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Dicamba Update

Tim Creger, Pesticide Program Manager

On October 31, EPA announced the reregistration of the three RUP dicamba herbicides for use on dicamba tolerant soybeans and cotton (Engenia, FeXapan and XtendiMax) for two more years (2019 and 2020). There is also now a fourth RUP dicamba product for use on Xtend soybeans; Tavium® Plus VaporGrip® Technology (see page 2). Changes to the previous labels are outlined below. NDA has posted all approved labels and applicator training programs on the NDA website at <http://bit.ly/NDAPPdicamba>.

Label Changes for 2019 and 2020:

- Labels prohibit the sale to and use by uncertified applicators under the supervision of a certified applicator.
- Applicators must record the planting date for target crop.
- No applications are allowed more than 45 days after planting, or when the crop reaches the R1 growth stage (V4 for Tavium), whichever is earlier.
- Time of day for applications is now no earlier than one hour after sunrise to no later than two hours before sunset.
- Applicators must survey and record all “neighboring sensitive areas” using a sensitive crops location service such as DriftWatch, and by personal survey.
- Additional label language to protect endangered species habitats.
- Additional label language addresses weed resistance management.
- Annual applicator training must be taken before the first application is made (prior training will not count toward the 2019 growing season).
- All products now require a minimum application spray volume of 15 GPA
- New label language addresses runoff of rainfall or irrigation water from saturated soils
- Changes to record keeping

NDA has posted a document defining certain terms in the labels. Terms such as “neighboring sensitive areas” are not defined in the labels, and NDA has established a 110’ to 220’ distance for applicators to use as a guide on checking nearby sensitive crops, sensitive sites, residential areas and endangered species habitats.

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Changes to record keeping:

- While the 2018 labels had 20 specific items of information to be recorded, the new labels have 22. Most of the information required by the 2018 labels are retained in the 2019 labels, with the following important change:
 - Records must document the applicator checked an appropriate sensitive crop/specialty crop registry, and document that the applicator surveyed all “neighboring fields” for any sensitive areas, sensitive crops, or residential areas surrounding the field prior to the application. Records must include the date the applicator consulted the sensitive crop registry and the date the applicator surveyed the neighboring fields. The applicator must record the name of the sensitive crop registry consulted (at the time of this writing the only known registry in Nebraska is DriftWatch. See page 9 for ‘date stamp’ feature in DriftWatch for applicators who are registered in FieldWatch).
- NDA would like applicators to take note of the following record keeping violations that were most frequently encountered in 2018:
 - Nearby sensitive crops and sites were either not documented, or improperly documented. The date the nearby sensitive sites or crops were surveyed was not generally recorded.
 - Few records showed whether the application was pre-emergence or post-emergence, and even fewer showed the number of days after planting.
 - While most applicators documented wind speed, direction and air temperature at the start time of the application, only half of those records documented that same information for the finish time of the application.
 - Few records documented the specific method used for spray system cleanout.
 - A number of applicators failed to record the EPA Registration Number of ALL pesticides in the tank mix, or the names of all tank mix partners.
 - The type of nozzle used was often incorrectly documented. Simply calling a nozzle by a color or “dicamba nozzle” does not satisfy this part of the record keeping. Applicators need to identify the nozzle code or number, such as “TTI 110-04” or “UR110-06”.
 - Private applicators must keep a record of the receipt of purchase for the RUP dicamba product they apply. NDA assumes commercial applicators purchase the products through a wholesale distributor and would have that information recorded by the corporation.
 - Few applicators actually documented the buffer area calculation. The records need to show the buffer area used upwind of any sensitive site and how that area was calculated. This information may be easiest to record by drawing it on a map of the target field.

Tavium® Plus VaporGrip® Technology was registered on April 5, 2019, by Syngenta Crop Protection under EPA Registration Number 100-1623 for the 2019-2020 use seasons. The product is a pre-mix of DGA dicamba (same as in XtendiMax and FeXapan) and S-metolachlor. It also has the same drift control agent (VaporGrip® Technology) as those two products. Due to the addition of the S-metolachlor component, there are additional restrictions on the label for the protection of surface and ground water resources, such as mixing/loading/applying near wells and surface water, and application to low organic matter soils. The cutoff growth stage is also somewhat earlier at V4, while the other RUP dicamba labels allow up to R1 (Engenia) or through R1 (XtendiMax and FeXapan).

