



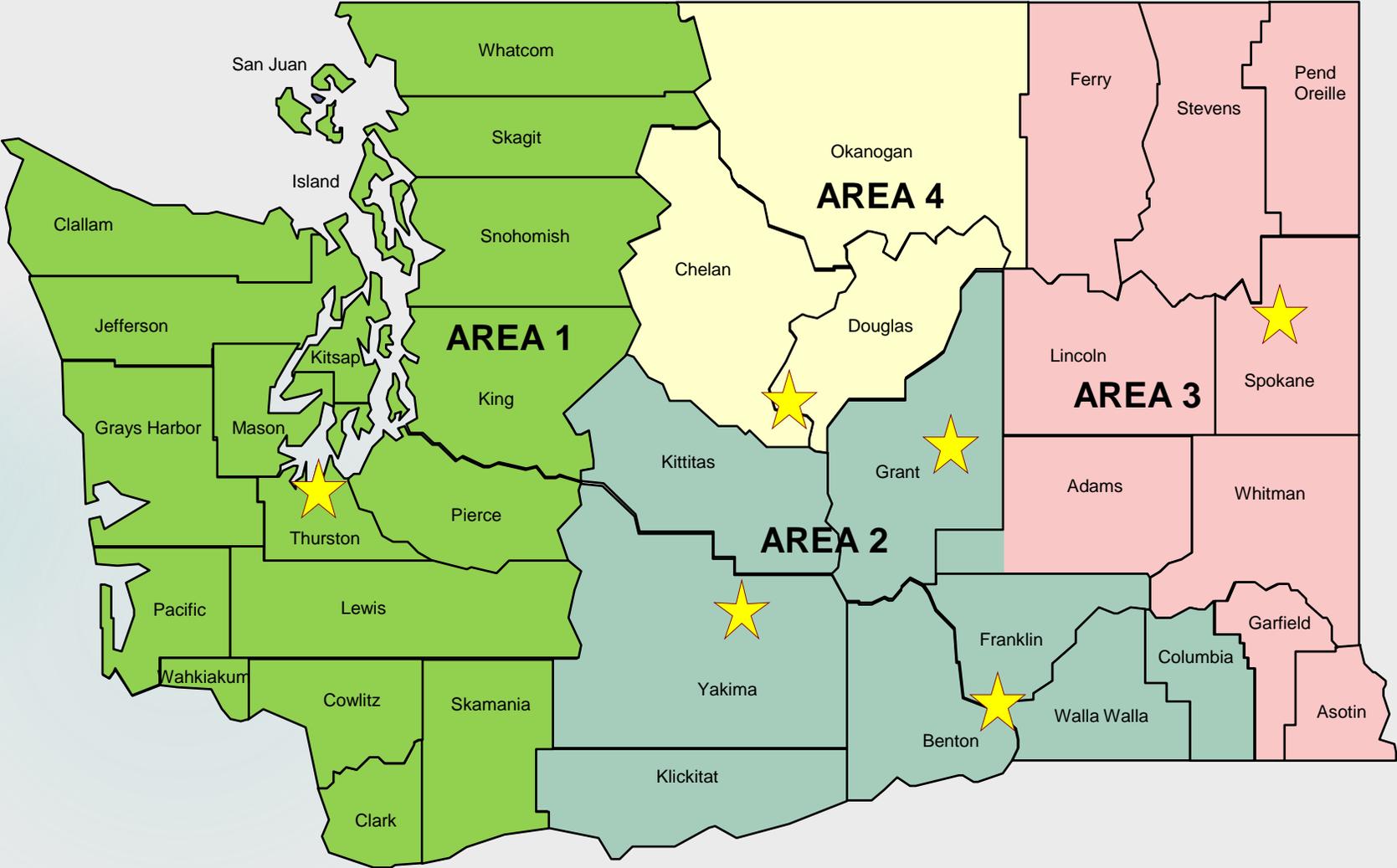
# WSDA Complaint Response

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# Pesticide Compliance Offices



Main Olympia Office: 360-902-2040, Toll Free 1-877-301-4555



# Pesticide

Any substance or mixture of substances intended to prevent, control, repel, or mitigate any insect, rodent, snail, slug, fungus, weed, and any form of plant or animal life or virus, except virus on or in a living, person or another animal which is normally considered a pest or which the director may declare a pest.

