

GOVERNMENT OF GUAM
OFFICE OF THE GOVERNOR
AGANA, GUAM

EXECUTIVE ORDER NO. 75-29

INTERIM CERTIFICATION OF PESTICIDE APPLICATORS
AND LICENSING OF PESTICIDE DEALERS ON GUAM

WHEREAS, there is an urgent need to control the improper use of dangerous pesticides in order to protect our environment in general and drinking water sources in particular, and prevent injury to individual users,

NOW, THEREFORE, I, Ricardo J. Bordallo, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, do hereby order as follows:

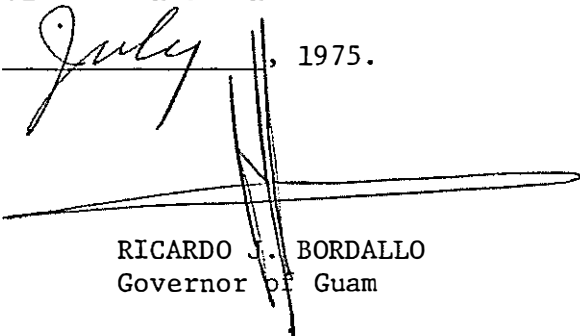
1. Any person who uses or supervises the use of any pesticide declared to be "restricted," as indicated on the attachment of this Order, must receive an interim certification from the Administrator of the Guam Environmental Protection Agency. The certification shall only be given after the Administrator determines that the applicant for such certification is competent to use or supervise the use of restricted pesticides for which the certification is being sought.
2. Any person who sells or distributes restricted pesticides shall obtain a license from the Administrator of the Guam Environmental Protection Agency. Under no circumstances shall any person sell or distribute restricted pesticides to any person who is not certified as defined in Item 1 of this Order. Sale or distribution of restricted pesticides shall conform to the conditions of the individual applicator's interim certification.
3. The importation of any pesticide without English labels or that have not been registered by the United States Environmental Protection Agency or the United States Department of Agriculture is prohibited.
4. In carrying out the directives of this order, the Administrator may enter into inter-agency agreements for the purpose of administering and/or seizure of improperly labelled or registered pesticides as defined in Item 3 of this Order.

The Administrator of the Guam Environmental Protection Agency or his designee(s) is directed and authorized to implement the above measures until the enactment and implementation of a comprehensive pesticide control law.


Any Executive Orders heretofore issued in conflict with this Order are hereby repealed insofar as they so conflict.

This Order shall be effective August 1, 1975 and shall remain in effect until superseded by legislative enactment.

Dated this ~~July~~ 3rd day of July, 1975.


RICARDO J. BORDALLO
Governor of Guam

COUNTERSIGNED:


RUDOLPH G. SABLAN
Lieutenant Governor



GUAM ENVIRONMENTAL PROTECTION AGENCY

POST OFFICE BOX 2999
AGANA, GUAM 96910
TELEPHONE: 749-9901, Ext. 372

Handwritten signature and date: 6/24

INTER-AGENCY MEMORANDUM

JUN 25 1975

TO: The Governor

FROM: Administrator

SUBJECT: Governor's Office Request to Prepare Executive Order for the Interim Control of Pesticide Sale and Use

At the request of Mr. Paul Souder in a meeting we had with him, Mr. Pete Toves (Public Works), Mr. Leonard Paulino (GHURA), and Mr. Mike Davis (Islandwide Pest Control) on June 3, 1975, we have prepared an Executive Order for your signature establishing interim control over the sale, distribution, and use of restricted pesticides on Guam.

As a result of the passage of comprehensive federal pesticide control legislation, Guam's existing pesticide law, the Uniform Insecticide, Rodenticide, and Fungicide Act (P.L. 10-142), has become obsolete. A new bill, which would be compatible with the Federal law, has been drafted and transmitted to your legal advisor. We had several meetings with him and it is our understanding that the bill is about to be transmitted to the Legislature.

Even though the new legislation is pending, the potential for serious damage caused by the improper use of dangerous pesticides remains. This is particularly true in potable groundwater areas since many pesticides are soluble in water and residual in nature, i.e., they do not breakdown readily and remain in the environment for many years. In cooperation with GEPA, the University of Guam, College of Agriculture and Life Sciences, plans to train local pesticide applicators in the proper use of these chemicals through a federal grant via the U.S. Environmental Protection Agency and U.S. Department of Agriculture. However, the actual training courses may not begin until September 1975 and graduation of the first class of applicators will not occur for several months thereafter.

In view of the fact that comprehensive legislative controls and needed training will take some time to implement, we have been requested to develop an Executive Order that will introduce a moderate amount of control as an interim measure. The Executive Order anticipates many of the requirements of the proposed pesticide legislation, although to a more moderate degree. This gradual imposition of control we hope, will acclimatize local applicators to the necessity for regulating use of dangerous pesticides while not instituting strict control until after they have had an opportunity to attend University provided training classes.

