

PESTICIDE REPORTS

Division of Agricultural Sciences and Natural Resources • Oklahoma State University
<http://pested.okstate.edu>



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CHEM

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REMINDER : HERBICIDE RESTRICTED AREAS IN OKLAHOMA START MAY 1.

Since 2006 to be in compliance when applications of products containing 2,4-D, dicamba, picloram, triclopyr, or clopyralid as an active ingredient are made to agricultural lands in **Jackson and Tillman** counties between May 1 through October 15 of each calendar year require a notice of intent and herbicide use report paperwork be filed with ODAFF.

Don't forget that this will apply to the new 2,4-D and Dicamba resistant crops grown in these counties when making applications of those specialized 2,4-D or dicamba products for those resistant crops (Enlist, Xtendimax, Engenia, and Fexapan). This rule applies to both producers and commercial applicators making these types of applications.

The same requirements are in place for **Greer, Harmon, and Kiowa** counties but only apply to dicamba and 2, 4-D ester products sprayed during the May to October time frame.

You can find more information plus the forms at this ODAFF website
<http://www.oda.state.ok.us/cps/herbform.pdf>.
 (PSEP)

TEST HELP WORKSHOPS SCHEDULED FOR JUNE

The next test help workshops will be held June 19 in Tulsa and June 29 in Oklahoma City. They will be held in the Tulsa and Oklahoma County Extension offices.

Please note the next test help workshops after the June dates will not occur until October. Those dates are October 11 in Oklahoma City and October 16 in Tulsa.

To enroll in the June test help workshops please go to <http://pested.okstate.edu/html/practical.htm> for enrollment information or to enroll online. (PSEP)

2,4-D AND DICAMBA CROPPING SYSTEMS IN 2018: LOOKING FOR A SMOOTHER YEAR

Over the past several decades, the unending quest to help grower-customers increase their crop yields has driven the agricultural marketplace to introduce various biotech varieties resistant to various popular herbicides along the way. And the majority have worked fine — until now, that is. Now experts are wondering what happens next.

The overriding problem, of course, is weed resistance. Since growers first started planting crops, they have been constantly fighting yield-robbing weeds in their fields. That's why, starting in the mid-1990s, glyphosate-resistant crops first began appearing into the marketplace. Now able to spray herbicides while resistant plants were already in the field increased the growers' ability to better manage their acres.

Unfortunately, weeds by their nature are incredibly adaptive to changing environmental conditions. Starting in 2000, glyphosate-resistant weeds began showing up (when resistant marestail was first discovered in a Delaware crop field). Weeds resistant to other popular herbicides were already becoming more widespread by this point as well.

Soon, and throughout the early years of the 21st century, herbicide-resistant weeds kept spreading across the entire U.S., field by field, state by state. By the end of 2017, weed scientists estimate that there are now 238 herbicide-resistant weeds growing in virtually every state of the country that are capable of surviving efforts to control them using 26 different kinds of herbicides.

At a 2017 trade show, Kevin Bradley, Associate Professor at the University of Missouri, described just how adaptive one weed — waterhemp — has become in the Show-Me State. "It's a nightmare," said Bradley. "As weed scientists, we've looked high and low, and we can't find waterhemp in Missouri that is not resistant to ALS, glyphosate, and PPO herbicides."

Dr. Ford Baldwin, a representative for Practical Weed Consultants, echoed this view. "Several of the most popular herbicides, including glyphosate, are no longer able to kill the weeds they were intended to," said Baldwin, speaking at the 2017 Agricultural Retailers Association (ARA) annual meeting. "Basically, we are down to dicamba, HPPDs, glufosinate, and 2,4-D in terms of choices."

Enter 2,4-D/Dicamba Crops

For this reason, crop protection/seed suppliers began trying to expand the number of herbicide-resistant crop choices. Not too many years into the early 2000s, Bayer CropScience launched LibertyLink crops, which were resistant to glufosinate, as an alternative to glyphosate-resistant options. These continue to enjoy popularity across the U.S., particularly in the Mid-South where resistant Palmer amaranth is a concern for growers.

