

Turfgrass Advocacy

2010



New York State Turfgrass Association • March 10, 2010

New Section of Environmental Conservation Law to Allow Commercial Applicators to Apply Less than Label Rates of Pesticides

Background

Under the Federal FIFRA law, it is legal for a licensed turfgrass applicator to use a pesticide on non-agricultural turf in a manner inconsistent with its labeling (such as applying at less than label rates). In New York commercial applicators need to obtain NYSDEC approval for applying at less than label rates. Before approval is given, a 2(ee) application must be submitted to DEC by a research institution such as Cornell, a certified crop advisor, manufacturer (registrant) or organization representing individual users.

In 1998, the Environmental Conservation Law was amended by adding section 33-0725. This stated that a pesticide registered for use in NY State may be used for **agricultural purposes only** in a dosage, concentration, or frequency less than that specified on the labeling, but commercial pesticide applicators may not.

NYSTA Perspective

Turfgrass managers who are trained, licensed commercial pesticide applicators need the flexibility to apply less than label rates to:

1. aid their ability to reduce overall pesticide use in NY.
2. increase adoption of reduced risk, biological and organic pest controls.
3. enhance adoption of a progressive turfgrass IPM program.

For Example: Research at Cornell University published in the International Turfgrass Research Journal in July, 2009 found that increased adoption of reduced risk, biological and organic pest control options was hastened when traditional materials were used at less than label rates in the project conducted at Bethpage State Park. Additionally, subsequent field research from 2007-2009 found that use of products such as Civitas (organic disease control), Rhapsody (biological organism for disease control) and entomogenous nematodes (organism for grub control) all provided excellent pest control over the period when applied with traditional products at 20 to 60 percent less than lowest the label rates. This has been shown to be an effective means for increasing adoption of IPM while reducing the total pesticide load on the environment.

Recommendation

Ask the legislature to support legislation A7600 Magee that creates a new section in the Environmental Conservation Law to provide that unless the labeling specifically prohibits such use, a pesticide registered for use in New York State may be used by commercial applicators in a dosage, concentration or frequency less than that specified on the labeling.