

2019  
3<sup>rd</sup> Quarter Edition

“Supporting the truth even when it is unpopular shows the capacity for honesty and integrity” – Steve Brunkhorst



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DEPARTMENT  
OF AGRICULTURE

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A Quarterly Insight into the Environmental Services Division

# The ESD Review

## Topics in this edition >>>

- ☞ 2019/2020 produce season in full swing in southern Arizona.
- ☞ Jennifer Weber leaves AZDA after 14 years of service.
- ☞ From the Case Files.
- ☞ SMS Farms – Environmental Services Division’s “Ag to Schools” program.
- ☞ New requirements for the application of Paraquat.
- ☞ ESD license applicants: Proof of U.S. Citizenship or legal residency required.
- ☞ Over 120 WPS Instructors trained in 2019.
- ☞ Featured Inspection: Pesticide Use Monitor.



Jennifer Weber leaves after 15 years of service with AZDA. (See page 2)



ESD’s Ag to Schools Program continues to be a success. (See page 3)

## 2019-2020 produce season in full swing in southern Arizona

*Let the produce games begin!*

By: Yuma ESD Staff

Yuma Valley farmers have begun the process of planting thousands of acres of leafy greens and brassicas throughout Yuma and Imperial (CA) Counties.

Before production starts, growers and their managing staff make sure they are up-to-date on changes to rules and regulations involving production and harvest of the many varieties of lettuce, spinach, broccoli, cauliflower, cabbage and other produce. Current and new rules are passed down to every employee through annual and ongoing training programs implemented by every agricultural establishment, this includes farm labor contractors.

This year, changes to food safety rules involving the treatment of irrigation water means food safety staff must be trained in water sampling methods and other water treatment issues. These changes also affect industrial safety, more specifically, pesticide safety because workers have to know how to protect themselves while handling these products or when working in areas where these products are used, as it is considered a pesticide application. Growers also must know what products may be used for treatment of irrigation water, this is where the Environmental Services Division (ESD) comes in. Earlier this year Jack Peterson, Associate Director for ESD was in Yuma talking to growers about these products and an inspector assigned to the Yuma ESD office provided a similar presentation to Supervisors and Forepersons at the 14<sup>th</sup> Annual Food Safety Refresher Training Course.

Growers and other agricultural employers are reminded that the Worker Protection Standard (WPS) requires all those assigned duties involving the handling of pesticides must be trained as “Pesticide Handlers” and those working



in areas where pesticides were applied during the previous 30 days, must be trained as “Agriculture Workers”. This training must be offered by an Arizona licensed pesticide trainer. Trainers are reminded to follow record keeping rules and issue verification cards.

Other WPS rules must be followed such as providing workers and handlers, proper decontamination supplies and PPE, posting or having available pesticide safety information, information on the nearest operating emergency medical facility, locations of growers’ central posting sites and the number to the Arizona Pesticide Hotline, 1-800-423-8876.

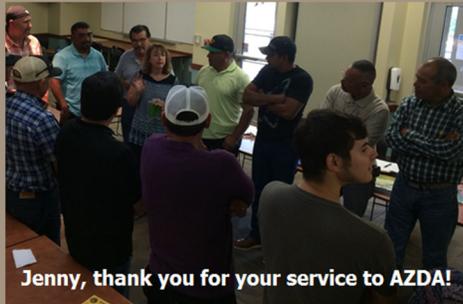
We wish everyone a great and prosperous 19/20 season! Please call us or stop by our offices if you need assistance with ESD related issues.

# Jennifer Weber leaves AZDA after 15 years of service... but will continue to be a resource to AZ Ag.

By: Ernie Lugo, Yuma ESD

Jennifer Weber recently left the Arizona Department of Agriculture after 15 years of dedicated service, but will continue to be a resource to the ag community. Jennifer accepted a position with the University of Arizona Cooperative Extension Service as the Pesticide Safety Education Program Specialist. This new position with the U of A is a collaboration between the University of Arizona Cooperative Extension and the Arizona Department of Agriculture. Jennifer continues to provide pesticide safety information to agricultural industry professionals, is developing diverse resource materials and will collaborate with subject matter experts to improve workplace, applicator and worker safety.

Jennifer came to AZDA from UC Davis where for 10 years she was pesticide safety educator for Statewide Integrated Pest Management Program. Prior to this she served as a health and safety specialist with the Farmworker Occupational Safety and Health Education program (FOSHE) in Stockton, California.



