### OCTOBER TEST HELP SESSIONS

The OSU Pesticide Safety Education Program will conduct the next test help sessions for 2016 in October. The workshops will be held October 20th in Tulsa and October 27th in Oklahoma City.

The Tulsa session will be at the Tulsa County Extension Office at 4116 E. 15th. The Oklahoma City Test help session will be in a new location at the Oklahoma County Extension Office 2500 NE 63rd.

The help sessions will focus on information covered in the core and service tech tests. OSU PSEP will answer any questions over other category tests during this session.

Applicators should acquire and study the manuals before coming to the help session for optimum success. Study manuals can be purchased by using the manual order form available at our website [http://pested.okstate.edu/pdf/order.pdf](http://pested.okstate.edu/pdf/order.pdf) or by calling University Mailing at 405-744-5385.

**ODAFF Testing fees are not included in the registration fee and must be paid separately.**

Register online at the Pesticide Safety Education Program (PSEP) website at [http://pested.okstate.edu/html/practical.htm](http://pested.okstate.edu/html/practical.htm).

### October, 2016

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Registration forms can also be downloaded from the website.

Registration will start at 8:30 and the program will run from 8:45 am to 12:30 pm at both locations. Testing will begin at 1:30 pm at both locations.

NO CEU’s will be given for this program!

More Test Help Workshop dates are scheduled for 2016. Please go to the website below for more 2016 dates.

http://pested.okstate.edu/html/practical.htm

FUMIGATION WORKSHOP

The 2016 Oklahoma State University Fumigation Workshop will be held at the Stored Product Research Center November 2 in Stillwater. Registration is limited to 40 people. Cost is $75 if registration is done before October 25. After October 25 the cost increases to $100 which includes onsite registrations.

You can register on-line by visiting this link http://orangehub.okstate.edu (Agricultural Conference Services, OK Fumigation Workshop) or mail or FAX your registration form to Agriculture Conferences.

Hard copy forms to mail or fax in can be downloaded from this link http://pested.okstate.edu/pdf/2016%20fumigation%20workshop%20brochure.pdf

Please contact Edmond Bonjour at 405-744-8134 or Dr. Carol Jones at 405-744-6667 for any questions on this workshop.

EPA Guidance on How to Comply with the Revised Worker Protection Standard for Agricultural Pesticides

EPA in conjunction with the Pesticide Educational Resources Collaborative (PERC) http://pesticideresources.org/index.html is making available a guide to help users of agricultural pesticides comply with the requirements of the 2015 revised federal Worker Protection Standard. You should read this manual if you employ agricultural workers or handlers, are involved in the production of agricultural plants as an owner/manager of an agricultural establishment or a commercial (for-hire) pesticide handling establishment, or work as a crop advisor.

This “How to Comply” manual includes:

•details to help you determine if the WPS requirements apply to you;

•information on how to comply with the WPS requirements, including exceptions, restrictions, exemptions, options, and examples;

•“Quick Reference Guide”- a list of the basic requirements (excluding exemptions, exceptions, etc.);

•new or revised definitions that may affect your WPS responsibilities; and

•explanations to help you better understand the WPS requirements and how they may apply to you.

COMMENT PERIOD FOR SULFONYLUREA HERBICIDES EXTENDED

EPA has re-opened the comment period on the proposed interim decision for 22 sulfonylurea herbicides. The comment period will be open until November 14, 2016. To read this Federal Register notice, go to docket EPA-HQ-OPP-2015-0774-0004 at www.regulations.gov. To submit comments, or access the docket, please follow the instructions provided under ADDRESSES in the Federal Register document of July 14, 2016, available at EPA-HQ-OPP-2015-0774-0003.

The sulfonylureas are an established and widely used class of agricultural pesticides used in the United States to control broadleaf and grassy weeds and registered for many agricultural and non-agricultural uses. The original comment period on the proposed interim decision opened on July 14, 2016, and comments received can be viewed in each chemical’s individual docket. This comment period is being re-opened in response to a number of extension requests from various stakeholders. (EPA September 28, 2016) https://www.epa.gov/pesticides/comment-period-sulfonylurea-herbicides-extended

EPA DRAFT MALATHION HUMAN HEALTH ASSESSMENT AVAILABLE

The comment period will be open until November 21, 2016.