More Dicamba Information

NDA has developed an explanatory document for some of the terminology found on the RUP dicamba labels, *NDA Best Management Practices for RUP Dicamba Products*. In addition, NDA has a document detailing the habitat for endangered species identified in the endangered species protection bulletins, which must be consulted according to the RUP dicamba labels. Both documents, as well as the dicamba labels, applicator training choices, and links to other dicamba information, can be found at: [Dicamba Information for 2019](#)



Changes to the Pesticide Act

Tim Creger, Pesticide Program Manager

NDA proposed revisions to the Nebraska Pesticide Act during the 2019 Legislature, and the bill was signed into law by Governor Pete Ricketts on April 24th. Other than minor revisions to correct errors or obsolete language, the following are the primary changes to the Act.

- Clarifies the definitions of private applicators and noncommercial applicators so that noncommercial applicators include employees of post-secondary educational institutions and private applicators are not eligible for noncommercial applicator licenses. Clarifies that private applicators must be licensed as commercial applicators if they provide anything other than labor when applying restricted use pesticides for an employer.
- Eliminate the fee required for issuance of a duplicate pesticide dealer license.
- Set the minimum age for licensure to 18.
- Eliminate the term “subcategories” for applicator licenses so that all subcategories will be primary categories.
- Require valid government-issued identification at all training and testing sessions for certification for all private, commercial and noncommercial applicators.
- Prohibits the use of fumigants, sodium cyanide or sodium fluoroacetate by noncertified applicators, and also prohibits noncertified applicators from applying restricted use pesticides by aerial application.
- Allows noncertified private applicators applying restricted use pesticides for their immediate family farm between the ages of 16 and 18 to be exempt from certification under those conditions for two years.
- Clarifies the conditions under which NDA does not have to investigate complaints of violations of the Nebraska Pesticide Act, to include non-cooperation by the complainant (such as refusal to inspect property or providing credible evidence of the violation), or involving insignificant damage as determined by NDA.

Pending Revisions to Applicator Certification Program

As a result of the changes to the federal pesticide applicator certification regulations, NDA is required to revise the state applicator certification program. The changes to the Nebraska Pesticide Act listed above were required as a first step in this process, and NDA is now in the process of revising the Pesticide Regulations to accommodate the new federal rules. The following changes are being considered for the state regulations, and will be formally proposed this fall:

- Subcategories will become full categories. This will include Soil Fumigation (currently subcategory 01A), Sewer Use of Metam Sodium (currently subcategory 05S), Wood Destroying Organisms (currently subcategory 08W), and Demonstration and Research (currently subcategory D/R).
- Possibly establish a new category for the regulatory control of vertebrate pests.
- Revise the definitions for training and competency standards to align with the new federal regulations.
- Revise categories that allow for fumigation of pests so that these categories align with the new federal rule.
- Establish new categories for private applicators to include soil fumigation and non-soil fumigation. The soil fumigation category would be limited to pesticides labeled for soil-borne pests such as nematodes, fungi, bacteria and soil insects, while the non-soil fumigation category would include grain, burrowing rodents and on-farm grain fumigation.
- Revise standards of competency and training requirements for applicator recertification and noncertified applicators. These changes would include requirement revisions for supervisors of noncertified applicators.
- Revise definitions and standards for pesticide application records and noncertified applicator training records.
- Revise and/or add definitions and standards for fines and penalties.

Private Applicator Recertification

Private applicators whose licenses are due to expire 4/15/2020 will receive a reminder letter from NDA in mid-December. It is important to bring that letter with you to your training meeting. Applicators who do not bring this letter will be required to stay after the meeting to fill out additional paperwork.

Certification Requirements For Private Applicators

See [NDA's Applicator Certification and Licensing page](#) for more information.

Fertilizer Program

NDA's Fertilizer Program is primarily a consumer protection program, designed to assure growers that the agricultural products they purchase are of the quality stated on packaging labels and shipping paperwork.

Product registration, firm licensing, inspection fees and annual tonnage and sampling reports are found on the [Fertilizer & Ag Lime page](#).