And over the past decade or so, a pair of other crop protection/seed companies — Monsanto and Dow AgroSciences (now DowDuPont) — began working on their own cropping systems resistant to two of the other herbicides Baldwin mentioned in his ARA talk — dicamba and 2,4-D, respectively. Both companies have spent the past several years experimenting with these crops while they awaited the necessary regulatory approvals from various governmental and international agencies/countries.

As the agricultural marketplace prepared for the 2017 growing season, word came down that Monsanto's dicamba-resistant soybeans and cotton, marketed under the Roundup Ready 2 Xtend and Bollgard II XtendFlex names — would be available for U.S. growers to plant. These were to be supported not by older formulations of dicamba such as Banvel and Clarity, but newer, less volatile (i.e., less likely to drift) ones from Monsanto (XtendiMax with VaporGrip technology), BASF (Engenia), and DowDuPont (FeXapan with VaporGrip technology).

At the 2018 Ohio AgriBusiness Association (OABA) annual meeting in February, BASF Ohio Representative Don Schneider explained why dicamba-resistant crops are important to many of today's growers. "Dicamba is one of the last compounds left that can control virtually all the broadleaf weeds that are resistant to many other herbicides," said Schneider.

Based upon the preliminary numbers, U.S. soybean and cotton growers were anxious to try this new cropping system in their fields. According to Monsanto, an estimated 20 million acres of Roundup Ready 2 Xtend soybeans and six million acres of Bollgard II XtendFlex cotton were planted in 2017.

However, as tends to happen with any first-year technology regardless of the field, there were some growing pains, so to speak, with dicamba-resistant crops. Throughout the spring and summer months, state agricultural offices across the Eastern part of the U.S. received complaints from growers that off-target dicamba applications had damaged their non-resistant crops/plants. This included evidence of puckered or cupped leaves on plants one to two weeks after dicamba application work was done.

By the time the year was over, a total of 2,708 formal complaints regarding dicamba damage were filed with regulators — more than triple the number of complaints typically received during a growing season, say industry insiders. These have already led to almost one dozen civil lawsuits being filed against dicamba manufacturers.

"I told people [in 2016] I was cautiously optimistic we'd make [dicamba application on resistant crops] work," Bob Hartzler, Extension Weed Specialist and Professor of Ag-ronomy at Iowa State University told CropLife® magazine in November 2017. "I was proven wrong."

One state in particular — Arkansas — led the nation in off-target dicamba complaints. Here, regulators heard from almost 1,000 growers regarding this problem. According to BASF's Schneider, some of these complaints were caused by applicators/growers applying older dicamba products. "These guys were looking for any way they could to fight against Palmer amaranth that was resistant to other herbicides, and the fine for applying off-label dicamba was only \$5,000 at the time," he said. "Now, that fine threshold has been raised to \$50,000."

However, he added, the majority of off-target dicamba complaints in Arkansas were likely caused by temperature inversions — times of day when solar radiation lessens, creating a layer of cooler, denser air near the soil surface. This can result in off-target movement because smaller herbicide droplets will never reach their intended target.

"That's why it's important to apply dicamba after sunrise and before sunset," said Schneider. "During 2017, approximately 50% of the dicamba products used in Arkansas were sprayed at night. So lots of inversions were probably taking place."

Monsanto also said it believed that many of 2017's off-target dicamba complaints stemmed from improper use. "New technologies take some time to learn," said Scott Partridge, Vice President for Global Strategy for the company in an online statement. "Thus far, what we've seen in the field, the vast majority, more than three-quarters of them, has been due to not following the label." In fact, according to Monsanto, 97% of soybean growers surveyed by the company at the end of 2017 were "satisfied or very satisfied" with the weed control they got from using Roundup Ready 2 Xtend crops.

Looking Ahead to 2018

Hoping to avoid some of the issues that dicamba application faced during 2017, various states have taken steps they hope will eliminate — or at least significantly reduce — the chances for off-target dicamba movement occurring during the 2018 growing season. These include restricting the time of day dicamba can be applied to fields between 7:30 a.m. and 5:30 p.m. (Missouri and Tennessee), not permitting application to take place if the air temperature is above 85 degrees (Minnesota and North Dakota), requiring paperwork to be filled out on the same day as applications of dicamba take place (Missouri and Ohio), and that a hooded sprayer be used if any dicamba application takes place between July 15 and October 1 (Tennessee).

