



A professional society representing the nation's crop production and research consultants

## PRESIDENT'S COLUMN



By  
Steven A. Hoffman  
NAICC  
2017 President

## Making A Difference

It was very gratifying to hear the recent good news about EPA's decision to NOT cancel the registration of chlorpyrifos. The news came less than two weeks after the NAICC board meeting in Washington DC. It reminded me that our voices carry weight. I am not claiming that we made THE difference, but I do feel that we made A difference.

The importance of maintaining the registration for chorpyrifos was one of the messages we carried as we made our Capitol Hill Visits. Our other focuses were maintaining registrations for the synthetic pyrethroids, reinstating previous WPS exemptions for NAICC members' employees and making sure that EPA has the ability to approve pesticides under FIFRA and PRIA. Discussions also involved timely GLP audits, the GMO white paper and resistance management related to herbicides and Bt traits.

Your NAICC Executive Board was accompanied by the Government Affairs Committee Chairs James Todd, Dennis Hattermann and Allie Marks. Jim Steffel, Ray Young, Rick Kesler and Glenn Luedke joined the Leadership Program Candidates – Bree Goldschmidt, Stephanie Laux and Amalia Easton on visits with CropLife America, The National Association of Wheat Growers, and the National Association of State Departments of Agriculture. NAICC Member Steve Wagner from Michigan arranged a meeting with his home state Senator Stabenow's Ag

Staff. Lisa Wheelock-Roney also joined the group for EPA visits to advocate for timely GLP audits and the GMO White Paper. Our Capitol Hill visits included several of the members' Congressmen and Senators, EPA staff, The American Soybean Association, American Farm Bureau and House and Senate Ag Committee staff members.

The Crawfish Boil was a success again. It was great to visit with the terrific young staffers and several Congressmen that attended. We were very fortunate to have Tim Ford from BASF's Louisiana office volunteer again to be the chef. Dan and Trisha Easton, Kathy Moser and Dorothy Young assisted with the food preparation. They had difficulties getting authentic Louisiana crawfish flown-in due to an anticipated snowstorm, but in the end, the real stuff was delivered and the food was DELICIOUS!!

Our duty to advocate for our industry and our clients is not finished for the year. One of the big issues on the radar is that EPA has been reevaluating the registrations for the synthetic pyrethroid insecticides. There was an initial comment period that ended on January 31st, but it sounds like there will be another 60 day comment period that will begin soon.

It is critical that all of us log on to regulations.gov then type "pyrethroid" or the name of the specific active ingredient that you are concerned about into the search box. You will be navigated to a page where you can see which issues are on the docket and open for comment. It is incredibly easy to submit your comments online so that your voice can be heard. You can also read previously submitted comments at this website.

Some of the future restrictions being considered for bifenthrin are:

- Requiring a 10-foot vegetative buffer strip
- Requiring 25-foot ground and 150-foot aerial no-spray buffers to minimize drift

- Prohibiting use when wind speeds are higher than 15 mph; and
- Using only medium and coarse spray nozzles, with no fine spray

If you want to make your comments now before the issue is back on the docket, EPA is accepting comments via email until the official notice is posted in the Federal Register. It is requested that stakeholders submit comments via email to these contacts until they are able to reopen the docket: Rosaura Conde, Acting Team Leader, PRD, RMIB2/4, Office of Pesticide Programs, conde.rosaura@epa.gov; and/or Garland Waleko, Chemical Review Manager, PRD, Acting RAPL, ERB3, EFED, Office of Pesticide Programs (OPP), waleko.garland@epa.gov. Include the words "Pyrethroid Risk Assessment" in the subject line.

You can also watch this EPA website for more information on the extended comment period. <https://www.epa.gov/ingredients-used-pesticide-products/pyrethrins-and-pyrethroids>

Thank you for your dedication to agriculture. I hope you all have ideal planting conditions and can take a few moments to appreciate your important role in our industry.



2016 and 2017 Leadership Participants representing NAICC at the National Wheat Growers Association meeting. From left Stephanie Laux, Allie Marks, Amalia Easton and Bree Goldschmidt.