Read the Federal Register Notice.

EPA is making the draft Malathion human health risk assessment available. For this draft risk assessment, EPA considered exposures from all sources, including food, drinking water, and insect sprays. In addition, EPA considered all populations including infants, children, and women of child-bearing age.

The public comment period for the draft human health risk assessment will open as soon as the Federal Register Notice publishes in the weeks ahead. View the draft assessment. Once the comment period opens, EPA invites the public and stakeholders to comment on the draft human health risk assessment, which can be found at: www.regulations.gov in the “Supporting Documents” Section of docket EPA-HQ-OPP-2009-0317.

Malathion is an organophosphate insecticide used on a large variety of agricultural (food and feed crops) and non-agricultural sites. Some products are available to consumers for outdoor residential uses, including vegetable gardens and ornamentals. Malathion is used in the United States Department of Agriculture’s Cotton Boll Weevil Eradication Program and Fruit Fly (Medfly) Control Program, and by mosquito control districts around the United States for mosquito-borne disease control. Less than 1% of spraying for mosquitoes is Malathion aerial spray.

Given the current importance of mosquito control to minimize transmission of the Zika virus and other mosquito-borne diseases, EPA has provided mosquito control professionals in local governments and mosquito control districts with advice on malathion aerial spraying based on the draft risk assessment results. While EPA would normally not make risk management recommendations based on a draft risk assessment, EPA has provided this information to mosquito control districts in the interim so they can be confident in the safety of Malathion aerial spraying applications. Learn about Malathion’s use as a mosquito adulticide.

It is important to note that EPA’s assessments are intentionally conservative in order to be protective of the most sensitive populations who may also experience the highest possible exposure. EPA is
current seeking public comment on this draft risk assessment and will update the assessment as appropriate. (EPA September 22, 2016)

US INDUSTRY WARY OF EPA GLYPHOSATE CANCER REVIEW

US pesticide interests are criticizing the EPA’s decision to convene an expert panel of scientists to consider its evaluation of the carcinogenic potential of the herbicide, glyphosate. CropLife America (CLA) says that the meeting is unnecessary and argues that there is "no scientific justification" for another EPA review of glyphosate for carcinogenicity.

CLA and Monsanto contend that the decision to have a Scientific Advisory Panel (SAP) weigh in on the issue suggests that the EPA is ignoring the work of its own Cancer Assessment Review Committee (CARC), which last year found glyphosate was "not likely to be carcinogenic" to humans.

The CARC's final report "has supplied a peer review of available data by independent scientists from two separate EPA offices", according to Monsanto. "Further review at this juncture is, as yet, unnecessary."

Prior to convening a SAP, the EPA would typically have a "CARC finding of some concern", the CLA adds in a letter sent last month to the EPA. The lack of such a finding "raises questions" about why the EPA has decided to reconsider the issue of glyphosate's potential carcinogenicity, CLA says.

Frustration with the pending SAP review adds to the controversy surrounding the EPA's registration review of glyphosate, which is already nearly two years behind schedule. The Agency's work has clearly been impacted by last year's decision by the WHO's International Agency for Cancer Research (IARC) to declare glyphosate a probable human carcinogen, a finding that anti-pesticide groups in the US say undermines industry assurances that the herbicide is safe.

After the EPA mistakenly posted the CARC report in April and then removed it without explanation, US environmentalists accused the Agency of overly relying on industry-funded studies and ignoring the IARC's conclusions. By contrast, Monsanto hailed the CARC report and noted that the assessment echoed conclusions by the European Food Safety Authority and the Canadian Pest Management Regulatory Agency.

The EPA's decision to solicit advice from the SAP suggests that the Agency has yet to form its own final conclusion. The panel's review, set for October 18th-21st, is intended to focus on questions about the evaluation and interpretation of the available data and weight-of-evidence analysis.

But CLA and Monsanto say that the EPA is not just disregarding the conclusions of its own cancer experts, but is also failing to consider the findings of the Joint FAO/WHO Meeting on Pesticide Residues (JMPR). In May, the JMPR found that glyphosate was unlikely to pose a carcinogenic risk to humans via dietary exposure. The JMPR recommendation considered last year's IARC finding to classify glyphosate as a probable human carcinogen. The IARC report conflicted with prior JMPR assessments, prompting the WHO to convene the panel again to consider the issue.