Public Health Links

The Nebraska Department of Health and Human Services (NDHHS) West Nile Virus Surveillance Program works to identify and prevent West Nile virus in Nebraska by:

- trapping mosquitoes,
- collecting and testing dead birds, and
- testing for human infection.

NDA investigates any possible cases involving horses. For all human cases, NDHHS and the local public health departments conduct investigations.

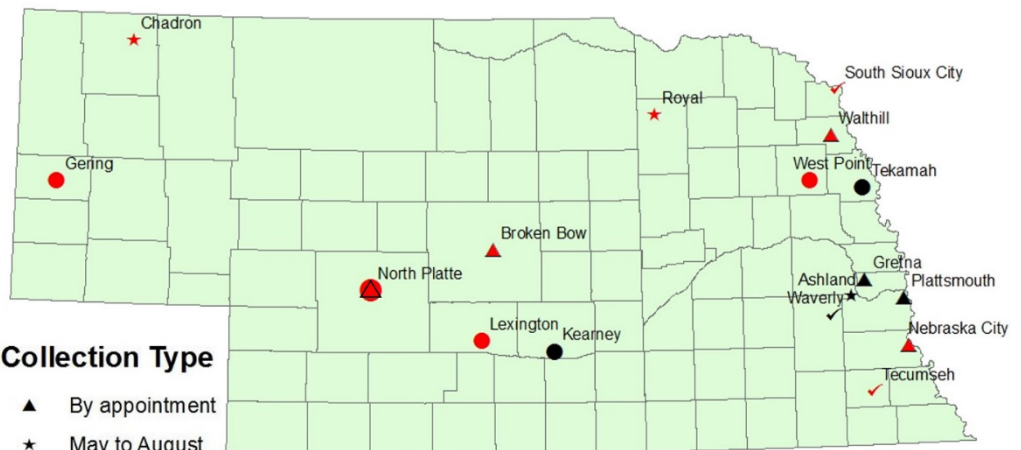
2018 [West Nile Virus Surveillance Data](#) (NDHHS)

[West Nile Virus Prevention](#) (NDHHS)

- Sections of great information for:
 - Homeowners and the General Public
 - Farmers & Ranchers
 - Wastewater Treatment Operators
 - Tire Pile Owners
 - Municipality/Government Officials

[Best Repellents for Mosquitoes and Ticks](#) (UNL Extension)

2019 Pesticide Container Collection Program



Collection Type

- ▲ By appointment
- ★ May to August
- ✓ Specific Dates
- Year-round

(Red symbol = drums are collected)



- See pested.unl.edu/recycling for the complete list of sites, dates and times.
- See also, Extension publication, [Rinsing Pesticide Containers](#).

Controlling Noxious Weeds at the Right Time Vs. When You Have Time

Mitch Coffin, Noxious Weed Program Manager

Noxious and invasive plants are problematic across the country. These non-native plants have no natural enemies like our native plants. Non-native invaders are tough, robust and easily become rooted in abused, disturbed and overgrazed lands throughout the Great Plains.

Since non-native plants, in most cases, do not have natural enemies, it is easy for them to thrive and reproduce rather quickly. A single plant may mature in one season and multiply into hundreds if not thousands of plants within a year or two. Some seeds can lay in the soil for many years until the right conditions exist for them to germinate. Bottom-line: because of their aggressiveness these non-native plants are able to reproduce at an amazing rate in the right conditions.

With this said, let's talk about noxious weed control. There is not a certain day to use herbicide on a certain plant. That depends on your geographic location across the state. It also depends on temperature, day length, moisture and many other factors. These things can only be determined by scouting your property regularly. This doesn't mean just looking once or twice, because scouting is a season-long activity. If noxious weeds had been in a specific location on your property last year, then a safe bet is you may have noxious weeds in the same place this year. Now maybe you did a great job of controlling those noxious weeds last year. Good for you, but remember, these plants tend to produce large amounts of seed, or may have an extensive root system. If you had a large problem last year, it likely means that one or more previous year's infestation was allowed to produce seed. Here we are, back to large amounts of seed just lying there waiting for the right opportunity.