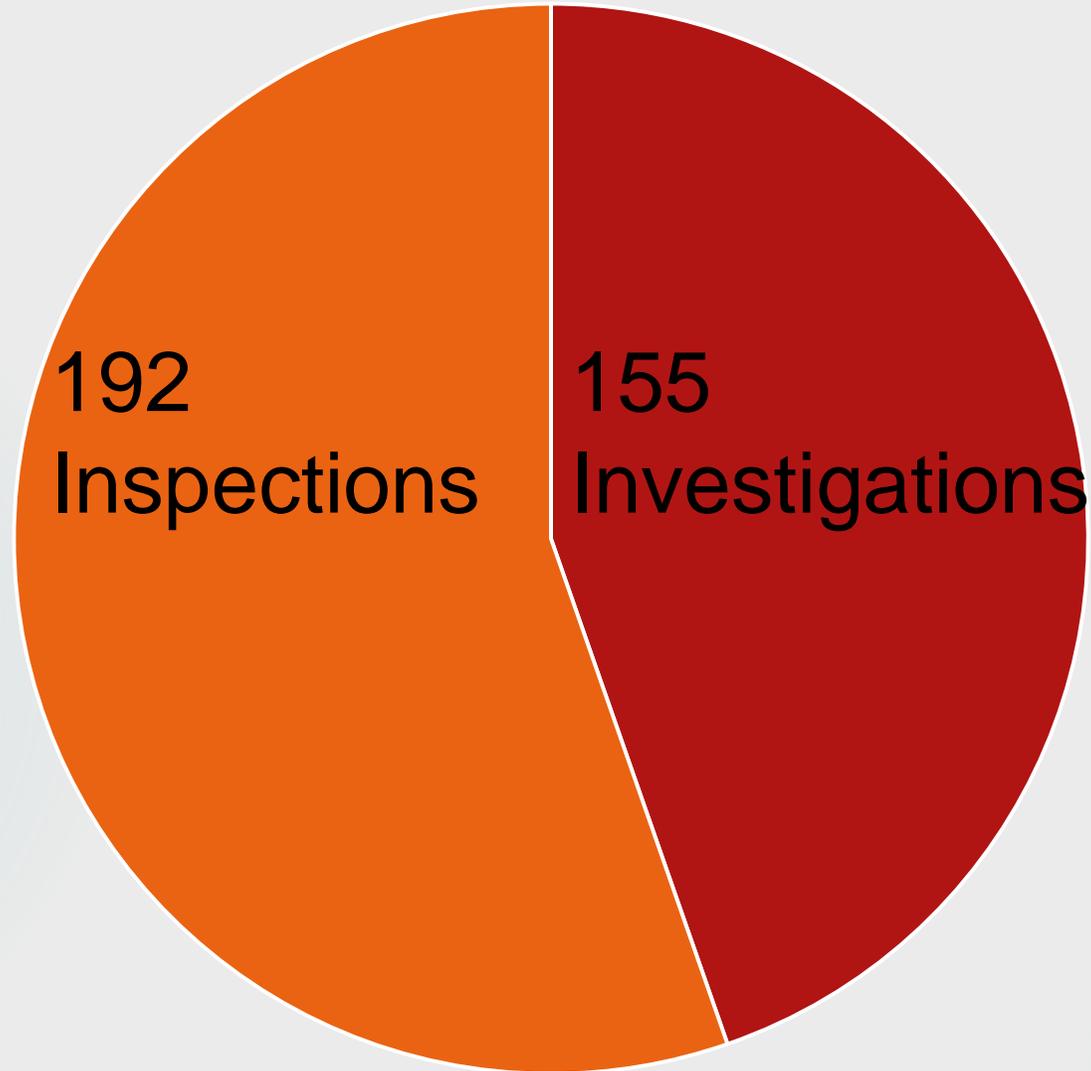
A chemical or compound used to kill or repel a pest