CLA also questions whether the EPA will be able to field an impartial panel or one that is more qualified
than the experts relied upon by the JMPR. The pesticide industry trade group urged the Agency not to appoint any ad-hoc members "who have already made a determination regarding the carcinogenic potential of glyphosate". (Pesticide & Chemical Policy/AGROW, September 16, 2016)

FORMOSAN TERMITES SPREAD THROUGHOUT NORTH FLORIDA

Earlier this summer, pest control companies in the Jacksonville, Fla., area — with confirmation from county extension agents — were reporting findings of Formosan termites.

In June, pest control companies found Formosan termites at nine more locations in the Riverside area of Jacksonville, according to a horticulture agent for Duval County. Also in June, a major infestation of Formosan termites forced the demolition of a 90-year-old building listed on the National Register of Historic Places. These and other Formosan termite discoveries led Jacksonville to convene a Formosan Termite Task Force.

Curtis Rand, Regional Vice President of Jacksonville-based Bug Out Service, an Environmental Pest Service company, said in the last year Bug Out has treated five to 10 cases of Formosan termites out of the 1,100 to 1,200 cases of active termites. “Over the last 24 months, we’ve seen a significant increase in their presence. They’re now a major concern in Jacksonville, and they’re a tremendous concern in the Florida Panhandle.”

Rand said a more active real estate market might be the culprit. “People are building in areas that may have had established termite colonies. You remove a food source, then put another food source in the form of a house on top of it. We’re finding termites in one- and two-year-old homes.”

What makes Formosan termites so difficult to control? Bug Out branch manager David Hicks, who also was PCT’s 2012 Termite Technician of the Year, cited “colony size of thousands upon thousands,” adding that “with so many more mouths to feed, they can cause damage a lot faster.”

Other important differences include Formosan termite alates being rusty in color and hairy, while Eastern subterranean termite alates are black in color. Plus, Formosan termite soldiers are more aggressive in defending the colony, Hicks said. “The main thing is, Formosans will create what’s called a ‘carton nest’ as a way to bring moisture above ground. It’s like a mobile home up in an attic or in different areas of the house where they can actually live without contact with the soil. You have to be thorough to find those nests and treat them.”

Hicks has seen first-hand just what type of damage Formosan termites can do, recalling a house in which the entire back wall was damaged. “There was a swarm of tens of thousands of termites — the most I’ve ever seen in a termite swarm in all my years. The kitchen table and dining room floor were covered in them. When we pulled the paneling off the wall, the studs were damaged and we found two carton nests back there.” (PCT Online, September 28, 2016)


SYNGENTA AGREES TO PAY $1.2 MILLION FOR ALLEGED LABEL VIOLATIONS

Syngenta Crop Protection will pay $1.2 million to settle alleged violations levied by the US EPA that it sold and distributed mislabeled pesticide products in six US states. The settlement calls for the company to pay some $766,000 in civil penalties and spend $437,000 on a four-year educational awareness project to educate pesticide industry stakeholders on the requirements of the EPA’s Pesticide Container Containment Rule (PCCR).
The settlement, reported by the EPA on September 16th, stems from an investigation launched by it in August 2012 after an Agency inspector found misleading label information on containers of Syngenta’s Warden RTA Fungicide at a cooperative in Ohio. After a three-year multi-regional investigation, the EPA found similar issues with Syngenta products in Colorado, Iowa, Kansas, Michigan and Missouri.

The Agency alleged the company had violated the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) by distributing and selling numerous pesticide products to refills prior to having written repackaging agreements. The EPA said Syngenta had further violated the FIFRA by selling and distributing misbranded pesticides and alleged that Syngenta had failed to maintain records of a repackaging agreement as required by the PCCR. The Agency alleged the company had also failed to maintain records of study data submitted to the Agency for pesticide registration.

“The repackaging, sale and distribution of unregistered and misbranded pesticides is illegal and puts people and the environment at risk,” Anne Heard, the EPA’s acting Southeast regional administrator said in a statement announcing the deal. “This settlement sends a strong message to pesticide companies to maintain compliance with all federal environmental laws.”

Syngenta has neither admitted nor denied the allegations, including in the settlement.

