the application restrictions.

Follow the instructions in the Bulletin in addition to the label directions of your pesticide.


The Bulletin is an extension of the pesticide label.

Not following the limitations on your Bulletin is a misuse of the pesticide and a label violation.

Endangered Species Protection Bulletin

Application Month: May 2023
Product: Mocasin MTZ Herbicide (70506-335)

1 Areas where pesticide use must be limited are identified on the map. A legend is located beside the map to help pinpoint these locations.



Legend
Limitation Area

2 Look below at the Pesticide Use Limitation Summary Table. This table lists the user selected Active Ingredient(s) (AI) or Product(s) with pesticide use limitations on the printed map. Locate the Active Ingredient (AI) or Product you intend to apply in this table and identify the code in the last column. This code indicates the specific limitation associated with that AI or Product. A limitation description for each code can be found below in the Codes and Limitations Table. If multiple Pesticide Use Limitation Areas (PULAs) are visible on the map, these tables provide information for the highlighted PULA.

If you are applying a pesticide that contains more than one Active Ingredient, or multiple Products, then multiple codes may apply. Follow the limitations for all codes when using this pesticide.

This document contains legal requirements for the use of certain pesticides. Do not modify any text, graphics or coloration or otherwise alter this document. ESPP Contact: ESPP@epa.gov Phone: 1-844-447-3813

Endangered Species Protection Bulletin

Pesticide Use Limitation Summary Table

Product	AI	Use	Method	Form	Code
Mocasin MTZ Herbicide (70506-335)	Metolachlor	AI Agricul and weed	Aerial spray	Emulsifab in Concent rate	SRP-22
	Metolachlor	AI Agricul and weed	Ground application	Emulsifab in Concent rate	SRP-22

Codes and Limitations Table

Limitation
Metolachlor products within 50 meters (164 feet) of salmonid is accessible to salmon, including, but not limited to lakes, rivers, inundated floodplains, wetlands or natural ponds, near shore areas. Do not apply this product when soil is firm even likely to produce runoff from the treated area is 48 hours following application.

Requirements for the use of certain pesticides, coloration or otherwise alter this document. ESPP Contact: ESPP@epa.gov Phone: 1-844-447-3813

BULLETIN EXAMPLE

In this case, the limitation applies to aerial and ground application.

This limitation does not prohibit application!

It restricts application within **50 meters (164 feet)** of salmonid habitat only when the soil is saturated, or when a storm event likely to produce runoff is forecasted to occur within 48 hours following application.

Endangered Species Protection Bulletin

Application Month: May 2023
Product: Moccasin MTZ Herbicide (70506-335)

1 Areas where pesticide use must be limited are located beside the map to the right.

ted on the map. A legend is

Legend

Limitation Area

Pesticide Use Limitation Summary Table

Product	AI	Use	Method	Form	Code
Moccasin MTZ Herbicide (70506-335)	Metribuzin, S-Metolachlor	All Agricultural uses	Aerial spray	Emulsifiable Concentrate	SRF22
Moccasin MTZ Herbicide (70506-335)	Metribuzin, S-Metolachlor	All Agricultural uses	Ground application	Emulsifiable Concentrate	SRF22

Codes and Limitations Table

Code	Limitation
SRF22	When applying s-metolachlor products <u>within 50 meters (164 feet) of salmonid habitat (surface waters accessible to salmon, including, but not limited to lakes, reservoirs, rivers, streams, inundated floodplains, wetlands or natural ponds, estuaries and marine near-shore areas): Do not apply this product when soil is saturated, or when a storm event likely to produce runoff from the treated area is forecasted (by NOAA/National Weather Service, or other similar forecasting service) to occur within 48 hours following application.</u>

is table lists the user limitations on the to apply in this e specific for each code can da Use information for gradient, or for all codes. codes, current.

BULLETIN EXAMPLE

DEFINITIONS

“Saturated” means:

Standing water on the field or if water can be squeezed from soil.

“Storm Event” means: NOAA/National Weather Service predicts 50% chance or greater of a 1 or more inches of rainfall.

