

# Pesticide Investigation and Enforcement

Oregon Department of  
Agriculture

Pesticides Program

Dale Mitchell, Pesticides Program Manager

# Pesticide Regulatory Activities

- Routine Compliance Monitoring
  - Application Observations (AUO, NUO)
  - Record Inspections (ARI, DRI, MPI, PEI)
- Complaint-Initiated Investigations (AUF, NUF)
- Enforcement Staff Conducting Education & Outreach

# Compliance Monitoring

- Operator/Applicator Record Inspection (**ARI**)
- Dealer Record Review (**DRI**)
- Market Place Inspection (**MPI**)
- Agricultural Use Follow Up/Observation (**AUF/AUO, MCAP/ HCAP**)
- Non-agricultural Use Follow Up/Observation (**NUF/NUO**)
- Producer Establishment Inspection (**PEI**)
- Experimental Use Inspection (**EUP**)
- Import/Export Inspections (**IMP/EXP**)

# FY -2019 Pesticide Compliance

- 700+ Total Investigations
- Sources of Complaints:
  - Referrals from other agencies
  - Neighbors
  - Customers
  - General Public
  - Employees
  - Competitors



# Ag. Use Follow-up/Observation (AUF/AUO) Non-Ag. Use Follow-up/Observation (AUF/AUO)

- Investigative activities based on complaints/concerns received by ODA from various sources alleging misuse or violation of ORS 634 & FIFRA
- Inspection:
  - Site Inspection
  - Interviews
  - Environmental Sampling FY 2019 = 594 samples
  - Collection/Documentation of Evidence to Support or Deny the Alleged Violation
- Legal Authority:
  - ORS 634 & FIFRA

# Pesticide Regulatory Activities

- Total Cases FY 2019 (7/1/2018-6/30/2019)
- 700+ Initiated
- Complaint/Referral Driven Cases (250)
- Non-Complaint Driven (375)
- Other- Tracking, Label Review, Report of Loss (75)
- MCAP's/HCAP's ( Cannabis) 100 Sub set of Complaint & Non-Complaint Cases

# Offices

- Headquarters Office (15 Enf. Staff)
  - Salem 4-Field Investigators, 3-Case Review, 1-Lead, 1-Program Manager
- Field Offices
  - Central Point 1-Investigator
  - Hermiston 1-Investigator
  - Bend 1-Investigator
  - Ontario 1-Investigator
  - Eugene 2 -Investigators

# Enforcement Responses FY 2019

- Civil Penalties: 32
- Notices of Violation: 111
- Stop Sale, Use or Removal Order: 18
- Crop Seizures/Detainments: 13
- Case Referred to EPA: 6 –PEI's
- Letter of Advisement, Non-Enforcement  
75+
- Request for Administrative Hearing 50+
- Administrative Hearing - None

# FY 2019 High Profile Incidents

- Plant Nutrient Products w/ Pesticide Actives, PGR's (8+cases)
- Cannabis, Unlawful Use, OLCC & OHA, MCAP & HCAP (100+cases)
- Adulterated Pesticide Products/EPA 96-8, For Organic Use, OMRI (13+cases)
- ACP – Right of Way, Central OR, USFS/ODOT/Counties, Rule Making
- Co-existence, Drift Reduction, Prevention

# Preventing and Reducing Pesticide Drift to Vineyards, Co-existence

Oregon Department of Agriculture



# Preventing and reducing pesticide drift to vineyards

## Working Group: Goal, Tasks, and Strategies

### Task

- Education and Outreach: Working group objectives
  - Improve understanding of plant development and sensitive growth periods
  - Increase understanding of pesticide volatility and drift

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Oregon Wheat October 19 '16

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176 Photos and videos



- Education and Outreach: Working group strategies
  - Calendars
    - Plant developmental sensitivity
    - Planting, flowering, harvesting
    - Stakeholder events and meetings
  - Printed materials
    - ODA brochure
    - Stakeholder publications
  - Robo calls

# Thank You Questions ?

Dale L. Mitchell

Pesticides Program

Compliance & Enforcement Manager

Natural Resource Program Area

Oregon Department of Agriculture

(503) 986-4646

- E-mail : [dmitchell@oda.state.or.us](mailto:dmitchell@oda.state.or.us)