AZDA, Jennifer worked directly with growers and agricultural employers to assist them to be in compliance with the federal Worker Protection Standard and state pesticide laws and regulations. She also represented the department in various groups and committees on a national level and was instrumental in the development of training materials and manuals following the revision of the federal WPS in 2015.

Jennifer has a Bachelor's of Science in Dairy Science from Cal Poly, San Luis Obispo and an Master of Arts in Bilingual and

Multicultural Education from California State University in Sacramento. She is bilingual in English and Spanish which has helped her reach countless agriculture workers in her pesticide safety outreach efforts and has trained thousands of pesticide safety trainers through AZDA's Pesticide Safety Train the Trainer program which she developed.

In her new position, Jennifer will continue to offer important pesticide safety courses such as the 3-Session Pre-Certification Training and Exam Event where candidates for AZ Certified Pesticide Applicators attend two days of learning followed by a third day where they will take the applicator's exam. Her first event filled up after the first day registration became available!

To learn more about U of A's Cooperative Extension's Pesticide Safety Education Program, you can contact Jennifer Weber directly by telephone at (602) 827-8222 or via email at [jennyweber@email.arizona.edu](mailto:jennyweber@email.arizona.edu).

## From the ESD Case Files....

*In this section of our newsletter, we will share with you brief descriptions of cases and their outcomes.*

By: Alex Bellotti & Art Aguirrebarrena, Yuma ESD

**In July of 2019, an ESD Inspector conducted a routine sales records audit of restricted use pesticides (RUPs) at a seller's place of business. In the normal course of the audit several records regarding the receipt, sale, storage and delivery of RUPs were obtained and reviewed by the inspector. Multiple inconsistencies regarding the amounts of product received, stored, and sold by the seller were found during the review of records. Further investigation of the suspected violation confirmed that an undisclosed amount of RUPs were unaccounted for, which is a violation of state and federal regulations. The seller was found responsible for failure to keep required RUP records. A monetary fine was imposed. The seller has the right to appeal this decision.**

**In August of 2019, an ESD Inspector conducted a routine Worker Protection Standards (WPS) inspection on a Grower's farm. During the inspection the inspector suspected workers he interviewed were not trained in pesticide safety. The inspector requested to see pesticide safety training records for the grower's employees. The inspector was told records were not on site but would be sent as soon as possible. A reasonable amount of time was allowed by the inspector to receive said training records, but the records were not provided by the grower. The inspector opened a case alleging untrained employees. After a review of the case by the Associate Director of the Environmental Services Division, an Assistant Attorney General and the Director, the Grower was cited for the violation of allowing untrained workers to perform work in a location where pesticides were applied a week before. A monetary fine was imposed. The grower has the right to appeal this decision.**

# Yuma Agriculture Supports - SMS Farms “Ag in Schools” program.



SMS Farms Jr. Farmers received planting materials for their first project.



Fernando Campa, manager of Central Valley Seeds in Yuma taught a lesson about seeds and germination.



Rene Garcia, grower with Nature Fresh Farms gave a presentation about Soil preparation and forming of planting beds.

By: Ernie Lugo, Yuma ESD

The ADA's Ag in Schools Program is in full swing at the Somerton Middle School where the Environmental Services Div., Booth Machinery, Nature Fresh Farms and the Yuma Area Ag Council have teamed up to develop this program. Other sponsors such as Central Valley Seeds and PR Equipment have been instrumental to the program's success by providing materials such as seeds and monetary support.

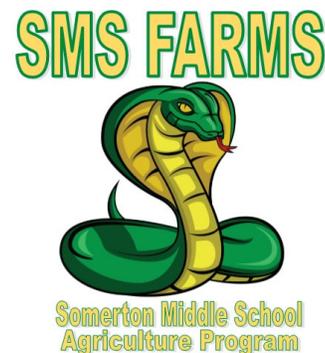
Students named their farm “SMS Farms”, SMS for Somerton Middle School. They have been learning as they go on how to successfully run a farm. They are following the methods of nature Fresh Farms. So far students have learned about industrial safety, food safety, soil preparation, seeds & germination, irrigation & fertilization among other important topics. The presenters so far have been Lupe Camarena, Fernando Campa, Rene Garcia, Santiago Aguirre and Ernie Lugo. All subject matter experts have done a great job teaching each subject while keeping students engaged.