The Executive Order creates an "interim certification" to allow individuals to apply specific restricted pesticides (see attachment #1). The format of this "interim certification" and the fact sheet describing the extent of the individual's use and understanding of selected pesticides is provided as attachment #2.

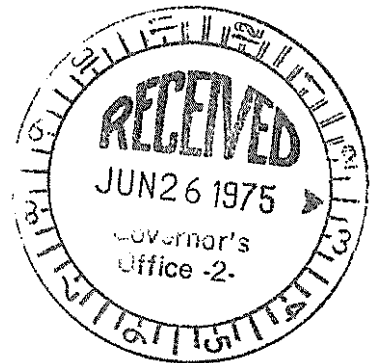
In addition, the Executive Order calls for the licensing of distributors/sellers of restricted pesticides; this is the primary control mechanism to keep unauthorized individuals from securing dangerous pesticides. The proposed license format is attachment #3.

Lastly, the Executive Order authorizes the Administrator (or his agent) to seize pesticides which do not carry English labels or federal registration numbers. Such pesticides currently violate federal law, and ultimately local law.

In summary, while this program will not be a solution to our pesticide control problems, it does provide an interim approach allowing us to implement some controls immediately while delaying strict regulation until local applicators have had an opportunity to be adequately trained.

O. V. Natarajan
O. V. NATARAJAN, Ph.D.

Attachments



GUAM ENVIRONMENTAL PROTECTION AGENCY

Interim Certification for Application of Restricted Pesticides

This certifies that _____, of _____
(Name) (Mailing and/or Home Address)

is authorized to purchase and use the following restricted pesticides for the
purpose of _____:

_____	_____
_____	_____
_____	_____
_____	_____

ISSUANCE DATE: _____

EXPIRATION DATE: _____

Certification No. _____

Head, Planning and Program Development
Division

GUAM ENVIRONMENTAL PROTECTION AGENCY
POST OFFICE BOX 2999
AGANA, GUAM 96910

APPLICATION FOR CERTIFICATION AS A PRIVATE
APPLICATOR OF RESTRICTED PESTICIDES

1. Name of Applicant: _____
2. Mailing Address: _____ Residence Location: _____
3. Phone No.: Residence _____ Business _____
- *4. Location(s) and acreage(s) of farm, dairy, plant nursery, etc. where restricted pesticides are to be used (street address or tax key number):

- *5. Crop(s) or animal(s) produced: _____
- *6. Pesticides that are being used and monthly or yearly amount of each:

7. Number of years experience in applying pesticides: _____
8. Most of the instructions of information on the safe and proper use of pesticides are obtained from:
- | | | | |
|--------------------------|--------------------|--------------------------|-----------------|
| <input type="checkbox"/> | Other farmers | <input type="checkbox"/> | County agents |
| <input type="checkbox"/> | Pesticide salesman | <input type="checkbox"/> | Self instructed |
9. Equipment presently used: Tractor mounted boom sprayer Mist blower
 Power duster Knapsack sprayer
 Power hose sprayer Others (specify)

I certify that the statements made on this form are true to the best of my knowledge.

Signed: _____ Date: _____

*If additional space is needed, please use reverse side of this form.

Schedule of pesticide training classes to be conducted by the University of Guam, Cooperative Extension Service will come at a later date. A temporary certification will be issued to you upon completion of this form. Temporary certification will be valid upon completion of a formal training course and upon certification by this Agency or within one year from the date of issuance, whichever occurs first.

GUAM ENVIRONMENTAL PROTECTION AGENCY
POST OFFICE BOX 2999
AGANA, GUAM 96910

APPLICATION FOR CERTIFICATION AS A COMMERCIAL
APPLICATOR OF RESTRICTED PESTICIDES

1. Name of Applicant & Title: _____
2. Name of Firm or Agency: _____
3. Mailing Address (Business): _____
4. Location of Business: _____
5. Phone No.: Business _____ Residence _____
6. Type of Commercial Certification: _____
7. Pesticides that are being used and amount: _____
8. Number of years experience in applying pesticides: _____
9. Most of the instructions or information on the safe and proper use of pesticides are obtained from:

Other Pesticide Applicator	On-the-job Training
Pesticide Salesman	Self Instructed
10. Equipment present used: Tractor mounted boom sprayer Mist blower
 Power duster Knapsack sprayer
 Power hose sprayer Others (specify)

I certify that the statements made on this form are true to the best of my knowledge.

Signed: _____ Date: _____

Schedule of pesticide training classes to be conducted by the University of Guam, Cooperative Extension Service will come at a later date. A temporary certification will be issued to you upon completion of this form. Temporary certification will be valid upon completion of a formal training course and upon certification by this Agency or within one year from the date of issuance, whichever occurs first.

Restricted use pesticides.

The following pesticide formulations or pesticide products when used in accordance with commonly recognized practices may be highly toxic or may cause unreasonable adverse effects on the environment including man, land and water together with desirable flora and fauna and for reasons based on the criteria as set forth are designated as restricted pesticides under these regulations.

