2016 Pesticide Training Legal Update

EPA Worker Protection Standard (WPS) Revisions:
- Minimum Age for Private Applicators is now 18 years old; also minimum age for uncertified workers that are being supervised while handling restricted-use pesticides
- Core manual and category specific training now required during recertification
- Course recertification participants now required to show picture identification

Pesticide Updates:
- Neonicotinoids
  - Products containing clothionidin, dinotefuran, imidacloprid, and thiamethoxam which are labeled for outdoor use and foliar applications will now prohibit use when and where pollinators are present (Figure 1)

Always Read the Label Before Applying Pesticides!

Pesticide labeling directions and Personal Protective Equipment (PPE) requirements can change at anytime.

Applicators must read and follow label directions or find someone to explain the label to them.
- Pesticides may not be applied to any site not listed on the product label
- Materials may not be applied at rates higher than the label directs
- Pesticide applicators are bound to follow label directions for transport, mixing, loading, application, storage, and disposal of pesticide products and containers
- State and federal laws prohibit the use of any pesticide inconsistent with its label
- Make sure to check the Pest Management Guide (PMG): Horticultural and Forest Crops to keep up with changing laws and regulations. Pesticides registered in Virginia are listed along with recommendations given for specific crops and pests. 2016 edition is available online at https://pubs.ext.vt.edu/456/456-017/456-017.html

Virginia Specific WPS Reminders and Revisions:
- No reexamination waiting period after failing an exam
- Key Requirements of Virginia Pesticide Control Act (VPCA) and Consequences of Violating Law:
  - All pesticides must be used only as directed on the labeling. Penalties may result from the following acts:
    - Failing to keep required records or making false records
    - Failing to properly maintain pesticide application equipment
    - Providing a restricted-use pesticide to a person not certified to use it
  - Violations of VPCA or regulations issued under it will subject you to civil penalties:
    - Up to $1,000 for a first offense
    - $20,000 for repeated violations of the law
    - An additional penalty of up to $100,000 may be assessed for any violation that causes serious damage to the environment, property, or serious injury to, or death of, any person
Uncertified persons may apply restricted-use pesticides on private property when under the direct supervision of a certified private applicator.
- The certified applicator is responsible for the actions of the uncertified person
- The certified applicator must be assessable by being nearby or within contact by phone or radio

VDACS Commonly seen Violations from July 2015 to June 2016:
- Products used are not certified for use in Virginia.
  - All pesticides sold and used in Virginia must be registered by both the EPA and VDACS
- Failure to have required certification when applying pesticides.
  - Make sure you have the correct certification for the situation in which you are using pesticides
- Misuse of Pesticides
  - Make sure to follow the product label; the label is the law
  - Misuse includes any failure to follow the label, which would include application rates and not using the required PPE
- Failure of people and/or companies that apply for-hire to have required pesticide business license
- Inadequate records of applications by applicators and pesticide businesses

Review of Pesticide Related Illness or Injury:
- Symptoms to Watch for -
  - External irritants may cause -
    - Redness, blisters, rash, and/or burns on skin
    - Swelling, stinging sensation, and/or burns in eyes, nose, mouth, and throat
  - Pesticide Poisoning may cause -
    - Nausea, vomiting, diarrhea, and/or stomach cramps
    - Headache, dizziness, weakness, and/or confusion
    - Excessive sweating, chills, and/or thirst
    - Chest pain
    - Difficult breathing
    - Muscle cramps or aches all over the body


Recognizing Heat Stress Symptoms:
- Signs and Symptoms –
  - Fatigue
  - Headache, nausea, and chills
  - Dizziness and fainting
  - Severe thirst and dry mouth
  - Clammy skin or hot, dry skin
  - Heavy sweating or complete lack of sweating
  - Altered behavior (confusion, slurred speech, or quarrelsome or irrational attitude)

Heat Cramps (Another type of Heat Stress)
- Painful muscle spasms in the legs, arms, or stomach
  - Caused by loss of body salt through heavy sweating
  - Relieve symptoms by drinking lightly salted water or sports drinks; stretching and kneading the muscles can provide temporary relief
Stomach cramps may also be caused by pesticide exposure, if pesticide exposure is suspected get medical assistance immediately!

It’s not always easy to tell the difference between heat stress and pesticide poisoning. Understand the signs and symptoms and the situation in which they occurred and receive medical attention immediately if pesticide exposure is a possibility!

**Figure 1.** Protection of pollinators warning added to label