

December 4, 2019 Board Update

Plant Industry Division



Division Overview

- Pending matters of significance
 - The NDA is waiting for the Legislative Council Bureau to complete their review of the Legislative Commission Hearing documents submitted in order to adopt R154-17 (Changes to NAC 555) which will simplify labeling requirements for pesticide application devices and establish government licensing requirements to ensure proper training is provided to various pesticide applicators.
 - The USDA released interim hemp production rules in November 2019 which further detail expectations of states that intend to regulate hemp. USDA is accepting comment up to December 31, 2019. NDA intends to submit comment on the items to be presented at the board meeting.

- Partnership activities
 - United States Department of Agriculture (USDA), Agriculture Marketing Services
 - A new award of \$297,000 has been received by the Plant Industry Division for the USDA-Agricultural Marketing Services Specialty Crop Block Grant Program to support projects that benefit producers and consumers in providing education, research, and promotion involving specialty crops. (fruits, vegetables, tree-nuts, horticultural crops, etc.).
 - Food and Drug Administration (FDA)
 - Produce safety staff, in cooperation with FDA, initiated two farm inspections under the Food Safety Modernization Act (FSMA), Produce Safety Rule (PSR). These inspections are to ensure produce farms are applying preventative measures to reduce food safety risks. Per the regulations, no egregious conditions were observed. To provide support in establishing a more secure food system, farms received education on how to further assess and improve food safety risks.
 - Western States Produce Safety Committee
 - Staff presented new employee and crew supervisor training videos in addition to the calendar record keeping system at the Western States Produce Safety Committee meeting. These tools were created by the NDA through FDA grant funding to assist growers with FSMA, PSR compliance. This meeting also serves to ensure compliance programs are in alignment with federal requirements and there is consistency among states involving inspection and enforcement action.
 - University of Nevada Cooperative Extension
 - Staff are cooperating with the University of Nevada Cooperative Extension (UNCE) on the development of informational videos regarding proper pesticide disposal procedures and integrated pest management principals. It is anticipated that these videos will provide the public and pesticide applicators with appropriate information on proper disposal and the safe use of pesticides.
 - UNCE and NDA staff provided a pesticide applicator certification training program for hemp growers. Hemp was made federally legal as of January 1,

- 2018 and EPA is working to add this crop to more product labels for use. As a result, to ensure the industry is informed of proper use and application safety, training was provided on pesticide regulations, pesticide label interpretation and Worker Protection Standard (WPS).
- Nevada Department of Transportation, NDOT
 - The NDA has partnered with NDOT to improve state-wide weed mitigation strategies along Nevada highways, since vehicles are a significant contributor to the spread of noxious weeds. NDOT is providing funding, \$95,500 annually for ten years, to support an NDA noxious weed position to coordinate and oversee weed mitigation projects for Nevada highway construction projects.
 - Carson City Code Enforcement
 - Noxious weeds program staff have been collaborating with Carson City Code Enforcement to address private properties with ongoing noxious weeds infestation issues. According to code enforcement staff, 10 sites are undergoing active enforcement, 3 of which have become formal complaints. The remaining 7 will receive follow-up visits to determine if appropriate actions have been taken. Staff are continuing to reach out to other counties to encourage further involvement in private property noxious weed control in conjunction with NDA.
 - Bureau of Land Management (BLM)/United States Fish and Wildlife Service (USFWS)
 - The seed program has been working closely with BLM/USFWS to increase supply of seed that can be used for restoration projects. To assist with this challenge NDA performs “source identification” which documents species present, noxious weeds, site characteristic data, etc in order to catalogue site information that would be used for pairing seed sourcing locations with appropriate restoration project sites. Seed source identification was performed at 33 sites split between 13 different species, have been inspected by seed staff. The majority of the collections will be distributed to growers throughout the Great Basin to increase seed supply that can be used on post-fire rehabilitation projects.
 - United States Geological Survey (USGS)
 - Staff conducted an annual project along the Walker River in cooperation with USGS to develop and maintain a monitoring network on the occurrence of pesticides in water resources throughout Nevada. Numerous pesticide detections were found at one of the sites in Yerington. The detections were low and did not meet or exceed a maximum contaminant level, however NDA is meeting with growers to reduce the possibility of upward trends and to prevent further contamination in the future.