“We promptly implemented measures to address the alleged violations and confirm we are in compliance with the relevant FIFRA requirements,” the company says. “We will continue to review our business record keeping, systems and practices internally, as well as externally with customers and contractors, to ensure compliance with all relevant FIFRA and EPA requirements.” (Pesticide & Chemical Policy/AGROW, September 19, 2016)

**BAYER-MONSANTO MERGER CREATES NEW GLOBAL AG GIANT**

During the whole of 2016, many of the companies that do business in the agricultural industry have concluded the best way to maximize their marketplace opportunities is by combining forces. Earlier this year, Syngenta agreed to be acquired by ChemChina. Likewise, former rivals Dow and DuPont announced plans to merge their businesses as well.

Not to be left out, German-based Bayer proposed acquiring agricultural giant Monsanto back in May. Over the course of the next few months, the two companies went back forth between offers, rejections, and counteroffers. Finally, on September 14, Monsanto’s Board of Directors announced to the world it had accepted Bayer’s revised offer of acquisition.

And with that, the crop protection/seed business witnessed the planned birth of a new global market leader in the agricultural market. With this deal, Bayer is paying $66 billion for Monsanto – equivalent to $128 per share – in an all-cash transaction financed through debt and equity. This represents a 44% premium over Bayer’s original offer to acquire Monsanto first proposed on May 9.

“We are pleased to announce the combination of our two great organizations,” said Werner Baumann, CEO of Bayer AG, in a conference call with the world’s media held on Sept. 14. “This represents a major step forward for our Crop Science business and reinforces Bayer’s leadership position as a global innovation-driven Life Science company with leadership positions in its core segments, delivering substantial value to shareholders, our customers, employees, and society-at-large.”
Monsanto Chairman and CEO Hugh Grant echoed these views. “Today’s announcement is a testament to everything we’ve achieved and the value that we have created for our stakeholders at Monsanto,” said Grant. “We believe that this combination with Bayer represents the most compelling value for our shareowners, with the most certainty through the all-cash consideration.”

According to both executives, the combination of Bayer and Monsanto brings together two different, but highly complementary businesses. “The combined business will benefit from Monsanto’s leadership in seed and traits and Climate Corp. platform along with Bayer’s board crop protection product line across a comprehensive range of indications and crops in all key geographies,” said Baumann. “As a result, growers will benefit from a broad set of solutions to meet their current and future needs, including enhanced solutions in seeds and traits, digital agriculture, and crop protection.”

In terms of the combined company’s corporate structure, Bayer-Monsanto will have its global Seed & Traits and North American commercial headquarters in St. Louis, MO. The global Crop Protection and overall Crop Science headquarters will be in Monheim, Germany. The company will also maintain an important presence in Durham, NC, as well as digital farming activities in San Francisco, CA.

According to Baumann, the combined companies expect to realize $1.5 billion in savings after year three from the deal’s close, which is expected to take place by the end of 2017. Overall, a combined Bayer-Monsanto would have annual sales in the $26 billion range – compared with approximately $15 billion for both the Syngenta-ChemChina and Dow-DuPont pairings – split almost evenly between crop protection products (55%) vs. seed and traits (45%).

Of course, some analysts have speculated that regulators in places such as the U.S., Canada, or elsewhere will not agree to approve this deal for various reasons. However, Baumann is confident this won’t be the case, and Bayer has pledged to pay Monsanto a $2 billion reverse antitrust break fee in the event this occurs.

But Monsanto’s Grant doubted the proposed deal would come to conclusion. “The overlaps between the two companies are minimal,” he said. “Monsanto is a seed and biotech business; Bayer is a preeminent chemical business.”

Still there are at least a few areas where a product/line divestiture might be in order. For example, when Monsanto acquired Delta Pine Land’s business back in 2007, the company was required to divest the Stoneville cotton seed brand and related business assets to do so. The buyer in this case was Bayer. With Bayer and Monsanto combining forces, the Stoneville brand might once again be in search of a new owner.

And then there’s the Monsanto name itself. For several years now, various anti-agriculture groups have rallied general public opposition against the industry by using the Monsanto name as a stand-in for “big farming/big business.” In this kind of environment, would Bayer seek to retain the name Monsanto?