## Happenings on the Hill

Glenn Luedke, NAICC Legislative Assistant

### REGULATIONS

In January, the U.S. House of Representatives passed the SCRUB (Searching for and Cutting Regulations that are Unnecessarily Burdensome) Act. This Act would require federal agencies to repeal existing regulations to offset the cost of new rules. The SCRUB Act was approved by the House of Representatives by a vote of 240-180.

On March 3, 2017 the House passed H.R. 1155. This action created a temporary commission that would identify harmful, duplicative, and outdated regulations to be repealed. Government agencies would then have to eliminate any of their regulations the commission suggests to offset any new regulations they propose. Well-intentioned regulations would remain safe. An example of overreach that was cited was the EPA setting rules that would regulate the kind of wood-burning stove consumers can or cannot buy to burn firewood.

H.R. 1029, the Pesticide Registration Enhancement Act of 2017, reauthorizes the Pesticide Registration Improvement Act of 2003 (PRIA) and makes minor improvements. The bill was introduced by Rep. Rodney Davis (R-Ill.), Chairman of House Agriculture Committee's Subcommittee on Biotechnology, Horticulture, and Research and passed the House on March 20. PRIA provides predictable timelines for over 200 product categories allowing industry to grow and innovate, adding jobs to the U.S. economy and providing additional options for producers. According to Davis, "This bipartisan legislation improves PRIA to ensure transparency, consistency, and efficiency remains within the pesticide registration process."

Also known as PRIA-4, the legislation increases and clarifies categories covered, uses maintenance fees for registration review, protects funds for grants programs, and increases funding. The current PRIA legislation expires on September 30, 2017. H.R. 1029 extends the Act with minor improvements. Specific improvements include:

- Reauthorizes existing provisions for seven years, as opposed to the five-year extensions in previous iterations of PRIA.
- Provides two increases of 5 percent each on registration fees over the seven years.
- Provides a \$500,000 set aside, from fees paid-for by the industry, for EPA to meet deadlines for efficacy guidelines for pesticides to combat bed bugs (which have shut down schools, hotels, dorms, and movie theaters), and crawling and

flying insects, which will inform industry what efficacy tests are required.

- Increases maintenance fees to \$31 million annually from 2017 – 2023 and provides increased funding for grant programs, promoting Good Laboratory Practices, and farm worker protection education.

### Background on PRIA

The first derivation of this program, known as PRIA, was passed in 2003 to provide predictable timelines in the pesticide registration process and increase transparency between EPA and the registrant community.

The original PRIA legislation updated the process for collecting maintenance fees and required EPA to conduct pesticide reviews in a specific timeframe. It also authorized a new type of fee—registration service fees—to defray costs associated with EPA review of applications for registering new pesticide active ingredients and products, adding new uses to existing pesticide registrations, establishing and amending tolerances, and amending pesticide labels. PRIA established a schedule outlining the fee amounts associated with each specific activity. It also promoted shorter decision review periods for reduced-risk application

### ISSUES

**Trade:** Agricultural associations, including commodity groups and NAFTA are actively participating in joint discussions and forwarding their concerns to the White House. Pest-risk assessments, along with seed testing are issues of concern at border-crossing points.

**Renewable Fuels:** Despite some industry-in-fighting, there has been some movement on the issue on Capitol Hill. A recent comment period that closed in late February renewed the desire to keep the policy as EPA originally implemented. The rule established that producers of the fuel, along with importers, must demonstrate compliance with targets established by the federal government by blending specific volumes of renewable energy into the fuel mix. Those who don't follow the target, may purchase credits from other fuel blenders, and are renewable under a flexible system that was created at the urging of oil companies.