A. For Reasons of Human Health and Safety

1. Pesticides highly toxic to man.....

<u>Pesticide/Pesticide Formulation</u>	<u>Restricted Concentration</u>
Acrolein (Aqualin, Acryaldehyde)	All
Aldicarb (Temik)	All
Aluminum phosphide (Phostoxin)	All
Arsenic compounds, inorganic	All except finished baits
Azinphos Methyl, ethyl Guthion	All
Azinphos Methyl, Guthion	All
Azodrin [dimethyl phosphate of 3-hydroxy-N-methyl-cis-crotonamide]	All
Bidrin [dimethyl phosphate ester with 3-hydroxy-N, N-dimethyl-cis-crotonamide]	All
Bomyl [dimethyl 3-hydroxyglutaconate dimethyl phosphate] ...	All
Carbofuran (Furadan)	All
Carbon disulfide	All
Carbophenothion (Trithion)	All
Copper aceto arsenite (Paris Green)	All
Cyanides	
Calcium, sodium, liquid hydrogen	All
Cycloheximide (Actidione)	All
Dasanit [O,O-diethyl O-p-(methylsulfinyl) phenyl-phosphorothioate]	All
Demeton (Systox)	All
Dioxathion (Delnav)	All
Diphacinone	All except finished baits
Disulfoton, Di-syston [O,O-diethyl S-2-ethylthio ethyl phosphorothioate]	All above 2%
DNBP, DNOSBP [dinoseb]	All
DNOC [4, 6-dinitro-o-cresol and salts]	All
Dyfonate [O-ethyl S-phenyl ethylphosphonodithioate]	All
Endothal and salts	All
Endrin	All
EPN [O-ethyl O-p-nitrophenyl phenylphosphonothioate]	All
Ethion	All
Ethylene dibromide, Ethylene dichloride	All
Famphur	All
Fumarin [3-alpha-acetonylfurfuryl-4-hydroxycoumarin]	All except finished baits

<u>Pesticide/Pesticide Formulation</u>	<u>Restricted Concentration</u>
Endosulfan (Thiodan)	All
Mercury compounds	All
Nicotine	All
Nicotine salts	All above 40%
Paraquat	All above 0.2% cation
Phosphorus (white or yellow)	All
Pentachlorophenol and salts	All above 5%
Sodium chlorate (without a fire retardant)	All

B. For Reasons of Environmental Protection

1. Pesticides or pesticide formulations that are potentially hazardous to the biosphere because they are determined to be of relatively high persistence, ecologically mobile, and biologically concentrated.

<u>Pesticide/Pesticide Formulation</u>	<u>Restricted Concentration</u>
Aldrin	All
Cadmium compounds	All
DDD, TDE	All
DDT	All
Dieldrin	All
Heptachlor	All
Selenium compounds	All
Toxaphene	All

2. Other pesticides or pesticide formulations determined to be of special hazard to particular segments of the biota, for one or more reasons which may include but not restricted to persistence, toxicity (either acute or chronic) to particular segments of the biota, or due to manner in which they are marketed or used.

<u>Pesticide/Pesticide Formulation</u>	<u>Restricted Concentration or volume</u>
Avitrol [4-Aminopyridine] [4-Nitropyridine, N-oxide]	All
BHC	All above 1%
Chlordane	All above 10%
Diquat	*All
Fenthion (Baytex)	All
Mirex [Dodecachlorooctahydro-1, 3, 4-metheno-1H-cyclobuta(cd) pentalene]	All
Lindane	All above 1%
Picloram (Tordon)	All
Silvex	*All
2, 4-Dichlorophenoxyacetic acid and its esters and salts	*All

PESTICIDE DEALER'S LICENSE APPLICATION

File in Duplication

For FY Ending

Name (under which applicant is engaged in business)

Telephone

Mailing Address (Street or P.O.)

(City)

(State)

(Zip Code)

Location

Check One

Corporation

Partnership

Individual

Non-Profit
Cooperative Ass'n

Officers or Owner(s)

(Name)

(Title)

(Address)

Person(s) designated as agent to appear and act on behalf of the applicant in matters relating to the business of pesticide dealer.

Name

Mailing Address

Restricted Pesticides requesting to sell:

Description of area in which pesticides are stored:

I certify that the information contained in this application is true and correct.

Signature of person designated above as agent

Date

Remarks:

Agency Use Only

License No. Issued

Amendment No. Exp.

GUAM ENVIRONMENTAL PROTECTION AGENCY

Pesticide Dealer License

This certifies that _____, of _____
pursuant to Executive Order #75- _____ is authorized to sell the following restricted
pesticides:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

This license is subject to the following conditions:

- A. Sale of these pesticides may only be made to individuals possessing a Valid Interim Certification issued pursuant to Executive Order #75 _____.
- B. The sale of any additional restricted pesticides is prohibited without written permission from the GEPA amending this license.

ISSUANCE DATE: _____

EXPIRATION DATE: _____

License No. _____

Head, Planning & Program Development Division