Students were recently assigned a planting project where they were provided a planting tray, potting soil and Romaine lettuce seeds. Students are expected to put into practice what they have learned about planting, watering and keeping the product safe from contamination.

The lettuce they grow at home will eventually be transplanted in their lab (field) and grown until it is ready for harvest. Other commodities students will be growing are, iceberg lettuce, spring mix, spinach, broccoli, cauliflower and cabbage.

Students are excited for cooler weather as they will be able to work in the lab more. In October Mr. Campa and Mr. Garcia will be showing kids about seed planting which they are very excited for. At that time Ms. Camarena will continue her food safety lessons talking to SMS Jr. Farmers about food safety risk assessments, water sampling, field inspections and fencing to prevent animal intrusion.

As always we will continue to keep you posted on the progress of this program in future editions of The ESD Review.



## EPA releases new requirements for handlers and applicators of Paraquat.

By: Yuma ESD Staff

In response to several fatalities and other serious injuries, the EPA issued new requirements for handling paraquat (paraquat dichloride). These new requirements are intended to help protect those handling the Restricted Use Pesticide, and others who may come into contact with this product.

Many of the accidental paraquat-related deaths and poisoning incidents were a result of people illegally transferring the pesticide to beverage containers, which was then ingested by victims, some children, when they mistakenly thought it was a drink. There have also been several severe injuries from paraquat contacting handlers' skin or eyes.

Focused on additional education and implementing safer handling of this product, the new EPA requirements include special training, special certification, and new and special closed system packaging containers, which also requires new special closed system equipment to be developed and in use by September of 2020.

These label mandated changes also require that only certified applicators handle, mix, load and apply paraquat.

In addition to certification by the state, applicators with paraquat handling duties are required to take an EPA approved on-line paraquat-specific training every three years, which emphasizes proper handling, transferring and storage of the chemical.

The training also covers paraquat toxicity, new label requirements and restrictions, and consequences of misuse. ESD inspectors will be strictly enforcing these new rules.

On-line certification is available now, and an effort is underway to make face-to-face training available for applicators who do not use computers. To take the training go to: <https://www.epa.gov/pesticide-worker-safety/paraquat-dichloride-training-certified-applicators>

If you handle paraquat or know of someone who does, please let them know of these changes. For questions regarding this or any other pesticide related question you can call any of the ESD inspectors or the Arizona Pesticide Hotline at 1-800-423-8876.



# ESD license applicants: Proof of U.S. Citizenship or legal residency required.

By: Art Aguirrebarrena, Yuma ESD

The Director of the Arizona Department of Agriculture, Mark W. Killian is reminding everyone that State law requires all **individuals** seeking a license must provide evidence of lawful presence (citizenship, national or alien status) prior to the AZDA issuing a pesticide related license or certificate. All individuals pursuing a pesticide related license and/or certification must complete the Arizona Department of Agriculture's "Statement of Lawful Presence to Receive Public Benefits" form.

Arizona Revised Statutes § 41-1080 requires that an individual Applying for a license issued by the Department—(i) for the purpose of operating a business in Arizona or (ii) to someone who provides a service to any person where the license is necessary in performing that service must submit certain documentation that satisfactorily demonstrates the applicant is lawfully present in the United States.

All applicants for a license or certification covered by these laws must complete the form (unless you have previously provided the information only required one time) and provide evidence of citizenship and/or evidence of lawful presence by submitting a

copy of one or more documents on a list provided on this form.

These are some examples of the documents listed that prove citizenship. The following need only be presented one time, a birth certificate along with a matching photo ID or a passport, as long as the applicant remains certified. A birth certificate must show birth in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time) (unless the applicant was born to foreign diplomats residing in such a jurisdiction), a Form N-550 or N-570, United States Certificate of Naturalization, a Form DD-214 (Report of Separation Military Discharge Document) showing US Place of Birth, a U.S. Passport or U.S. Passport Card; 6 other documents are listed as options.

Documents that may be presented as proof of legal presence are: an Arizona Driver's License (issued after 1996), a driver's license issued in a state that verifies legal residency, an I-551 card (green card), and a Form I-766

(Employment Authorization Card); 6 other documents are listed as options. These documents must be presented every time an applicant renews their license, because these documents may expire and can be revoked.