**Farm Bill:** Agriculture groups are facing the reality that the next Farm Bill will consist of many issues including trade issues and promotion, nutrition, renewable energy, conservation and risk management. The ag groups do not want to face a situation that occurred with the 2012 Farm Bill that was not signed into law until 2014. The goal for the new Farm Bill is to have it passed in 2017 and ready to implement in 2018. Congressional leaders have told agricultural groups they do not want to be "referees" and that Farm Bill interest groups present a consistent message. The House Ag Leadership stated that most Americans don't care what the next Farm Bill looks like – they want cheap, safe food and an abundant supply. Senate Ag Leaders have started hearings

*Continued on page 3.*

*Continued from page 2.*

(some regional) to hear what is on people's mind. Trade and crop insurance seemed to be the most mentioned issues. Serious debate is expected on the nutrition (SNAP) program and the restrictions put on items covered. Some already argue that implementing restrictions would be prohibitive and have limited value. House Ag Committee Chair Conway stated that a USDA survey conducted in November 2016 indicated 20 cents of every dollar SNAP recipients received was spent on soda, desserts, salty snacks, candy and sugar.

## STATE ISSUE CONCERNS

The National Association of State Departments of Agriculture held their winter meeting in early March. Their concerns centered around the new farm bill, revising regulations and trade policies (securing new market access and ensuring a level playing field in international markets). The State leaders called for increased funding in the areas of invasive species programs, increased investments in conservation programs and additional funding for plant and animal disease control.

## LABOR

Farm organizations are urging the White House to move with caution on immigration policies. Lack of labor (primarily for harvest) will increase imports. The groups support border protection but are requesting a "status adjustment" for ag workers who have been consistent members of the work force. On a positive note, a high percentage of farm workers are known to have taken responsible steps to confirm their U.S. citizenship. Ag employers in many areas follow the Immigration Reform and Control Act.

## WORKER PROTECTION STANDARDS (WPS)

The EPA's Office of Inspector General announced in mid-February that it has plans to begin preliminary research to evaluate the adequacy of the EPA's management controls implementing the revised WPS Standard requirements that were designed to monitor and reduce pesticide exposure risks to agriculture workers. EPA reports they will use normally accepted guidelines and conduct the research at EPA headquarters and possibly other sites. Results of the project are expected to create a better understanding of the rules set by EPA in protecting human health. (see related story this issue re: WPS and NAICC's CPCC program)

## EPA

EPA and the Army Corps of Engineers have stated they will act on the Administration's order that they start reworking the previous Administration's Clean Water Act (CWA) guidelines. They indicated they will proceed without changing the record set by the previous Administration. Prior Supreme Court rulings give agencies the freedom to revise or withdraw rulings and submit

less expansive policies based purely on shifts in legal interpretation without being affected by the current rule.

The new Administration presented an executive order signed by the President that directs the Army Corps of Engineers and EPA to review and review the previous Administration's rule that expanded federal jurisdiction over pollution in streams and wetlands. In a previous Supreme Court opinion, it was written that federal jurisdiction extends only to bodies of water with a permanent flow or non-navigable waterways that connect via surface water with areas with permanent flow.

The Administration's budget plan for the EPA for F/Y 2018 is said to require an approximate 25% budget cut that would include cuts to state grants, a 20% reduction in workforce and cut some programs completely. The Office of Chemical Safety and Pollution Prevention is asking the Administration to consider the importance of this office and it has been reported that agricultural organizations along with organizations representing manufacturers and distributors of pest control products maintain the current status or even enhance resources. Pesticide manufacturers are a part of the group that pay fees to the Office of Pesticide Programs so that proper evaluations are accomplished. Even though budget cuts were implemented, Congress has issued waivers that allow industry fees that are collected to fund the pesticide licensing process and at this point it does not appear that OMB has recommended any cuts for the office of chemicals or pesticides. There is a possibility some regional EPA offices would be closed and transfer more responsibilities to the states.

The new EPA Administrator has met with many State Governors and stated "he looks forward to a shared commitment to developing policies that allow states to use their energy and agricultural resources to benefit citizens, the region and the nation while protecting each states' unique environments".

**Support  
Foundation for Environmental  
Agriculture Education.**

When you shop at [smile.amazon.com](https://smile.amazon.com),  
Amazon donates.

