NEBRASKA

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DEPARTMENT OF AGRICULTURE

ANIMAL AND PLANT HEALTH PROTECTION PESTICIDE, FERTILIZER & NOXIOUS WEED NEWSLETTER

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Inside This Issue:

Welcome, Adam Brockmann	2
Improvements to WPS	2
Weed Book Updated	2
Persistent Pesticides	2
Electronic Records for Pesticide, Fertilizer and Ag Lime Laws	3
Private Applicator License Info	3
Ticks and Tick-borne Disease	3
2021 Commercial Recertification Meetings	4
2021 Commercial Initial Certification Meetings	5
Fertilizer/Soil Conditioner Act and the Ag Liming Materials Act	6
Product Content vs Label Claims	6
Protecting Wellheads and Waterways	7
Dicamba 2021	7
FieldWatch Info	7
Proper Well Abandonment	8
EPA Encourages Use of EPA- Approved Disinfectants	8
Regulations for UV Lights	8
Nebraska Buffer Strip Program	9
IPM through CSP	9
NDA Plant Health Protection Update	9

2021 Training, Testing & Recertification for Commercial, Noncommercial, and Private Applicators

Libby Smith, Certification Specialist

The 2021 recertification season will run somewhat different from the past with reduced capacity in-person training meetings held at county Extension offices, and online training offered for all licenses and categories to some degree. Meetings will be smaller in size to allow for social distancing and more meetings will be offered to make up for the small class sizes. UNL's Pesticide Safety Education Program (PSEP) is working on finalizing their schedules for both Initial and Recertification training sessions for Commercial and Noncommercial applicators. Once the schedule is posted, applicators will be able to view and register for the session of their choice at the UNL PSEP site. Sessions may fill up fast and although there will be enough offered throughout the season to accommodate everyone, we STRONGLY recommend preregistering to make certain you have a spot at a location of your preference. Applicators who took advantage of the extended license expiration offered at the end of the recertification season last spring will be receiving a special reminder letter that they still need to take recertification training in 2021 to maintain the full three-year license.

Many category exams are also available through Pearson VUE Testing Services at one of their many computer labs across the state allowing for applicators to take the exams at a time that best fits their schedule. Locations and instructions on how to schedule an exam through Pearson VUE are found <u>here</u>. PSEP and NDA will be releasing a schedule of testing-only dates at a select number of sites across the state for those not wishing to partake in the full initial training class. Attendance is by appointment only, and registration information will be found <u>on NDA's testing page</u>.

Private applicator training sessions will also be available by calling your local Extension, and preregistration is required. Private applicator training may also be completed online through PSEP's <u>Private Applicator Training Program</u>. Upon completion, a notification will be sent to NDA alerting us that you are now eligible for the private applicator license. We will update your information and send out a billing postcard allowing you to purchase one online.

Welcome, Adam Brockmann!

Adam started with the Noxious Weed and Seed Programs on August 10, 2020. Originally from West Point, Adam has an Environmental Studies degree from UNL, and he comes to NDA from the Nebraska Game & Parks Commission. He covers the northeast and north central areas of the state where he services 30 counties. He has spent the past two and a half months traveling the territory meeting with **County Weed Control** Superintendents, and conducting inspections and program evaluations. We welcome Adam to NDA.



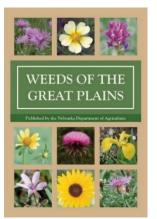
Improvements to the Worker Protection Standard

Worker Protection Standards (WPS) are in place to protect workers and handlers of pesticides on agricultural productions sites. EPA recently finalized a revision to the application exclusion zone (AEZ) requirements, which removed the original AEZ requirements that extended beyond the property border of the field being treated. Also, immediate family members of private applicators are exempt so long as they can shelter in place during applications. However, no changes were made to the "Do Not Contact" provision that prohibits a handler/applicator and the handler's employer from applying a pesticide in such a way that it contacts workers or other persons directly or through drift. EPA has posted a detailed announcement of the changes at this <u>Office of Pesticide Programs Update</u>.