So when renewing your license via US Mail, remember to complete this form and send a copy of the document you elect to provide. You should also be prepared to provide one of these forms of identification when attending a WPS Train The Trainer course or any other AZDA course that will result in the issuance of a license. To view and print the form online please visit:

<https://agriculture.az.gov/sites/default/files/WPS-StatementofLawfulPresence%20-%20AZ%20Dept%20of%20Ag.pdf>



## Over 120 WPS Pesticide Safety Instructors trained by ESD during FFY 18/19.

By: Ernie Lugo, Yuma ESD

Over 120 persons became new pesticide safety instructors or renewed their certification to provide pesticide safety training to agriculture workers and pesticide handlers during federal fiscal year 2018/2019, which runs from October 1<sup>st</sup> to September 30<sup>th</sup>.

Trainers are trained following EPA approved lessons. Trainers of workers and handlers are provided training materials such as copies of the lesson itself and an EPA approved training video - developed and filmed in Yuma. Trainers who only train workers are also provided with a lesson handbook as well as a guide that helps them cover the required 23 training points. All trainers receive other training resources such as: copies of training logs, the training verification card template, the EPA pesticide safety poster, in different sizes, an electronic copy of the WPS "How to

Comply Manual" and many other helpful resources.

During the Train The Trainer course, attendees learn about pesticide related health issues, requirements relating to written and verbal warnings and instructions - including how to recognize field postings. They also learn how to read and understand pesticide labels, about heat illness prevention related to pesticide applications, and personal protective equipment - including the use of respirators.

With the elimination of the 5 day "grace period", and high employee turnover rates, employers have been registering more and more employees to make sure they have enough trainers on staff to train workers before they enter an area where pesticides were applied or handlers before they work with pesticides.

For more information about the AZDA WPS Pesticide Safety Train The Trainer Program or to register for the next course, please visit: <https://agriculture.az.gov/trainingassistance/pesticide-safety-training/train-trainer-program>



# Featured ESD Inspection: Ag Use Application Monitor.

By: Alex Bellotti, Yuma-ESD

One of the more interesting aspects of my job involves monitoring pesticide applications.

Pesticides may be applied by a number of means, by aircraft, either airplane or helicopter, by ground or by Chemigation.

Chemigation involves running a measured amount of pesticides through the irrigation system along with the water used to irrigate the crop. The line leading up to the pump feeds the pesticides to the water supply.

When I monitor an application I start by requesting a copy of the recommendation - the Form 1080. With the recommendation in hand I can determine what pesticides are to be used and the rates they will be used. The 1080 will also tell me what crop is to be treated and for what pest they will treat it.

Next, I will observe the mixing and loading of the pesticide. Before any mixing and loading activities take place, I will verify that pesticide handlers involved in the application have received the required pesticide safety training. For this, I will ask to see the training verification cards. These cards verify that employees have received the appropriate pesticide safety training. I will then ask to see a label from the pesticide container. With the label I can verify appropriate PPE is worn to conduct mixing and loading, that the product is appropriate for the commodity being treated, and that the rate is permitted, among other things.

Handlers will then proceed to mix. If containers are emptied, they must be triple (or power) rinsed and punctured to ensure they are rendered unusable. The rinsate will be added to the pesticide mix to be applied.

After mixing, the mixture is loaded into the application equipment and the application begins.

Before and during the application, I will verify wind speed and direction. This ensures the application is conducted in a manner which minimizes the possibility of drift. Most pesticide labels specify wind must not exceed 10 miles per hour in order to minimize drift (some now have minimums as well). If the wind starts to exceed the label specified maximum wind speed, then the applicators must suspend the application until weather conditions are favorable. If wind conditions remain good, the application continues as scheduled.

After the application is concluded, The handler and applicator should remove their PPE, taking care to avoid getting any residues on their skin as they do so.

Later, I will request a copy of the completed form 1080. With the completed form I will verify the licenses of all people involved in the application, beginning and ending times, weather conditions noted and if there were any deviations from the label or 1080 instructions.



Aerial application (fixed wing; most common in AZ)



Aerial application (helicopter)



Ground application unit – designed and fabricated for this purpose.



Ground Application implement attached to a multipurpose tractor.



Chemigation mixing/application unit.



The chemigation unit is connected to the pump and product is delivered via sprinklers.