[Go to smile.amazon.com](https://smile.amazon.com)

**amazon smile**

*Always log onto [smile.amazon.com](https://smile.amazon.com)  
for your purchases to qualify*

# CPCC Program Approved for WPS Exemption

By Allison Jones, Executive Vice President

EPA's Office of Prevention, Pesticide and Toxic Substances has recognized NAICC's Certified Professional Crop Consultant (CPCC) program as one that meets all of the requirements established in the WPS for exempting certified or licensed crop advisors from specific listed requirements. NAICC's program was previously approved in 1996 but had to be approved again to meet new requirements established under the 2016 revisions to the WPS.

The only change that the CPCC program had to make was to require all current and future applicants receive the revised handler safety training that was established under the revised WPS. According to the document issued by EPA:

*"EPA's continued recognition of the NAICC program is based on NAICC's commitment to ensure that after January 2, 2018, all individuals completing the NAICC certification program, and those continuing their certification under the NAICC program, will complete training that includes all the information in § 170.501(c)(3) of the revised rule (i.e., all of the revised training content for WPS handler training).*

*NAICC may accomplish this by either incorporating the required training content into NAICC's training and recertification/continuing education program or by requiring all individuals completing (or maintaining) the certification program to watch any EPA-approved handler training video (approved for meeting 2018 WPS handler training requirements). As noted during our discussions, there is no requirement for persons certified or licensed as crop advisors/consultants in accordance with the WPS exemption requirements to complete WPS handler training annually; the training content only needs to be*

*covered in their initial training and certification, or 2018 continuing education as applicable. As long as the person maintains their NAICC certification, they will not need to go through the WPS handler training content annually to meet the WPS requirements and qualify for the certified or licensed crop advisor exemption."* (highlight and underscore added for emphasis)

NAICC Board members and staff met with EPA officials while in DC for the spring Executive Board Meeting and Crawfish Boil on the Hill. In addition to the above, clarification was given regarding the "universal set" of PPE that is required for non-certified crop advisors (i.e. employees). PPE is not restricted to Tyvek suits. On page 95 of the revised WPS - How to Comply Manual <https://www.epa.gov/sites/production/files/2016-09/documents/htcmanual-chapter6.pdf>, "Coveralls are loose-fitting one- or two-piece cloth garments that cover the entire body except the head, hands and feet."

NAICC continues to impress upon EPA officials how important it is for crop advisors' employees to also be exempt from these provisions of the WPS which were taken away under the revised WPS.

While at the meeting, EPA officials handed Allison Jones a letter that they felt was necessary due to a misunderstanding that happened in a Congressional office earlier that week. The letter lists all the changes for crop consultants and can be found on the NAICC website at: <http://naicc.org/wp/wp-content/uploads/2017/04/Changes-to-WPS-Crop-Advisor-Exemption.pdf>

## Executive Board, Governmental Affairs Committee and Leadership Program Members Canvas Capitol Hill



Leadership Program participant Amalia Easton (far left), Board Member Sandy Mackie (second from left) and GAC Researcher Chair Dennis Hattermann (far right) met with Congressman Austin Scott (R-GA).



Stephanie Laux met with her Representative, House Majority Leader Kevin McCarthy (R-CA) in his Capitol building office.



Congressman Roger Marshall (R-KS) enjoyed eating crawfish with Sandy Mackie, Steve Hoffman and Nathan Goldschmidt at the 20th Annual CBOH.

*Continued from page 4.*



Francisca Liem, Director of the Good Laboratory Practice (GLP) Standards Program, (far left), Elizabeth Vizard, Chief of the Pesticide, Waste & Toxics Branch (third from left) and Edward Messina, Director of the Monitoring, Assistance, and Media Programs Division (second row, far right) met with NAICC research consultants.



Charlie and Madeline Mellinger visit with Tim Wilt, Legislative Assistant for Congressman Bill Posey (R-FL).



Ray Young welcomes NAICC's good friend Burleson Smith, BASF to the CBOH. Ray first met Burleson when he was Director of the Office of Pest Management Policy at USDA.



Hope Jones, Virginia Houston with American Seed Trade Association, Allison Jones, and Dudley Hoskins with NASDA catch up at the Crawfish Boil.