Several states also have set cut-off dates for dicamba use. Most of these are set as early as June 1 (in the southeastern portion of Missouri) to June 30 (North Dakota). Perhaps not surprisingly, given how many complaints appeared there, Arkansas has the earliest restriction on a dicamba application cut-off date, with no work being permitted after April 15. Also not surprisingly, Monsanto has taken issue with this early stop date and has engaged in a series of lawsuits/grower-focused campaigns to convince Arkansas regulators to revise this ruling. At press time, this battle was still ongoing.

In a letter to Arkansas Governor Asa Hutchison, Monsanto Chief Technology Officer Dr. Robb Fraley offered this assurance to the state's agricultural community: "We will continue and expand our outreach efforts going into the 2018 season to ensure that you feel fully comfortable and confident in successfully using our products. We'll continue to partner closely with our retailers, Extension agents, and individual customers to make sure you experience the full potential of this breakthrough technology."

Meanwhile, while dicamba-resistant crops are preparing to enter their full second year on the market in 2018, the other new cropping system, featuring 2,4-D-resistant crops marketed under the Enlist name, is finally getting ready to make its market debut. According to DowDuPont, the company was waiting for certain regulatory

approvals for export to come through before formally introducing this new technology to the U.S. agriculture marketplace. "I'm happy to report that we now have trait approval for Enlist corn in China," said a DowDuPont representative during a summer 2017 company event. "We are now able to launch corn containing the Enlist trait starting for the 2018 season." It will also be available for cotton.

According to Shawna Hubbard, Herbicides Product Manager, the Enlist corn trait will be available as both SmartStax Enlist and PowerCore Enlist hybrids. For cotton, it is available in PhytoGen cottonseed. Both traits are supported by a new herbicide option from the company — Enlist One. A 2,4-D choline product featuring Colex-D technology, Enlist One can be tank-mixed with glufosinate and is approved for use in 34 cotton/corn/soybean producing states.

As with the introduction of dicamba-resistant crops a year earlier, DowDuPont offered Enlist users a training program called Enlist Ahead management resource. "This includes the Enlist 360 online training module, the in-field technical expertise of Enlist field specialists, and other resources and incentives," says Hubbard. "With practical management practices, Enlist Ahead helps growers make on-target applications and prevent the development of resistant weeds."

While 2,4-D resistant crops begin their market journey in 2018, dicamba offerings have a little more at stake. According to several industry insiders, regulators unsure of how dicamba application work would perform during the 2017 growing season meant that the labels on these herbicides is set to expire at the end of November this year. Speakers such as the University of Missouri's Bradley say this was done deliberately to "hedge their bets" against continuing usage if market problems persisted.

For ag retailers and their grower-customers, this means the stakes are incredibly high for dicamba application to have a "good year" during 2018. For applicators, said Erick Springer, a representative at John Deere equipment dealer Ohio Spray Center,

being extra careful to follow all the rules regarding dicamba application will be key.

“Let’s face it — we got stupid when it came to using glyphosate because it was so easy to handle,” said Springer, speaking at the 2018 OABA meeting. “But the math is different now, and dicamba is making us have to think again when we are in the sprayer. We have to get a lot smarter in 2018 than we were in 2017.”

Dr. Vince Davis, a representative for BASF, agrees whole-heartedly with this assessment. “The use of this technology is necessary, but we need to figure out how to use it better,” said Davis, speaking at the 2018 Illinois Fertilizer & Chemical Association annual meeting. “We need this technology and others like it to combat some of the herbicide-resistance issues we are up against. But we can’t have a repeat of 2017, or we will lose this chance.” (CropLife, March 29, 2018)
<http://www.croplife.com/crop-inputs/24-d-dicamba-cropping-systems-2018-looking-smoother-year/>

GRAND JURY CHARGES PESTICIDE APPLICATOR FOR APPLYING RESTRICTED-USE PESTICIDE TO RESIDENCES IN THE U.S. VIRGIN ISLANDS

Terminix Employee Illegally Applied Pesticides Containing Methyl Bromide to Residences in St. John, St. Croix, and St. Thomas, U.S.V.I.