# What do we do?

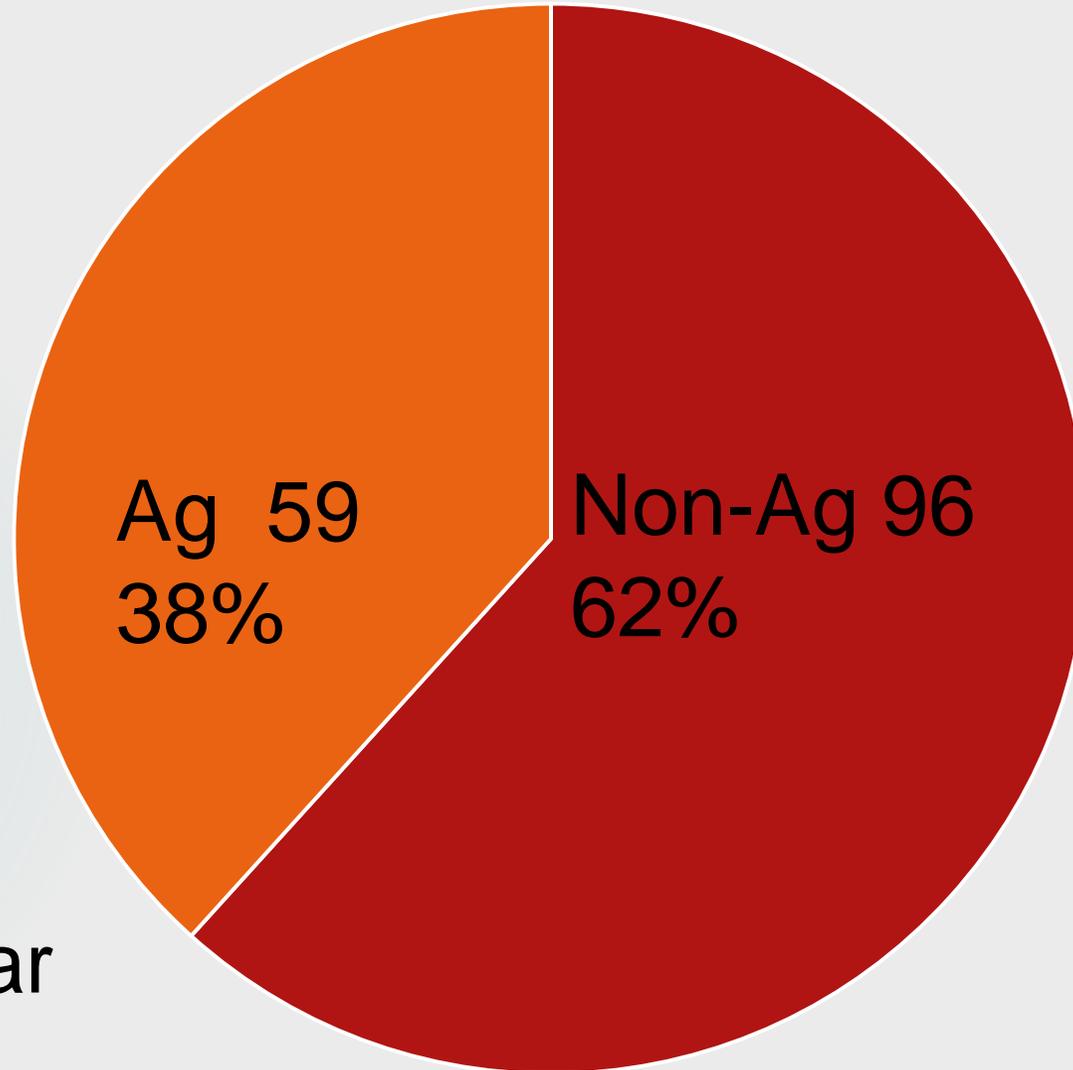
- Technical Assistance
- Inspections
- Investigations