# QA Corner:

## EPA GLP Updates

By Torrance Lee, QA Specialist III, Valent U.S.A. LLC

### EPA GLP Updates

NAICC is the only forum where cooperators, research scientists, and Quality Assurance professionals gather to network, learn, and renew life-long friendships. Many wonderful memories have been made and we were reminded that we are not alone in our struggles. For me, this year was especially meaningful. I was able to meet, in person, those whom I have only met through correspondences. In addition to building lasting relationships, the national meeting provides an opportunity for others to learn from us and for us to learn from others. During the QA sessions, I had the awesome opportunity to listen to laboratory scientists discuss how GLPs impact their work. There are not many forums where this happens. For me personally, talks which combine lab work and the GLPs were the best highlights. I hope this year you returned home with many wonderful memories as well.

To draw in laboratory scientists and quality assurance professionals who audit these scientists to the NAICC has been my desire for the past 5 years. It is my hope and aspiration for the scientists in the laboratory to collaborate with their peers in the field and for the field scientists to engage with the study directors and reciprocate this knowledge. As I have discussed in a previous article, we should not be intimidated by our lack of understanding. We also should not allow our fears to impede our pursuit of knowledge. While I do not claim to be an expert in agronomy, I am always willing to learn how the test substances are applied and how crops are maintained and harvested.

For the past NAICC meetings, we have had the exceptional opportunity to listen to what is arguably the most important 30 minutes of the meeting. This is the annual EPA GLP update provided by Francisca Liem, who is from the US EPA Office of Enforcement and Compliance Assurance. A summary from her GLP update is provided below:

#### 1. 2016 Inspections by Discipline

The breakdown for each discipline is as follows:

- Analytical Chemistry 9
- Biotechnology 4
- Field Sites 19
- Product Chemistry 18
- Toxicology 10
- Others 12

In all, a total of 68 inspections (excluding biotechnology) were completed for fiscal year 2016. The decrease in the total number of inspections conducted in 2016 is due to an emergency leave of absence taken by one of their inspectors.

#### 2. In 2016, only 5% of the field sites that were inspected had at least one significant violation. This percentage represents a decrease from 2014 and is one of the lowest in the industry. Only analytical chemistry had a lower percentage. For analytical chemistry, no sites were found to be in violation of the GLPs.

#### 3. GLP Inspection Findings at Field Sites

EPA has found inadequate documentation for recording the distribution of the test substance(s) for use during the study.

This documentation is required to maintain accountability of the test substance(s).

4. Serious violations of the GLPs have resulted in the rejection of studies and have included enforcement actions.

For 2016, a total of 6 studies have been rejected and were subject to civil penalties. For all 6 studies, the raw data were not adequately maintained. Other significant violations, which were found in toxicology studies, included failure to conduct stability tests on the test, control, and/or reference substances and inadequate separation of the QAU from study personnel.

5. EPA continues to partner with OECD member countries in harmonizing testing guidelines and interpretation of GLP to ensure data generated by U.S. test facilities are accepted by OECD member countries who have signed the mutual acceptance of data agreement. To provide guidance to the industry regarding computerized systems, EPA has referenced an OECD consensus document 17. This document assists testing facilities to develop procedures to ensure the proper validation, operation, and maintenance of such systems in a GLP environment. The website is provided below to access the consensus document.

[http://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=env/jm/mono\(2016\)13&doclanguage=en](http://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=env/jm/mono(2016)13&doclanguage=en)

6. Before accepting studies conducted outside the U.S., EPA will review the GLP compliance of the testing facility where the study was conducted at. This review is performed by searching the electronic database the agency was given access to so that they can obtain information regarding the GLP compliance status of a testing facility in other OECD member countries.

#### 7. GLP Alert #1

##### 40 CFR 160.107 (Test, Control, and Reference Substance Handling)

As indicated earlier in this update, the GLPs require the documentation for the receipt and distribution for each batch of test substance. When recording the distribution, the date when the entry was made and the quantity taken or returned must be documented. Records should clearly show the accountability of the test substance throughout the study.