Popular Weed Book Updated

The Nebraska Department of Agriculture (NDA), in cooperation with the University of Nebraska–Lincoln, has updated the popular "Weeds of the Great Plains" book. The new edition features 40 additional species of weeds not found in previous editions of the book. The weed identification book features:

- Full-page color photos, descriptions and line drawings of nearly 300 species of weeds;
- Identification methods to distinguish 125 additional similar species;
- ➢ 450 close-up color photographs of weed flowers, seedlings and key identification characteristics;
- Habitats in which each weed species is commonly found;
- List of states and provinces in which each weed species grows;
- Potential livestock poisoning;
- Historical uses of each plant;
- Comprehensive glossary; and
- > Index of common names and another with scientific names.



Purchase the book in person at the NDA office in Lincoln for a cost of \$32.50 or for a cost of \$35 per copy, the book can be mailed. To order the book or learn more about noxious weeds, go to <u>NDA's</u> <u>Noxious Weed Program page</u>.

Persistent Pesticides

Check Herbicide Restrictions before Planting and Using Cover Crops

Forage, Feed, and Grazing Restrictions for Row Crop Herbicides

<u>Community Composters – be aware of persistent chemicals in your waste source</u>

Check UNL Extension resources for updated product information, AND -----→



Electronic Records for Pesticide, Fertilizer and Ag Lime Laws

Tim Creger and Buzz Vance

NDA frequently receives calls asking whether electronic records satisfy record keeping and reporting requirements of laws that were passed many years ago.

NDA considers a written document as either paper or electronic. This therefore allows an electronic document that accompanies the material being sold, distributed or delivered to be used in place of a paper document, so long as the electronic document meets the requirements for access by the Department upon request, and the document complies with the law.

NDA does allow for submission of requested records by electronic means as well as paper copies. Questions on record keeping should be directed to Tim Creger at <u>tim.creger@nebraska.gov</u>, or by calling 402-471-2351.

Private Applicator Recertification

Private applicators whose licenses are due to expire April 15, 2021, will receive a reminder letter from NDA in mid-December. It is important to bring that letter with you to your training meeting. Applicators who do not bring this letter will be required to stay after the meeting to fill out additional paperwork.

Applicators who took advantage of the extended license expiration offered at the end of the recertification season last spring will be receiving a special reminder letter that they still need to take recertification training in 2021 to maintain the full three-year license.

Private applicator training meetings can be found by contacting your local Extension office for dates, times and availability.

Certification Requirements for Private Applicators

Contact your local Extension office for dates, times, and availability, and see <u>NDA's Applicator Certification and Licensing page</u> for more licensing information.

Reminders for All Applicators

Please notify NDA when you have a change of address in order to receive pesticide recertification information from NDA and the UNL Pesticide Safety Education office prior to your license expiration.

402-471-2351

NDA Pesticide Program no longer has an 800 number. Pesticide and licensing questions should be directed to:

402-471-2351

Ticks: More than a blood-sucking nuisance

This is a 2019 article on NDA's involvement in statewide tick surveillance. NDA is continuing its effort to collect data on the types and prevalence of ticks statewide.

To read more about the project, <u>click here</u>.



Case Studies in Tick Surveillance and Tick-Borne Disease Prevention

Between 2004 and 2016, tickborne disease cases almost doubled in the United States. This report includes three case studies capturing how state vector-borne disease control officials have responded to specific issues relating to the public health threats posed by ticks. Given the rise in tickborne disease, the case studies and analyses in <u>this report</u> may serve as a guide as states respond to similar problems in their jurisdictions.