# Four Year Average Number of All Inspections and Investigations

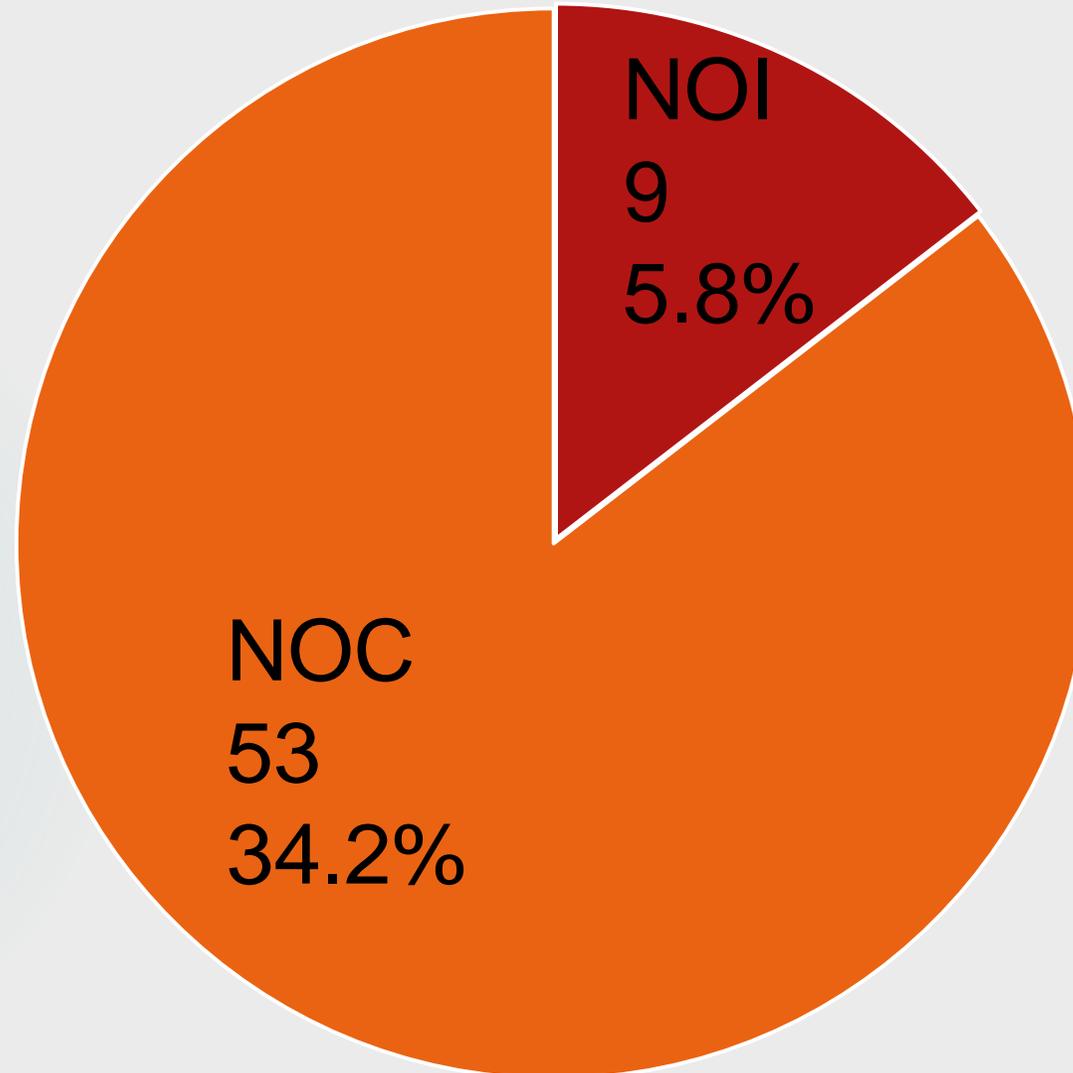


# Four Year Average Number of Ag vs Non-Ag Investigations



2 Forestry Per Year

# Formal Compliance Actions on the Annual Avg Number of Investigations



# WSDA Pesticide Compliance

- Obligated to enforce pesticide regulations
- Can only enforce existing regulations under WSDA jurisdiction

# Initial Complaint Intake

- Call or email received
  - Preliminary details
    - Names and Contact
    - Human or Animal Health
    - Property damage
    - When, Where and What happened
  - Valid or just using WSDA
  - Jurisdiction
  - Might WSDA be able to prove a violation
  - Assign to Investigator

# Communication



- Contact other agencies when applicable including:
  - *Department of Health*
  - *Ecology*
  - *Labor & Industries*
  - *EPA*
  - *DNR if Forestry*
  - *Local jurisdictions and other agencies as needed*

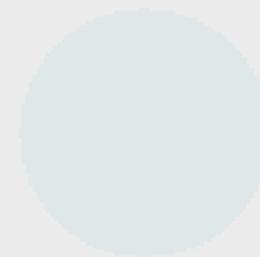


# What happens during a pesticide investigation?



# Information gathering

- Travel to incident site
- Contact Complainant
  - Oral and Written Statement
  - What, when, where
- Collect evidence
  - Photograph location, equipment, damage
  - Obtain samples of clothing, foliage soil, water, swabs



