



# Pest Control News



Information for the Pest Control Professional

September 2009

## Quick Updates

The 60<sup>th</sup> Annual Oklahoma Pest Control Association Conference is September 24<sup>th</sup> -25<sup>th</sup> . Don't wait too long to register. Contact Rosa Fisk, 405-685-2036

Structural Practical Sept. 15<sup>th</sup> - 17<sup>th</sup>  
General Pest Practical Sept. 22<sup>nd</sup>

Category's that recertify this year are:

Category	CEU's Needed
3a Ornamental & Turf	20
3b Interiorscape	10
3c Nursery/Greenhouse	15
7a General Pest	20
6 Right-of-Way	15

If you are recertifying this year in one of the above categories, you will be able to retest starting in October according to Jason Baker of ODAFF.

## Inside This Issue

- 1 Quick Updates
- 1 New Face at B&G
- 1 Familiar Face at UNIVAR
- 1 Sulfuryl Fluoride
- 2 Wal-Mart (Better Be Green)
- 3 No Nutrition Difference in Foods
- 4 Food Safety Bill
- 4 6<sup>th</sup> Circuit Court
- 5 Post Construction Review Committee
- 5 EPA Fines New Mexico Company
- 5 School IPM
- 6 OPCA Conference Agenda
- 6 Pesticide Inspector Territories
- 7 In-state CEU meetings
- 8 ODAFF testing dates

## New Face at B&G Chemicals and Equipment: Kelly Sheffield.

Kelly has worked for B&G for over 6 years, and recently transferred from Dallas, TX to become the new branch manager at B&G in Oklahoma City

## Familiar Face at UNIVAR: Deb Chambers.

Deb Chambers has a new position with UNIVAR. She has recently accepted the position of Outside Sales Representative. Deb has been with UNIVAR for 15 years.

## Coalition Asks EPA to Deny Dow AgroSciences Request to Test Sulfuryl Fluoride on Cropland

A coalition of environmental groups asked the Environmental Protection Agency July 10 to deny an experimental use permit that would allow Dow AgroSciences to apply the indoor fumigant sulfuryl fluoride to agricultural sites in four states. "Sulfuryl fluoride is 4,780 times as potent a greenhouse gas as carbon dioxide over a 100 year time horizon, and EPA must therefore consider climate change in this decision," the coalition including the Sierra Club, the Pesticide Action Network North America, and the Defenders of Wildlife said in a July 10 letter to EPA Administrator Lisa Jackson and other agency officials. The fumigant is currently registered to control pests in warehouses and other closed structures.

**Approval Could Unleash Widespread Use** "If testing eventually leads to approval [as a soil fumigant], we can expect millions or tens of millions of pounds of sulfuryl fluoride to be used each year," the letter said. "The climate impacts of sulfuryl fluoride make its use unjustifiable," the coalition said. July 10 was the deadline for comments on the company's permit application, which was announced in the June 10 *Federal*

*Register* (74 Fed. Reg. 27,533).

Dow AgroSciences representatives were unavailable for comment July 10.

### **Dow Plans Three-Year Experiment**

The company asked EPA for permission to apply 32,500 pounds of a product called XM-5162, whose active ingredient is sulfuryl fluoride, to 65 acres used to grow tomatoes, peppers, squash, and cucurbits in California, Florida, Georgia, and Texas between Aug. 1, 2009, and Aug. 1, 2012. The Federal Insecticide, Rodenticide, and Fungicide Act allows EPA to grant such experimental use permits to pesticide manufacturers to field test products they are developing. The environmental coalition said that apart from its greenhouse gas effects, sulfuryl fluoride is highly toxic. It said EPA has not assessed the environmental risks of injecting the fumigant into soil because, according to the agency's 1993 reregistration eligibility decision (RED), the chemical's use was confined to structures. The 1993 RED said that "based on its limited use sites and chemical properties, significant environmental exposure is not expected to result from use of sulfuryl fluoride. Therefore, wildlife toxicity data were not required for reregistration, and an ecological risk assessment was not conducted." EPA must at least "properly consider the impacts of this dangerous proposal by conducting required analyses" under the National Environmental Policy Act and the Endangered Species Act to protect public health and the environment as it considers the Dow AgroSciences request, the coalition said.

