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Farm Update

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Proper Pesticide Use for People, Crops, and Environment

I recently completed the private pesticide applicator training series for people applying agricultural pesticides on land they rent or own. This class is required every three years to maintain an understanding of the applicator requirements as they are stated in the information labels of the products they have chosen. This requirement ensures the proper use of the products regarding their safety, the safety of others, and the environment.

Proper use of herbicides and other pesticides is important to the safety of humans and the environment. Pesticide labels contain precautionary statements to inform people of the potential hazards and safeguards associated with pesticides. The types of precautionary statements may vary depending on the particular product and its use. Issues that may require precautionary statements are the use of protective clothing, exposure to domestic animals, storage, disposal of excess pesticides, rinsates and containers, toxicity to fish and wildlife, groundwater, and endangered species. To ensure the pesticide is used safely, it is important to read and follow the label directions. Worker Protection Standards (WPS) were established to protect pesticide handlers and agricultural workers. This federal EPA regulation requires that employees are informed about pesticide use and protection practices. WPS requires pesticide safety training for workers and handlers, display of safety posters, and access to labeling and other specific information at a central location. Further protection is ensured by excluding workers from areas

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being treated with a pesticide, REI (Restricted-Entry Intervals) following a pesticide application, and proper use of PPE (Personal Protective Equipment). REI's and protective clothing requirements are listed on the pesticide label.

The Endangered Species Act is a long-standing federal law, first passed in 1973, requiring government agencies to ensure any actions they take do not jeopardize a species federally listed as endangered or threatened. When an agency has a proposed action that might affect a listed species or its habitat, they consult with one or both agencies that help enforce the ESA, the U.S. Fish and Wildlife Services, or the National Marine Fisheries Service. The Services then may recommend changes to the project or action to protect listed species or habitats.

The Environmental Protection Agency (EPA) Office of Pesticide Programs (OPP) is the federal agency that regulates pesticide use. Because the use of pesticides can affect animals and plants (or their habitat), pesticide registrations are considered “actions” that would trigger an endangered species consultation.

Due to the complex nature of the process, the EPA has not fully completed the required endangered species consultations with the Services for pesticide registrations in the past, which has left many of those pesticides vulnerable to lawsuits. Courts have annulled pesticide registrations, leading to their removal from the market. To make pesticide registrations more secure from litigation, ultimately all pesticide registrations will comply with the Endangered Species Act.

Many pesticide labels will likely have changes that could include a requirement to check the EPA's Bulletins Live! Two website, and follow current ESA restrictions for the pesticide product in the bulletin (<https://www.epa.gov/endangered-species/bulletins-live-two-view->

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bulletins). In addition, pesticide labels will have required measures to reduce spray drift and reduce water runoff and soil erosion.

In short, farmers and applicators should expect to see some new application requirements on their pesticide labels. But there is no need to panic. To date, no pesticide has ever been fully removed from the market based solely on endangered species risks, and that remains an unlikely scenario in the future.

By starting to fully comply with the ESA, the EPA anticipates that this will give farmers and applicators more stable, reliable access to the pesticides they need. Furthermore, the ESA has been successful at bringing back some species Americans care about – such as the bald eagle or the Eggert sunflower – and restoring them to healthy populations.

The potential for contamination of surface and/or groundwater has become an important consideration when choosing herbicides. Several products have groundwater and surface water advisory statements on their label. Such statements advise not to apply these herbicides where the water table is close to the surface and where the soils are sandy. Refer to these statements and observe all precautions on the label when using these products.

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