

**Oregon State University
College of Agricultural Sciences
Policy for Use and Experimentation with Pesticides**

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I. INTRODUCTION

- A. Oregon State University (OSU), College of Agricultural Sciences (CAS) conducts research, performs extension activities, publishes pest management guidelines, and makes recommendations on the safe and efficacious use of pesticides and related chemicals. Any such activities are to be conducted in accordance with all applicable State and Federal laws and regulations.
- B. To ensure the proper use and safety of persons potentially exposed to pesticides, microbial pesticides and spray adjuvants, OSU has adopted the following policy.

II. SCOPE AND DEFINITIONS

A. Scope

- 1. This policy applies to all employees of CAS who use or handle pesticides for experimental purposes or for registered uses for normal maintenance and day-to-day management on University property. This policy applies to experimentation with pesticides or related substances (or mixtures of substances) in any field test or field demonstration.
- 2. This policy applies to pesticide use, on any campus, field station, agricultural research and extension center, and on any other land or treated site (including livestock) when used in experimental pesticide research field trials and demonstration operations that are activities of OSU. Noncompliance with this policy will result in action described below (see Pesticide Recommendations and Liability).

B. Definitions

- 1. Pesticide
“Pesticide” is defined in the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and in the Oregon Pesticide Control Act (Oregon Revised Statutes-Chapter 634). A "Pesticide" is any chemical or biotic agent used or intended for use for pest control, or any chemical or microbial agent that is being used with the intent of testing in any field test. Pesticide includes any substance, or mixture of substances which is intended to be used for defoliating plants, regulating plant growth, or for preventing, destroying, repelling, or mitigating any pest which may infest or be detrimental to vegetation, humans, animals, or households, or be present in any agricultural or nonagricultural environment whatsoever.
- 2. Experimental Pesticide
“Experimental pesticide” includes: any new active ingredients in any formulation, a new formulation of existing products, and/or applications to any crop or site not on the FIFRA and/or Oregon-registered label.
- 3. Experimental Pesticide Use
Experimental pesticide applications are made for research purposes only, and no pest control benefit is intended or expected. Such applications must conform to FIFRA and Oregon guidelines. For example, under 40 Code of Federal Regulations (CFR) 172.3, field trials on a total area of no more than 10 acres per pest will not require a federal experimental use permit.
 - a. An experimental pesticide use is any pesticide application made either:

- i. In the absence of a FIFRA and/or Oregon-registered label for the compound, substance, or product, or
 - ii. In conflict with the FIFRA and Oregon-registered label for the product being tested.
4. Employee of Oregon State University (OSU)
 - a. This policy applies to all of the CAS employees within OSU.
 - b. For purposes of this definition, persons holding an emeritus title are not employees of the OSU unless they are currently working on an official recall basis and operating under an approved position description or Agricultural Experiment Station project for pest management.
5. Supervisor
For purposes of this policy, "supervisor" shall be defined as an employee of OSU working as a researcher, project leader, Principal Investigator or designated representative responsible for execution of any pesticide research project, employee training, or pest control procedure.
6. University Property
For purposes of this policy, "University property" is land owned or controlled by OSU and includes only property over which OSU maintains day-to-day control to such an extent that a reasonable presumption can be made that experimentally treated commodities will not be harvested or removed from the premises without authorization of the supervisor. Property under the day-to-day control of individuals and institutions other than the OSU is not included in this definition.
7. Pesticide Research and Pesticides Used for Experimentation
"Research" using pest control chemicals can consist of either experimental pesticide applications, or applications made strictly in accordance with FIFRA and Oregon registered labels, or both. If experimental pesticide uses are involved, the use must follow this policy.
8. Pest Control
Pesticide applications that are made for pest control purposes rather than research purposes cannot be experimental and must be made in accordance with FIFRA and Oregon-registered labels and all applicable laws and regulations.
9. Destroyed
"Destroyed" means rendered unfit for utilization as human or animal food or feed.
10. Tolerance
"Tolerance" is the maximum pesticide residue level that can legally remain on a commodity at the time of harvest, as defined in Title 40 Code of Federal Regulations, Part 180.
11. Field Test
"Field Test" means pesticide experimentation outside of the research laboratory or research greenhouse.

C. References

1. Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), Title 40 Code of Federal Regulations, Parts 150 to 189.
2. Oregon Pesticide Control Act – Oregon Revised Statutes Chapter ;634 (ORS634) and Oregon Administrative Rules Chapter 603 Division 057 (OAR603-057).