Commercial and Non-Commercial 2021 Recertification/Renewal Meetings (No NDA Exams Offered)

Date 1-5 1-5 1-6 1-7	Meeting Nebraska Turf Conference Crop Protection Clinic	Categories	City Omaha	La Mista Osufanan az Osutan
1-6 1-7	Crop Protection Clinic	,		La Vista Conference Center
1-7		00, 01	Virtual	
	Crop Protection Clinic	00, 01	Virtual	
	Crop Protection Clinic	00, 01	Virtual	
1-12	Crop Protection Clinic	00, 01	Virtual	
1-13	Crop Protection Clinic	00, 01	Virtual	
1-14	Crop Protection Clinic	00, 01	Virtual	
1-19	Crop Protection Clinic	00, 01	Virtual	
1-20	Crop Protection Clinic	00, 01	Virtual	
1-21	Crop Protection Clinic	00, 01	Virtual	
<u>1-27</u> 1-27	Crop Management Conference	00, 01	Virtual Lincoln	Langester County Extension
1-27	UNL Recertification UNL Recertification	00, 04, 07	O'Neill	Lancaster County Extension Holt County Courthouse Annex
1-27	UNL Recertification	00,01	Beatrice	Gage County Extension
1-28	UNL Recertification	00, 04, 07	Norfolk	Madison County Extension
1-28	UNL Recertification	00, 04, 07	Omaha	Douglas County Extension
2-2	Nebraska Agr-Business Expo	00,01	Omaha	LaVista Conference Center
2-4	UNL Recertification	00.01	Beatrice	Gage County Extension
2-4	UNL Recertification	00, 04, 05, 07, 08, 08W, 11	Lincoln	Lancaster County Extension
2-4	UNL Recertification	00, 04, 07, 08, 08W	Omaha	Douglas County Extension
2-4	UNL Recertification	00, 04, 07, 08, 08W, 09, 11	Scottsbluff	Panhandle Res. and Extension
2-9	UNL Recertification	00, 04, 07, 08, 08W, 11	Lincoln	Lancaster County Extension
2-10	UNL Recertification	00, 01	Grand Island	College Park - Hall Co. Ext.
2-10	UNL Recertification	00, 01, 04, 07, 09	Holdrege	Phelps County Fairgr. Ag Cntr.
2-10	UNL Recertification	00, 04, 07, 08, 08W	Norfolk	Madison County Extension
2-11	UNL Recertification	00, 04, 07, 08, 08W, 10, 11	Norfolk	Madison County Extension
2-11	UNL Recertification	00, 04, 05, 07, 11, 14	North Platte	W. Central Res. and Extension
2-11	UNL Recertification	00, 04, 07, 08, 08W, 09,11	Omaha	Douglas County Extension
2-15	Nebraska Aviation Trades Assn. (NATA)	00, 01, 07, 12	La Vista	Embassy Suites Omaha-LaVista
2-16	UNL Recertification	00, 04, 07, 09, 11	Beatrice	Gage County Extension
2-16	UNL Recertification	00, 01, 04, 05, 07, 08, 08W, 11	Grand Island	College Park - Hall Co. Ext.
2-16	UNL Recertification	00, 01, 04, 05, 07, 08, 08W	Norfolk	Madison County Extension