### **EPA to Conduct New Assessments**

EPA said in a preliminary work plan for reviewing the fumigant's registration that it anticipates performing a new ecological risk assessment. It said because of "new information and technological advances, the agency believes there is potential for ecological exposure to sulfuryl fluoride despite the fact it is applied indoors." The work plan is part of a document, "Sulfuryl Fluoride Summary Document Registration Review: Initial Docket June 2009." It was signed June 18 by Richard P. Keigwin, director of the Special Review and Reregistration Division of EPA's Office of Pesticide Programs. The document does not refer to Dow AgroScience's experimental outdoor use application.

### **Sulfuryl Fluoride Used for 50 Years**

Sulfuryl fluoride was first registered in 1959 as a structural fumigant, and has been used as a post-harvest fumigant for commodities since tolerances for the chemical were established for a number of commodities in 2004 and 2005. EPA considers it an alternative to the fumigant methyl bromide, whose production was phased out in 2005 under the 1987 Montreal Protocol on Substances That Deplete the Ozone Layer. But researchers at the University of California, Irvine, said their studies show sulfuryl fluoride is a potent greenhouse gas that remains in the atmosphere for 40 years or more after it is released ([19 DEN A-5, 2/2/09](#)).

### **Dow Says Fumigant Does Not Deplete Ozone**

In a fact sheet on sulfur fluoride, Dow AgroSciences said the fumigant is not an ozone-depleting chemical, dissipates rapidly from soil, and degrades quickly in water. According to a Material Safety Data Sheet (MSDS) for sulfuryl fluoride gas on the Dow Agrosciences website, the fumigant might be deadly in "excessive vapor concentrations." Excessive exposure might also cause severe irritation to upper respiratory tract and the lungs, if the material "is not handled in the recommended manner," the MSDS, dated Oct. 7, 2003, said. The fumigant is also toxic to pets, fish, and wildlife, it said. By Bill Pritchard

*The Federal Register announcement of Dow AgroSciences' experimental permit request for sulfuryl fluoride, the Dow Agrosciences application, and the environmental coalition's letter are available under Docket No. EPA-HQ-OPP-2009-0298 at <http://www.regulations.gov/>*

*The Sulfuryl Fluoride Summary Document Registration Review: Initial Docket June 2009 is available under Docket No. EPA-HQ-OPP-2009-0136 at <http://www.regulations.gov/>.*

*The Reregistration Eligibility Decision for sulfuryl fluoride is available at [http://www.epa.gov/opprrd1/REDS/old\\_rede/sulfuryl\\_fluoride.pdf](http://www.epa.gov/opprrd1/REDS/old_rede/sulfuryl_fluoride.pdf)*

### **Wal-mart Puts Suppliers On**

**Notice: Better Be Green.** Wal-Mart, arguably the largest wholesaler buyer of consumer goods on the planet, this week announced 100,000 of its suppliers – including food suppliers – will have to prove how "green" they are to continue to do business with the company. The green credentials are part of a broad, global plan to develop a corporate "sustainable product index" for the company. While it's expected to take years to implement, the goal of the program is to let customers know an "eco-rating" for every product

sold by the retail giant, and create transparency for the firm, according to executives. Wal-Mart is leveraging its economic clout with suppliers to force processing changes or modifications, and has informed suppliers it will not grant exemptions from its eco-rating system.