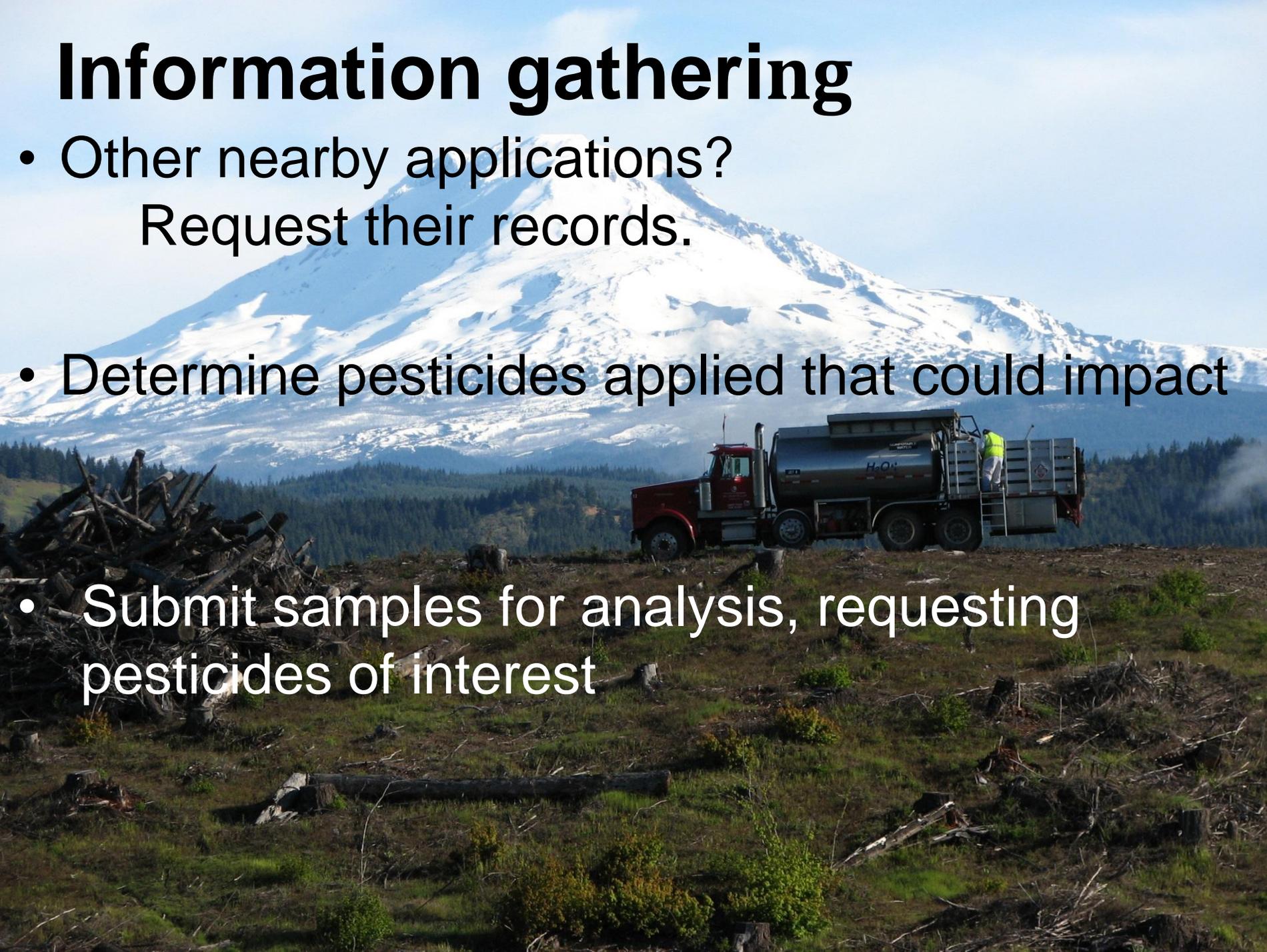
# Information gathering



- Contact Witnesses – if any
  - Oral and Written Statement
  - What, when, where
- Contact alleged infractor
  - Oral and Written Statement
  - Request records from the alleged infractor
  - Check equipment condition and settings