#### 8. GLP Alert #2 - Science Matters Part 1

##### Non-routine calculations and formulae

If non-routine calculations and /or formulae are used to generate numbers, the study director should consult with the Office of Pesticide Program (OPP) and/or the Office of Pollution Prevention and Toxics to determine their acceptability.

#### 9. GLP Alert #3 - Science Matters Part 2

During the analysis, if the test substance is found in the untreated control sample, an explanation in the final report must be made to address this.

#### 10. GLP Alert #4

##### 40 CFR 160.105(e): Storage stability testing

According to the GLPs, the stability of the test, control, and reference substances under storage conditions shall be known. When conducting storage stability tests, the temperature of the storage unit where the above substances are stored must be measured and the measurements maintained as raw data. Also, the substances must be analyzed on the experimental start date (day-0) in order to establish a baseline.



NAICC



NATIONAL ALLIANCE OF  
INDEPENDENT CROP CONSULTANTS

## NAICC PRIDE

Show your NAICC pride by adding a tag line promoting your profession and the Alliance. In-coming President Steve Hoffman has issued a challenge to all NAICC Members! The person who promotes NAICC now through the end of 2017 in the most unique way or using the most different types of media will win complementary registration for the 2019 NAICC Annual Meeting in Savannah, GA! Winners will be announced at the Saturday morning group breakfast during the 2018 Annual Meeting in Tucson.

**Voting Members** – if you would like to use the NAICC logo and need a jpg file, email [allisonjones@naicc.org](mailto:allisonjones@naicc.org). Sustaining Members can also request the NAICC Sustaining Member's logo (shown above).

Below are a few suggestions for tag lines on your email, business cards, letterhead, etc.

1. Proud Member of NAICC Since \_\_\_\_\_
2. Proud Member of (logo) Since \_\_\_\_\_
3. (just logo)
4. Join me in Tucson in January 2018 for the NAICC Annual Meeting and AG PRO EXPO

These are just a few of the many ways we can promote NAICC and agriculture. Get creative!

Be sure to send a photo or your "NAICC Pride" tag line to [AllisonJones@NAICC.org](mailto:AllisonJones@NAICC.org).

Your 2017 NAICC Membership Directory is on its way!

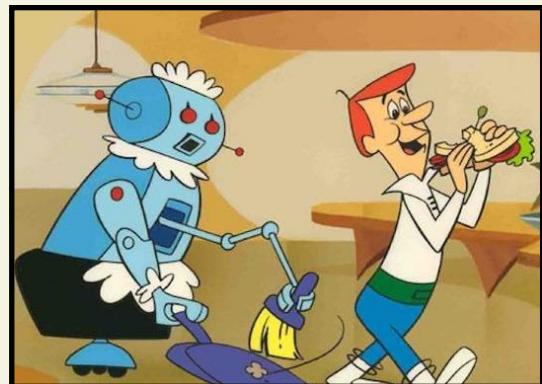
Don't forget you can revise your listing at any time at  
<http://naicc.org/member-center/profile/>.



The correct answer from the February newsletter was Finding Nemo or Finding Dory. Congratulations to Aaron Disrud for winning the gift card!

Answer the following question for a chance to win a \$50 Visa Gift Card:

What is the name of this futuristic robot?



Submit your answer here:

<https://goo.gl/forms/iPW0YAcRoAgSPIY02>

One winner will be randomly selected from the correct answers and announced in the next newsletter.



National Alliance  
of Independent  
Crop Consultants

Allison Jones

P.O. Box 209  
Vonore, TN 37885  
Phone: 901.861.0511  
Fax: 423.264.0071  
E-mail: [AllisonJones@naicc.org](mailto:AllisonJones@naicc.org)  
[www.naicc.org](http://www.naicc.org)

Executive Vice President

Steven A. Hoffman, CPCC-I, CPAg  
President

InDepth Agronomy  
8426 Borgwardt Lane  
Manitowoc, WI 54220  
Office: 920.758.2988  
Fax: 920.758.2987  
E-mail: [hcc@lakefield.net](mailto:hcc@lakefield.net)