**There are No Nutrition Content Differences between Organic and Conventional Food, nor are there any additional health benefits, according an independent study funded and released by the UK Food Standards Agency (FSA) - FSA said the purpose of the study was " ... to give consumers accurate information about their food based on the best available scientific evidence ... The study, which took the form of a 'systematic review of literature', was carried out by the London School of Hygiene and Tropical Medicine (LSHTM). LSHTM's team of researchers ... reviewed all papers published over the past 50 years that related to the nutrient content and health differences between organic and conventional food ..."**

**Document Title:** The title of the July 29, 2009 UK FSA News Release is "Organic review published" The title of the study published July 29, 2009 online before print in the American Journal of Clinical Nutrition is "Nutritional quality of organic foods: a systematic review"

**Author(s):** Alan D Dangour, Sakhi K Dodhia, Arabella Hayter, Elizabeth Allen, Karen Lock and Ricardo Uauy who are with the Nutrition and Public Health Intervention Research Unit of the London School of Hygiene and Tropical Medicine

**Organization:** UK Food Standards Agency

**Summary:** Both the text of the UK FSA News Release and the Abstract of the Journal Article follow

The text of the UK FSA News Release follows An independent review commissioned by the Food Standards Agency (FSA) shows that there are no important differences in the nutrition content, or any additional health benefits, of organic food when compared with conventionally produced food. The focus of the review was the nutritional content of foodstuffs.

Gill Fine, FSA Director of Consumer Choice and

Dietary Health, said: 'Ensuring people have accurate information is absolutely essential in allowing us all to make informed choices about the food we eat. This study does not mean that people should not eat organic food. What it shows is that there is little, if any, nutritional difference between organic and conventionally produced food and that there is no evidence of additional health benefits from eating organic food.

'The Agency supports consumer choice and is neither pro nor anti organic food. We recognise that there are many reasons why people choose to eat organic, such as animal welfare or environmental concerns. The Agency will continue to give consumers accurate information about their food based on the best available scientific evidence.'

The study, which took the form of a 'systematic review of literature', was carried out by the London School of Hygiene and Tropical Medicine (LSHTM). LSHTM's team of researchers, led by Alan Dangour, reviewed all papers published over the past 50 years that related to the nutrient content and health differences between organic and conventional food. This systematic review is the most comprehensive study in this area that has been carried out to date.

The FSA commissioned this research as part of its commitment to giving consumers accurate information about their food, based on the most up-to-date science.

This research was split into two separate parts, one of which looked at differences in nutrient levels and their significance, while the other looked at the health benefits of eating organic food. A paper reporting the results of the review of nutritional differences has been peer-reviewed and published today by the American Journal of Clinical Nutrition.

Dr Dangour, of the LSHTM's Nutrition and Public Health Intervention Research Unit, and the principal author of the paper, said: 'A small number of differences in nutrient content were found to exist between organically and conventionally produced crops and livestock, but these are unlikely to be of any public health relevance. Our review indicates that there is currently no evidence to support the selection of organically over conventionally produced foods on the basis of nutritional superiority.'

The above information was sent to you by **Jack Cooper** of the Food Industry Environmental Network, LLC (FIEN, LLC - See <http://www.fien.com>) a regulatory and policy e-mail update service for the agriculture and food industry - FIEN, LLC is operated as a partnership by Jack Cooper and Cindy Roberts.

## **FEDERAL** **HOUSE PASSES FOOD/FEED SAFETY BILL ON SECOND TRY.**

House comprehensive food safety legislation (HR 2749) passed the House this week on a vote of 283-142, but only after failing to gain approval during earlier expedited floor action. The bill would overhaul FDA food safety programs, require companies to have written food safety plans, provide for traceback on recalled foods, authorize user fees to pay for the new system, set up “preventive controls,” expand recordkeeping and agency access, and give FDA mandatory recall authority. Initially, proponents thought the bill had enough bipartisan support to be brought up under suspension of the rules on Wednesday afternoon, meaning consideration would include equal debate time for both sides, no amendments and a straight up or down vote. However, supporters underestimated Rep. Frank Lucas (R, OK), ranking member of the House Agriculture Committee, who took to the floor and delivered an impassioned plea for members to vote against the bill since it had not been formally taken up by the ag committee and on-farm protections remained deficient. He was joined by House Minority Leader John Boehner (R, OH) who, after explaining the bill had been shared with House membership only that morning and the original was replaced by an updated version just a few hours before the floor vote, took the opportunity to play the bill as another attempt by the Democrats to force votes on legislation no one had read. The suspension action failed by six votes. House Energy & Commerce Committee Chair Emeritus John Dingell (D, MI), the bill’s author, immediately took the bill to the House Rules Committee, setting the stage for a re-vote under regular order on Thursday. Agriculture/agribusiness interests rallied to ensure the bill would be brought to the floor under a rule

