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ASIAN SOYBEAN RUST

Pesticide Regulatory Questions & Answers

Like almost everyone who is even remotely connected to soybean production in Indiana, the Office of Indiana State Chemist (OISC) has been planning for possible impacts that could result if Soybean Rust Disease infects Indiana fields in 2005. Following are several questions that have been submitted and standard responses to those questions.

1. **Q:** What fungicides can Indiana growers use for controlling Soybean Rust?

A: OISC has been working for several months now with Purdue plant pathologists, the EPA and various pesticide manufacturers to get special labels to allow the use of a variety of fungicide products on soybeans. A list of the approved fungicides and the special Section 18 labels can be accessed through www.isco.purdue.edu. Select the *Pesticide Section*, and then click on Soybean Rust under the *What's New* box.

2. **Q:** Is there a concern about off-target drift with the use of these fungicides?

A: Yes. While the overall number of drift complaints filed with OISC seems to be going down in recent years, there are several things that make potential widespread spraying for Soybean Rust an issue. Many Indiana applicators have little or no experience with fungicide applications. Effective fungicide use usually requires higher spray pressures (smaller droplets) than other pesticides. There may be a need to treat a very large number of acres in a very short period of time. Some of the fungicides can be very harmful to nearby non-target vegetation & aquatic organisms.

3. **Q:** Can a certified Private Applicator (farmer) be hired to spray a neighbor's field for control of Soybean Rust?

A: No. A Private Applicator permit allows the farmer to spray only his own fields or those that he himself is farming. To be eligible to be hired to spray, the farmer must be commercially certified (pass the Core & Category 1a exams) and apply for a pesticide business license (application form + license fee + commercial liability insurance). It should be noted that standard farm liability insurance policies do not cover spraying activities on someone else's farm.

4. **Q:** Can a licensed Category 1a custom application business sub-contract to a Private Applicator?

A: No. Again, to be eligible to be a for-hire sub-contractor, a farmer would need to get his own Category 1a pesticide business license. See # 3 above.

5. **Q:** Can a licensed Category 1a custom application business hire a farmer as an employee?

A: Yes. The licensed business can put a farmer on the payroll as a licensed applicator (pass the Core & Category 1a exams + license application + license fee) **OR** as a registered technician (pass the Core exam + technician application + technician fee). Most Private Applicators who have passed the certification exam within the last five years have passed the Core exam. The

registered technician is required to work under the supervision of a licensed applicator with the business. A business liability insurance policy must cover all spraying by each of its licensed applicators and registered technicians.

6. **Q:** If a licensed Category 1a custom application business hires a farmer as a registered technician, can the farmer use his own application equipment?

A: Yes. State pesticide regulations do not restrict application equipment ownership. As long as the registered technician/farmer is employed by the business and covered by the business insurance, the law does not specify whose equipment must be used.

7. **Q:** How long will it take to process applications for commercial applicator licenses or registered technician credentials?

A: It normally takes about two weeks to process applications once exams are passed and the fees and paperwork are submitted. Finding an exam date and passing the exams usually is the most time consuming step. Therefore, you are encouraged to take care of the application process now if you have plans to add employees or get your own pesticide business license. However, OISC is aware of the potential need for quick turnaround if a pest emergency hits. The Category 1a for-hire applicator and the registered technician applications will be given the highest priorities and most rapid attention that we can.

Questions on these or other related pesticide regulatory issues can be directed to 1-800-893-6637.