



# GILA RIVER INDIAN COMMUNITY DEPARTMENT OF ENVIRONMENTAL QUALITY

PESTICIDE  
CONTROL OFFICE

Community  
Applicator  
Certification  
Training



Image Credit: GRIC

## Module 2: Pesticide Laws



# Pesticide Laws

*This Module Will Help You:*

- Understand key federal laws and regulations
- Understand the importance of good record keeping





# Pesticide Laws

- Are meant to protect public health and the environment
- Regulate registration, labeling, sales, distribution, transport, storage, application, disposal



Image Credit: University of Vermont



Image Credit: Ralph Morris, GRIC PCO



Image Credit: Ralph Morris, GRIC PCO



Image Credit: University of Nebraska, Pesticide Safety Education Program



# Tribal Pesticide Laws

- The Department of Environmental Quality, Pesticide Control Office is the lead program to enforce both federal and tribal pesticide laws
  - The Office utilizes federal credentials when applicable and necessary.
  - Refers certain cases to the EPA.
- Tribal law is more restrictive than federal law
- Applicators are responsible for knowing the law, even when it changes.

**GR-05-14... know it !**





## § 18.304(A): Definitions

***Pesticide regulated activity*** means any activity involving the use of a pesticide when that activity is regulated under this chapter.

Examples of pesticide regulated activities include, but are not limited to, the production, transportation, storage, sale, use, and disposal of pesticides, pesticide containers, and pesticide devices.

***Pest management business*** means all of the following:

A Community government entity that employs either of the following:

1. A Community Certified Applicator ....
2. A Community Applicator for the purpose of using a general use pesticide while engaged in the performance of official duties to control pests within the Reservation.





# § 18.313(A)

## §18.313: Requirements to Obtain Permits, Certifications, and Registrations; Exempted Applicators

A. Pesticide Use Permit. The following persons shall obtain a pesticide use permit before engaging or offering to engage in a pesticide regulated activity:

1. Owners or operators of a pest management business;
2. Regulated growers; and
3. Seed treaters

 **GILA RIVER INDIAN COMMUNITY**  
**Department of Environmental Quality - Pesticide Control Office**  
PO BOX 2139 • SACATON, AZ 85147 • OFFICE (520) 562-2234 • FAX (520) 562-3198  
GRIC.Pesticide.Office@GRIC.nsn.us • www.GRICDEQ.org 

January 1, 2017

Mr. John Doe  
PO Box 1111  
Anywhere, AZ 85100

RE: Gila River Indian Community, Pesticide Use Permit

Attached below is your Pesticide Use Permit. By accepting this permit, you are agreeing to submit to the enforcement authority of the Pesticide Control Office and to the jurisdiction of the administrative law judge, the Community Court, and the Community Court of Appeals for the express purposes of enforcement of GR-05-14: Pesticide Ordinance. Additionally, you acknowledge having received or are in possession of a copy of GR-05-14: Pesticide Ordinance and that you understand your duties and responsibilities as contained within the Ordinance.

Furthermore, by accepting this permit you are acknowledging that any person, including a person who is not an Indian, who knowingly violates any provision of this chapter may be assessed a civil penalty; that any person under the criminal jurisdiction of the Community may also be subject to criminal prosecution; and that any person who is not a member of the Community may also be subject to GRIC Code Title Eight, Chapter One, Removal or Exclusion of Non-Members.

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<b>Fee:</b> \$150.00	<b>Gila River Indian Community</b> <b>Department of Environmental Quality, Pesticide Control Office</b>	<b>Permit No.</b> <b>16-0000</b>
<b>Issued:</b> 01/01/2017	<b>Pesticide Use Permit</b>	
<b>Mr. John Doe</b> PO Box 1111 Anywhere, AZ 85100	<input type="checkbox"/> Industrial / Institutional <input type="checkbox"/> Wood Destroying <input type="checkbox"/> Organism Management <input type="checkbox"/> Ornamental & Turf <input type="checkbox"/> Right of Way <input type="checkbox"/> Aquatic <input type="checkbox"/> Fumigation <input type="checkbox"/> Wood Preservation	<input type="checkbox"/> Grower <input type="checkbox"/> Seed Treatment <input type="checkbox"/> Custom Applicator <b>Fee Exempt Categories</b> <input type="checkbox"/> GRIC Government Department / Enterprise <input type="checkbox"/> GRIC Member Owned Business
<b>Issued To</b>	<b>Pesticide Control Officer</b>	
<b>This permit is non-transferable and shall expire on December 31 of each year.</b>		
Post Office Box 2139 • 45 S. Church Street • Sacaton, Arizona 85147 520-562-2234 (P#) • 520-562-3198 (FAX)		
FORM DEQ-PCO-01		Revised: 8/2014