According to Baumann, Bayer intends to keep a family of strong brands that its customers have long associated with high quality, but “no final decisions have been made with regard to the Monsanto name.”

Monsanto’s Grant reiterated this point. “We are flexible on the Monsanto name question,” he said. “But right now, we are more focused on the innovation our brands can bring to a Bayer-Monsanto combination and the fact that St. Louis will continue to be the center for our seed business.”

(CropLife, September 14, 2016)
CONGRESS AGREES TO FUND $1.1 BILLION TO COMBAT ZIKA

Federal and state agricultural officials, pesticide manufacturers and grower groups have hit back against the severity of the US EPA’s re-registration plan for Dow AgroSciences' sulfoxaflor (trade-marked as Isoclast)-based insecticides. They suggest that the Agency’s proposed restrictions go too far.

The EPA’s plan wrongly excludes an array of crops and could impose unnecessary in-field buffers and needlessly limit tank mixing of the insecticide with other pesticides, according to comments filed with the Agency by the National Association of State Departments of Agriculture (NASDA), the USDA, CropLife America and grower groups representing fruit, vegetable and grain producers. The NASDA and others say that the EPA’s proposal is not in line with risk/benefit analysis required by the Federal Insecticide, Fungicide and Rodenticide Act.

The EPA proposed its plan in May to reinstate sulfoxaflor registrations but with new limits to protect bees and tighter restrictions on use. The Agency issued a cancellation order for all sulfoxaflor-based insecticides last autumn in response to a court ruling that found that it had failed to adequately assess the potential harm to bees. The new proposal allows use on barley, triticale, wheat and turf while restricting applications to post-bloom for bee-attractive crops (grapevines, blueberries, cranberries, canola, fruiting vegetables, pome and stone fruit, potatoes, beans, nuts and ornamentals).

Label restrictions aim to minimize spray drift and reduce the potential for exposure of foraging bees. The EPA has also proposed a 12 ft (3.7 m) on-field buffer when there is blooming vegetation bordering the field and is also considering whether restrictions on tank-mixing sulfoxaflor are necessary to prevent unreasonable adverse effects. Controversially, the plan excludes indeterminate blooming crops (citrus, cotton, cucurbits, soybeans and strawberries) that were covered by the original approval as well as crops grown for seed.

Critics contend that the EPA has failed to fully justify excluding crops that were contained within the original registration and have little time for the consideration of tank mix restrictions. “Tank mixing is a critical tool used to inhibit the development of future resistance issues,” according to the NASDA. “Often times, multiple pest species occur simultaneously, and tank mixing affords growers the ability to mitigate the constant pest stressors without the need for multiple applications.”

Limits on tank mixing would result in “additional and unnecessary costs without any added environmental protection benefit”, according to the United Vegetable Growers Cooperative, an organization representing California leafy green vegetable producers.

The USDA notes that the tank mixing proposal is a result of the EPA’s discovering that patent claims were made for synergistic effects between the two active ingredients (glyphosate and 2,4-D) within Dow’s Enlist Duo herbicide. The patent claims prompted a federal court to remand the Enlist Duo registration back to the EPA. “In response, EPA is prohibiting tank mixing on all new registrations, new uses, and possibly on all chemicals going through registration review until further notice,” according to the USDA’s Office of Pest Management Policy director, Sheryl Kunickis. The economic impacts on growers from tank mix restrictions “are expected to be severe”, Dr Kunickis says in the USDA’s comments to the EPA.

Bayer CropScience calls the possible prohibition on tank mixes “particularly disturbing” and argues that the use of multiple modes of action provided by tank mixing is “a long established and common practice that has a number of benefits”, notably as a part of an integrated weed management programme. The company also says that any move to limit tank
mixes needs to be fully vetted and should not be
done on an individual product-specific registration.
“The implications of a shift in policy for the grower
community are significant and potentially damaging
and therefore the consequences need to be carefully
considered,” according to Bayer. “What is needed is
a clear, consistent, and predictable process, one
where policies, procedures and timelines are
transparent. Addressing such major changes in an
ad hoc manner will inevitably have unintended
consequences that will not be in the best interests of
agriculture or the environment.”