2-16	UNL Recertification	00, 04, 07, 09, 10, 14	North Platte	W. Central Res. and Extension
2-18	UNL Recertification	00, 04, 07, 08, 14	O'Neill	Holt County Courthouse Annex
2-18	UNL Recertification	00, 01, 04, 05, 07	Columbus	Platte County Courthouse
2-18	UNL Recertification	00, 04, 07, 08, 08W, 09, 10, 14	Grand Island	College Park - Hall Co. Ext.
2-18	UNL Recertification	00, 01	North Platte	W. Central Res. and Extension
2-18	UNL Recertification	00, 01, 04, 05, 07, 11, 14	Scottsbluff	Panhandle Res. and Extension
2-18	Urban Pest Mgt. Conference	00, 08, 08W, 11	Virtual	
2-25	Custom Applicator School	00, 01	Hastings	Central Community College
2-25	UNL Recertification	00, 04, 05, 07, 11	Omaha	Douglas County Extension
3-9	UNL Recertification	00, 04, 07, 11, 14	Beatrice	Gage County Extension
3-9	UNL Recertification	00, 01, 04, 05, 07, 08, 08W, 11	Grand Island	College Park - Hall Co. Ext.
3-9	UNL Recertification	00, 01, 04, 05, 07, 11	Holdrege	Phelps County Fairgr. Ag Cntr.
3-9	UNL Recertification	00, 01, 04, 07, 08, 08W, 09, 14	Norfolk	Madison County Extension
3-9	UNL Recertification	00, 04, 07, 08, 08W	Omaha	Douglas County Extension
3-9	UNL Recertification	00, 01, 05, 07, 09, 14	Scottsbluff	Panhandle Res. and Extension
3-11	UNL Recertification	00, 04, 05, 07, 08, 08W 11	Lincoln	Lancaster County Extension Gage County Extension
3-18 3-18	UNL Recertification UNL Recertification	00, 01, 04, 07, 09 00, 01, 04, 09, 14	Beatrice Columbus	Platte County Extension Platte County Courthouse
3-18	UNL Recertification	00, 01, 04, 09, 14	North Platte	W. Central Res. and Extension
3-18	UNL Recertification	00, 04, 05, 07, 09, 14	Omaha	Douglas County Extension
3-18	UNL Recertification	00, 01, 04, 05, 07, 09	O'Neill	Holt County Courthouse Annex
3-23	UNL Recertification	00, 04, 07, 08, 08W, 09, 14	Grand Island	College Park - Hall Co. Ext.
3-23	UNL Recertification	00, 04, 07, 10, 14	Omaha	Douglas County Extension
3-23	UNL Recertification	00, 04, 05, 07, 09, 11	Scottsbluff	Panhandle Res. and Extension
3-25	UNL Recertification	00, 01, 04, 07, 08, 08W, 11, 14	Lincoln	Lancaster County Extension
3-25	UNL Recertification	00, 04, 07, 08, 08W, 09, 11	Omaha	Douglas County Extension
3-30	UNL Recertification	00,01, 04, 07, 08, 08W, 11, 14	Lincoln	Lancaster County Extension
4-8	UNL Recertification	00, 01, 04	Columbus	Platte County Courthouse
	UNL Recertification	00, 04, 05, 07, 08, 08W, 11	Lincoln	Lancaster County Extension