Program Updates

- Quarantine
 - The Plant Pathology Lab investigated the cause of garlic neck rot disease and found that the fungus, *Botrytis porri*, is a dominant pathogen causing garlic neck rot in Nevada. Garlic is one of the top produced crops in the state so early diagnosis and dissemination to the industry is critical. The information from this diagnosis will guide allium crop growers to manage the disease effectively using more specific fungicide targeted to this pathogen.
 - The Plant Pathology Lab is continuing to find hemp plants infected with phytoplasma, a bacteria which is devastating hemp crops across the country. Producers and agriculture inspectors have estimated that some infected fields have shown up to 40% of plants with visible symptoms, which retard growth and make the crop unmarketable. As a result, the NDA is continuing to process samples and is collaborating with other state labs in sharing findings.
 - The Plant pathology lab is planning to implement a minimum fee schedule for the diagnostic services provided to general public and other entities to recover a portion of lab technicians' time and equipment/supply costs. The fee schedule will be added to NAC 555 after all processes are approved and completed. Establishing a fee for plant health diagnosis will make the service a standard practice and fair to all clientele.
 - The Plant Pathology Program began to test stem and bulb nematodes from onions to be shipped to Panama, a requirement of Panama in order to import. This is another service the program provides to the industry to promote the export of agricultural commodities from Nevada.
 - Gypsy moth eggs were found on a shipping container issued to the Hawthorne Army Depot. This is a species of significant concern on a national and state level to agricultural crops. Entomology staff assisted Plant Protection and Quarantine (PPQ) staff with inspecting the containers and the shipment was treated. This identification has further demonstrated the need for foreign shipping containers to be thoroughly inspected as they are an ongoing source of pests that are of concern to the agriculture industry.
 - The entomology program receives federal funds through USDA to survey for pests of concern to the agriculture industry on a state, regional, and national level that are not established. Twelve target species were surveyed throughout Nevada and zero detections were found.
- Crops
 - As of November 20, 2019, 352 hemp varietal samples have been processed by NDA's chemistry lab.
 - Forty-nine out of 352 hemp samples analyzed by the NDA chemistry lab, have exceeded the 0.3% legal limit, all of which have undergone secondary testing to confirm results and have been offered resampling for chemical analysis if the crop has not been harvested. To date, seven crops (varietal specific) have moved forward

with disposal, one is moving towards notice of hearing due to refusal to submit a disposal plan, and the remaining are pending resampling results or disposal plan review/submission. Three producers have expressed intent to file legal action against the state in response to crop disposal requirements.

- NDA crop sampling procedures were revised for the 2019 growing season to represent multiple uses of the plant (stem, flower and leaf) which is anticipated to provide a testing buffer advantageous to Nevada hemp growers.
- A total of 41 industrial hemp seed production certificates have been issued for the 2019 growing season. These certificates authorize growers to cultivate the plant specifically for seed development and will allow for the sale/distribution of that seed post-harvest. This is important to Nevada’s growing hemp program as varieties that are well suited for Nevada’s climate and that meet federal THC requirements are critical to Nevada hemp growers. Producers are inspected to ensure that production methods align with Department requirements and there is no inadvertent cross-pollination occurring with adjacent hemp crops.

Cert Year	Growers	Producers	Handlers	Acres	Indoor Sq Ft
2017	26	0	0	490	17,170
2018	116	16	47	1880	235,688
2019 (YTD)	215	41	48	13,600	1,372,243

- Natural Resources
 - As of FY 20, there have been eighteen bio-control release sites to combat four target noxious weeds species. Bio-control releases are part of the state’s ongoing strategy to prevent the spread and proliferation of noxious weeds. In October the noxious weeds program hired a new seasonal employee to assist with performing USDA biological control services including monitoring sites where previous biological control agents were released, surveying for new sites, and educating the public on their available use and expected results.
 - NDA presented at the third annual Cottonwood Ranch Stockmanship School with 28 people in attendance. This four day, hands on producer class taught technical skills that are both environmentally and economically sustainable.
- Pesticides
 - In cooperation with Clean Harbors Environmental Services, ES staff safely and properly disposed of over 5,500 pounds of unwanted, unused or expired pesticide waste from homeowners, farmers, pest control industry, government agencies and the public. The pesticide disposal program prevents these pesticides from being disposed of improperly through storm drains, landfills, and waterways which create environmental and public health hazards.
 - The pesticide licensing testing and Continuing Education Credit (CEU) applications will be moved online in December 2019. To prepare for the new system, grant funds

- were requested through EPA to create more efficiency in proctoring Restricted Use Pesticide certification and licensing exams. Funds would support the purchase of fifty-five laptops in anticipation of the NDA's online testing program which would allow larger groups to simultaneously test and improve grading efficiency.
- Fourteen pesticide related complaints were received and investigated.
 - Eleven of the complaints were dismissed since non-compliances were not identified
 - Fines were issued to two companies for 1) label misuse and 2) an over-application of herbicides during an aerial application