Noxious and invasive weeds need to be controlled in a timely manner. This means applying control measures at the "Right Time vs. When You Have Time." In the case of herbicide control, labels are very good about telling you what stage of growth to apply the herbicide to the targeted plant. Each label is very specific to that product and the plants it controls. Don't assume that one herbicide can be used to control all noxious weed species. The label has a wealth of information for best results, but the entire label needs to be consulted.

There are other tools in the tool box for weed control. Integrated Weed Management (IWM) has been around for a long time. IWM incorporates multiple tools to achieve success and is best explained on page eleven in (EC130) [Guide for Weed, Disease, and Insect Management in Nebraska](#). This publication is produced each year and is considered one of the best guides in the country. You can purchase a copy through your local Extension office or they can provide details on how to order one. Order online using the link above.

Remember, weed control is a season long project. Learn to identify noxious and invasive weeds in your area, and strive to control them at the proper stage of growth.

Noxious weed control involves two very important laws.

1. It is the duty of every landowner to control noxious weeds on his/her property. 2. Read and follow the herbicide label instructions, as the label is the law. Good luck controlling weeds and please contact your local [County Weed Control Superintendent](#) for additional information and advice.



Noxious Weed Program Duties

- Monitor the implementation of the Noxious Weed Control Act by county weed control authorities;
- Provide training to new county weed superintendents;
- Investigate complaints of uncontrolled noxious weed infestations reported by the public;
- Review information and reports from county weed control authorities required by the Noxious Weed Control Act;
- Disseminate information and conduct public awareness campaigns regarding the control of noxious weeds; and
- Conduct surveys in each county.

More information is at the [Noxious Weed Program page](#).

[Weeds of the Great Plains](#) is a 7" X 10", hardbound book which features:

- Detailed narratives of 400+ plants;
- Line drawings;
- Large colored photos;
- Close up photos of weed flowers, seedlings, and key ID characteristics.

Use the form (link above) or [order online](#).

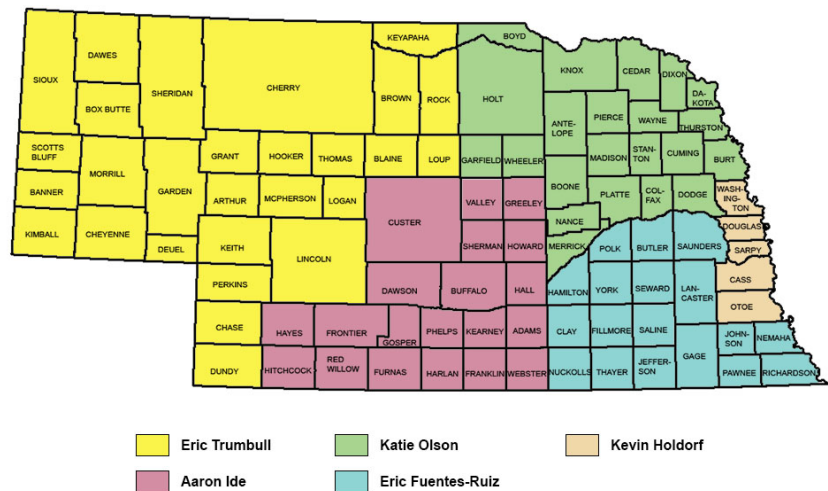
New Pesticide/ Fertilizer Inspector for Northeast Nebraska

The Pesticide/Fertilizer Program is pleased to announce the recent hiring of Katie Olson as the new inspector for northeast Nebraska. Katie is assuming the territory previously filled by Rich Franchini, who retired in January after 18 years of state service.