Endangered Species Protection Bulletin

Application Month: May 2023
Product: Moccasin MTZ Herbicide (70506-335)

Pesticide Use Limitation Summary Table

Product	AI	Use	Method	Form	Code
Moccasin MTZ Herbicide (70506-335)	Metribuzin, S-Metolachlor	All Agricultural uses	Aerial spray	Emulsifiable Concentrate	SRF22
Moccasin MTZ Herbicide (70506-335)	Metribuzin, S-Metolachlor	All Agricultural uses	Ground application	Emulsifiable Concentrate	SRF22

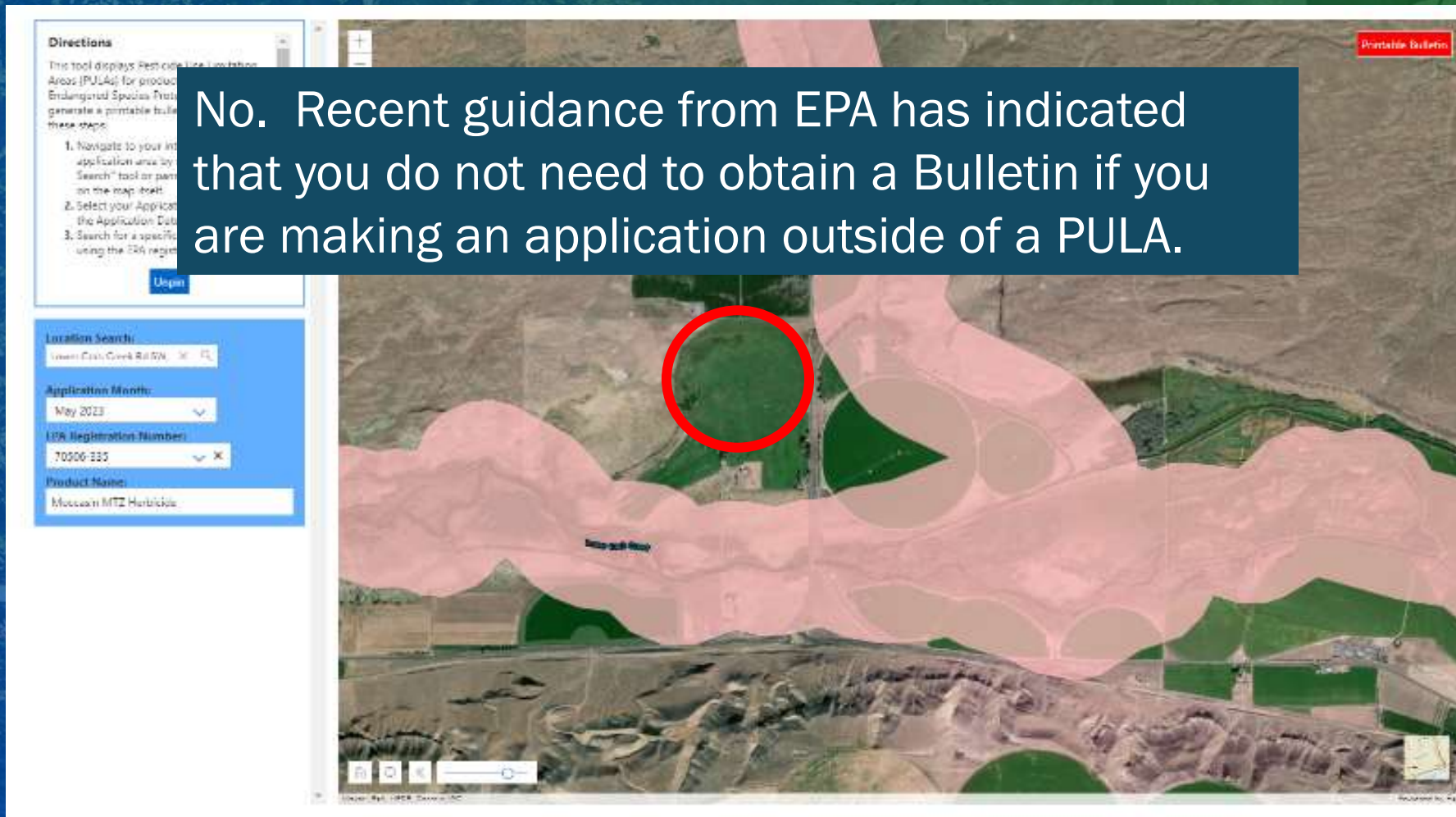
Codes and Limitations Table

Code	Limitation
SRF22	When applying s-metolachlor products within 50 meters (164 feet) of salmonid habitat (surface waters accessible to salmon, including, but not limited to lakes, reservoirs, rivers, streams, inundated floodplains, wetlands or natural ponds, estuaries and marine near shore areas): Do not apply this product when soil is saturated, or when a storm event likely to produce runoff from the treated area is forecasted (by NOAA/National Weather Service, or other similar forecasting service) to occur within 48 hours following application.