III. RESPONSIBILITIES INCURRED BY OSU EMPLOYEES WHEN EXPERIMENTING WITH PESTICIDES OUTSIDE OF THE RESEARCH LABORATORY

A. General

1. Supervisor Responsibilities

It is the duty of OSU and the supervisor to provide a safe work environment and provide training to persons working under their direction. Training must include information on pesticide hazards and safety as well as laws and regulations applicable to all activities they may perform. The supervisor is responsible for ensuring that pesticides are used in accordance with State and Federal laws, regulations, and label requirements. Supervisors shall make their employees aware of the hazards of the chemicals and pesticides being used for experimentation prior to any handling of these substances. Supervisors shall use the pesticide label as a guide to employee training and personnel protection equipment. In the absence of a registered label, supervisors shall use the Material Safety Data Sheet as a guide to training.

B. Safety Requirements

1. Entry after Application

No person shall enter any area treated with a pesticide unless he or she follows the labeling directions for entry activities.

For entry in the absence of a label or labeling, the following conditions must be met:

- a. Do not enter treated areas for 4 hours after application unless protected (as per II. B. 3). Between 4 and 72 hours, anyone entering the area must wear shoes and socks, a long sleeved shirt, and long pants.
- b. Standard industry care and practice should be observed.

2. Posting Treated Plots

- a. To ensure the safety of persons entering an area treated with experimental pesticides, the treated area shall be posted in accordance with any applicable pesticide label.
- b. Non-agricultural and Urban Areas. The owners or residents of the treated property shall be provided with a notification of treatment indicating the nature of the treatment, time and date of treatment, and any special instructions regarding re-entry or use after treatment.

3. Personal Protective Equipment (PPE) for Unregistered Pesticides

In the absence of PPE requirements, the following minimum requirements shall apply:

- a. Equivalent to Category I (corrosive) for eye or skin damage. Potentially exposed persons must wear protective eyewear and chemical resistant gloves when handling Category I chemicals.
- b. Equivalent to Category I for systemic toxicity: acute oral toxicity $\leq 50\text{mg/kg}$, acute dermal $\leq 200\text{ mg/kg}$, acute inhalation toxicity $\leq 0.05\text{ mg/l}$. Potentially exposed persons must use personal protective equipment as described by Oregon OHS.A.
- c. Unidentified or Unlabeled Pesticides. Pesticides of unknown toxicity shall be stored, transported, handled, and disposed of according to the standards established by State and County regulations for Category I Pesticides.

C. Considerations in Determining Research Plot Locations

1. The supervisor shall consider the potential consequences of any proposed experimental use of pesticides, paying particular attention to proximity to:
 - a. Areas of frequent human activity or habitation

- b. Bodies or sources of water
 - c. Wildlife management areas
 - d. Critical habitats of rare, threatened, or endangered species
 - e. Livestock and crops
2. All research applications will be made in a way that minimizes adverse environmental impacts.

D. Pesticide Use Record-Keeping and Reporting

1. For each experimental pesticide application, the supervisor shall keep a record of:
 - a. Location of site
 - b. Plot size and total area treated
 - c. Each commodity, crop, or site treated
 - d. Pest species of concern
 - e. Pesticides applied
 - f. Date of application
 - g. Application method
 - h. Concentration and volume of pesticide applied
 - i. Date commodity was destroyed (when required)
 - j. Name of grower, where applicable.
2. Each application must conform to FIFRA and ORS634.
3. The records shall be retained by the supervisor, the supervisor's campus departmental office, or the appropriate county Cooperative Extension office for at least two years after the final pesticide application. Such records shall be made available upon request to the OSU, CAS.
4. File reports with the Oregon Pesticide Use Reporting System (PURS).