# FIFRA and the U.S. EPA

- Federal Insecticide, Fungicide, & Rodenticide Act
- Enacted by U.S. Congress in 1947
- Administered by the Environmental Protection Agency (EPA)
  - Registers and licenses pesticides for use
  - Ensures both human and environmental health are evaluated
  - Precautions and restrictions put into place to prevent adverse effects





# EPA: Important Facts

- The EPA can stop the sale or use of any pesticide at any time
- Labeling and packaging must be consistent throughout the U.S.
- Tribal law can be more restrictive than federal law!
- Approves pesticide labels as LEGAL documents
- Reevaluates older pesticides under current standards
- Violators are subject to penalties







# Pesticide Classifications

- **General Use:**
  - Normally lower toxicity
- **Restricted Use (RUP):**
  - May cause adverse effects to human health or the environment
  - Must be stated on the federal label
  - Sold only to certified applicators
  - Applied only by certified applicators or employees under their direct supervision



# Pesticide Applicators

	Community Applicator (CA)	Certified Applicator	Community Certified Applicator (CCA)
Allows general use pesticide applications	X	X	X
Allows restricted use pesticide applications			X
Authorized to apply at schools		X	X
Community Member / Employees ONLY	X		
Requires categorical endorsements		X	X
GRIC Applicator Fee			X
Issued By	GRIC	State ADA/PMD/EPA	EPA & GRIC
Training Requirements	GRIC Certification Course	Examination (s)	Based on Certified Applicator



# Following the Label

- Applicators **MUST** follow the label, unless exemptions for specific uses are listed
- Tribal law may override these exemptions – check with Tribal law first!



Image Credit: Virginia Tech



# Label: Rules of Thumb

- The site must be stated on the label
- The target pest does not need to be listed
- Any application method may be used, unless prohibited by the label
- Applications may be made at a rate less than that stated on the label, not more!
- Tank mixtures are OK, unless the label says otherwise

## 8.0 APPLICATION EQUIPMENT AND TECHNIQUES

Do not apply this product through any type of irrigation system.

This product may be applied with the following application equipment:

**Aerial**—Fixed-wing and helicopter

**Ground Broadcast Spray**—Boom or boomless systems, pull-type sprayers, floaters, pick-up sprayers, spray coupes and other ground broadcast equipment

**Hand-Held or Backpack Equipment**—Backpack sprayers, pump-up pressure sprayers, handguns, handwands, mistblowers\*, lances and other hand-held and motorized spray equipment used to direct the spray onto weed foliage

\*This product is not registered in California or Arizona for use in mistblowers.

**Selective Equipment**—Shielded and hooded sprayers, wiper applicators and sponge bars

**Injection Systems**—Aerial or ground injection sprayers

**Controlled Droplet Applicator (CDA)**—Hand-held or boom-mounted applicators that produce a spray consisting of a narrow range of droplet sizes

APPLY THESE SPRAY SOLUTIONS IN PROPERLY MAINTAINED AND CALIBRATED EQUIPMENT CAPABLE OF DELIVERING THE DESIRED VOLUMES.