Jose Rivera, 59, was indicted yesterday by a federal grand jury for violating the Federal Insecticide, Fungicide, and Rodenticide Act. According to the indictment, Rivera illegally applied fumigants containing methyl bromide in multiple residential locations in the U.S. Virgin Islands, including the condominium resort complex in St. John, where a family of four fell seriously ill in March 2015, announced Assistant Attorney General Jeffrey H. Wood of the Environment and Natural Resources Division and United States Attorney Gretchen C.F. Shappert for the District of the Virgin Islands.

The indictment alleges that Rivera knowingly applied restricted-use fumigants at the Sirensa resort in St. John for the purpose of exterminating household pests on or about Oct. 20, 2014, and on or about March 18, 2015. The defendant was also charged with applying the restricted-use pesticide in eight residential units in St. Croix and one additional unit in St. Thomas between April 2013 and February 2015.

In 1984, EPA banned the indoor use of methyl bromide products. The few remaining uses are severely restricted. Pesticides containing methyl bromide in the U.S. are restricted-use due to their acute toxicity, meaning that they must only be applied by a certified applicator. Health effects of acute exposure to methyl bromide are serious and include central nervous system and respiratory system damage. Pesticides can be very toxic and it is critically important that they be used only as approved by EPA.

Earlier this year, TERMINIX LP and TERMINIX, USVI were sentenced to pay a total of \$9.2 million in criminal fines and restitution. The companies were also ordered to perform community service following an investigation and guilty pleas to their use and application of illegal fumigants in multiple residential locations in the Virgin Islands.

The case was investigated by EPA Criminal Investigation Division, working cooperatively with the Virgin Islands government and the Agency for Toxic Substances and Disease Registry. Senior Litigation Counsel Howard P. Stewart of the Justice Department’s Environmental Crimes Section and Assistant U.S. Attorney Kim L. Chisholm for the District of the Virgin Islands are prosecuting the case with the assistance of Patricia Hick, EPA Region II Regional Criminal Enforcement Counsel.

An indictment is merely a formal charging document and is not evidence of guilt. Every defendant is presumed innocent until, and unless, proven guilty.

For more information about EPA’s pesticide program and its requirements, visit www.epa.gov/pesticides/.

For more information on methyl bromide, visit www.epa.gov/region2/methyl-bromide.pdf. (U.S. Department of Justice, April 13, 2018) <https://www.justice.gov/opa/pr/grand-jury-charges-pesticide-applicator-applying-restricted-use-pesticide-residences-us>

NEW YORK CITY USING DRY ICE TO CONTROL RATS

It's the final lullaby for some members of the city's bustling rat population.

The city is ramping up its use of dry ice to plug rat burrows in parks. The ice fills their underground homes with carbon dioxide, suffocating the rats which often sleep during the day.

It's quicker, more humane and environmentally friendly than traditional rodenticide, which has felled hawks who sometimes snack on the poisoned critters.

"This is one weapon in what we do to fight rats in New York City," said Rick Simeone, director of pest control for the city's Health Department, during a demonstration at Columbus Park in lower Manhattan. "And it completely eliminates any chance of secondary poisoning for hawks and birds of prey."

Simeone said the city is increasing its use of dry ice because just last year the U.S. Environmental Protection Agency registered the product "Rat Ice" from Bell Laboratories, and the New York State Department of Environmental Conservation also registered it for use as a pesticide.

Before that, several cities — including New York City— conducted smaller pilot projects to control the rat population with dry ice. But the EPA wanted the dry ice registered as a product before it was widely used.

It's all part of Mayor de Blasio's \$32 million plan to reduce the city's rat population, with a focus on the city's high-infestation areas: Grand Concourse in

the Bronx, Chinatown/East Village/Lower East Side in Manhattan and Bushwick/Bedford-Stuyvesant in Brooklyn.

Health Department officials said during the 2016 pilot project, dry ice helped slash the number of rat burrows at Columbus Park from 60 to just two. Tompkins Square Park saw a reduction of 368 burrows down to 20.

"I've been here 20 years and I've not seen a method, if it's applied this way, that is this effective," Simeone said.

Pest control workers must clearly define and mark rat burrow openings in order for the dry ice to be effective.

"You have to have a burrow system and an area where you identify the colony," said Simeone. "If you apply the product correctly, you will eliminate those rats."