E. Crop Control, Disposition, and Destruct Notification Requirements for Treated Commodities

1. Under Federal and Oregon laws, commodities treated with any experimental pesticide for which there is no pesticide residue tolerance or tolerance exemption cannot enter the channels of trade or in any way be made available for use as a human or animal food or feed.
2. Any site treated with an experimental pesticide on a commodity for which no pesticide residue tolerance, or exemption from tolerance, has been established shall comply with the following requirements:
 - a. Commodities treated with an experimental pesticide must be secured from harvest. Examples include signage such as "Commodity treated with experimental pesticide, do not harvest." The signs shall be in English and Spanish, and of a size so the wording is readable to a person with normal vision, from a distance of 15 feet.
 - b. All parts of the treated commodity potentially suitable for use as human or animal food or feed and not removed from the site for research purposes shall be destroyed.
3. Pesticide Application and Notification Requirements for Trials Conducted Off OSU Property.
 - a. Prior to commencement of any experimental pesticide trial on property not owned or controlled by OSU, the investigator shall record and provide the grower a copy of a document (see Appendix I) that shall include the following information:
 - i. Investigator name, address, phone number and date of report
 - ii. Oregon Department of Agriculture Pesticide License number and name of the OSU investigator

- iii. Experimental pesticide to be applied and its EPA Registration Number, or FIFRA Experimental Permit number. If the experimental pesticide does not have an EPA Registration Number or FIFRA Experimental Permit number, use the chemical name or experimental number from the Material Safety Data Sheet
 - iv. Location of experimental trial (grower or ranch name address and site identification number)
 - v. Size of trial (acres or rows)
 - vi. Commodity or site to be treated
 - vii. Anticipated date of first and last applications
 - viii. Intended disposition of treated crop (harvest or destruction)
 - ix. Date of anticipated harvest or destruction of the treated commodity if applicable
 - x. Signature of investigator responsible for the application and crop destruction.
4. In the event a treated commodity is accidentally harvested and potentially made available for human or animal consumption where no pesticide residue tolerance exists, or where the residue is likely to be in excess of the tolerance, persons conducting the research shall immediately notify their unit leader (station superintendent, department head or county chair). The unit leader will then notify all recipients of the crop, Oregon Department of Agriculture, and their associate dean or director.
 5. Food or feed treated with pesticides registered for application on the test site and applied at or below the registered label rates may be harvested and allowed to enter the food marketing chain, provided all other Federal and Oregon regulatory conditions are met.

F. Microbial Pesticides

1. The U.S. Environmental Protection Agency (EPA) generally requires a notification or a federal experimental use permit for any experimental program involving the deliberate release into the environment of living, genetically engineered microbial pesticides, irrespective of the acreage involved in the experiment (see 40 CFR sec. 172.45 for exemptions).

IV. REQUIREMENTS OF SELECTED OREGON PESTICIDE LAWS, REGULATIONS AND OSU CAS POLICIES NOT SPECIFICALLY RELATED TO EXPERIMENTAL USE

A. Qualifications of Persons Making Pesticide Applications

An OSU employee who applies an “experimental pesticide” will hold a currently valid Oregon Pesticide Consultant license having the Demonstration and Research endorsement. An OSU employee who applies pesticides FIFRA and Oregon registered labels for maintaining plants upon which research is being conducted will be appropriately licensed as Oregon Public Pesticide Applicators and Trainees. Any pesticide application made by an Oregon Public Pesticide Trainee will be done under the supervision of an appropriately licensed Oregon Public Pesticide Applicator.

B. Storage, Transportation, and Disposal of Pesticides

1. Control of Pesticides, Containers, and Equipment
 - Containers or equipment that hold or have held pesticides shall not be stored, handled, emptied, disposed of, or left unattended in such a manner that they may present a hazard to persons, animals, food, feed, crops, or property.
2. Storage and Delivery

- a. The applicator is responsible for all containers or equipment on the work site that hold or have held a pesticide. The applicators shall either:
 - i. Store all pesticides in a locked enclosure, or
 - ii. Provide a responsible person to maintain control over the containers at all times.
 - iii. When not being used, all pesticide containers (regardless of the amount of pesticide they contain) shall have lids and closures securely fastened.
 - iv. Pesticides shall not be delivered to any property unless they are stored or controlled as required above.
3. Container Label Requirements
The manufacturer's label shall not be removed from any pesticide container.
4. Service Containers
All service containers (containers other than those bearing the registered pesticide label), regardless of size, shall be labeled with the following information:
 - a. Signal word from pesticide label if available (Danger, Warning, Caution)
 - b. Name of pesticide
 - c. Name of manufacturer
 - d. Name of active ingredient (or manufacturer's code number)
 - e. Name, address, and telephone number of the person responsible for the demonstration, application, or research.
5. Transportation Requirements
 - a. Pesticides shall not be transported in the same compartment with persons, food, or feed.
 - b. Pesticide containers shall be secured to vehicles during transportation in a way that will prevent spillage onto or off the vehicle. Paper, cardboard, and similar containers shall be covered when necessary to protect them from moisture.
6. Container Rinsing Requirements
Each emptied container that has held a liquid pesticide diluted for use shall be rinsed by the user at the time of use by the triple-rinse method or equivalent.
7. Pesticide Disposal
All undiluted, excess pesticides will be disposed of in accordance with Oregon Department of Environmental Quality requirements.
8. Closed Pesticide Transfer System
Closed pesticide transfer systems must be used when required by State regulation. The requirement for closed transfer does not apply to employees of research units developing and testing new pesticides or new uses of pesticides, if employees handle one gallon or less of such pesticides per day in the original container.
9. Unregistered Pesticides
All experimental and unregistered pesticide chemicals shall be stored and transported in labeled containers of a type appropriate to assure safety in handling.