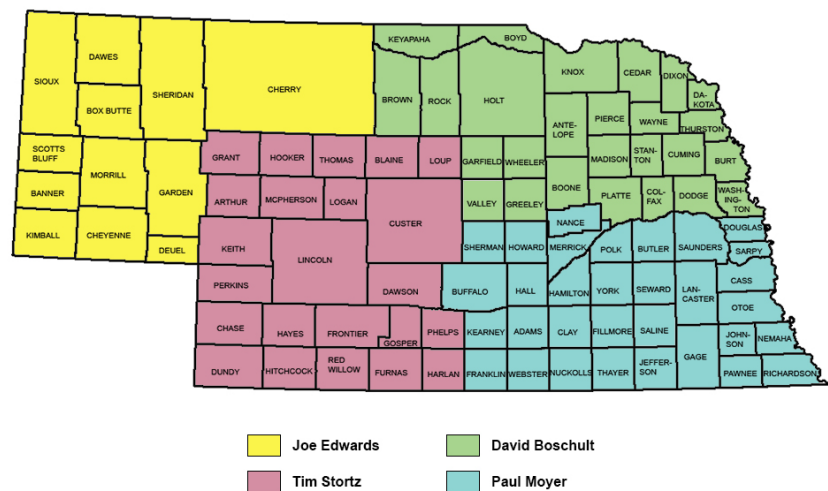
Katie hails from the Atkinson area and has spent most of her life on the farm. She attended Northeast Community College in Norfolk and earned a degree in Agribusiness. Since then, she has been busy raising a family and helping her husband run the family farm, as well as staying busy in state and national family farm organizations. Katie started with NDA on May 20, and will be visiting as many commercial applicators and dealers as she can during the busy summer months. Katie's territory is shown in the map on this page.



Pesticide/Fertilizer Program Inspector Territories



Noxious Weed/Seed Program Inspector Territories



Does the Worker Protection Standard Apply to Me?

If you work in agriculture, the answer is most likely YES! The Worker Protection Standard (WPS) is a federal law, similar to OSHA, intended to protect employees from hazards in the workplace. Specifically, WPS seeks to protect farmworkers from the potential dangers of pesticide exposure. It is a complex regulation that affects nearly everyone involved in agriculture. If you want to find out if WPS applies to you, we recommend that you visit the [Pesticide Educational Resources Collaborative \(PERC\)](http://pesticideresources.org) website (pesticideresources.org). This contains questionnaires designed to help you figure out your role in WPS, as well as a whole host of training materials approved for training farmworkers, detassellers, pesticide applicators, crop advisors, etc. If you cannot find what you are looking for on the PERC website, feel free to give us a call at NDA (402-471-2351) to help guide you through your responsibilities and protections under WPS.

Reminder on RUP Prairie Dog Baits

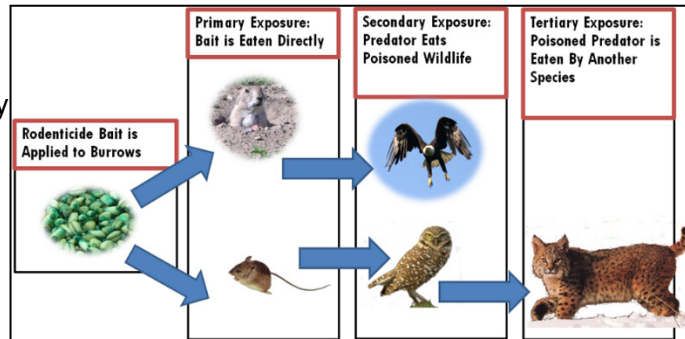
For several years, prairie dog control products containing the active ingredients chlorophacinone and diphacinone have had labels with language to mitigate the risk to wildlife (see the diagram for examples of how non-target species are exposed). While the main intent of this language is to protect endangered species found in states outside of Nebraska, this does not relieve applicators using these products in Nebraska from following the label, because the risk to other non-target species is still real. In addition, one of the prohibited-use areas for protecting the black-footed ferret is just across the border in South Dakota, making the pre- and post-application surveys mentioned below that much more important for protecting this species and being in compliance.

Before an application:

- Must consult [Bulletins Live! Two](#) within 6 months of application (bit.ly/ESPPblt)
 - Follow geographically specific use restrictions.
- Perform site assessments to identify active prairie dog burrows to be treated
 - It is recommended to set up and conduct line transect surveys, looking for the presence of endangered species and to become familiar with terrain
 - If black-footed ferrets are found during site assessment, the Black-footed Ferret Coordinator must be immediately contacted at 970-897-2730, ext.224.