Rats can have four to six litters of offspring a year, he said, especially in the warmer months.

"If you get in early like we are doing now before the winter ends, you will have less reproducing adults which should amount to fewer rats," he said.

Simeone was quick to note the dry ice will not work in every scenario. The city's efforts to use more closed trash containers in parks, and increase garbage pickups is key to taming the rat population.

Traditional rodenticide takes longer to work, he said. And rats might pass it by if they spot a tasty scrap of pizza or some leftover lunch.

Still, the city will continue to use rat poison in some cases. But Parks Department officials said dry ice will be used in parks with rat activity that are also home to nesting raptors.

That's good news for wildlife rehabilitators Cathy and Bobby Horvath who have treated hawks, owls and other birds after they ingested rat poison. Bobby also serves as a city firefighter.

“This is a win for wildlife in the city,” Bobby said. “Any predator that preys on rodents is a potential victim for secondary poisoning. Even domestic pets if they catch mice or rats.”

On Tuesday, the City Council’s Sanitation Committee held a hearing on a package of rat mitigation bills. Some of the proposed legislation would require some buildings to take out garbage between 4 a.m. and 6 p.m. and require businesses to clean grease from their sidewalks.

(AMNewYork, March 6, 2018)

<https://www.amny.com/news/nyc-rats-dry-ice-1.17149781>

US EPA SAYS CHLORPYRIFOS CHALLENGE FAILS ON JURISDICTIONAL GROUNDS

The US Trump administration is urging a federal court to reject a challenge to its decision not to ban the insecticide, chlorpyrifos, on jurisdictional grounds. It argues that the plaintiffs have filed their complaint too soon. In a March 8th filing with the US Court of Appeals for the Ninth Circuit, the US EPA says that the plaintiffs must wait until the Agency completes a review of administrative objections to its denial of the underlying petition to revoke food tolerances for the insecticide.

The plaintiffs have filed such objections with the EPA, but contend that the Agency has shown little sign of reviewing or responding to their concerns. The lawsuit, filed last June by a coalition of environmentalists and farmworker advocates, alleges that EPA Administrator Scott Pruitt violated federal law with his March 2017 order to deny a petition calling for ban on chlorpyrifos. Seven states have intervened on behalf of the plaintiffs.

The 2007 petition said that evidence of neurological harm from the insecticide warranted the revocation of food tolerances, a move that would effectively prohibit agricultural uses. After years of legal wrangling, the EPA appeared to agree and in November 2016 issued a plan to revoke tolerances,

citing evidence that cumulative exposures posed undue risks to children as defined by the Federal Food, Drug and Cosmetic Act (FFCDA).

But the Agency faced strong pressure to reverse course from grower groups, the agrochemical industry and the USDA, which cited concerns about the scientific integrity of the EPA's review and worry about the lack of affordable and effective alternatives to the nation's most widely used conventional insecticide. US farmers annually use an estimated 5-6 million pounds (2,268-2,722 tonnes) of chlorpyrifos on some 50 crops, including almonds, apples, citrus fruit, maize and strawberries.

Mr Pruitt cited critics' concerns in his denial order, concluding that "the science addressing neurodevelopmental effects remains unresolved and that further evaluation of the science during the remaining time for completion of registration review is warranted". The EPA faces a deadline of 2022 to complete its registration review of chlorpyrifos.

The plaintiffs contend that Mr Pruitt has caved to industry pressure and failed to cite any new safety finding to justify the decision. The lawsuit alleges that the EPA Administrator violated the FFDCFA and calls on the Ninth Circuit to force the Agency to impose a ban chlorpyrifos.

The EPA's 100-page brief does not discuss the merits of the challenge, but hones in on the jurisdictional issue and says that the lawsuit is untimely. The plaintiffs are asking the Court to "do precisely what the FFDCFA prohibits - review an order by EPA denying a petition to revoke a pesticide's tolerance - rather than wait and review EPA's final decision after the administrative objections process", according to the Agency.

The EPA suggests that the Ninth Circuit lacks the authority to allow the case to proceed and notes that the objections filed through the administrative process are "exactly the same" as the ones in the plaintiffs' complaint. "Regardless of EPA's eventual response and final decision, this Court should let EPA address those objections in the first instance," according to the EPA. "The Agency's final decision

could obviate the need for any judicial review, either in whole or in part."