that would limit or bar amendments. The only amendment allowed during floor debate was one offered by Lucas to send the bill back to committee for more discussion, or failing that, require user fees paid to FDA under the bill be dedicated to a fund to pay industries for lost sales if FDA botched a recall and that all monies taken in be dedicated to food safety. That effort failed 186-240. The Senate has set no schedule for consideration of HR 501, a bipartisan bill authored by Sen. Richard Durbin (D, IL). While Durbin’s bill comes at FDA overhaul in much the same way, the House and Senate bills differ on how they would meet the same goals.

## **6<sup>TH</sup> CIRCUIT DENIES PESTICIDE CASE REHEARING REQUEST**

The Sixth Circuit Court of Appeals yesterday rejected a request by a coalition of agriculture organizations for the entire Sixth Circuit to rehear an earlier decision by the Court regarding pesticide applications near water. A three-judge panel of the Sixth Circuit ruled in January that pesticide applications in, over, and near water require National Pollutant Discharge Elimination System (NPDES) permits under the Clean Water Act. NASDA strongly opposed the Court’s decision and petitioned the Court for a hearing. In a letter filed with the Court in May, NASDA argued that the decision significantly undermines NASDA members’ authority under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

The decision will also result in a significant increase in the number of NPDES permits issued, creating strain on the permitting system. NASDA also expressed concerns with the financial impacts the decision will have on agriculture producers and their exposure to citizen action suits under the Clean Water Act.

The agriculture petitioners will have 90 days to decide whether to appeal the decision to the U.S. Supreme Court.

Separately, EPA sought—and received—a two-year stay of the decision in order to allow for time to develop a permit. EPA is currently developing a narrow general permit to comply

with the decision. Reports indicate a prototype could be circulated to stakeholders by the end of this month for input and discussion. (*Contact: Nathan Bowen*) *A publication of the National Association of State Departments of Agriculture* August 4, 2009, Issue XVII, Number 29

**The Post Construction Minimum Standards Review Committee** met on August 5 and 6 to take a look at the existing standards for post construction termite treatments and make recommendations to update the minimum standards to address new products and devices. Members of the committee were: Kelly Johnson, Jim Garrison, Denver Talley and John Long representing (OPCA), Jeremy McReynolds and Jason Baker representing (ODAFF) and Jim Criswell and Kevin Shelton representing (OSU).

### **EPA fines New Mexico pesticide company maximum allowable penalty for illegal pesticide application**

Contact Information: Margot Perez-Sullivan, 415.947.4149 [Perezsullivan.margot@epa.gov](mailto:Perezsullivan.margot@epa.gov)

**SAN FRANCISCO** – Today, the U.S. Environmental Protection Agency fined PDI Pest Control Co., \$650 -- the maximum penalty for first-time offenders applying registered “general use” pesticides -- for allegedly using pesticides contrary to label requirements at a daycare center on Navajo Nation lands.

An employee of PDI Pest Control Co., a pesticide applicator, applied Tempo SC Ultra in an occupied classroom where contact by people could occur contrary to explicit label instructions. The pesticides were improperly applied at the Ganado Child Care facility in Ganado, Ariz.

“This company’s failure to apply the pesticide correctly may have put children at risk,” said Katherine Taylor, associate director of the Communities and Ecosystems Division in the EPA’s Pacific Southwest region. “Companies must ensure employees applying pesticides protect people from exposure by following all label

requirements.”