# Pesticide Registrations

- Any product that claims to control, repel, attract, or mitigate a pest
- Standard – Section 3
- Special Local Need – Section 24c
- Emergency Exemption – Section 18
- Minimum Risk – no registration required
- Experimental Use Permits





# Pest Control Device



- **Device:** Any instrument for trapping, destroying, repelling, or mitigating a pest (even a black light trap)
- The EPA requires the registration of all firms and organizations that produce devices

Z-Trap electronic insect trapping device  
Image Credit: Purdue University, Purdue Research Park





# Pesticide Re-registrations

- EPA reviews older pesticides every 15 years
- Products must meet safety standards according to the Food Quality Protection Act (FQPA) of 1996
- All products are screened for all routes of exposure in determining safe levels of residues in food





# Food Quality Protection Act (FQPA)

- Establishes food residue tolerances only when there is “reasonable certainty” of no harm
- Considers cumulative exposures
- Considers greater risks to infants and children
- Mandates the review of older pesticides under new standards – every 15 years
- Mandates testing for endocrine disruption







# Residues and Tolerances

- The EPA regulates residues and sets tolerances
- **Residue:** The amount of pesticide that remains on food or feed at time of harvest
- **Tolerance:** The maximum legal amount of residue that is allowed to remain on or in treated crops or animals that's sold for food or feed



Image Credit: Charma Comer, USDA-NRCS



Holstein cows eat lunch at the Dairy Cattle Facility at UC Davis.  
Image Credit: Gregory Urquiaga, UC Davis



# How Does a Pesticide Applicator Meet Tolerance Levels?

- Tolerances well within limits if label followed
- Apply only to crops listed on the label – no deviation!
- Follow application rates!
- Wait until the **pre-harvest interval (PHI)** has passed: The number of days from application until harvest or slaughter

**Eptam®7E**  
Selective Herbicide

Selective Herbicide - Emulsifiable Liquid  
Multiple Crop Herbicide for Broadleaf and Grass Weed Control

ACTIVE INGREDIENT: EPTC: Ethylfluprostrocarbamate.....87.8%  
INERT INGREDIENTS:.....12.2%  
Total 100.0%

Contains 7 pounds active ingredient per gallon.  
Contains petroleum distillates.

**KEEP OUT OF REACH OF CHILDREN**  
**WARNING-AVISO**

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.  
(If you do not understand the label, find someone to explain it to you in detail.)

**PRECAUTIONARY STATEMENTS**  
**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**  
**WARNING**  
Causes substantial but temporary eye injury. Harmful if swallowed or absorbed through the skin or inhaled. Do not get in eyes or on clothing. Avoid contact with skin. Avoid breathing vapor or spray mist.

FIRST AID	
If in eyes:	<ul style="list-style-type: none"><li>• Hold eyes open and rinse slowly and gently with water for 15 - 20 minutes.</li><li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing.</li><li>• Call a poison control center or doctor for treatment advice.</li></ul>
If swallowed:	<ul style="list-style-type: none"><li>• Immediately call a poison control center or doctor.</li><li>• Do not induce vomiting unless told to by a poison control center or doctor.</li><li>• Do not give any liquid to the person.</li><li>• Do not give anything by mouth to an unconscious person.</li></ul>
If on skin or clothing:	<ul style="list-style-type: none"><li>• Take off contaminated clothing.</li><li>• Rinse skin immediately with plenty of water for 15 - 20 minutes.</li><li>• Call a poison control center or doctor for treatment advice.</li></ul>
If inhaled:	<ul style="list-style-type: none"><li>• Move person to fresh air.</li><li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li><li>• Call a poison control center or doctor for further treatment advice.</li></ul>

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-888-478-0798 for emergency medical treatment information.

**NOTE TO PHYSICIAN**  
Contains petroleum distillate. Vomiting may cause aspiration pneumonia. Probable mucosal damage may contraindicate the use of gastric lavage. This product contains EPTC, a thiocarbamate that inhibits cholinesterase. If symptoms of cholinesterase inhibition are present, atropine by injection is antidotal. Pyridostigmine chloride (2-PAM) is NOT recommended as an antidote for this compound. Thiocarbamates have been shown in laboratory animals to cause a disulfiram (Antabuse) type reaction in combination with alcohol.

**ATTENTION:** This product contains a chemical known to the State of California to cause Birth Defects or other reproductive harm.

EPA Reg. No. 10163-083  
EPA Est. No.