Product Use Highlights:

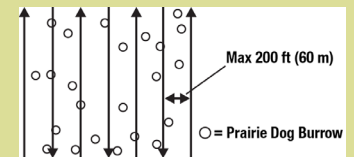
- Application Method: Apply at least 6 inches down active burrows by hand scoop or mechanical application machine
- Application Season: October 1 to March 15
- Grazing Restriction: No grazing for 14 days post-application
- Follow-up: Must search for carcasses in 1-2 day intervals for at least 14 days (for prairie dogs and all other animals)
- Must properly dispose of prairie dog carcasses (as described on label)
- Use is prohibited within all black-footed ferret reintroduction areas
- Must use line-transect method to perform carcass searches
- Notification Requirements:
 - For dead or dying non-target animals, call the National Pesticide Information Center (NPIC; **800-858-7378**) as soon as possible.
 - For dead or dying listed species in CO, KS, MT, ND, SD, NE or WY, immediately call the U.S. Fish and Wildlife Service (**303-236-7540**)
 - For live or dead black-footed ferrets, immediately call the Black-Footed Ferret Coordinator (**970-897-2730, ext. 224**)



Videos on Conducting Label-Required Surveys for Rodenticides

The University of Nebraska Pesticide Safety Education Program has two excellent videos dealing with the proper use and label requirements for pre- and post-application surveys, of certain products used for black-tailed prairie dog control.

You can watch the Prairie Dog Management and the How to Survey Using the Line Transect Method videos here: bit.ly/PSEPpdmgt.



Audio recordings, press releases, feature articles and stories, and other media for all NDA focus areas are found at the [News and Media Resources page](#).



More info on Nebraska's endangered species and pesticides can be found at bit.ly/NDAPPesp.

Nebraska Buffer Strip Program: Funding Still Available

This program provides rental incentives for installing filter strips or riparian forest buffer strips between cropland and intermittent or perennial streams, ponds, and wetlands.

Contact your nearest NRCS or NRD office for assistance. More information can be found at: bit.ly/NDAbuffer.



Filter Strips and Pesticides

Filter strips have been shown to remove 30-60% of pesticides in field runoff, depending on site conditions (including width of filter strip, the pesticides used, field conservation practices present, runoff volume, etc).

Can remove up to
60%
or more of certain
pathogens

Can remove up to
75%
or more of
sediment

Product Selection for Protecting Pollinators and Other Beneficial Insects

Reminder: Please notify NDA when you have a change of address in order to receive pesticide recertification information from the UNL Pesticide Safety Education office prior to your license expiration.

402-471-2351

Need an Exam for Commercial/ Noncommercial Licenses?

Walk-In Testing:

Numerous dates and locations for “walk-in testing” have been posted at bit.ly/NDAPPdates.

At “walk-in testing” sites, only testing is conducted for initial certification, adding categories or recertification by exam.

Computer-Based Testing:

NDA has contracted with Pearson VUE to offer our most popular exams at 12 computer-based testing sites across Nebraska. Pearson VUE charges \$55 per exam for this service. More information about Pearson VUE testing can be found at bit.ly/NDAvuetest.

Study material for all exams can be purchased from [UNL Pesticide Safety Education Program](#).

Pesticides are designed to kill target pests, whether the pest is a plant, insect or plant pathogen (among others). Anyone considering the use of a pesticide should be aware of the potential harm the chemical could pose to themselves or the environment. Two excellent publications, and the links they contain for supplemental information, will be useful in making knowledgeable decisions for selecting the best product for your situation.

[Bee Aware – Protecting Pollinators from Pesticides](#), is an in-depth look at how both pesticide applicators and beekeepers can work together to prevent impacts to honeybees and other managed pollinators, including communication and selecting the right product. A bee toxicity table is provided for select active ingredients commonly used in Nebraska agriculture.

[Toxicity of Common Lawn, Garden, and Ornamental Pesticides in Iowa](#), includes tables with human toxicity and signal words, and bee toxicity ratings for common insecticides, herbicides and fungicides in these use categories. Nebraska readers are encouraged to compare product names with those registered in the [NDA registered pesticide database](#).

Toxicity of Pesticide Products Not Listed in these Publications

The preceding guides list bee hazard ratings for some, but not all, active ingredients. Readers wanting information on products not listed are encouraged to consult the [UC-Davis Bee Precaution Ratings Database](#). Background information on how the toxicity ratings are developed is also provided. This likely includes products not registered in Nebraska, however.

Readers should note that these ratings incorporate not only direct exposure to bees, but also impacts to bees that might occur from exposure many hours after the application was made. The residual time to 25% bee mortality, or RT₂₅, is also used as a measure of toxicity: Products having a large RT₂₅ are toxic for a longer time than those with shorter RT₂₅. Readers can compare these values at this [EPA list of active ingredients](#).