C. Safety Considerations During Applications

1. Personal Safety
To ensure safe work practices for employee who mix, load, apply, store, or otherwise handle pesticides, or who are exposed to residues of pesticides after application, the following work practices and safety requirements shall be met:
 - a. Age. Persons under the age of 18 shall not mix, load, or apply pesticides.
 - b. Instruction and training. The supervisor shall assure training for each employee handling pesticides. This training shall include:
 - i. The potential hazards involved for each pesticide used (applicators are responsible for reading all labels)
 - ii. Safety procedures to be followed

- iii. Clothing and protective equipment to be used based on section II. B. 3. of this policy
- iv. Common symptoms of pesticide poisoning and ways poisoning can occur
- v. Applicable laws, regulations, and label requirements.
- c. Timing and record of instruction and training.
Instruction shall be completed before the employee is allowed to handle pesticides and at least annually thereafter. The supervisor shall maintain a permanent record of the date and extent of instruction given.
- d. Other general pesticide use and handling requirements. The supervisor shall meet the requirements of state regulations for:
 - i. Working alone with pesticides
 - ii. Clothing change area
 - iii. Mixing and loading site requirements
 - iv. Work clothing
 - v. Protective equipment
 - vi. Adequate light
 - vii. Servicing equipment
 - viii. Equipment specifications
 - ix. Possession of Material Safety Data Sheet
 - x. All other Oregon OSHA requirements

D. Pesticide Guidelines, Recommendations, and Research Results

1. Published OSU Pesticide Guidelines shall conform to usage prescribed by labels registered by the U.S. Environmental Protection Agency and Oregon Department of Agriculture (ODA).
2. Pesticide use recommendations shall conform to usage prescribed by labels registered by the U.S. EPA and ODA. A person making a verbal or written recommendation does not incur an obligation to ensure that the actual user follows his or her recommendation. In case of verbal recommendations, maintaining a written log of the clientele names, dates, and applications are necessary.
3. Published or otherwise presented results, descriptions and demonstrations of experiments in which pesticides are used in a manner that does not conform with registered uses shall be clearly identified as experimental results only. Where appropriate, a warning shall be included that similar uses may result in contaminated crops with illegal pesticide residues.

V. Pesticide Recommendations and Staff Liability

A. Introduction

For many years CAS has advised faculty that pesticide recommendations are not to be made unless the recommended use of the pesticide is fully registered. If a recommendation is made that appears on the pesticide label, in the current Pacific Northwest (PNW) Pest Management Handbook series or in other publications sponsored by CAS, you are not individually liable in the event that a problem arises because of the recommendation. If, however, you make a recommendation not specified on the label or in these publications which is an unregistered use, you may be liable individually without indemnification by the college. This does not apply to the case of an “honest mistake” such as not being aware of a recent label change. If you make an unauthorized recommendation, you assume liability for yourself and may very well share liability with the one who makes the misapplication.

University Counsel advises that once you are put on notice that certain activities are not authorized by OSU, a continuation of those activities is clearly not within the scope of the employment relationship and must not continue. Furthermore, you must continue to correct the public's perception of the unauthorized recommendation so that you are not perceived as approving it by your silence.

What legally constitutes a recommendation can be a very delicate and sensitive question. Have you ever been confronted with a grower's pest problem and knew of a pesticide, even though unregistered for that particular use or crop, that would solve the problem? Have you ever told the grower that he cannot legally use the product and then proceeded to tell him how to apply it and how much to use? Would the plaintiff's lawyer in a liability case resulting from an unregistered use be able to demonstrate that this information did indeed constitute an implied recommendation? An implied recommendation of an illegal use to a grower would be doing a great disservice to agriculture, your client, and yourself. We have a responsibility to the consumer and the environment, as well as to the grower.