The association, National Sorghum Producers
(NSP), questions the Agency’s interpretation of the
“bee attractiveness” of sorghum and echoes
concerns that the buffer requirements are
unnecessary. “EPA is choosing the most
conservative approach to its evaluation, ignoring
distinguishing information, and misinterpreting the
very report developed to guide the Agency with
these decisions,” according to the NSP. Buffers
cause crop losses “both in the buffer zone and
further on-field by creating a refuge where crop
pests maintain their populations and it reduces
farmer revenue”, the group contends. “In addition,
the continued presence of the pests in significant
numbers allows them to rebuild populations
quickly, which often leads to increased application
frequency and thereby increasing a grower’s input
costs.” (PCT Online, September 29, 2016)
http://www.pctonline.com/article/congress-agrees-
zika-funding/
# CEU Meetings

**Date:** October 5-6, 2016  
**Title:** OKVMA Fall Conference, Training and Trade Show  
**Location:** Hard Rock Hotel & Convention Center  
Catoosa OK  
**Contact:** Kathy Markham (918) 256-9302  
**Course #:** OK-16-094  
[www.okvma.com](http://www.okvma.com)

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**Date:** October 18-20, 2016  
**Title:** Oklahoma AG Expo  
**Location:** Embassy Suites Norman OK  
**Contact:** Tammy Ford-Miller (580) 233-9516  
**Course #:** OK-16-  
[www.oklahomaag.com](http://www.oklahomaag.com)

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**Date:** November 2, 2016  
**Title:** Oklahoma Fumigation Workshop  
**Location:** Stored Products Research and Education Center Stillwater OK  
**Contact:** Edmond Bonjour (405) 744-8134  
**Course #:** OK-16-  

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**Date:** November 8, 2016  
**Title:** Oklahoma Park and Recreation Society CEU  
**Location:** Sheraton Downtown Oklahoma City OK  
**Contact:** Joe Medlin (918) 246-2561 ext. 5  
**Course #:** OK-16-  

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# ODAFF Approved Online CEU Course Links

PestED.com  
[https://www.pested.com/](https://www.pested.com/)

CEU School  

Technical Learning College  

Green Applicator Training  
[http://www.greenapplicator.com/training.asp](http://www.greenapplicator.com/training.asp)

All Star Pro Training  
[www.allstarce.com](http://www.allstarce.com)

Wood Destroying Organism Inspection Course  
[www.nachi.org/wdocourse.htm](http://www.nachi.org/wdocourse.htm)

CTN Educational Services Inc  
[http://ctnedu.com/oklahoma_applicator_enroll.html](http://ctnedu.com/oklahoma_applicator_enroll.html)

Pest Network  

Univar USA  

Southwest Farm Press Spray Drift Mgmt  
[http://www.pentonag.com/nationalsdm](http://www.pentonag.com/nationalsdm)

SW Farm Press Weed Resistance Mgmt in Cotton  
Western Farm Press ABC’s of MRLs
http://www.pentonag.com/mrl

Western Farm Press Biopesticides Effective Use in Pest
Management Programs
http://www.pentonag.com/biopesticides

Western Farm Press Principles & Efficient Chemigation
http://www.pentonag.com/Valmont

For more information and an updated list of
CEU meetings, click on this link:
http://www.oda.state.ok.us/cps-ceuhome1.htm

### ODAFF Test Information

Pesticide applicator test sessions dates and locations
for October/November are as follows:

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- **Altus:** SW Research & Extension Center
  16721 US HWY 283
- **Atoka:** KIAMICHI TECH CENTER 1301
  W Liberty Rd, Seminar Center
- **Enid:** Garfield County Extension Office,
  316 E. Oxford.
- **Goodwell:** Okla. Panhandle Research &
  Extension Center, Rt. 1 Box 86M
- **Hobart:** Kiowa County Extension Center
  Courthouse Annex, 302 N. Lincoln
- **Lawton:** Great Plains Coliseum,
  920 S. Sheridan Road.
- **McAlester:** Kiamichi Tech Center on
  Highway 270 W of HWY 69
- **OKC:** Arcadia Conservation Education
  Building 7201 E 33rd St. Edmond
  OK (New Location)
- **Tulsa:** NE Campus of Tulsa Community
  College, (Apache & Harvard)
  Large Auditorium

### Pesticide Safety
Education Program

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