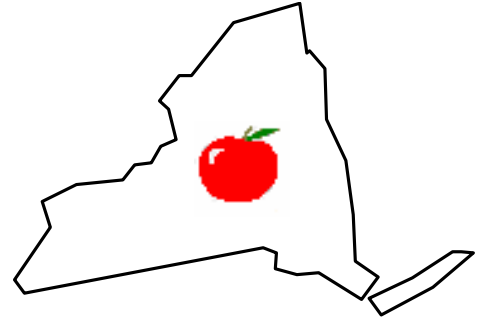


Fruit Notes

Western New York Fruit Extension Program



Volume 07 Issue 4

March 7, 2007

Updates from NYS DEC for 2007 Season

Compiled by D. Breth from EXPO presentations by Anthony Lamanno & Maggie O'Neil, NYSDEC

Federal Pesticide Container And Containment Regulations

On August 16, 2006, USEPA officially announced the final Pesticide Container and Containment Regulations - these regulations apply mainly to manufacturers, refillers, agricultural commercial applicators, retailers and custom blenders, and pesticide users. New sections of 40 CFR Part 156 contain pesticide product label requirements regarding refillable and nonrefillable pesticide containers and residue removal. New 40 CFR Part 165 is concerned with design and capacity requirements for pesticide containment, pesticide container design and repackaging, and residue removal. The summary and complete text of rule is online –<http://www.epa.gov/pesticides/regulating/containers.htm>

Implementation of these regs is required in 3 or 5 years (2009 or 2011), depending upon the provision. The main concerns for growers relate to pesticide containment, agricultural commercial application and custom blending, as well as following the label directions on non-refillable and refillable pesticide containers regarding removal of pesticide residues prior to disposal or refilling. Growers will need to review labels for “container disposal” particularly regarding special requirements for (triple and pressure rinse) instructions. NYSDEC is currently assessing its role with the new regulations.

Alternative Pesticide Containers?

NYSDEC, Part 325, ECL 33-1301(1) and 33-0303(3)(e) is published on the web at <http://public.leginfo.state.ny.us/menugetf.cgi?COMMONQUERY=LAWS>. This Statute is concerned with alternative pesticide containers. “Other than in conjunction with the actual on-site application, any container, measuring device or application equipment other than the manufacturer’s unbroken immediate container, would be an alternative pesticide container and must bear a label.” A spray tank on an airblast or weed sprayer is considered an alternative pesticide container if loaded with a pesticide tank mix. If the sprayer is loaded with pesticide and water and the sprayer is transported on a public highway (or off the premise from where it was loaded), it must have the following information:

- (1) The name and address of the manufacturer, registrant, or person for whom manufactured,
- (2) The name, brand, or trade-mark under which said article is sold; and
- (3) The net weight or measure of the content; subject, however, to such reasonable variations as the commissioner may permit.

An interpretation:

An objective of this regulation is to protect emergency responders when called to a traffic accident involving a sprayer loaded with pesticide mixtures. Attach an adhesive sleeve or plastic container to the sprayer to hold only the labels of the materials in the tank at the time of transport. The entire label is not necessary, but the required information is usually located on the front and second page of the label. The “net weight or measure of the content” means the maximum volume that can be held in the tank. If the tank is a 500 gallon tank, then the maximum volume is 500 gallons. This does not need to be changed with every trip down the road if less than 500 gallons.

What’s New with Spray Records? Just a review. NYSDEC Private Applicator Records requires records for restricted use pesticides:

- Restricted use pesticides purchased
- Crop treated
- Method of application
- Date of application

WPS Records are required for all pesticide applications and must be displayed in the central location for 30 days after a pesticide application or a restricted entry interval was in effect. Records must include:

- Location and description of the area to be treated
- Product name
- EPA registration number
- Active ingredient(s) of the pesticide
- Time and date the pesticide is scheduled to be applied

- Restricted-entry interval (REI) for the pesticide

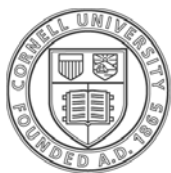
USDA will begin compliance inspections this summer. At this time, NYSDEC is not enforcing USDA recordkeeping requirements. USDA Recordkeeping requirements are necessary for all “Restricted Use” pesticides:

- Brand Name/Product Name
- EPA Registration Number
- Total Amount of Pesticide Used
- Date of Application
- Description/Location of Treated Area
- Crop, Commodity, or Stored Product
- Size of Area Treated
- Name of Certified Applicator
- Certification Number

DEC has a standard form you can use to comply with all these requirements in one form to simplify recordkeeping requirements for pesticide applications. This form can be found at <http://www.dec.state.ny.us/website/dshm/pesticid/privatercdfrm.pdf>. An alternative computer recordkeeping system available is the TRAC software developed by Juliet Carroll of NYS IPM. For information on this software, contact Julie at 315-787-2430, or jec3@cornell.edu, or go to website <http://nysipm.cornell.edu/trac/default.asp>.