The Agency also rejects the plaintiffs' argument that it has little interest in completing that review in a timely manner. The plaintiffs have offered "no evidence to suggest that the Agency will simply ignore these objections", the EPA says. "Just because [they] are unsatisfied with the denial order does not mean that there is 'certainty of an adverse decision' in the ongoing administrative objections process." (Pesticide & Chemical Policy/AGROW, March 15, 2018)

NEW TICK SPECIES IDENTIFIED IN NEW JERSEY

Following initial identification by the Center for Vector Biology at Rutgers University and the Hunterdon County Department of Health, the National Veterinary Services Laboratory (NVSL) in Ames, Iowa confirmed on November 9, 2017 the finding of an exotic East Asian tick (*Haemaphysalis longicornis*), also known as the Longhorned tick or bush tick, on a farm in Hunterdon County. Until that time, this tick was not known to exist in the U.S. How it arrived in New Jersey remains a mystery.

Steps were promptly taken to eradicate the tick from the index property and the animals in and around it. Tests on the exotic tick in November failed to reveal any tickborne diseases.

Ongoing surveillance continued during the winter and on April 17, 2018 the NVSL confirmed the Longhorned tick successfully overwintered in New Jersey and has possibly become established in the state.

Local, state and federal animal health and wildlife officials, as well as Rutgers University – Center for Vector Biology are working together to eliminate this pest from the index premises and to contain its spread to the surrounding areas. Surveillance in wildlife and livestock species will continue throughout the year.

State and USDA employees will be working with the public to determine if the tick has spread to new areas and to educate the public about protecting livestock and pets from this pest. Questionnaires will be distributed to property owners within a 3-kilometer radius of the index property to gather pertinent information vital to the investigation.

Like deer ticks, the nymphs of the Longhorned tick are very small (resembling tiny spiders) and can easily go unnoticed on animals and people. This tick is known to infest deer and a wide range of other hosts. Therefore, it has the potential to infect multiple North American wildlife species. (PCT Online, April 30, 2018)

<http://www.pctonline.com/article/east-asian-tick-new-jersey/>

MISSOURI DEPT. OF AG EXTENDS DICAMBA CUT-OFF DATE

The Missouri Department of Agriculture on Thursday announced it will extend the dicamba cut-off date for applications of FeXapan, XtendiMax, and Engenia in southeastern Missouri counties.

The cut-off date for Dunklin, Pemiscot, New Madrid, Stoddard, Scott, Mississippi, Butler, Ripley, Bollinger and Cape Girardeau has been extended to June 10, 2018. The original cut-off date was set for June 1, 2018.

"We have been diligently monitoring weather to determine what, if any, adjustments need to be made to the cutoff dates, as we have said we would from the beginning," said Director of Agriculture Chris Chinn. "Because of the wet, cold spring, planting has been delayed. This extension will give farmers extra days to use these products prior to the cut-off date."

In response to the action, a Monsanto spokesman commented, "While we feel growers should have access to the low volatility products all season, we commend the MDA's action to ensure farmers have

at least some opportunity to utilize these tools, especially given the late spring.”

All other 24c Special Local Need label restrictions remain the same, according to the Department of Ag. The cut-off date for all other Missouri counties is still July 15, 2018. After the cutoff dates, no applications (burndown, preplant, preemergence and postemergence) may be made.

More detailed information about FEXAPAN, EPA Reg. No. 352-913 – SLN label MO-180003, XTENDIMAX, EPA Reg. No.524-617 – SLN label MO-180002, and ENGENIA, EPA Reg. No. 7969-345 – SLN label MO-180001, including label restrictions, is available at [Agriculture.Mo.Gov/dicamba](http://www.croplife.com/crop-inputs/missouri-dept-of-ag-extends-dicamba-cut-off-date/). (CropLife, April 27, 2018) <http://www.croplife.com/crop-inputs/missouri-dept-of-ag-extends-dicamba-cut-off-date/>

FDA: RODENTS FILTH, LINKED TO EGG RECALL

The N.C. farm linked to a multistate outbreak of Salmonella from contaminated eggs had an ongoing rodent infestation, unsanitary conditions and poor employee practices, FDA reported.

