

Pesticides and the Oregon IPM in SCHOOLS LAW



OREGON



EFFECTIVE JULY 1, 2012

What law?

Oregon Revised Statutes Chapter 634.700-634.750 requires all Oregon public and private schools, kindergarten through community college, to implement IPM practices.



Photo by S. McKeever, Georgia Southern Univ., Bugwood.org.

What is IPM?

IPM is a common-sense pest management strategy that integrates multiple tactics including sanitation, pest exclusion, cultural, mechanical, and other non-chemical methods. IPM weighs the risks and benefits of a variety of pest control methods to determine the most environmentally and economically sound manner to control a pest.

What is a pesticide?

A pesticide is any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any pest. Pests can be insects, mice and other animals, weeds, fungi, or micro-organisms. Though often misunderstood to refer only to insecticides, the term pesticide also applies to herbicides, fungicides, and various other substances used to control pests. A pesticide is also any substance or mixture of substances intended for use as a plant growth regulator, defoliant, or desiccant.





When pesticide applications are necessary, they must be used in accordance with state and federal law.

Apply pesticides according to the product label directions.

The label is the law!

Pesticide licensing requirements...

...for public school employees

Previously, public pesticide applicator licensing was required if a public school employee used power equipment to apply any general use pesticide or if a restricted use pesticide was applied. The new IPM in schools law (ORS 634.700) now requires a public pesticide applicator license or trainee license for every public school employee applying “low-impact” pesticides (except antimicrobials). These more stringent licensing requirements go into effect July 1, 2012.

...for private school employees

Employees of private schools must have a valid commercial pesticide applicator license to apply any “low-impact” pesticides (except antimicrobials) to private school property.

...for companies contracted to conduct pesticide applications on school property

If a company is hired to apply “low-impact” pesticides on school property, the company must be licensed as a commercial pesticide operator and each individual applicator (person) must be licensed as a commercial pesticide applicator or trainee. The licensing status of both the company and applicator or trainee should be verified by checking the Oregon Department of Agriculture website:
http://oregon.gov/ODA/PEST/licensing_index.shtml



Pest emergency

A pest emergency is “an urgent need to eliminate or mitigate a pest situation that threatens the health or safety of students, staff, faculty members, or members of the public using the campus; or the structural integrity of campus facilities.”

There are allowances to posting and notification requirements when pest emergencies exist.

Photo by D. Cappaert, Michigan State University, Bugwood.org.



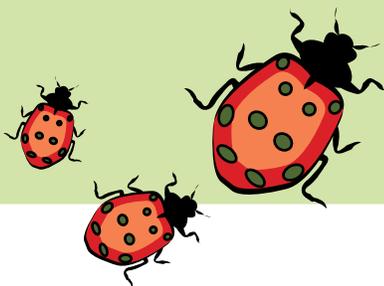
Photo by J Berger, Bugwood.org.



Licensing

Pesticide applicator licenses are specific to the type of application and the treatment site.

Both public and commercial pesticide applicator licenses are category-specific, which means that a pesticide applicator may need to have several category designations on his or her license to treat different sites (Ornamental & Turf-Herbicide, IIHS-General, etc.). Each category requires taking and passing a separate category-specific exam.



Do it right.

Written notification

At a minimum, the school IPM plan coordinator shall give written notice of proposed pesticide applications to parents and guardians of minor students, adult students, school administrators, faculty members, and staff members. The notice must reach the intended recipient at least 24 hours before the pesticide application occurs. The notice must include:

- the name of the pesticide product
- type of pesticide
- the EPA registration number of each product
- the expected area of application
- the expected date of application
- the reason for the application.

This written notice may be given by any reasonable means, including but not limited to, electronic mail.

Warning signs

Warning signs must be posted around the pesticide application areas at least 24 hours before the pesticide application occurs and removed no earlier than 72 hours after the application. A warning sign must include: "Warning: Pesticide-Treated Area," the expected or actual date and time for the application, and the telephone number of a contact person.

Recordkeeping

In addition to records required by ORS 634.146, the following specific information is to be kept on file at the school where the pesticide application occurred and at the office of the IPM plan coordinator:

- a copy of the label of the pesticide product applied
- a copy of the product's material safety data sheet (MSDS)
- the pest condition that prompted the application
- the product brand name and EPA registration number
- the amount and concentration of product applied (approximate amount if aerosol, gel, etc.)
- a description of the area on campus where the application was made
- the type of application and whether the application proved effective (equipment or method of application)
- the name(s) of the person(s) applying the pesticide
- the pesticide applicator license numbers of the person(s) applying the pesticide
- the dates and times for the placement and removal of warning signs
- copies of all required notices and the dates notices were given.

The Oregon IPM in schools law requires that the records outlined above must be kept on file at the school for four years.

Resources

Oregon State University

Oregon State University's School IPM Program provides technical assistance to implement the Oregon IPM in schools requirements including an IPM plan template and IPM plan coordinator training.

- Website: <http://www.ipmnet.org/Tim> Click on "IPM in Schools."
- Tim Stock, stockt@science.oregonstate.edu 541-737-6279
- Jennifer Snyder, jennifer.snyder@science.oregonstate.edu 541- 737-2820

Oregon Department of Agriculture

Oregon Department of Agriculture licenses commercial pesticide operators and commercial/public pesticide applicators and trainees.

- Website: <http://oregon.gov/ODA/PEST>
- Email: pestx@oda.state.or.us
- Phone: 503-986-4635

National Pesticide Information Center

NPIC provides objective, science-based pesticide information. NPIC is a cooperative agreement between Oregon State University and the US Environmental Protection Agency.

- Website: <http://npic.orst.edu>
- Email: npic@ace.orst.edu
- Phone: 1-800-858-7378

The National Pesticide Information Center may be contacted for assistance in determining a pesticide active ingredient cancer classification.



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Oregon Department of
Agriculture
Pesticides Division
635 Capitol St NE
Salem OR 97301-2532
503-986-4635

<http://oregon.gov/ODA/PEST>



Oregon
Department
of Agriculture

Definitions

Low-impact pesticide

- Pesticide products with the signal word of "Caution."
- Pesticide products not classified as a human carcinogen or probable human carcinogen under the US EPA 1986 Guidelines for Carcinogen Risk Assessment or the US EPA 2003 Draft Final Guidelines for Carcinogen Risk Assessment.

School campus

- Buildings, other structures, playgrounds, athletic fields, school parking lots, or other areas on school property that are accessed by students on a regular basis.