The Navajo Nation Environmental Protection Agency discovered the violation during a routine inspection in October 2008. Navajo Nation inspectors are authorized to inspect for violations of both Navajo and federal pesticide laws. Before selling or distributing any pesticide in the United States, companies must register the pesticide with the EPA and include labeling directions for use and other information necessary to protect human health and the environment. Federal law requires that pesticide applicators comply with these labeling directions during pesticide applications to protect their workers and the public.

For more information on pesticide regulation and enforcement, please visit the EPA’s Web site at: <http://www.epa.gov/compliance/civil/fifra/index.html>

### **Plan Announced to Improve Pest Control in Schools by 2015**

(Washington, Jan. 7, 2009) The plan, *School IPM 2015: a Strategic Plan for Integrated Pest Management in Schools in the United States*, calls for a 70 percent reduction in both pest complaints and pesticide use in schools. It relies on the coordinated efforts of teachers, custodians, food service staff, school administrators, pest management professionals, Agricultural Extension staff, regulators, architects, and parents to reduce pesticide risk in our schools.

Developed in cooperation with the U.S. Department of Agriculture Cooperative State Research, Education, and Extension Service and Regional Integrated Pest Management (IPM) Centers, and the IPM Institute of North America, the plan provides a roadmap to understanding pest biology, inspection and monitoring, and pest prevention that are key to successfully implementing IPM.

Pests and pest management can have long-term health effects and affect school attendance. Schools that adopt IPM should have less pesticide residue, fewer pest problems, and lower pest-related allergens. Studies show that IPM reduces pest complaints and pesticide use in schools by 70 percent to 90 percent, with no long-term increase in costs.

<http://www.epa.gov/pesticides/ipm/schoolipm2015.htm>



## Educational Events

### September - October

Structural Pest Practical  
Stillwater, Pinkston Education Facility  
September 15<sup>th</sup> - 17<sup>th</sup>

General Pest Practical  
Stillwater, Pinkston Education Facility  
September 22<sup>nd</sup>

Oklahoma Pest Control Annual Conference  
Downtown Doubletree Hotel  
Tulsa Oklahoma  
September 24<sup>th</sup> - 25<sup>th</sup>

OSU Bed Bug Program  
October 14<sup>th</sup> Oklahoma City  
October 15<sup>th</sup> Tulsa

OSU Lawncare Programs  
October 22<sup>nd</sup> Oklahoma City  
October 27<sup>th</sup> Tulsa

### In-State CEU Meetings

#### SEPTEMBER 22-23, 2009

CATEGORY: 3a – ORNAMENTAL & TURF  
CEU'S: 6  
CATEGORY: 5 – AQUATIC  
CEU'S: 5  
CATEGORY: 6 – RIGHT-OF-WAY  
CEU'S: 7  
CATEGORY: 10 – DEMONSTRATION & RESEARCH  
CEU'S: 7  
SPONSOR: OKVMA  
TOPIC: FALL CONFERENCE  
PLACE: SOUTHERN HILLS MARRIOTT  
TULSA  
CONTACT: KATHY MARKHAM  
918.256.9302  
FEE: YES

#### SEPTEMBER 24-25, 2009

CATEGORY: 7a – GENERAL PEST  
CEU'S: PENDING  
CATEGORY: 7b – STRUCTURAL  
CEU'S: PENDING  
CATEGORY: 10 – DEMONSTRATION & RESEARCH  
CEU'S: PENDING  
SPONSOR: OPCA  
TOPIC: URBAN PEST MANAGEMENT  
PLACE: DOUBLETREE HOTEL DOWNTOWN  
616 WEST 7<sup>TH</sup> STREET  
TULSA, OK

CONTACT: ROSA FISK  
405.685.2036  
FEE: YES

#### OCTOBER 14, 2009

CATEGORY: 7a – GENERAL PEST  
CEU'S: 6  
CATEGORY: 8 – PUBLIC HEALTH  
CEU'S: 6  
CATEGORY: 10 – DEMONSTRATION & RESEARCH  
CEU'S: 6  
SPONSOR: OSU PESTICIDE SAFETY EDUCATION  
PROGRAM  
TOPIC: BED BUG MANAGEMENT  
PLACE: CLARION CONFENCTION CENTER  
737 S. MERIDIAN, OKLAHOMA CITY, OK  
CONTACT: JIM T CRISWELL FOR PROGRAM  
405.744.5531  
AGRICULTURAL CONFERENCES FOR  
REGISTRATION  
405.744.6489  
FEE: YES