Worker Protection Standard

DEC will continue to enforce Worker Protection Standard. There is a new booklet with updates included available for downloading at <http://www.epa.gov/agriculture/htc.html>. Other publications that will help with training for WPS can be found on the website <http://www.epa.gov/agriculture/awor.html>.



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What's New with Private Applicator certification/recertification?

In 2005 & 2006 new certification identification cards were issued with photos. The existing DMV photo and signature are used. Every Certified Applicator & Technician MUST complete a form that authorizes the use of their photo and signature on record with the DMV. If an individual does not have a NYS driver's license, they will have to go to the DMV and have a photo taken (no charge) and get a DMV number (non-photo ID). The new photo ID cards are issued the next time a new ID is issued: renewal, recert, add category, etc.

The fee for private re-certification is \$25 for five years for primary applicator, and only \$5 for five years for secondary applicator (at same farm). Private applicators must "recertify" every 5 years. To "recertify," send a check and **ORIGINAL** recertification credit certificates when notified by NYSDEC – it is recommended to use certified mail. Make copies of certificates for your records. Make sure NYSDEC has your current address.

Recertification Credits required for Private SubCategories 21 through 25:

- You will need 10 recertification credits every 5 years.
- You need a minimum of 25% in the category in which you are certified.
- The remaining 75% can be Core and credits assigned to any subcategory within the Agricultural Plant Pest Control category.
- You must obtain credits in more than one calendar year.
- Keep original certificates in a safe place until it is time for you to recertify.
- Make sure you know where the course calendar is located to plan when and where you will get necessary classes, <http://pmep.cce.cornell.edu/calendar/> or call your local CCE office.
- "Don't wait until the last month to take courses!"

NYFVI Grant Awarded to LOF

D. Breth

NYFVI (New York Farm Viability Institute) has awarded a grant to Deborah Breth for 2 years to test prediction models to limit resurgence of codling moth in apples. The objectives of the grant include: 1) Control costs for worms in fruit will be minimized and still satisfy the "zero" tolerance for worms in fruit. 2) Pest management advisors and producers in New York will learn how best to monitor pests, time application of control measures, and access regional information to assist them in making timely decisions. 3) Processors and packers will benefit so they will not have to sort out infested apples. 4) Consumers of NY fruit will be assured that fruit has been produced using the safest methods to provide them with worm-free fruit.

Performance targets for this project include:

- Four growers will assist with validation of degree day model to predict egg hatch for control of codling moth in NY.
- Ten farms will implement IPM technology to optimize timing and numbers of

insecticide sprays resulting in less than 1% infested fruit.

- The number of infested truckloads of apples, and stone fruit detected at the receiving stations of processors and packinghouses will be reduced by 10% in 2007, and 20% in 2008, compared to 2005-06 levels.

I will be setting up trials with 4 growers in the region to test 2 timing models for codling moth control. Since codling moth is not yet in high numbers in all parts of western NY, I am looking for 2 high pressure orchards and 2 low pressure orchards. We will be evaluating and scouting for other pests in these orchards throughout the season. I am also looking to identify 10 more growers who would like to learn how to implement trapping and degree day calculations and determine the optimum spray timing for good control. If you are interested in participating in this project, please contact me at 585-747-6039.



FRUIT FAX is Coming!!!

Fruit Fax subscriptions begin mid-March, 2 issues per week during primary scab season, 4-6 times per week during bloom for fire blight warnings, and 1 issue per week unless otherwise needed through September. **Fruit Fax** includes updates and reminders of necessary horticultural practices, pest management activities, pest development

status, meeting notices, and other important business management reminders. They include information relating to tree fruit crops and berries. They are more time sensitive than newsletters but cannot include the amount of detail included in newsletters.

To receive the **FRUIT FAX** this season, complete the tear slip registration form below and return to:

Cornell Cooperative Extension, Attn: Kim Hazel, 12690 NYS Rt. 31, Albion, NY 14411

Include a check payable to "Cornell Cooperative Extension" for \$50, if farming in Wayne, Monroe, Orleans, and Niagara counties. If farming outside those counties, please include a check for \$100.

Fruit Fax Subscription - 2007

Preferred delivery

(insert X to check choices)

☐
☐
☐
☐

email with attached file formatted in MSWord

email with attached file formatted in pdf

email in body of message, no attached file

Fax only

Name	
Farm Name	
Email address	
Address	
County	
Telephone No.	
Cell Phone No.	
Fax No.	