• To register for all UNL Recertification meetings, go to <u>UNL Pesticide Safety Education Program</u>. Registration will begin by January 1, 2021. To register for all others, click the corresponding link in the table above.

• See next page for <u>initial</u> training and testing options, or <u>the NDA testing page for info</u> on test-only sites. Pearson Vue testing or NDA testing-only sites are the only option for recertifying for categories not listed above.

Please Post for Future Reference

Commercial and Non-Commercial 2021 Initial Certification Meetings

(UNL or Association Training plus NDA Exam – NO Walk-in Testing)

Date	Meeting	Categories	City	Location
2-2	Nebraska Agri-Business Expo	00, 01	Omaha	LaVista Conference Center
2-2	UNL Initial Certification	00, 01, 04 ,05, 08, 08W, 10	Grand Island	College Park - Hall Co. Ext.
2-2	UNL Initial Certification	00, 01, 04, 07, 09, 11, 14	Lincoln	Lancaster County Extension
2-2	UNL Initial Certification	00, 01, 04, 05, 07, 08, 08W	Norfolk	Madison County Extension
2-2	UNL Initial Certification	00, 04, 08, 08W	Omaha	Douglas County Extension
2-9	UNL Initial Certification	00, 01, 03, 05, 09, 14	North Platte	W. Central Res. and Extension
2-9	UNL Initial Certification	00, 03, 04, 06, 07, 09	Omaha	Douglas County Extension
2-9	UNL Initial Certification	00, 01, 04, 09, 11	Scottsbluff	Panhandle Res. and Extension
2-23	UNL Initial Certification	00, 01, 04, 08, 08W	Columbus	Platte County Courthouse
2-23	UNL Initial Certification	00, 04, 06, 07, 09, 11, 14	Grand Island	College Park - Hall Co. Ext.
2-23	UNL Initial Certification	00, 04, 07, 08, 08W, 09	Norfolk	Madison County Extension
2-23	UNL Initial Certification	00, 04, 05, 07, 08, 08W, 11	Scottsbluff	Panhandle Res. and Extension
2-25	Custom Applicator School	00, 01	Hastings	Central Community College
2-25	UNL Initial Certification	00, 01, 04, 07, 08, 08W, 10	Lincoln	Lancaster County Extension
2-25	UNL Initial Certification	00, 04, 07, 08, 08W	North Platte	W. Central Res. and Extension
2-25	UNL Initial Certification	00, 01, 04, 07, 14	Scottsbluff	Panhandle Res. and Extension
3-16	UNL Initial Certification	00, 01, 04, 06, 14	Beatrice	Gage County Extension
3-16	UNL Initial Certification	00, 01, 04, 05, 08, 08W	Grand Island	College Park - Hall Co. Ext.
3-16	UNL Initial Certification	00, 04, 05, 07, 08, 08W	Lincoln	Lancaster County Extension
3-16	UNL Initial Certification	00, 01, 04, 05, 10, 14	Norfolk	Madison County Extension
3-16	UNL Initial Certification	00, 01, 04, 07	North Platte	W. Central Res. and Extension
4-6	UNL Initial Certification	00, 04	Lincoln	Lancaster County Extension
4-6	UNL Initial Certification	00, 01, 04	North Platte	W. Central Res. and Extension
4-6	UNL Initial Certification	00, 04, 07, 08, 08W	Omaha	Douglas County Extension
4-6	UNL Initial Certification	00, 04	Scottsbluff	Panhandle Res. and Extension
4-15	UNL Initial Certification	00, 04, 08, 08W, 14	Omaha	Douglas County Extension
4-15	UNL Initial Certification	00, 04, 09	O'Neill	Holt County Courthouse Annex

To register for all UNL Initial meetings, go to the <u>UNL</u> <u>Pesticide Safety Education</u> <u>Program site</u>. Registration will begin by Jan. 1, 2021.

To register for all other testing opportunities, click the corresponding link in the table above.

In addition to the General Standards exam, categories with * at right are available through <u>Pearson VUE testing</u> <u>sites</u>.

Information for <u>"NDA testing</u> only" will be posted soon.

At "testing only" sites, only testing is conducted for initial certification, adding categories or recertifying by exam.

Study material for all exams can be purchased from <u>UNL</u> <u>Pesticide Safety Education</u> <u>Program</u>.

1 Ag Plant*

- 1a Soil Fumigation
- 2 Ag Animal
- 3 Forest
- 4 Ornamental and Turf*
- 5 Aquatic
- 5S Sewer Root (metam sodium)
- 6 Seed Treatment
- 7 Right-of-Way*

Applicator Categories

- 8 Structural Health*
- 8W Wood Destroying Organism*
- 9 Public Health*
- 10 Wood Preservation
- 11 Fumigation (grain)*
- 12 Aerial*
- 14 Wildlife Damage Control
- **REG Regulatory Subcategory**
- D/R Demonstration/Research Subcategory

NDA Certification Testing Policies

- The use of study materials is not allowed while taking the exam.
- Calculators may be used. However; all iPads, cell phones, or similar electronic devices that can store, send or receive data or images must be turned off, kept in pockets or holsters, and will not be allowed on the tabletop.
- The exams are the property of the State of Nebraska. Removal of exams from examination rooms is prohibited. Copying or reproducing the contents of exams (in whole or in part) is unlawful.
- Persons with special needs or disabilities should notify NDA of accommodations they may require at least 10 days prior to date of the exam.

These policies and more certification information can be found on our certification page.