Legend:
Laboratory Area

WHAT IF MY APPLICATION AREA IS NOT IN A PULA?

No. Recent guidance from EPA has indicated that you do not need to obtain a Bulletin if you are making an application outside of a PULA.



I AM NOWHERE NEAR A PULA, DO I STILL NEED A BULLETIN?

No, You don't obtain a Bulletin

Directions

This tool displays Pesticide Use Limitation Areas (PULAs) for products with active Endangered Species Protection Bulletins. To generate a printable bulletin, please follow these steps:

1. Navigate to your intended pesticide application area by using the "Location Search" tool or panning and zooming on the map itself.
2. Select your Application Month from the Application Date dropdown.
3. Search for a specific pesticide product using the EPA registration number and...

[Login](#)

Location Search:

0010 River St NW, Reno, NV, USA

Application Month:


May 2022

EPA Registration Number:

70006-333

Product Name:

Molassoin MTZ Herbicide



COMPLIANCE WITH BULLETINS

- Bulletins are an extension of the pesticide label.
- Bulletins are enforceable!
- Not following the limitations on your Bulletin is a misuse of the pesticide and enforceable under FIFRA.
- If the misuse results in “take” of listed species, the action is also enforceable under the Endangered Species Act by the United States Fish and Wildlife Service and/or the National Marine Fisheries Service.
- “Take” as defined under the ESA means "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct."



RECORDKEEPING

- The label requires that a Bulletin is “obtained.”
 - EPA now states, “If you would like to save a bulletin for your own records you can”
 - Either a pdf or printed document that is retained with your application records.
 - Save the Bulletin whether there are restrictions or not.
 - Printing or saving the Bulletin will be the easiest way to show compliance with the label.



FREQUENTLY ASKED QUESTIONS

- **When does the Bulletins process become effective?**

- Bulletins are in effect now. If your label directs you to obtain a Bulletin, you must go to Bulletins Live! Two and get the Bulletin. Registration Services has approved revised pesticide labels with Bulletins language on them and they are beginning to enter the channels of trade.

- **How early (or late) can I obtain a Bulletin?**

You can obtain a bulletin no earlier than 6 months prior to the month you intend to make the pesticide application. And you can obtain a Bulletin immediately before your pesticide application month. Remember that the Bulletin must be dated for the month you are making the pesticide application.

- **Is the Bulletins Live! Two mobile friendly?**

Yes. You can access Bulletins Live! Two through the website on your phone

- **What if new restrictions are added to the Bulletin, after I have obtained it, but before my application?**

As long as you have obtained your Bulletin within the 6 months window prior to the month of your application, you are only required to follow those restrictions valid at the time you obtained it. Remember you must enter the month you intend to make the application.

Bulletins Live
2

FieldWatch

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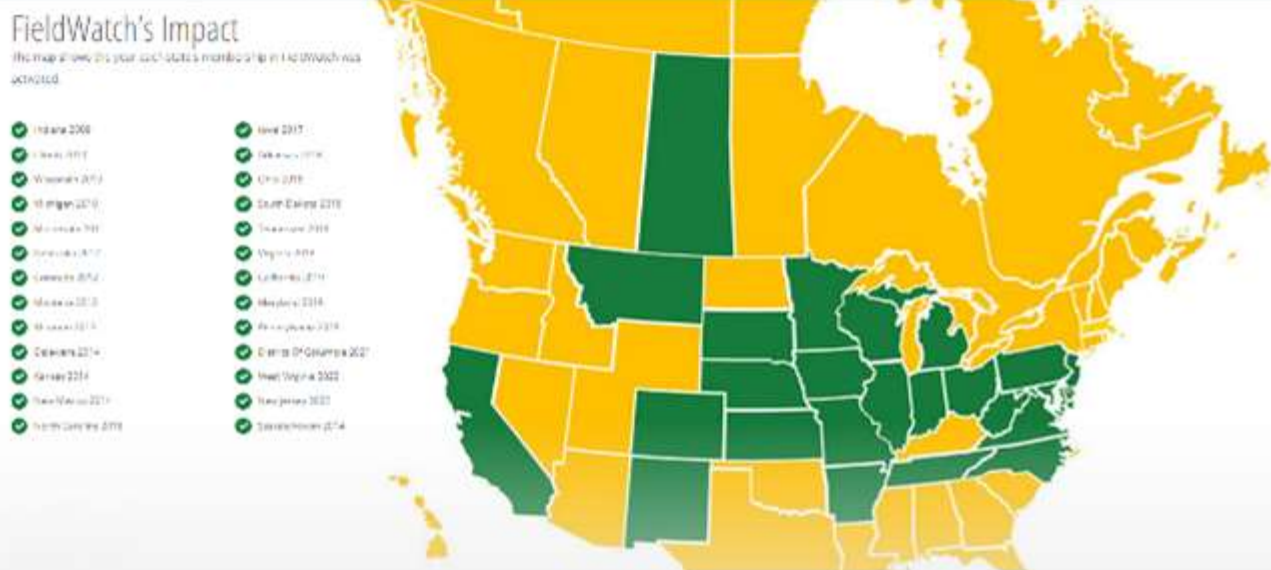
Case Studies