**Gowan**  
The Go-To Company

Produced For:  
Gowan Company  
P. O. Box 5569  
Yuma, AZ 85366-5569

	previous 12 months.	
<b>ALFALFA (ESTABLISHED STANDS)</b>	2 1/4 - 3 1/2	<b>ALL REGIONS:</b> Meter 2 1/4 to 3 1/2 pints EPTAM 7E per acre into the irrigation water applied to established stands prior to weed emergence. Use the lower rate on very coarse textured soils. Limit use to one application Eptam 7E per cutting. Up to 14 pints Eptam 7E per acre per year may be used if applied into irrigation water.
<b>ALMONDS</b>	2 1/4 - 3 1/2	<b>WESTERN REGION:</b> After close application and prior to weed emergence, apply EPTAM 7E at 2 1/2

• Do not apply within 14 days of harvesting or grazing alfalfa



# Violations of Federal Law

- **Violation:** Distributing, selling, or delivering an unregistered pesticide
- **Violation:** Advertising not in accordance with the label specifications
- **Violation:** Selling a registered product if content do not conform with label information
- **Violation:** Selling adulterated or misbranded pesticide
- **Violation:** Detaching, altering, or defacing a container or label
- **Violation:** Forbidding EPA inspections
- **Violation:** Making a guarantee or recommendation that does not conform to the label
- **Violation:** Inaccurate record keeping
- **Violation:** Making a restricted-use pesticide available to a non-certified applicator
- **Violation:** Advertising a restricted use pesticide without telling the audience
- **Violation:** Using a pesticide in any manner inconsistent with its label!



# Federal Penalties for FIFRA Violations

## Civil Penalties

- Private Applicators: 1<sup>st</sup> time, warning; other offenses, up to \$1000
- Most applicators and dealer managers: up to \$5,000 per offense
- Size of operation, impact and gravity of violation all considered in deciding the penalty amount

## Criminal Penalties

- Misdemeanor
- Private Applicators: up to \$1000 and/or 30 days in prison
- Commercial Applicators: up to \$25,000 and/or up to 1 year in prison
- Producers: up to \$50,000 and/or up to 1 year in prison



# Federal Laws to Know

- **Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)**
  - Governs pesticide registration, sales, application, and disposal
- **Food Quality Protection Act (FQPA)**
  - Sets tougher standards for pesticides used on food
- **Federal Food, Drug and Cosmetics Act (FFDCA)**
  - Governs pesticide tolerances





# Endangered Species Act

- Administered by U.S. Fish & Wildlife Service
- Must not harm endangered or threatened species or their habitat
- Illegal to kill, harm or collect endangered or threatened fish, plants, or wildlife
- EPA must ensure pesticide use will not harm endangered and threatened species



Jaguar  
Image Credit: Arizona State University, ASU Now



# Endangered Species Protection Program

- Administered by tribal agencies and the EPA
- Labels direct applicators to consult a county bulletin to check for special restrictions

**Bulletins Live!**

**Go to Bulletins Live!**

**QUICK START:**

1. Click the [Bulletins Live!](#) link above to enter the system.
2. Select your state and county.
3. Select the month of pesticide application.
4. Follow the numbered steps found in the Bulletin.
5. To print your Bulletin, click the print button at the bottom of the Bulletin. This will open a print version (a PDF file) for you to print an official copy.

EPA recommends taking the [Tutorial](#) (6 pp, 431 K, [about PDF](#)) for a demonstration of Bulletins Live! before using the system for the first time.



United States  
Environmental Protection  
Agency  
November 26, 1996  
Pesticides And Toxic Substances (H-7506C)

## Protecting Endangered Species Interim Measures for Use of Rodenticides in Mendocino County

The federal Endangered Species Act is intended to protect and promote the recovery of animals and plants that are in danger of becoming extinct due to human activities. Under the Act, the U.S. Environmental Protection Agency (U.S. EPA) must ensure that the use of pesticides it registers will not result in harm to the species listed as endangered or threatened by the U.S. Fish and Wildlife Service, or to habitat critical to those species' survival. This program will protect endangered and threatened species from harm due to pesticide use.