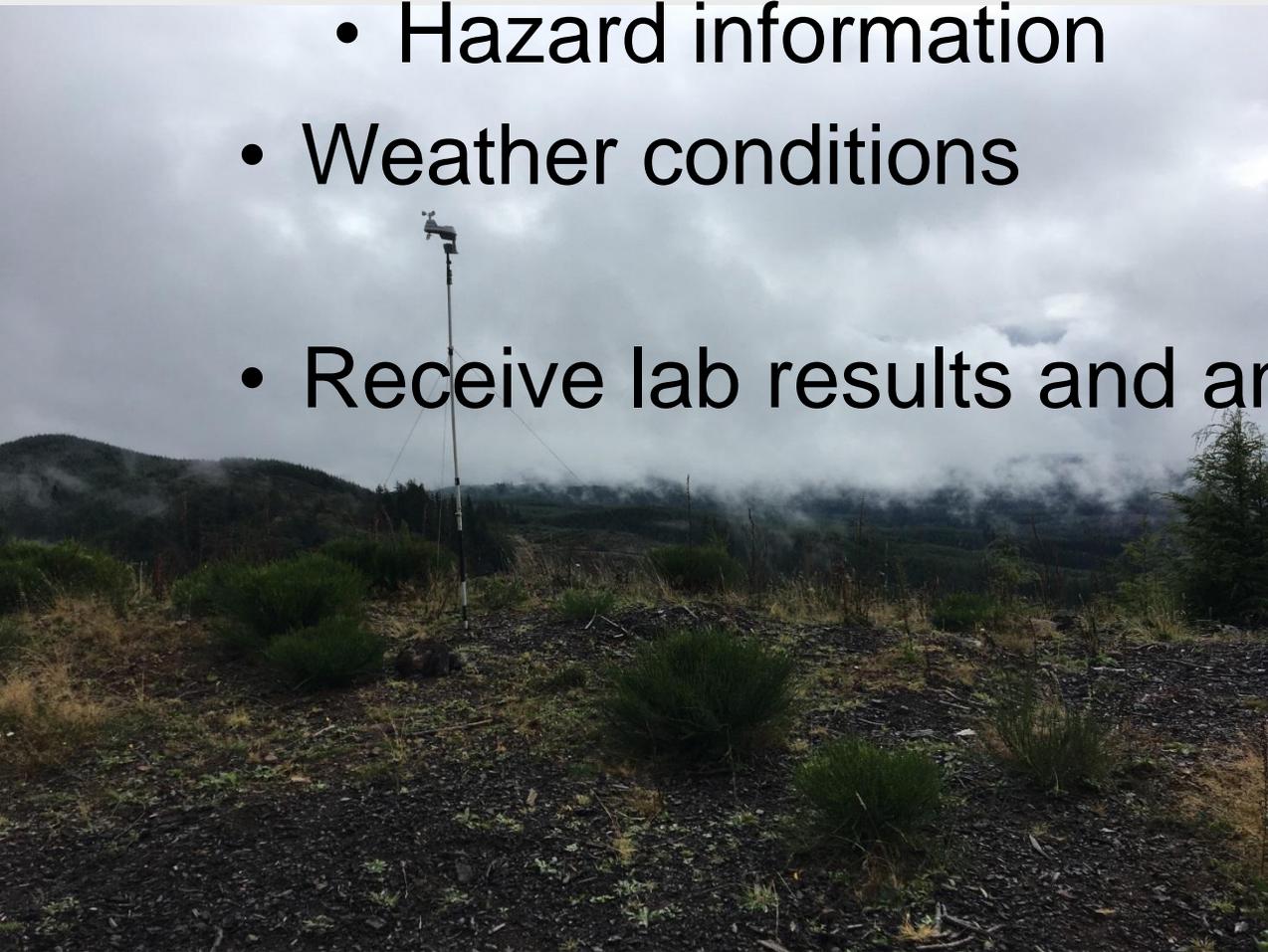
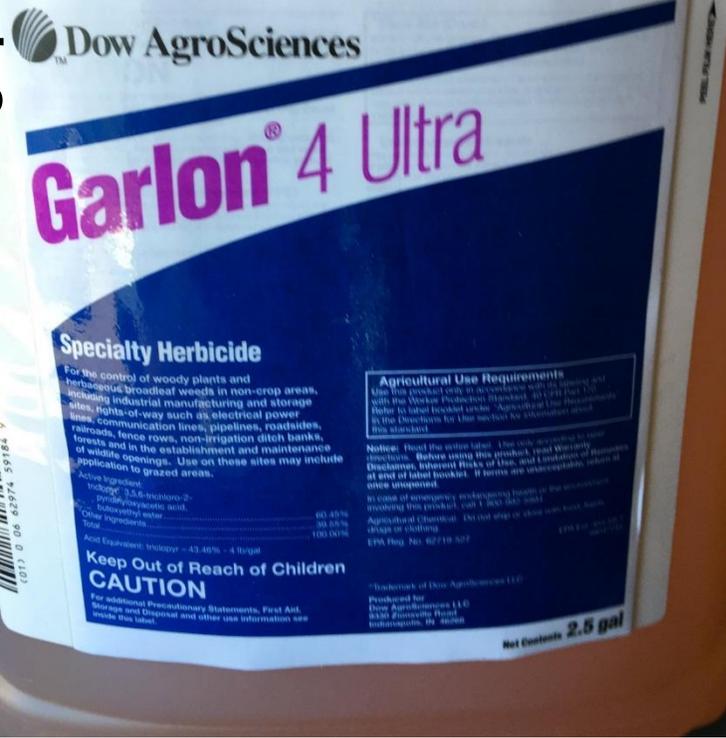
# Information gathering

- Other nearby applications?  
Request their records.
- Determine pesticides applied that could impact
- Submit samples for analysis, requesting pesticides of interest



# Information gathering

- Pesticide labels
  - Mandatory vs Advisory
  - Hazard information
- Weather conditions
- Receive lab results and analyze information.