An inspection report released Thursday by the U.S. Food and Drug Administration indicates that the North Carolina farm linked to a multistate outbreak of Salmonella from contaminated eggs had an ongoing rodent infestation, unsanitary conditions and poor employee practices, CNN reported.

On April 13, Rose Acre Farms voluntarily recalled nearly 207 million eggs produced at its Hyde County farm in North Carolina that it believed were at risk of contaminated with Salmonella bacteria. Three days later, Cal-Maine Foods Inc. voluntarily recalled 280,800 eggs purchased from the same Rose Acre Farm.

The eggs, which reached consumers in nine states, made at least 23 people sick and caused six hospitalizations, according to the US Centers for

Disease Control and Prevention. Laboratory and other evidence identified eggs produced at the North Carolina Rose Acre Farm as the likely source of the multistate salmonella outbreak, the CDC said.(PCT Online, April 20, 2018) <http://www.pctonline.com/article/fda-report-salmonella-egg-recall/>

US STATE OF ARKANSAS DICAMBA BAN IN LEGAL LIMBO

The US state of Arkansas' ban on dicamba herbicide spraying technically went into effect on April 16th but lawsuits brought by farmers opposed to the restrictions appear to have temporarily disrupted implementation.

In January, the state adopted the nation's strictest limits on dicamba use, responding to concerns about the potential harm to non-target crops from the herbicide. Last year, the state received nearly 1,000 complaints about dicamba damage. The state's rule prohibits use of the herbicide on dicamba-tolerant soybeans and cotton from April 16th to October 31st.

Critics say that the restrictions are onerous and hurt farmers who want to use dicamba to tackle weeds that have grown resistant to glyphosate and other herbicides.

Lawsuits filed last week by more than 150 farmers in two Arkansas counties have brought temporary respite. Two state judges have issued temporary restraining orders of the ban in response to the complaints.

The state is appealing the orders and looks likely to prevail given a recent ruling by the Arkansas Supreme Court to overturn a similar order. The Court last week reversed a state court ruling that said six farmers who had petitioned the State Plant Board to abandon the ban could ignore the restrictions.

State agriculture officials warned farmers to be careful if they chose to spray dicamba while the legal controversy continued.

"At a minimum, we will be enforcing the federal label for pesticide applications until there is more certainty from the court system in interpreting recent decisions," the Arkansas Agriculture Department said in an April 13th statement. "As a reminder, state law provides for the use of civil penalties up to \$25,000 for dicamba applications that result in significant off-target damage." (Pesticide & Chemical Policy/AGROW, April 20, 2018)

US EPA SUED FOR DOCUMENTS ON AGCHEM WORKER RULES

Environmentalists and farmworker advocates are suing the US EPA to turn over records related to its decision to revise two pesticide worker protection rules.

At issue are two regulations that were updated under the Obama administration -- the Worker Protection Standard (WPS) and the Certified Pesticide Applicator (CPA) rule. The Trump administration last year delayed implementation of both regulations in response to complaints from industry and state officials about the scope and cost of the changes. In December, the EPA announced that the rules would go into effect in 2018, but said that it would conduct new rulemakings to reconsider minimum age requirements of both regulations as well as two other provisions of the WPS.

The decision has drawn the ire of green groups, who contend that the revisions are unnecessary and undermine important public health protections. The changes have also drawn complaints from Senate Democrats, who have blocked consideration of a key pesticide-funding bill to protest the Trump administration's decision.

Farmworker Justice and Earthjustice filed a Freedom of Information Act (FOIA) request with

the EPA on December 22nd asking for relevant notes from key Agency officials including communications with industry groups and state officials.

The EPA has yet to respond to the request and the lawsuit asks the US District Court for the Northern District of California to compel the Agency to produce the documents within 30 days.

The FOIA letter specifically calls for correspondence with CropLife America, the American Farm Bureau Federation, the National Association of State Departments of Agriculture, the Association of American Pesticide Control Officials, the National Council of Agricultural Employers, the National Agricultural Aviation Association, Oregonians for Food and Shelter, state-based Farm Bureau associations and state departments of agriculture.

