

GOVERNMENT

UPDATE

FIFRA pesticide uses to be more liberal

A liberalized approach to uses of a pesticide that are not in literal accord with the printed label on a product is one of the amendments to the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) that a House-Senate Conference Committee has approved.

Other amendments include: Conditional registration permitting the Environmental Protection Agency (EPA) to register products similar to old chemicals or providing new uses for them; a "generic standards" approach allowing EPA to make broad decisions for an entire group of products containing the same ingredient; and a diminished requirement for reviews on the efficacy of pesticides, according to Steven D. Jellinek, assistant administrator for Toxic Substances.

Jellinek said that it was "very frustrating" to have to turn down numerous applications because of a double standard that allows continued use of products already registered but requires a full completion of registration data before identical new products can be registered.

EPA plans to issue regulations for conditional registration within the new few months, and begin issuing such registrations immediately thereafter, Jellinek added.

The generic standards approach to re-registration of existing pesticides will make possible a more streamlined procedure rather than the present practice of regulatory decisions on a product-by-product basis.

Jellinek also said that the amendments provide a new definition of "use inconsistent with the label". It makes it clear that certain practices, which may not be in strict or literal accord with the printed label, are nonetheless legally consistent with label directions.

"Specifically, pesticide applicators could use less than the specified label dosage to treat for a pest not listed on the label, to mix pesticides and fertilizers on a broader basis, and to employ responsible methods of application not specified on the label.

"We expect that these changes will introduce a welcome measure of common sense to pesticide use enforcement, which incidentally will become even more of a state responsibility than it is now."

State inspectors would be the primary enforcers of FIFRA, in states with approved EPA plans, under the new amendments. Approval of the amendments is expected by the House, Senate, and President Carter.

Department of Labor interprets FLCRA

Originally intended to apply only to third party contractors, the Farm Labor Contractor's Registration Act has been interpreted by the Department of Labor to include every farmer, processor, and packer of agricultural or horticultural commodities who recruits, solicits, hires, furnishes or transports agricultural labor.

There are two exemptions: Any person who engages in covered activities solely within a 25 mile intrastate radius of his permanent residence and for not more than 13 weeks a year; and any farmer, processor or nurseryman who personally engages in such activity for the purpose of supplying migrant workers solely for his own operation.

The last exemption does not apply to a corporate farmer unless the corporation is under the effective control of an individual whose authority is equivalent to that of a sole proprietor and if that individual acts in person with respect to the farm labor contracting activities for the corporation.

If a "person", as defined by the act to include any individual, partnership, association, joint stock company, trust or corporation, engages in any of the activities named, he must first register with the U.S. Department of Labor as a Farm Labor Contractor.

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coating slows the dissolution of the fertilizer in the soil, making the fertilizer last longer, reducing the number of applications required and producing more even plant growth. Many lawn care businessmen across the country use some sulfur-coated urea fertilizers in their lawn care programs, and others are considering the fertilizers.

The AIM corporation is licensed by the Tennessee Valley Authority (TVA) to use methods developed by TVA at its National Fertilizer Development Center in Muscle Shoals, Ala. to produce the sulfur-coated fertilizers.

A similar facility in Willowdale, Ontario in Canada is owned by Canadian Industries, Ltd., and coats urea. It also supplies the lawn care industry and other turf managers in the United States.

Ronald A. Smith is the chief operating officer and project manager for AIM.

Lakeshore spokesmen said that agronomic testing by TVA and numerous universities across the nation has proven sulfur-coated urea to be an excellent fertilizer for lawns and other turfgrasses.

When compared with a single application of soluble fertilizer, sulfur-coated urea gave less growth immediately following fertilization, but better growth throughout the lawn care season, without excessive need for mowing and with minimal fertilizer burn. In three-year studies, it produced more uniform seasonal bermudagrass growth than a single or split application of soluble sources of nitrogen.

Lakeshore spokesmen also said that sulfur-coated urea has been shown to be an economically priced slow-release fertilizer compared with other products on the market. They note that some slow-release fertilizers currently available to the lawn care businessmen cost two to three times as much as conventional nitrogen fertilizer.

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The contractor must prove to the satisfaction of the Secretary of Labor the existence of a liability insurance policy for damages to persons or property arising from the contractor's operation of vehicles for the transportation of migrant agricultural workers. If the contractor is going to drive the vehicle, he must submit a doctor's certificate and a set of his fingerprints.

Every full-time or regular employee of a Farm Labor Contractor must obtain and carry a Farm Labor Contractor Identification Card issued by the Secretary of Labor if the employee engages in any of the activities covered by the Act.

The law prohibits any person from hiring a farm labor contractor to supply farm laborers until he determines that the contractor possesses a current certificate.

Penalties for violations of the Act include fines up to \$500 and one year in prison. Subsequent violations are subject to a fine not to exceed \$10,000 and up to three years in prison. The Secretary of Labor may assess a fine of not more than \$1000 for each violation of the act.

Copies of the act may be requested from the local Employment Office or the Wage and Hour Division of the Department of Labor.

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collected data as of yet. Native grasses and shrubs have been planted on heavy clay topsoil, sandy soil and loamy soil, according to John Blueyez, director of experimental reclamation programs.

The land imprinter consists of two steel cylinders, each 40 inches long and 40 inches in diameter, with 6-inch angle irons welded to the surface. The imprint cylinders are available in a number of geometric patterns.

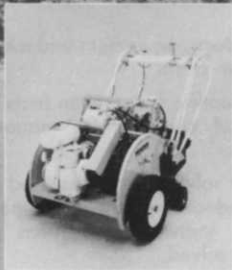
One cylinder forms a seedbed for grasses while the other forms trenches for water runoff, directed into the seedbeds. Depth of the trenches can be varied by filling the cylinders with water or other fluids.

The AEI concept indicates that water infiltration is controlled by the microroughness and macroporosity of the soil surface through a complex interaction of many physical, biological, pneumatic, and hydraulic processes. Hand treatments on soil surfaces have been successful and are similar to those produced by the land imprinter. The imprinter is expected to produce an infiltration range similar to the hand-imposed treatments used in validating the AEI concept.

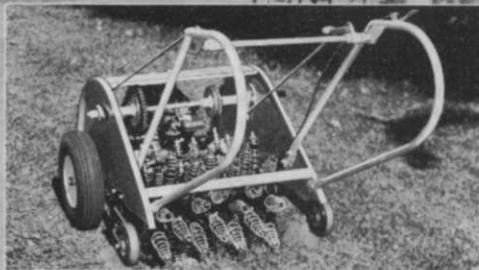
The imprinter, which requires a tractor 30-hp or more, can roll over brush up to 3-inches in diameter, and can effectively crush and chop the vegetative material, creating a mulching effect. This also serves to kill the vegetation, conserving water for grass establishment.

For more information, contact Dr. Robert M. Dixon, Soil Scientist, Southwest Rangeland Watershed Research Center, 442 E. 7th St., Tucson, AZ, 85705.

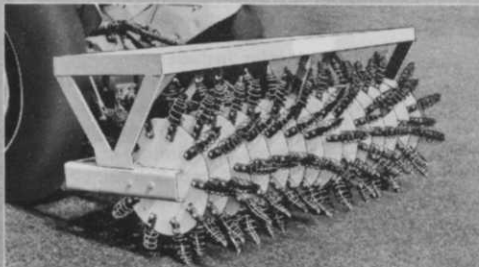
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