Products with high toxicity to bees will have distinct restriction statements regarding how and when the application can be made. These will usually be found in the Environmental Hazards section. In addition, certain products may also have a distinct pollinator protection box with the symbol below, and possibly have special restrictions for each type of crop in the Directions for Use section.

Questions about label directions and choice of products can be directed to NDA and [specialists or educators at University of Nebraska Extension](#).



New FieldWatch Features



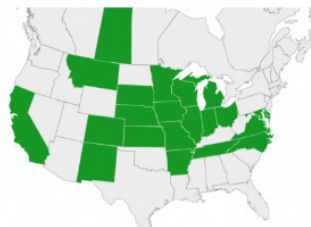
NDA is encouraging outdoor pesticide applicators to become familiar with the features of FieldWatch, a communication tool for reducing instances of pesticide drift on commercial specialty crops. Some new features should be beneficial to Nebraska pesticide applicators:

- The applicator registry has been renamed FieldCheck (this is free to use). [Registering in FieldCheck](#) allows the applicator to designate a “notification area” to get email alerts when new information becomes available in that area. In addition, when logged in, they are able to see all of the specialty crop and apiary sites in the DriftWatch/BeeCheck registries (not all apiary sites are visible from the public-facing map).
- A new PRIVATE “Annotation Layer” allows applicators who are registered in FieldCheck to customize their map view by adding their own sites (annotations) with information that is typically not included in the current scope of FieldWatch. This feature can reference ‘out-of-scope’ data, such as private gardens, schools or other places where people have expressed concerns. The data on this new layer will be wholly-owned and managed by the applicator and will not go through the approval process that is typical of sites submitted by individual growers and apiaries. Applicators will also have the ability to share their annotation layer with others.
- A time/date stamp is also shown on the screen for applicators who are registered and logged-in to FieldCheck, which is useful for records documenting when FieldCheck was consulted (see the dicamba record-keeping article on page 2).
- FieldWatch now offers a free mobile app for applicators, also called FieldCheck. Applicators who have registered as an applicator can download the app, and see all of the mapped specialty crops in their area at their fingertips.
- FieldWatch offers membership subscriptions for obtaining data files for GIS maps or live stream data through several mapping software providers. This membership fee is waived for government entities.

NDA has created a new FieldWatch page (bit.ly/NDafwinfo) where applicators and specialty crop growers can find quick info and links to the FieldWatch registries.

In Nebraska, 660 growers have registered a total of 1,795 commercial specialty crop and apiary sites in FieldWatch. Those sites are currently found in all but 14 counties, but new sites are being added almost daily.

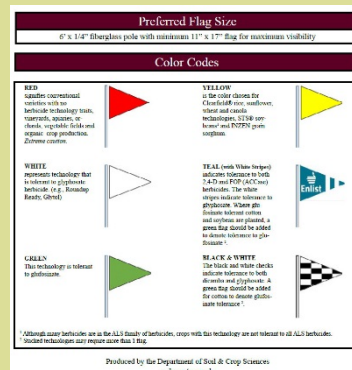
Several states have been added to FieldWatch in the last year and a few more are in the works, making it more beneficial to applicators working near state lines or those working in multiple states. Nationally, FieldWatch has approximately 32,000 specialty crop and apiary sites in one Canadian province and 21 states, including Nebraska’s neighboring states of South Dakota, Iowa, Missouri and Kansas.



Flag the Technology

Because Nebraska DriftWatch is currently only for commercial *specialty* crops, and because labels may require scouting or surveying for nearby traditional row crops that are intolerant of various herbicides, NDA encourages the pesticide and agriculture industries, and individual farmers, to do all they can to increase communication with one another.

“Flag the Technology,” whereby tall, color-coded flags are used to identify crop traits, is one option.