Please Post for Future Reference

Nebraska Commercial Fertilizer and Soil Conditioner Act and the Nebraska Agricultural Liming Materials Act

Both Acts include requirements for firms which distribute fertilizer, soil conditioners or ag lime to pay fees which cover the cost of our inspection program. Every year, NDA collects several hundred fertilizer and ag lime samples which are sent to our state laboratory for analysis. These products are tested to determine whether the guaranteed analyses posted in bins, on bags, on shipping papers, etc., are accurate descriptions of the product being sold to customers. Our inspector's time, travel expenses, shipment of samples to the lab, and laboratory fees are all paid from these fees. The fees for all of these products are ten cents per ton for sales made to end users. Inspection fees for sales made for January through June are to be paid in July, and inspection fees for sales made for July through December are to be paid in January.

More information on these programs, including licensing, product registration, and annual tonnage reports, <u>can</u> <u>be found here</u>.

Product Content vs Label Claims

Buzz Vance, Product Registration Specialist

What makes a product become a fertilizer, soil conditioner, pesticide or something else?

You might first think the answer is the active ingredient, but that's not always the case.

If I handed you a bag of powdered sulfur and the label claims the product provides sulfur as a plant nutrient, then the answer to "what is it?" would be a fertilizer product. Fertilizers provide plant nutrients. The label for this bag of sulfur would need to follow fertilizer labeling standards.

If I handed you a bag of powdered sulfur and the label claims the product will lower soil pH, the product is now a soil conditioner. Perhaps no mention is made that it provides sulfur to plants, it simply mentions that it is modifying the soil. The active ingredient is the same, but the claim makes this bag of sulfur a soil conditioner. Its label would need to follow soil conditioner labeling standards.

If I handed you a bag of powdered sulfur and the label claims the product can be dusted onto leafy vegetables to control certain garden insects, the product is now a pesticide. Again, the active ingredient is identical to the previous two products, but the claim makes this bag of sulfur a pesticide which needs to be registered with EPA. Several other details will need to appear on this label to satisfy EPA's pesticide label requirements, such as personal protection, proper handling, application instructions, etc.

When you've got a single ingredient that can function in multiple ways, how the state views the product is determined by the label claims. And of course, marketing departments sometimes want to add every claim they can think of on a single label, so then that bag of sulfur may have to meet multiple sets of labeling requirements.

There's more. Many of the newer products making their way into the marketplace defy our current regulatory structure. Instead of claiming to provide plant nutrients or to modify the soil itself, they claim to trigger a plant response that turns on certain genes, and the result might be a plant response such as increased drought tolerance. This type of product needs its own pigeonhole. It doesn't fit the definition of fertilizer, soil conditioner, or pesticide (our current legal framework). The USDA has offered up a definition for many of these materials, calling them biostimulants. The USDA definition is very broad because plant responses are varied. This new kind of product is something most state statutes currently don't have a standard for. We're waiting for clarification of what ingredients and/or what claims would make a product a biostimulant. This is being worked on but will take time to develop. Once we get to that point, we can then determine what information would be allowed or required on a biostimulant product label. Until that day arrives, please understand that these are unregulated products whose claims NDA does not review and cannot defend.

Protecting Wellheads and Waterways

Pesticide products often contain restrictions for protecting natural water resources. It may be unclear, exactly, when and where these restrictions should be followed, or the application site may be unfamiliar to the applicator. Two examples are highlighted here along with potential tools that can assist you in complying with the label language.

Groundwater well setbacks. Most all pesticide products have clear restrictions against mixing or loading within a specified distance of wells to prevent direct contamination of groundwater through potential spills. Generally, this distance is 50 feet, but could vary depending on the product. Pesticides that are very soluble in water or those that are more toxic to people may also have a no-use setback or no-spray distance from groundwater wells. A setback increases the amount of time for a chemical to reach the wellhead, allowing it to degrade or dissipate, thus reducing the amount that gets to the well. The exact language depends on the toxicity and chemical properties and may range from being restricted only around drinking water wells to being restricted around all wells, including abandoned wells. Many of the products with these restrictions have agricultural uses, but this type of language could be found on almost any outdoor use product, as well as products that target structural pests in buildings having a well or cistern. These enforceable restrictions will be found in the 'environmental hazards' and/or 'use restrictions' section of the product label. There may also be specific restrictions for certain soil types and water table depth conditions - also for preventing groundwater contamination.

