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Pesticide Safety 2012 - What to do when your pesticide application goes wrong

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What to do when your pesticide application goes wrong!

Presented by Linda Letourneau
Why Respondent is presenting

- Respondent is here as part of the planned enforcement action of an Administrative Order issued by MDAR following a State investigation for pesticides used inconsistent with it’s labeling and for failure to report the incident within 48 hours.
Respondents background

- Originally from Nahant, Massachusetts
- Lived in Barnstable for twenty years
- Practiced IPM as a kid
- Graduated Massachusetts Maritime Academy 1987
- Shipped out in the Merchant Marine for over 10 years
- Upgraded to Unlimited Master- Any oceans
- Commander in the United States Naval Reserves
- Came ashore in 2000 to teach at Mass Maritime
- Mother of two young children
- Purchased Old Stage Bog in 2009 in hopes growing a family business while raising kids
Description of Old Stage Bog

- Purchased in 2009 after harvest
- 6.8 acre total parcel in the town of Barnstable
- 5.2 acres of dry pick cranberry bog
- Growing Howe’s variety
- Located 2.5 miles from respondents home
- Family owned
- Practicing Integrated Pest Management
- Awarded a MDAR grant to automate our irrigation system in 2010-2011
- Actively working to improve the property and farming practices for the community and the environment
How Respondent was managing the bog

- Busy parents with small kids, both holding other full time jobs we were experiencing a very steep learning curve - starting from scratch in the cranberry farming business

- Both owners were in possession of Private Applicators Pesticide licenses - issued in the winter of 2010

- Two person checks were used for ALL pesticide calculations

- Integrated pest management systems were in place including sweeping, bird house installation, and manual weeding used as primary weed control

- Our priorities have been for the health and safety of our family, the community, and the environment
What happened with the use of Quinstar in 2011

- Respondent first learned about the herbicide Quinstar from a notice sent out by Ocean Spray in the Spring of 2011
- Quinstar was available for Dodder control in MA under a Section 18 in 2011
- Unfortunately Old Stage Bog grows plenty of Dodder
- Decision was made to participate in the Quinstar program which entailed two applications 30 days apart
- The first application of Quinstar and sticker was applied by respondents partner while respondent was at work on May 28, 2011
• Approximately 30 days later the respondent planned to apply the second application of Quinstar. She read the Quinstar label in its entirety, the Section 18 letter, and MSDS for Quinstar.

• Respondent completed application rate calculations and checked them against the numbers applied for the first application in May. They were the same.

• Respondent made notes for herself including the application rate and specific procedures.

• Respondent was then unable to apply due to unsuitable weather conditions.
• Respondent had the opportunity to apply the second application of Quinstar several days later on the evening of July 7, 2011 at 7:30 PM.

• Respondent planned to apply 41 ounces of Quinstar and 2.5 gallons of sticker agent as per allowable rates.

• Instead, respondent mixed and applied BOTH 2.5 gallon jugs of the sticker and Quinstar.

• The wind was calm, the pump ran well, the application went ALMOST as planned.

• Respondent secured the pump, logged the application of 2.5 gallons of Quinstar and 2.5 gallons of sticker in the rough log at the bog.

• Respondent locked up and went home.
How Respondent reacted once the over application was detected

- Once home the respondent entered the application information in her computer at 9PM

- At that time respondent realized her mistake and returned immediately to the bog to irrigate in attempt to minimize potential damage to the crop and vine

- After returning back at home respondent again reviewed all the Quinstar paperwork and searched the internet for information

- Finding the number for Chemtrec is on the Quinstar 4L Label, respondent dialed but hung up during the recording because the label said to call for “Spill, Leak, Fire, or Exposure”
The following morning (Friday) respondent placed a call to Ocean Spray and spoke to the Quinstar contact person and called the distributor where we purchased the product. The distributor called the manufacturers rep for additional information.

Respondent discussed accounting for over applied chemical with both parties and planned to report the over application on the Quinstar Use Report due in November 2011.

On Tuesday respondent returned a call (from Monday) to the CCCGA and was informed that the over application should have been reported to MDAR. Respondent was given the phone number for the Director of Pest Management Services and then the respondent placed the call to report the incident.

The Director was already aware of the over application when respondent self reported.

A State Investigator visited the Bog later that day.
Explain the requirements of 333 CMR 10.14 (4)

- The Department shall require immediate notification (in no case later than 48 hours) after coming to the attention of any applicator of all significant accidents, incidents, injuries or illnesses as recorded in 333 CMR 10.14(1)(i) and (k). The Department may also cooperate in the Federal Pesticide Monitoring System and furnish details of pesticide incidents to the United States Environmental Protection Agency to help insure safer and more effective use of pesticides.

- (i) Accidents or incidents resulting from use of a pesticide which caused pollution; (k) Any illnesses or injuries caused by or suspected to have been caused by pesticides and reported to the applicator.
What resulted of the misuse of Quinstar in 2011

- Potential environmental impact
- Potential “Crop Destruct” order for 2011 harvest
- Potential crop loss for 2012
- Slight cupping of cranberry leaves
- Loss of several hundred dollars of Quinstar
- Numerous days spent in conjunction with incident
- Cost to tax payers for state investigation and testing
- Potential environmental impact
- State Investigation
- Potential suspension of Pesticide license
- “Gun shy” to apply needed products
- Embarrassment
Lessons learned by the grower

- OVER application is considered “Misuse”
- Call the appropriate agencies early on and contact them YOURSELF
- Err on the side of caution- call the state if you even suspect there might be cause
Questions or Comments?