How should you report research results as part of your educational programs without leaving yourself open to charges of implied recommendations? What about mentioning materials being used under Special Local Need (SLN) 24(c) registrations or EPA Section 18 emergency exemptions in neighboring states that do not have Oregon registrations? The following guidelines have been developed to assist you.

B. Guidelines

1. Be sure any recommendation that you make is registered for the use as indicated by:
the label, or
 - a. supplemental labeling as in SLN 24(c) registrations or EPA Section 18 emergency exemptions for Oregon, or
 - b. PNW Pest Management Handbooks, or similar Oregon educational publications, or
 - c. 2(ee) recommendations.

FIFRA and ORS634 make it illegal to use a pesticide "in a manner inconsistent with its labeling." Section 2(ee) of FIFRA, defines this term and states that certain types of use, while not specifically stated on the pesticide label, are not considered uses inconsistent with the label. These uses include:

- applying a pesticide at any dosage, concentration, or frequency less than that specified on the labeling, unless the product is a termiticide.
- applying a pesticide against any target pest not specified on the labeling if the application is to the crop, animal, or site specified on the labeling, unless the product is a rodenticide. If the product is a rodenticide, the target pest must be specified on the labeling, and the application must be to the crop or site specified on the labeling.
- employing any method of application not prohibited by the labeling, or
- mixing a pesticide with a fertilizer when such mixture is not prohibited by the labeling.
- mixing a pesticide with any other pesticide when such a mixture is not prohibited by the labeling.

In the event that 2(ee) recommendations are needed but not available, you should make the need known to the Pesticide Management Education Program so that remedial action may be taken.

2. If you are aware of unregistered pesticide uses within your area of responsibility, make the positive statement that the use is unregistered and illegal, either verbally, if you are in a face-to-face situation, or in writing, if you are dealing through extension publications.
3. Do not accompany oral or written statements of unregistered pesticide use with suggestions as to effectiveness, methods of application, amounts to be used, etc. This could be construed as a tacit or implied recommendation. For example, statements such as the following could be construed as recommendations so do not make them:

Kill Quick is the same as Dead End but not as concentrated so you must use 3-4 qts/A but not legal because corn use is not on the label. Kill Quick is 50% the cost of the Dead End for the same amount of active ingredient.

The most effective rate tested was a 1% solution which can be made up by adding 5 tablespoons of Dead End to 5 gallons of water. Test the spray on both new and old leaves to determine any adverse effects.

Likewise, if the pesticide is registered in another state or is under an EPA Section 18 exemption or Experimental Use Permit in another state, do not imply that it might be used in Oregon.

4. How can you reconcile research reporting with the above guidelines? Both research/extension faculty constantly provide reports of ongoing research as a necessary part of their education programs. When meetings such as the pest management conference, weed tours, on-farm demonstrations etc. are held, results of the promising experimental compounds or new uses or applications of already registered compounds can be legitimately reported. However, any implication that these or other experimental results can be immediately transposed into commercial use prior to EPA and Oregon ODA-registration must be strictly avoided. In addition, be particularly careful not to imply approval of unregistered uses in newsletters, popular articles, etc.

While there are no guarantees regarding potential liability, statements such as the following are suggested for reporting research results.

Of the test treatments, a 1% solution of Kill Quick was the most effective.

In comparative research evaluations conducted throughout the growing season, Kill Quick consistently out performed the other 4 test compounds at the 1 lb a.i./A. rate.

Each situation will be different. However, it is your responsibility to evaluate and decide whether you are simply reporting research results or going further and implying a recommendation. It is also your responsibility to make the positive statement that the use is presently unregistered. To further strengthen the fact that you are reporting research results, University Counsel highly recommends the use of a disclaimer on research reports and oral presentations that prominently states "The information provided in this research report (or presentation) is not and should not be considered as an expressed or implied recommendation of use. The pesticide label determines uses for a compound, and

most restrictions that may apply. In addition, there may be local restrictions to specific uses. If you consider a specific product or use as a result of this report (or attending this event), it is your responsibility to verify that this use is legal and permitted by referring to the pesticide label and also determining if local restrictions apply."