RoadMap



Washington state is partnering with FieldWatch within the next year.

By visiting <http://fieldwatch.com> you will be able to access all secure and free mapping tools to help you improve decision- making and manage potential drift.



24 States + 1 Province + Washington, DC



For Producers



For Seed Companies



For Applicators



For Beekeepers

Bulletins Live 2



FieldWatch



WSDA Online



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Matrix



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Updates



Case Studies

RoadMap

WHAT DO YOU NEED TODAY?

LET'S FIND IT

PESTICIDE AND SPI LICENSE - 2024* RENEWAL

For more information, call toll-free (877) 301-4555 or email license@agr.wa.gov.

ONLINE RENEWAL

Renew online with a checking account or with a credit or debit card. You will be charged a convenience fee for credit or debit card transactions.

[RENEW FOR 2024 ONLINE NOW](#)

*You currently may only renew for 2024 using the online portal.

- If you are the Commercial Applicator for more than one company, contact Licensing at License@agr.wa.gov or 877-301-4555. The online renewal process will not go through for all companies you represent.
- If you still need to renew for 2023, contact Licensing at License@agr.wa.gov or 877-301-4555.

RENEW BY MAIL

If renewing by mail, you should only complete a renewal form for licenses that qualify for renewal. If your recertification status is "Pending Recertification" or "Failed to Recertify", **DO NOT** complete a renewal form. Check your license status using WSDA's license search tool.

For renewals submitted through the mail, make checks payable to Washington State Department of Agriculture or WSDA.

NOTE: WSDA will no longer notify you that your renewal has been processed via mail or email. To check your license status, use the License Search page.



Online Testing is Coming!

Testing centers will be statewide and offer multiple testing each month.