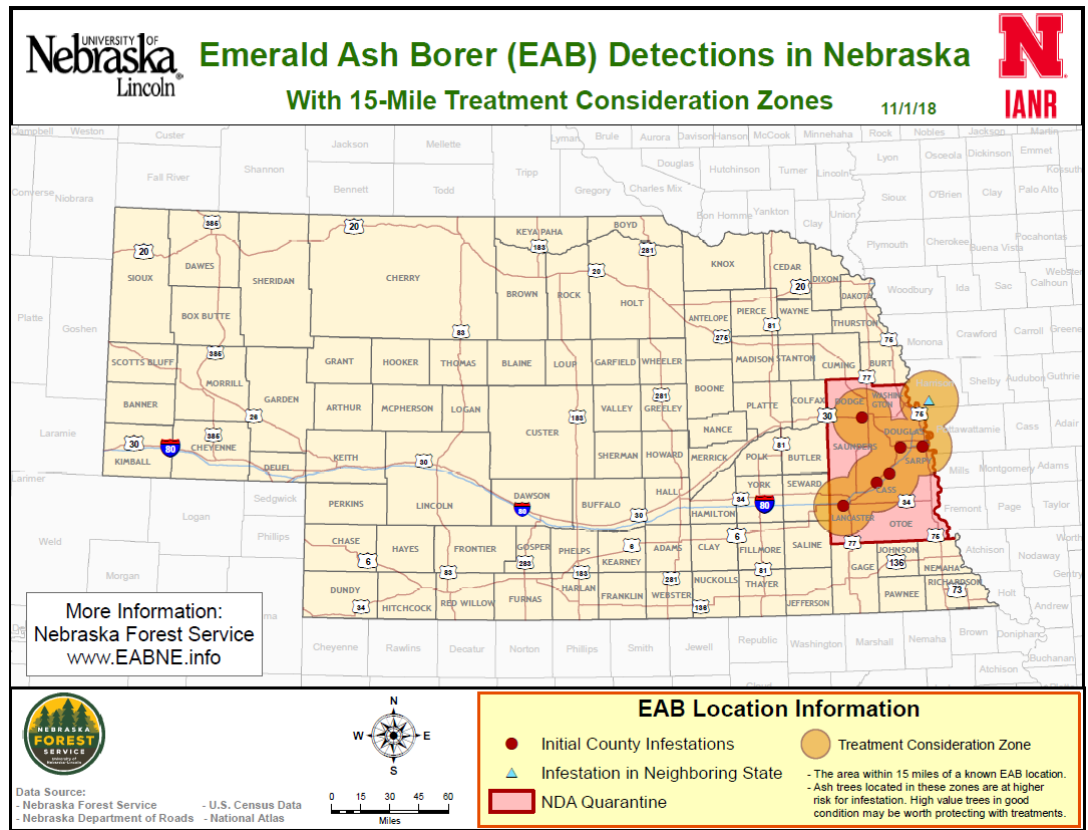
More information can be found in this [publication by Texas A&M University](#), as well as this [short video by University of Tennessee](#). Flag vendors can be found by asking your local dealer or searching online for “agricultural crop marking flag.”

Emerald Ash Borer Update

The emerald ash borer was confirmed in Lincoln, Nebraska.

The Nebraska Department of Agriculture made the announcement on April 23, 2019 after City of Lincoln workers detected EAB galleries while removing a tree inside of city limits. This marks the sixth official sighting in the state – including Omaha, Greenwood and Fremont. EAB has been found in 35 states and five Canadian provinces.

The [Nebraska Forest Service](http://www.nebraskaforestservice.com) has great EAB information for property owners, community planners, and tree care/green industry professionals, including how to prevent the spread of EAB, deciding whether trees should be treated, and if so, treatment options available.



Readers are free to reprint, in whole or in part, information in this newsletter. However, NDA respectfully requests the following citation be used:

Reprinted from the Nebraska Department of Agriculture's Pesticide, Fertilizer & Noxious Weed Newsletter (www.nda.nebraska.gov)

Articles from other sources are often used in this newsletter, and should be cited accordingly.

This newsletter is available in other formats for persons with disabilities upon request. For an alternate format or for additional information on topics in this publication, please call the Nebraska Department of Agriculture at 402-471-2351.

TDD users can contact the Department by first calling the Nebraska Relay System. Telephone 800-833-7352 and asking the operator to call 402-471-2351.

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Paul Moyer - (southeast region)

Tim Stortz - (southwest region)

Joe Edwards – (west region)

This newsletter is posted on NDA's website at bit.ly/NDAPPnews2

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