The information provided in this bulletin is similar to what U.S. EPA expects to distribute once the Endangered Species Protection Program is in effect. Individuals who use pesticides during this interim period are not legally required to comply with these suggested measures. At the present time, compliance with the requirements specified on the pesticide product labeling will satisfy all legal

**About This Publication**

This publication contains a county map showing the area where pesticide use should be limited to protect listed species. The areas where listed species are present are identified on the map by a shaded pattern. The areas are also described in terms of township, range and section for specific detail.

The Table of Use Limitation Codes lists the species addressed in this bulletin and categorizes them by species group. Species have been placed in logical groups based on their similar characteristics or behaviors.

The Use Limitation Codes table also lists the limitation codes for each of the species groups. The codes indicate the specific limitations that are necessary to protect the species. The table titled Table of Limitations on Pesticide Use explains the codes.

**Does This Information Apply To You?**



# Endangered Species Protection Program

- Pesticide manufacturer must ensure pesticide use does not harm the threatened or endangered species or their habitat, when applied according to the label
- Precautionary measures may include buffer strips, reduced application rates, timing restrictions and prohibited use in specific areas









# Keeping Records

- EPA administers federal laws for commercial applicators
- USDA enforces federal laws for private applicators
- **GR-05-14 Pesticide Code: §18.319 – §18.323** identifies recordkeeping requirements.



**GILA RIVER INDIAN COMMUNITY**  
Department of Environmental Quality - Pesticide Control Office  
PO Box 2139 • 45 S. Church Street • Sacaton, AZ 85147  
Office (520) 562-2234 • Fax (520) 562-3198  
Email: GRIC.Pesticide.Office@GRIC.nsn.us

**Pesticide Usage Record**

**WARNING: Pesticides can be harmful. Keep children and pets away from pesticide applications until dry, dissipated or aerated. For more information contact: [Your Business Here] @ [Your phone # here]**

The following pesticide will be used/has been used:

Pesticide/ Article Trade Name	EPA Registration No.	Active Ingredient	% Active Ingredient	Amount of Finished Product

**Application Location Information:**  
Owner/ Property Name \_\_\_\_\_ Date of Treatment \_\_\_\_\_  
Address/ Site Location \_\_\_\_\_ Dist \_\_\_\_\_  
Target Pest/ Reason for Treatment \_\_\_\_\_

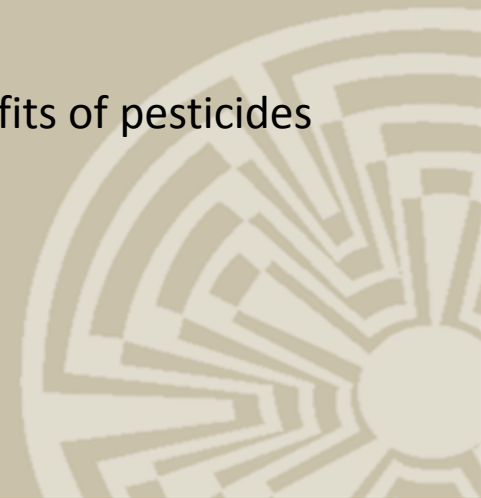
**Applicator Information:**  
Name \_\_\_\_\_ Certification No: \_\_\_\_\_  
Applicator Signature \_\_\_\_\_  
Responsible Party Signature \_\_\_\_\_

White Copy - Owner/ Property Yellow Copy- Office



# Keeping Records is Smart

- Meet tribal and federal requirements
- Document professionalism, which can protect you in a lawsuit
- Evaluate the effectiveness of treatments
- Help time purchases efficiently to increase profits and avoid costly disposal problems.
- Provide information in medical emergencies
- Contribute to data that plays a key role in documenting the benefits of pesticides





# Training Records

- Keep records of pesticide training for your employees!
- Not required, but they do verify that employees received adequate training
- Keep names, ID numbers, signatures, dates, copies of training materials





# Acknowledgements

Adapted with permission from the Washington State University  
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for use by the

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**Department of Environmental Quality**  
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