

Organic Systems (B) Script with Numbered Slides

- Slide 1.** Welcome to the second video about WSU's Policies related to pesticides in organic systems. I'm Megan Miller and during this video I'll go into more detail on how the policy applies to organic systems and those who work with organic pesticides. If you haven't done so already, I urge you to go through the first video which provides some important basic background.
- Slide 2.** A common misstep happens when personnel think they don't need a license to use, recommend or test organic pesticides. Not only is this against WSU policy, but it can lead you into legal jeopardy. WSDA has two categories of pesticide license appropriate for WSU employees whether they work with conventional or organic pesticides.
- Slide 3.** One category is public consultant. This license allows you to recommend pesticides to clients, including talking about how a pesticide is used and what result it might have. However, if you are just writing scientific journal articles, or speaking at professional society meetings to your peers, then you don't need a license.
- Slide 4.** The other category is public operator, which allows you to apply pesticides yourself, supervise others who apply pesticides, and to recommend pesticides.
- Slide 5.** Through case law we know that there is no difference between the words suggesting, advising or recommending. The terms all have the same legal interpretation...basically you telling a client how a pesticide could be used or what the result might be.
- Slide 6.** So using wiggly phrases like "I'm just making a suggestion, not a recommendation", before you then tell someone how to use a pesticide to get a specific result, doesn't let you off the hook. You've still made a recommendation in the eyes of the court.
- Slide 7.** Another important point to remember is that just passing the laws and safety portion of the licensing exam, will not get you a license. You must also pass another exam to get an endorsement to receive your complete license.
- Slide 8.** For example, if you are working with herbicides at a cooperator's farm, you'd need to pass the Laws and Safety exam as well as the Ag. weed endorsement exam to get

your Public Operator license. A few different types of endorsements are: Turf/orna weed, Ag. weed, Right of Way or ROW weed, Ag. insect/disease, Ornamental insect/disease, Interior plant-scaping, seed treatment, and livestock. WSDA also has the comprehensive list.

- Slide 9.** We are covering this as a learning objective so you realize your legal responsibility to hold the correct license. But if you have questions about specific license types you should talk to the staff in the Washington State Department of Agriculture. The WSU Pesticide Safety Program also develops Pesticide Applicator training materials, here is their [website](#).
- Slide 10.** There are a number of laws governing pesticides. One set of laws regulates the maximum amount of chemical residue that may be left on the food, feed or fiber crop treated with a pesticide. The United States Environmental Protection Agency either issues a tolerance value, usually listed in parts per million, or it issues a tolerance exemption.
- Slide 11.** An exemption means that any level of chemical residue found is considered acceptable. That has led some personnel to try using tolerance-exempt pesticides without first finding out if these materials are registered in WA. It's important for you to avoid this misstep. Even if a chemical is exempted from the requirement of a tolerance by USEPA, the product must still be registered as a pesticide in WA in order for you to use it or recommend it as part of your job at WSU.
- Slide 12.** Not everyone works with experimental use pesticides, or EUPs. However, it's critical that you know what an EUP is, just in case.
- Slide 13.** In a previous situation we had a faculty member working in organic systems who didn't understand whether the policy applied to their work, didn't ask questions and because of that didn't follow policy. That triggered an internal disciplinary action as well as landing them on WSDA's penalty matrix. So let's take a minute to go over what they are so you'll know if you are venturing into this arena.
- Slide 14.** There are two kinds of EUPs. The first is a registered product that is being tested for a use that is currently not allowed.

- Slide 15.** It may be that you are testing it against a crop or site not on the label, for the purpose of collecting data to obtain a registration for this crop or site.
- Slide 16.** Other possibilities may be that you are testing a higher rate than allowed, applying the material outside the stated application time period, increasing the application number over the maximum allowed, applying it closer to the pre-harvest interval than allowed by label instructions, or by a method not allowed.
- Slide 17.** For example, chemigation must be on the label in order to be a legal application method. So, if you are collecting data to add this use to the label, work must be done under an EUP permit.
- Slide 18.** The second kind of EUP is for an active ingredient that is not registered by EPA (and has not been exempted from registration).
- Slide 19.** Thank you for taking time to learn about WSU pesticide policies related to organic systems. This concludes the second of three videos about organic systems. Please continue on for more information. If you have questions or need assistance, please contact Dr. Catherine Daniels or WSPRS and we will be glad to help.

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[Updated contact information, January 2020: For assistance, please contact Lenora Jones, lenora.jones@wsu.edu, 253-445-4517, or visit the WSPRS website at <https://extension.wsu.edu/wsprs/employees/>.]