So, what if you're making applications to a newly-acquired farm, don't know what's in the neighbor's 'waste area' across the fence, or are otherwise unfamiliar with the application area? The Nebraska Department of Natural Resources (NDNR) maintains a registered well database that is used for managing both groundwater quantity and quality through well drilling and registration regulations. These data are available to the public in various forms.

If you are just wanting to look at a specific area, an easy way to access these data is through the <u>NDNR Groundwater Interactive Map</u>, which allows you to manually zoom in to an area, or search for an area to focus on. As with any website, it may take some time to become familiar with it, but active and inactive wells are defaulted to be "on" and will appear as you get closer to your area of interest.

For applicators who cover large areas and have a Geographic Information System (GIS) in place, you can get the registered well data directly through an application program interface (API) available through <u>NebraskaMap</u>, the State's portal to GIS data and information. For questions on how to set this up, contact NDNR or the State Geographic Information Office.

Note that domestic and livestock wells completed before 1993 were not required to be registered, however many are in this database. If you know of active wells that are not shown, provide the owner with <u>information on well registration</u>. For known abandoned wells, see sidebar next page for proper well abandonment programs.

Continued next page

The <u>NDA Dicamba page</u> will be updated for 2021 when all information is available and interpreted. Stay tuned for updates!

In the meantime, please review <u>EPA's 2021 RUP</u> <u>Dicamba FAQ page</u>.

UNL CropWatch Audio Podcast: <u>Pesticide Tank</u> <u>Cleanout</u>



The free <u>FieldCheck</u> <u>Registration</u> allows you to designate a "notification area" for email alerts when new information on specialty crops is added in that area. When logged in, you are able to see all of the specialty crop and apiary sites in the DriftWatch/ BeeCheck registries (not all apiary sites are visible from the public-facing map).

Once registered, you can download the FieldCheck app to see all of the mapped specialty crops in your area, as well as your personal "annotation layer" – local sites that may not be in FieldWatch.

RUP dicamba labels require the use of a sensitive crop registry – these features will help you comply!

Proper Well Abandonment

Many pesticide labels treat abandoned wells the same as an active well when it comes to mandatory application setbacks for use as well as mixing/loading and for good reason! Improperly abandoned wells can serve as a direct conduit for groundwater contamination. Contact your Natural Resources District about cost-share funds to properly abandon these wells - usually between 60% and 100% of the cost of the work!

Continued from previous page

<u>Surface water setbacks</u>. Many product labels also have setback restrictions for surface water, including streams, rivers, wetlands and impoundments. Similar to groundwater well setbacks, the language varies from product to product as far as what type of water feature is included in the restriction. And some labels simply require a setback, while others may require a strip of vegetation to be included in that setback, depending on the chemical properties and toxicity to aquatic life.

NDA developed an informational bulletin defining streams that might be intermittent or seasonal, as opposed to a perennial stream which generally has water present yearround. See the <u>Pesticide Technical Interpretation – Intermittent Streams</u> for definitions and resources for determining if setbacks are required for the product(s) you are using.

Pesticides leaving the farm in field runoff are likely one of the biggest contributors to the amount of pesticides found in streams, rivers and reservoirs. But what about direct overspray? Regardless of the amount, this is a violation of most pesticide product labels and the Nebraska Pesticide Act, as well. Consider installing a designed filter strip along these and other surface waters to comply with certain pesticide labels, reduce pollutants in runoff and prevent accidental overspray. The <u>Nebraska Buffer</u> <u>Strip Program</u> has funding for annual rental payments for this practice, and it can be combined with the USDA Continuous CRP for additional incentives. Contact your local NRCS or NRD office for more information.