Testing sessions will still be available in person



Bulletins Live 2



FieldWatch



WSDA Online



Penalty Matrix



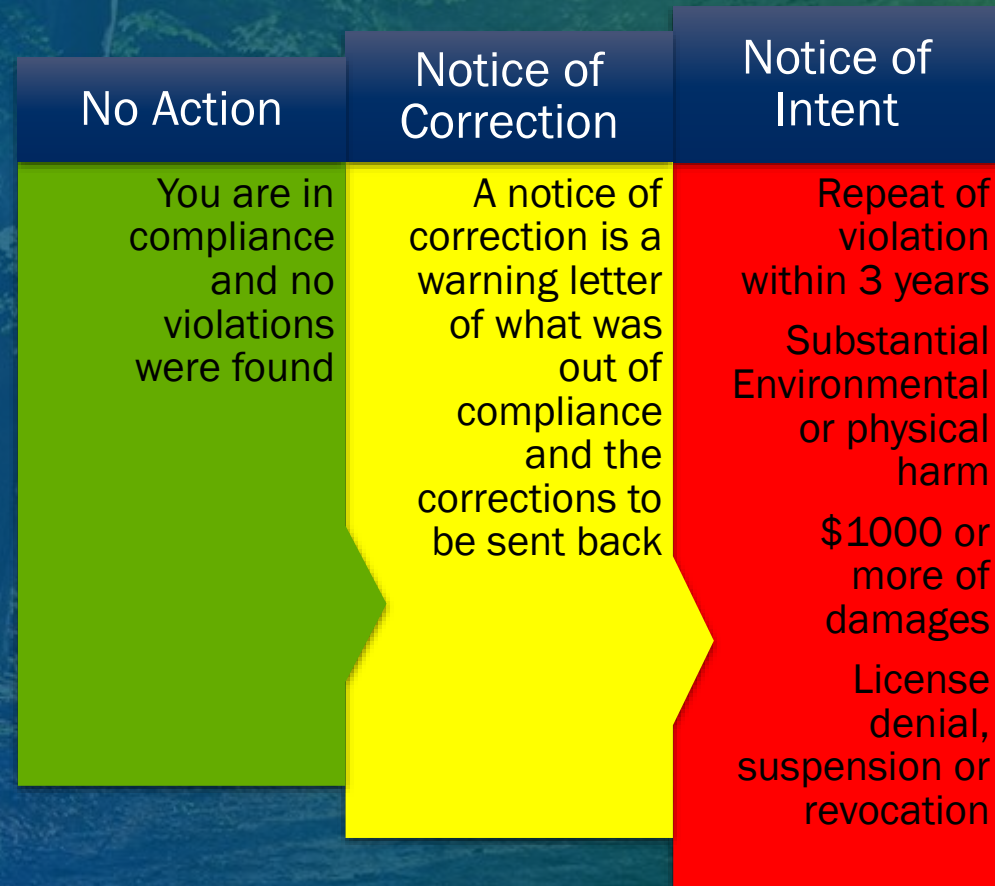
Licensing Updates



Case Studies

RoadMap

STATE PESTICIDE LAW VIOLATIONS PROCESS



Pesticide Penalty Rule Revisions

- Previous penalty matrix had not been modified since 2001. WAC 16-228-1130
- Department has adopted the new rule matrix as of April 1, 2023.

Penalty Rule Revisions

- New rule language creates three separate matrixes for different types of violations.
- Penalties can be increased (aggravated) or decreased (mitigated) from the level calculated in the penalty matrix.
- New rules have increased civil monetary penalties and lessened the days of license suspension, for human exposure type or property damage type violations.

Penalty Assignment Schedules

Table I: Licensing Violations

Level of Violation	Unlicensed Commercial Applicator	Unlicensed Pesticide Dealer Distributing Restricted Use Pesticides	All Other Violations for Operating Unlicensed
First	\$2,500	\$1,000	\$1,000
Second	\$5,000	\$2,500	\$2,500
Third or More	\$7,500	\$3,00	\$3,000

Table II: Worker Protection Standards Violations

Level of Violation	Failure to Provide Training, PPE, Decontamination and Information	All other Violations
First	\$1,000	\$500
Second	\$2,000	\$750
Third or More	\$3,000	\$1,000

Table III: Base Penalties

Level of Violation	Human Exposure	Adverse Effects Probable	Adverse Effects Not Probable
First	\$1,500 and 5-day license suspension	\$1,000 and a 4-day license suspension	\$300
Second	\$3,000 and 10-day license suspension	\$2,000 and 8-day license suspension	\$600
Third or More	\$6,000 and 20-day license suspension	\$4,000 and 16-day license suspension	\$1,200 and 3-day license suspension

Bulletins Live 2



FieldWatch



WSDA Online



Penalty Matrix



Licensing
Updates



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C&T General Implementation Timeframe

- **March 2020** WA state plan submitted to EPA Region X.
- **Dec 2022** EPA approval of state plan.
- **Jan 2023** Proposed statutory changes presented at 2023 legislative session.
- **April 2023** SB 5330 passed and signed.
- **Oct 2023** Begin rule change process.
- **Summer 2024** Anticipated completion of rule change process and codification of rules. Effective date no earlier than October 2025.
- **Oct 2025** Enforcement of new C&T requirements.

SB 5330 - Changes already in effect

- Minimum age – private applicators
- Updated or new definitions:
 - Direct supervision
 - Mishap
 - Non-certified applicator
 - Use
 - Use-specific instruction
- Suspension/revocation of reciprocal license based on action in state that issued original license.
- Authority – Direct supervision of noncertified applicators using RUPs.



WAC 16-228 Changes

- Dealer recordkeeping
- Category changes
- Enhanced competency standards
- Direct Supervision of non-certified applicators:
 - Minimum age for non-certified applicators
 - Responsibilities of the supervising certified applicator
 - Training requirements for non-certified applicator.