The lawsuit alleges that the requested documents should be released to the public because they "could demonstrate the considerable influence the agriculture and pesticide industries, as well as state departments of agriculture closely aligned with industries, have over EPA's rulemaking decisions". (Pesticide & Chemical Policy/AGROW, April 23, 2018)

CEU Meetings

Date: May 10, 2018

Title: Target Bed Bug Symposium

Location: Omni Hotel Irving, TX

Contact: Jennifer Gonzalez (800) 352-3870

www.target-specialty.com

CEU's: Category(s):

1 7A

1 10

Date: May 15, 2018

Title: Bell Vendor Days

Location: Univar 4115 S 72nd E. Ave Tulsa

Contact: Deb Chambers 918-630-3222

www.vannetus.com

CEU's: Category(s):

2 3A

1 7A

1 11

Date: May 15, 2018

Title: Central States Recertification Seminar

Location: Quality Inn Salina KS

Contact: Mindi Carlson 785-827-8215

www.centraise.com

CEU's: Category(s):

7 7c

7 10

Date: May 17, 2018

Title: Mosquito Control-Disease/Biology/Control

Location: Tulsa Health Department

Contact: Doug Carroll 817-600-5353

www.clarke.com

CEU's: Category(s):

3 8

3 10

Date: September 18, 2018

Title: 2018 Ensystem CEU Workshop

Location: Hampton Inn & Suites 85th Ave Tulsa OK

Contact: Donald Stetler Jr. (281) 217-2965

www.ceuworkshop.com

CEU's: Category(s):

2 3A

2 7A

1 7B

1 8

6 10

Date: September 19, 2018

Title: 2018 Ensystem CEU Workshop

Location: Holiday Inn Express Durant OK

Contact: Donald Stetler Jr. (281) 217-2965

www.ceuworkshop.com

CEU's: Category(s):

2 3A

2 7A

1 7B

1 8

6 10

ODAFF Approved Online CEU Course Links

PestED.com

<https://www.pested.com/>

CEU School

<http://www.ceuschool.org/>

Technical Learning College

<http://www.abctlc.com/>

Green Applicator Training

<http://www.greenapplicator.com/training.asp>

All Star Pro Training

www.allstarce.com

Wood Destroying Organism Inspection Course

www.nachi.org/wdocourse.htm

CTN Educational Services Inc

http://ctnedu.com/oklahoma_applicator_enroll.html

Pest Network

<http://www.pestnetwork.com/>

Univar USA

<http://www.pestweb.com/>

Southwest Farm Press Spray Drift Mgmt

<http://www.pentonag.com/nationalsdm>

SW Farm Press Weed Resistance Mgmt in Cotton

<http://www.pentonag.com/CottonWRM>

Western Farm Press ABC's of MRLs

<http://www.pentonag.com/mrl>

Western Farm Press Biopesticides Effective Use in Pest Management Programs

<http://www.pentonag.com/biopesticides>

Western Farm Press Principles & Efficient Chemigation

<http://www.pentonag.com/Valmont>

For more information and an updated list of CEU meetings, click on this link:

<http://www.oda.state.ok.us/cps-ceu.htm>

ODAFF Test Information

Pesticide applicator test sessions dates and locations for May/June are as follows:

| May | | June | |
|-----|-------|------|-------|
| 3 | Enid | 4 | OKC |
| 7 | OKC | 14 | Tulsa |
| 17 | Tulsa | 18 | OKC |
| 21 | OKC | 28 | Tulsa |
| 31 | Tulsa | | |
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Altus: SW Research & Extension Center
16721 US HWY 283

Ardmore: Carter County Extension Office
107 1st Ave Ardmore OK

Enid: Garfield County Extension Office,
316 E. Oxford.

Goodwell: Okla. Panhandle Research &
Extension Center, Rt. 1 Box 86M

Hobart: Kiowa County Extension Center
Courthouse Annex, 302 N. Lincoln

Lawton: Great Plains Coliseum,
920 S. Sheridan Road, Prairie Bldg

McAlester: Kiamichi Tech Center on
Highway 270 W of HWY 69

OKC: ODAFF Building 2800 N Lincoln
BLVD Oklahoma City OK (**New Location**)

Tulsa: NE Campus of Tulsa Community
College, (Apache & Harvard)
Large Auditorium

**Pesticide Safety
Education Program**