

WINDOW ON AGRICULTURE

Office of the Sonoma County Agricultural Commissioner

Lisa Correia
Agricultural Commissioner/Sealer

<http://www.sonoma-county.org/agcomm>

133 Aviation Blvd., Ste. 110
Santa Rosa, CA 95403
Phone (707) 565-2371
Fax (707) 565-3850

January 2005

Marilyn Vernon and Suzanne Ostrom

New Pesticide Drift Law

New law on drift exposure makes any person found to have violated pesticide laws or regulations liable for the immediate costs of uncompensated medical care for an illness or injury requiring emergency medical transport or immediate medical treatment of any individual in a non-occupational setting.

The new requirements were signed into law in September 2004 (Senate Bill 391) and becomes effective January 2005. The new law places the financial burden to pay for acute medical costs on the business responsible for the incident. This law was prompted by several incidents in California in which a number of residents near agricultural fields were made ill by pesticide drift. In these incidents many of the people that were made sick did not have medical insurance or the means to pay for medical treatment.

Under the new law, if a pesticide use violation causes illness or injury, the penalty action an Agricultural Commissioner issues will also include a statement notifying the violator of his or her responsibility to pay the uncompensated medical costs of those who suffered acute illness or injury and sought immediate medical treatment. There is no obligation, expectation or authority for the Agricultural Commissioner to oversee the reimbursement process.

This new law applies only to incidents in which pesticides were used in the production of an agricultural commodity, and the medical payments are limited to persons that were not performing work as an employee at the time of the incident. Employees would be covered for their medical expenses by Workers' Compensation.

For more information on this new law you can visit the website of the California Department of Pesticide Regulation at: www.cdpr.ca.gov

New Clopyralid Regulations Proposed

New regulations have been proposed by the California Department of Pesticide Regulation (DPR) to prevent the contamination of compost by clopyralid, an herbicide. The proposed regulations would impose restrictions on the sale and use of clopyralid lawn and turf products.

DPR proposes regulations that would require licensed pest control dealers to obtain a signed statement from a licensed or certified qualified applicator before selling the product.

New Clopyralid Regulations Proposed (Cont.)

The statement is certifying that he/she or their employees will not apply any product containing clopyralid to a residential lawn, and will only apply it to sites where the licensed or certified qualified applicator can assure the collected grass clippings will remain on the property.

Clopyralid (known by the brand names of Confront, Millennium, Transline and others) was initially brought to California to combat Yellowstar Thistle, and later registered for lawn and turf uses. In 2000, clopyralid was detected in compost in Washington State, and was determined to be the cause of damage to non-target plants. It was believed that clippings containing clopyralid from residential lawns were one source of the residues in the compost. Some commercial compost facilities in California have detected clopyralid residue, however no cases of non-target damage have been documented.

Diverting green wastes from landfills and using it for compost is an important part of conserving landfill space in California. These regulations are important to keep the compost clean and usable.

The proposed regulations are open for comment until 5:00 p.m. on January 31, 2005. Written comments on these proposed regulations may be sent to:

David Haskell, Associate Environmental
Research Scientist
Department of Pesticide Regulation
Pesticide Registration Branch
P.O. Box 4015
Sacramento, CA 95812-4015
(916) 445-4207
E-mail: dpr04003@cdpr.ca.gov

For further information and/or the text of the proposed regulations visit DPR's website at at: www.cdpr.ca.gov.

Pest Control Management Update Class

In the spring and fall of each year our office has put on a pest management class at the Santa Rosa Junior College (Ag. 170). Several speakers are chosen to give presentations on a wide variety of pest related topics. This class provides an excellent opportunity for growers, pest control operators, pest control advisors, and maintenance gardeners to obtain continuing education hours for their licenses or certificates.

February 25th and 26th are the dates of the class for the spring 2005 semester.

You must register for the class through the Santa Rosa Junior College by telephoning 527-4011 or on-line at: www.santarosa.edu.

If you have questions about the class, please call Pete Albers at the Agricultural Commissioner's Office (707) 565-2371.