EPA Encourages Schools and Universities to Use EPA-Approved Disinfectants

<u>EPA reminds school districts and state and local officials</u> to remain vigilant when it comes to cleaning and disinfecting school buildings and facilities by using only products found on EPA's <u>List N</u>. EPA is continuing to work closely with states, local governments and the Centers for Disease Control and Prevention (CDC) to provide up to date information to protect public health as school districts, private schools, and universities develop and implement COVID-19 plans for their students, staff, and parents.

Regulations for UV Lights Claiming to Kill or Be Effective Against Viruses and Bacteria

EPA recently published <u>this Compliance Advisory</u> related to ultraviolet lights (UV) to disinfect surfaces. UV lights are regulated under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as pesticide devices when sold or distributed with claims to kill viruses and/or bacteria. In addition, pest control operators should be aware of this advisory if they are using these devices to provide virus and bacteria control services.

The following points are just a small portion of the information contained in this advisory:

- Devices do not need to be registered by EPA but do need to be produced in an EPA-registered pesticide producing establishment.
- Devices must be labeled per federal regulations. Generally, device labels must include warning and caution statements, directions for use and the EPA establishment number, among other label requirements. A description of device label requirements can be found <u>here</u>.
- All claims in connection with the sale or distribution of a device must be true and not misleading. Examples
 include, but are not limited to, false or misleading statements concerning product effectiveness (known as
 efficacy), claims about product safety, false or misleading comparisons with other pesticides or devices, or any
 statement directly or indirectly implying that the device is recommended or endorsed by any agency of the
 federal government.

Nebraska Buffer Strip Program: Funding Still Available

Funding for the Nebraska Buffer Strip Program is available for new and renewing projects. <u>Click here</u> for more specifics, including haying/grazing options and rental rates for both irrigated and non-irrigated cropland. Contact your local NRCS or NRD office!

See filter strips "in action."

Photos show the benefit Of having streamside vegetation in place. In this case, the Nebraska Buffer Strip Program was used to implement filter strips over 20 years ago.



IPM through CSP

Did you know you could get paid to try integrated pest management practices through USDA's Conservation Stewardship Program? One example is livestock insect control. Pests and parasites can have a significant impact on the economic viability of livestock operations by affecting the performance and health of animals. However, the use of broad-spectrum insecticides, pourons and avermectins have been shown to have a detrimental effect on dung beetle populations. These beetles assist in the recycling of nutrients and promote soil and grassland health through dung pat removal.

See the program enhancement activity <u>listed as E595E</u> <u>under the 'Animal' section</u> and <u>contact your local NRCS</u> <u>office</u>. Background information from a <u>rancher-managed</u> <u>research project is here</u>.

NEBRASKA

DOOD LIFE. Great Roots

Proposed Amendment to Pesticide

Regulations; Nebraska Administrative Code, Title 25, Chapter 2

The Versake Department of Agriculture (NDA) will hold a rulemaking hearing on October 14, 2020, at 10:00 a.m. CT at NDA, Fourth Floro, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska 68509. The regulations are being amended to be consistent with the Pesticide Act as amended by LB 32:0 of 2019 and federal applicator certification regulations found at ACT RF part 171.

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- European Corn Borer
- Export Certification
- Fertilizer & Ag Lime
- FieldCheck-DriftWatch-BeeCheck
- Hemp

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TDD users can contact the Department by first calling the Nebraska Relay System. Telephone 800-833-7352 and asking the operator to call 402-471-2351.

Steve Wellman, Director Craig Romary, Editor

- Nebraska Buffer Strip Program
- Noxious Weeds
- Nursery Certification & Licensing
- Pest, Survey & Detection
- Pesticide
- Seed

Department of Agriculture Noxious Weed Program 402-471-2351

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This newsletter is posted on NDA's website at nda.nebraska.gov/plant/newsletter/

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PLANT HEALTH PROTECTION UPDATE

o Defend Again

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