# Most common pesticide infractions



**“It shall be unlawful...for any person to use or cause to be used any pesticide contrary to label directions”**

***[RCW 15.58.150 (2) (c)]***

**“It is a violation of federal law to use this product in a manner that is inconsistent with its labeling”**

***(statement on all EPA Registered product labels)***

# Most common pesticide infractions



RCW 17.21.150(4) – It shall be unlawful:

- **“To operate in a faulty, careless or negligent manner.”**

# Drift-related pesticide infractions



## Example Violations

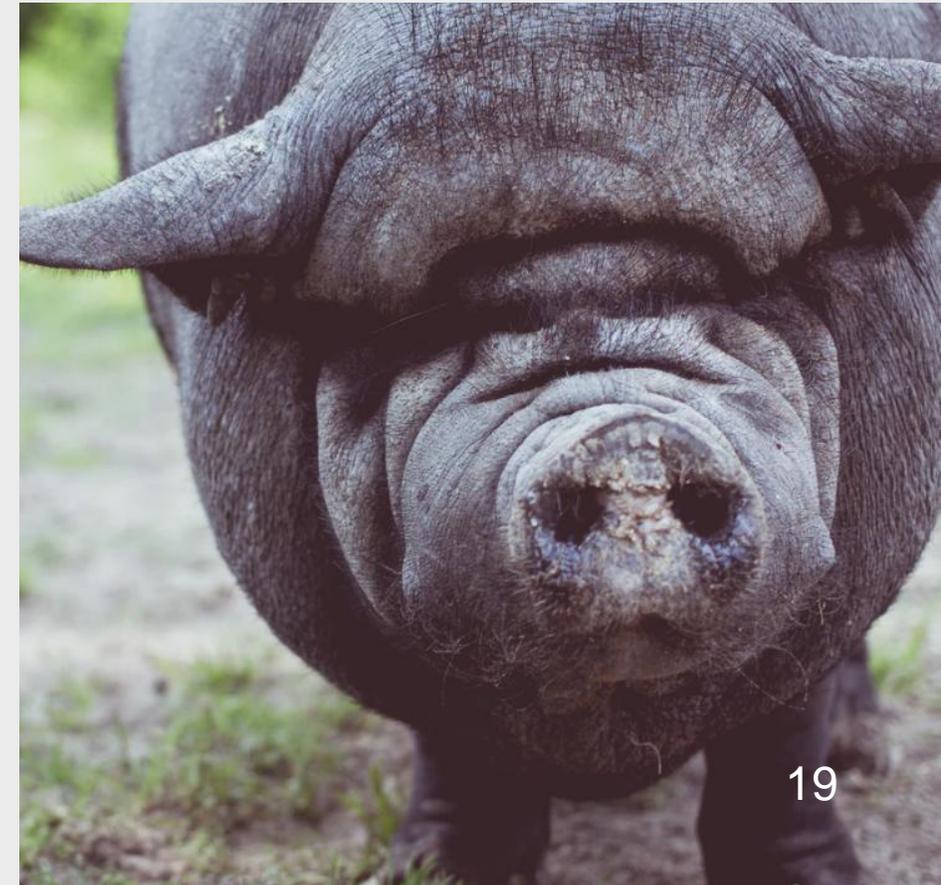
**“No person shall... apply... pesticides in such a manner as to . . . endanger humans and their environment or to endanger food, feed, or any other product...”** WAC 16.228-1200(1)

**. . . cause damage or injury to land, humans, desirable plants and animals or wildlife.** WAC 16.228-1220(2)

# If you can smell it, did it drift onto you?



- ▶ If you smell a pesticide you have been exposed to some chemical.
- ▶ You may be smelling
  - ▶ A solvent carrier
  - ▶ A breakdown product
  - ▶ A warning agent
  - ▶ The active ingredient