5. Experimental applications, as defined by the *CAS Policy for Use and Experimentation with Pesticides and Related Chemicals* are not to be undertaken within areas that are designated for demonstration and outreach purposes. These two functions must be kept separate from each other to avoid the inadvertent communication of an implied recommendation that could result in an illegal use. When growers or members of public (other than the land owner if the treatment took place on private land) visit experimental treatments, care must be taken to avoid conveying information verbally or in writing, that is sufficient for an illegal use to take place. Where there is any possibility of confusion about this, a notice must be posted stating that this is an experimental treatment, with an unlabeled product and use beyond the experiment would be illegal.

Additional Information Regarding Liability

For associated information please refer to the Oregon Pesticide Safety Education Manual.

APPENDIX I

PESTICIDE APPLICATION AND NOTIFICATION REQUIREMENTS FOR RESEARCH TRIALS CONDUCTED OFF OREGON STATE UNIVERSITY PROPERTY.

Prior to commencement of an experimental pesticide trial on property not owned or controlled by OSU, submit this completed form to the cooperating grower, or land manager.

County: _____

Grower/Land Manager:

Name: _____

Address: _____

Phone: _____

Pesticides to be applied, including product name, chemical name or experimental number, or U.S. EPA registration number, as appropriate. (Attach list if needed):

Location of trial: _____

Size of trial: _____

Commodity to be treated: _____

Anticipated dates of first and last applications: _____

Intended crop disposition (check appropriate option):

_____ Harvest – Crop can enter channels of trade.

_____ Destroy treated crop or use for research purposes, only.

_____ Non-crop or non-bearing crop – No crop disposition is necessary.

Date of anticipated harvest or destruction of treated commodity: _____

Signature of supervisor responsible for the application and crop destruction:

Signature: _____ date: _____ ODA License # _____

APPENDIX II

Key points for OSU employees to consider when applying experimental pesticides:

- All experimental pesticides must be applied by OSU employees or persons under the supervision of an OSU employee.
- Any person conducting experimental use trials must be appropriately licensed to apply experimental pesticides (e.g. Pesticide Consultants License with Demonstration and Research subcategory). Licensed Pesticide Consultants are not authorized to supervise pesticide applications made by others (e.g. licensed trainees or unlicensed applicators).
- Additional pesticide applicator licensing may be required to conduct maintenance (non-experimental) pesticide applications. The license required for maintenance applications made by OSU personnel is the Public Pesticide Applicator License, with the specific category of the crop/site being maintained. A public applicator license is currently required when making maintenance pesticide applications made with power equipment (general or restricted use pesticides) or applications of a restricted use pesticide (with any type of application equipment).
- The treated area must be less than 10 acres (greater than 10 acres requires a Federal Experimental Use Permit). The 10 acres is cumulative for the total treated area with the same pesticide product and same crop combination.
- Experimental pesticides may be applied to OSU land or private grower land as long as OSU has control of the crop/site (written agreement with grower may be a consideration) and OSU personnel makes the application.
- OSU employee must ensure that the treated crop is destroyed and does not enter food or feed channels, and any treated plant material must be destroyed or rendered unusable, and documented (date, method, etc). This includes seed screenings, straw, hay or other plant parts. The treated area may not be grazed for 365 days after an application of unregistered pesticides has taken place.
- Unregistered pesticides used to maintain the general health of crops when conducting breeding and/or agronomic research in new/alternative crops that do not have pesticides registered for such crops must be treated as “experimental pesticides” (otherwise, application of such unregistered products would be illegal). **Crops that have any part used for food or feed that have any unregistered pesticides applied to them must be destroyed.**
- All experimental use pesticides applied must be entered into the Pesticide Use Reporting System (PURS).
- If OSU personnel is the cooperator/principal researcher for a federal experimental use permit issued by the U. S. Environmental Protection Agency, ODA must be notified prior to implementation of the trial.
- All federal provisions of experimental pesticide use (e.g. labeling, personal protective equipment, etc.) must be followed for any and all applications.
- If an experimental use pesticide is sold or distributed by OSU personnel to others, it must be registered by ODA. Sale or distribution of a restricted use pesticide requires a Pesticide Dealer License.

These key points provided by Janet Fults, ODA, 8/22/08. For issues not addressed above, or may arise in the future, contact ODA for clarification (503) 986-4635.