#### OCTOBER 15, 2009

CATEGORY: 7a – GENERAL PEST  
CEU'S: 6  
CATEGORY: 8 – PUBLIC HEALTH  
CEU'S: 6  
CATEGORY: 10 – DEMONSTRATION & RESEARCH  
CEU'S: 6  
SPONSOR: OSU PESTICIDE SAFETY EDUCATION  
PROGRAM  
TOPIC: BED BUG MANAGEMENT  
PLACE: MARRIOTT SOUTHERN HILLS  
1902 EAST 71<sup>ST</sup>, TULSA, OK  
CONTACT: JIM T CRISWELL FOR PROGRAM  
405.744.5531  
AGRICULTURAL CONFERENCES FOR  
REGISTRATION  
405.744.6489  
FEE: YES

#### OCTOBER 22 & 27, 2009

CATEGORY: 3a - ORNAMENTAL & TURF  
CEU'S: PENDING  
SPONSOR: OSU PESTICIDE SAFETY EDUCATION  
PROGRAM  
TOPIC: LAWNCARE WORKSHOP  
PLACE: OCT. 22<sup>ND</sup>  
OSU EXTENSION CENTER  
930 N. PORTLAND, OKC, OK  
OCT 27<sup>TH</sup>  
MARRIOTT SOUTHERN HILLS  
1902 EAST 71<sup>ST</sup>, TULSA, OK  
CONTACT: CHARLES LUPER FOR PROGRAM  
405.744.5531  
AGRICULTURAL CONFERENCES FOR  
REGISTRATION  
405.744.6489  
FEE: YES



If you have a news article that you would like to share, send me a copy and I will try and include it in the next issue. Don't worry about spelling, as you will see in the following article.

Here is an article which is making the e-mail circuit. It tries to prove that all of us read with a whole word approach.

"Can you raed tihs?"

i cdnuolt blveiee taht I cluod aulaclyt uesdnatnr  
waht I was rdanieg. The phaonmneal pweor of the  
hmuan mnid; aoccdrnig to a rscheearch at  
Cmabrigde Uinervtisy, it dseno't mtaetr in waht  
oerdr the ltteres in a wrod are, the olny ipromant  
tihng is taht the frsit and lsat ltteer be in the rghit  
pclae.

The rset can be a taotl mses and you can sitll raed  
it whotuit a pboerlm. Tihs is bcuseae the huamn  
mnid deos not raed ervey lteter by istlef, but the  
wrod as a wlohe. Azaanmig huh? yaeh and I  
awlyas tghuhot slpeling was ipmorantt!

If you can raed tihs forwrad it."



Kevin Shelton  
Oklahoma State University  
Department of Entomology & Plant Path.  
Stillwater, OK 74078-3033  
[kevin.shelton@okstate.edu](mailto:kevin.shelton@okstate.edu)

## ODAFF Information

### Testing Dates and Locations

Pesticide applicator test sessions for Sept. / Oct. 2009 are as follows:

September		October	
3	Altus	1	Hobart
10	Tulsa	8	Tulsa
14	OKC	12	OKC
17	Tulsa	19	Altus
28	OKC	22	Tulsa
		26	OKC

Altus: Western OK State College  
2801 N Main, Room A23

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

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

Hobart: Kiowa County Fairgrounds  
Exhibit Building

Lawton: Great Plains Coliseum, Annex Rm.  
920 S. Sheridan Road.

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

OKC: Oklahoma County Extension Office,  
930 N. Portland.

Tulsa: NE Campus of Tulsa Community  
College, (Apache & Harvard)  
Engineering Tech Room 127.

Kevin Shelton  
Extension Coordinator  
OSU Pesticide Safety Education Program