C&T Rule Webinar Recordings Available

PROPOSED UPDATES

For more information, call toll-free (877)301-4555 or email pestlicenseupdates@agr.wa.gov.

Learn What Changes May Affect You

While proposed changes may not take effect for a few years, WSDA wants to be transparent with our licensees so that everyone can anticipate how these changes may affect you.

Find the videos that are relevant to your license below:

GO TO PLAYLIST

[Private Applicators](#) ↗

[Landscape Professionals](#) ↗

[Pest Control Operators](#) ↗

[Dealer Managers](#) ↗

[Structural Pest Inspectors](#) ↗

JUMP TO

[Rule Background](#): ↗

- Relevant to: All licensees

[Competency Standards](#): ↗

- Relevant to: All licensees except SPI (with SPI General and SPI Practical categories)

[New- Aerial Category](#): ↗

- Relevant to: Licensees that make aerial applications- including by drone, airplane, and helicopter

[New- Space Fumigation Category](#): ↗

- Relevant to: Licensees that use any non-soil fumigants, including those with current Private Applicator, Fumigant, Stored Grain, PCO General/Structural, Pest Animal, and SO2

[Redefined- Public Health Pest Control Category](#): ↗

- Relevant to: Licensees that currently have Public Health Pest Control category or treat public health pests

[Redefined- Vertebrate Pest](#): ↗

Questions on C&T?

For questions on upcoming rule changes:
pestlicenseupdates@agr.wa.gov

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Bulletins Live 2



FieldWatch



WSDA Online



Penalty Matrix



Licensing Updates



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Waste Pesticide Program

FREE

Collect unusable agricultural and commercial pesticides

<https://agr.wa.gov/wastepesticide>

WastePesticide@agr.wa.gov





Dithane F-45



Casoron 4G



Diazinon



Guthion



Common Violations



Label



Endangerment



Records



County Rules

Ways to Avoid them...



Check the weather



Complete paperwork



Check your neighbors



Check and calibrate equipment

Case Study



Case Study

An unknown and unregistered pesticide was found



What can we do?

- This was LCBs case, larger infractions were handled by them.
- These were containers filled with fertilizers, if they were pesticides we would be concerned
- We did find minor infractions with record keeping and improper air gap in fertigation tank that needed attention.



Action

NOC: Pipe was inserted through top of fertigation tank. Air gap was not properly installed.

NOC: Application records were not complete.



Case Study



Case Study



Label

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING. Causes substantial but temporary eye injury. Do not get in eyes, on skin, or on clothing. Harmful if absorbed through skin, inhaled, or swallowed. Avoid breathing spray mist. Wear goggles or safety glasses. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove and wash contaminated clothing before re-use.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on the label about personal protective equipment (PPE) and restricted entry intervals. The requirements in this box only apply to uses of this product covered by the Worker Protection Standard.

Do not enter or allow entry into treated areas during the restricted entry interval (REI) of **4 hours** unless wearing appropriate PPE.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated such as, plants, soil or water is:

- Coveralls worn over short-sleeved shirt and short pants
- Shoes plus socks
- Protective eyewear
- Chemical-resistant gloves such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, polyvinyl chloride or viton

WSDA

falgro[®] 4L



Plant Growth Regulator Solution

Active Ingredient:	
Gibberellic Acid (As)	4.0%
Other Ingredients:	96.0%
Total:	100.0%

**KEEP OUT OF REACH
OF CHILDREN
WARNING/AVISO
FLAMMABLE**

Keep away from heat and open flame

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)

Net contents:
1 Gallon (3.78L)
EPA Reg. No. 62097-2-82917
EPA Est. No. 39578-TX-001
See inside panel for
First Aid Statements
Falgro[®] is a
registered trademark of
Fine Agrochemicals Ltd.
SAL 11/25/14
FAL/4L/US/1G/14

ne

distributed by:
Americas, Inc.
Mt. Diablo Blvd.
405
at Creek, CA 94596

888-474-3463
fine-americas.com
www.fine-americas.com

Action

NOI

- Use of pesticide “Contrary to label directions”
- Use of pesticide “In a manner inconsistent with labeling”
- Improper/missing decontamination and eye flushing supplies for handlers



Case Study



Issues

Samples collected from properties contained positive detections.

The wind was blowing towards the organic farm in the video the applicator sent us.



Action

NOC: Applied a pesticide inconsistent with the label by allowing drift onto desirable vegetation.





THANK YOU!

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