Submit a check for \$50/\$100, payable to "Cornell Cooperative Extension" with this registration form.

Tree Fruit Field Guide -

Insect, mite and disease pests and natural enemies of Eastern North America

This is a beautiful color handbook, compiled by A. Agnello, et. al., and it is published by Natural Resource, Agriculture, and Engineering Service and Cooperative Extension. Full of color photos and brief life history descriptions. The list price is \$32 per copy, but Debbie will order multiple copies – if over 50 copies are ordered, there will be a 30% discount; if 100 or more, a 40% discount.

If you are interested in obtaining a copy, call Kim Hazel at 585-798-4265 ext 26, or email krh5@cornell.edu and order a copy. Please make your request by March 30.

DEC Special Permit Training Classes - April 4 and 5

Wednesday, April 4, 2007 1:00 to 4:00 pm Cornell Cooperative Extension Wayne Co. 1581 Rt. 88N, Intersection of Hydesville Rd. Newark, NY	Thursday, April 5, 2007 9:00 am to 12:00 noon Orleans Co. Coop. Ext. Fairgrounds Trolley Bldg. Rte. 31 between Albion and Medina Knowlesville, NY
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Who is this training for?

This training is for non-certified pesticide handlers. When non-certified applicators are applying federally restricted pesticides, the certified supervisor must be "on-site and within voice contact" with the applicator. With a DEC "Special Permit" training does not reduce the responsibility of the supervisors in ensuring all other regulations are followed.

What are federally restricted-use pesticides?

Pesticides can be classified as "restricted use" by EPA (federally) or by NYS DEC (state restricted). The DEC special permit only covers pesticides that are federally restricted. There are several reasons why pesticides may be restricted by EPA including bird, fish or aquatic toxicity, acute human toxicity (poison), ground and surface water concerns, reproductive effects or tumor causing. Several of the pyrethroid, organophosphate and carbamate insecticides and herbicides such as Gramoxone, Kerb, and atrazine are federally restricted-use materials.

The objective of this class to provide extra safety training for non-certified applicators that apply

federally restricted-use materials such as Gramoxone, Guthion, Danitol, Asana, etc. The class will include training on pesticides used on fruits and vegetables.

We include WPS handler training or review, a review of the potential hazards of specific materials to applicators, non-target species, and the environment, and how to prevent the risk of exposure at these sessions. This class will be offered in English and Spanish in concurrent sessions. Steven McKay, CCE Fruit Program from the Hudson Valley, will teach the Spanish session.

Please register your non-certified pesticide applicators for one of these sessions by March 28, 4:00 PM, to ensure there are enough training packets. Registrations can be phoned, faxed or mailed. The registration fee is \$15 per non-certified applicator to cover materials, breaks, and the translator. The supervising certified applicators should accompany their applicators for the first 30 minutes of program to complete the necessary paperwork, and review responsibilities. (There is no fee for the supervisor.) The DEC Special Permit is only good for one season. Questions? Call Debbie Breth @ 585 798-4265 ext. 36.

To register:

Mail registration to:

Kim Hazel, CCE, 12690 NYS Rt 31,
Albion, NY 14411

Or FAX registration to: 585-798-5191

Or call Kim Hazel: 585-798-4265 ext 26

Registration form: Check Date: ☐ April 4, Wayne Co
Make check payable to: "Cornell Cooperative Extension"

☐ April 5, Orleans Co.

Grower Name (supervising certified pesticide applicator) _____

Farm Name _____ DEC Applicator ID# _____

Farm Address _____

Names of non-certified applicators attending: \$15 each, choose session

_____	Eng <input type="checkbox"/> Span <input type="checkbox"/>
_____	Eng <input type="checkbox"/> Span <input type="checkbox"/>
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Number attending _____ x \$15 = _____ total submitted

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*Helping you put
knowledge to work.*

What's Happening with the LOF Team?

As you are all aware, the Horticulture and post-harvest position on the LOF team are vacant. Through the series of focus groups, advisory meetings, and administrative management meetings, the agreement was made that it was critical to re-fill the horticulture position and the post-harvest position to carry on the work and meet educational challenges for the fruit industry in the future. The post-harvest position has been renamed – it is now the Fruit Quality Management position. The closing date listed for the Horticulture position was Feb 28 or until we find a suitable candidate. The search committee will be reviewing the candidates applications, and interviews will be held the last week of March if candidates are available. Interviews will be open to the advisory committee and will be announced to the general grower audience in case there are growers who would like to view the seminars presented and have opportunities to ask questions in the interview process. We will repeat this process when the candidate pool for the Fruit Quality Management position application deadline is past.

DEC Special Permit Training Inside!!!

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