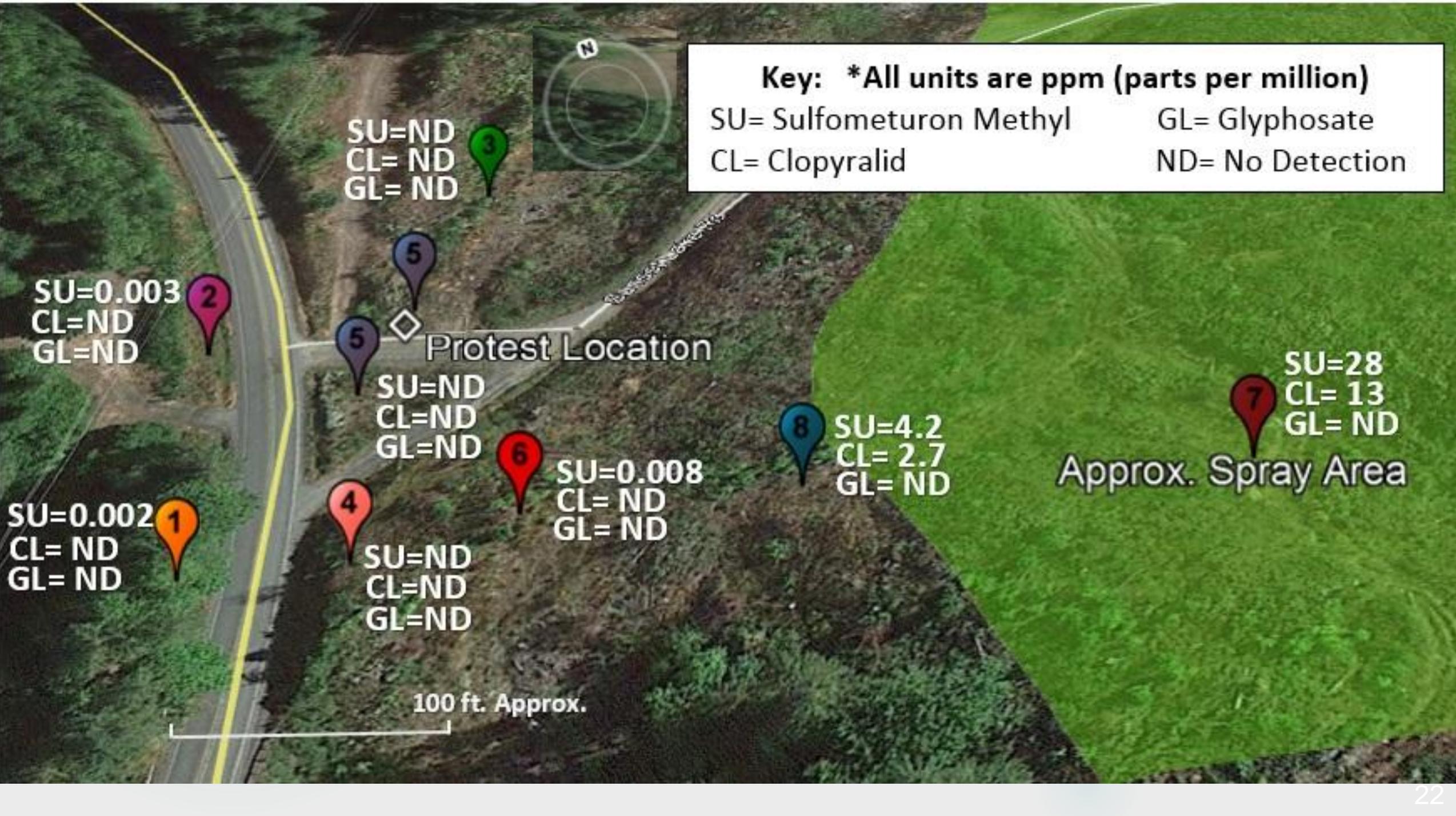
# Did a violation occur if someone can smell a pesticide application?

- WSDA must be able to prove exposure.
- WSDA cannot prove odor.
- Rely on Samples
- Visual signs

# Questions?



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**Key: \*All units are ppm (parts per million)**  
SU= Sulfometuron Methyl      GL= Glyphosate  
CL= Clopyralid                      ND= No Detection

SU=ND  
CL= ND  
GL= ND



SU=ND  
CL=ND  
GL=ND



SU=0.008  
CL= ND  
GL= ND



SU=4.2  
CL= 2.7  
GL= ND



SU=28  
CL= 13  
GL= ND

SU=0.003  
CL=ND  
GL=ND



SU=ND  
CL=ND  
GL=ND



SU=0.002  
CL= ND  
GL= ND

100 ft. Approx.

Approx. Spray Area

Protest Location