

ARKANSAS STATE PLANT BOARD



ANNUAL REPORT
2013 - 2014

**THE
ARKANSAS STATE PLANT BOARD**

MISSION

The mission of the Arkansas State Plant Board is to protect and serve the citizens of Arkansas and the agricultural and business communities by providing information and unbiased enforcement of laws and regulations thus ensuring quality products and services.

VISION

The vision of the Arkansas State Plant Board is to become a competent, friendly, cooperative, efficient agency that is willing and able to promptly serve the agricultural and business communities and the general public in a credible, professional manner.

GENERAL REMARKS

The following report covers in a brief way the work accomplishments of the State Plant Board during the 2013-14 fiscal year. Activities of the six administration divisions and nineteen sections are covered. Each report covers only the most pertinent points.

FIELD WORK

The field work is divided into thirty-one work categories as follows:

1. Abandoned Pesticide Program, 2. Apiary, 3. Aquaculture, 4. Boll Weevil SE, 5. Bureau of Standards, 6. Commercial Pest Control, 7. EPA Certification, 8. EPA Endangered Species Program, 9. EPA Enforcement, 10. EPA Ground Water Program, 11. EPA Worker Protection, 12. Feed, 13. Fertilizer & Lime, 14. Fruit and Vegetable Inspection, 15. GAP/GHP (Good Agri Practices/Good Handling Practices), 16. Grain Warehouse, 17. LLRice/GMO Rice (Genetically Modified Organism Rice), 18. Nursery & Vegetable Inspection, 19. Peanut Grading, 20. Pesticides & P.U.A.A., 21. Private Applicators, 22. Seed, 23. Survey & Quarantine, 24. CORE, 25. Emeral Ash Borer (EAB), 26. Forest Outreach (FIPO), 27. Honeybee Survey, 28. Imported Fire Ant (IFA), 29. Pine Commodity Survey, 30. Walnut Twig Beetle (WTB), and 31. Oak Commodity Survey (OCS).

A good balance of the workloads was maintained again this year. This was achieved through a program of goals for each of the thirty-one work areas. This program was established years ago and is based on the volume of products and services in each work area. Some of the goals have been altered to coincide with the available volume of products and to establish an equitable work load and flow of samples for the laboratories. A majority of the field staff met or exceeded their goals and the goals for all products and services were exceeded.

For cost accounting purposes, records are kept of the amount of time devoted to each work category. This, along with sample and inspection goals, helps to achieve a good balance of the work and helps to insure that all industries are served fairly and adequately.

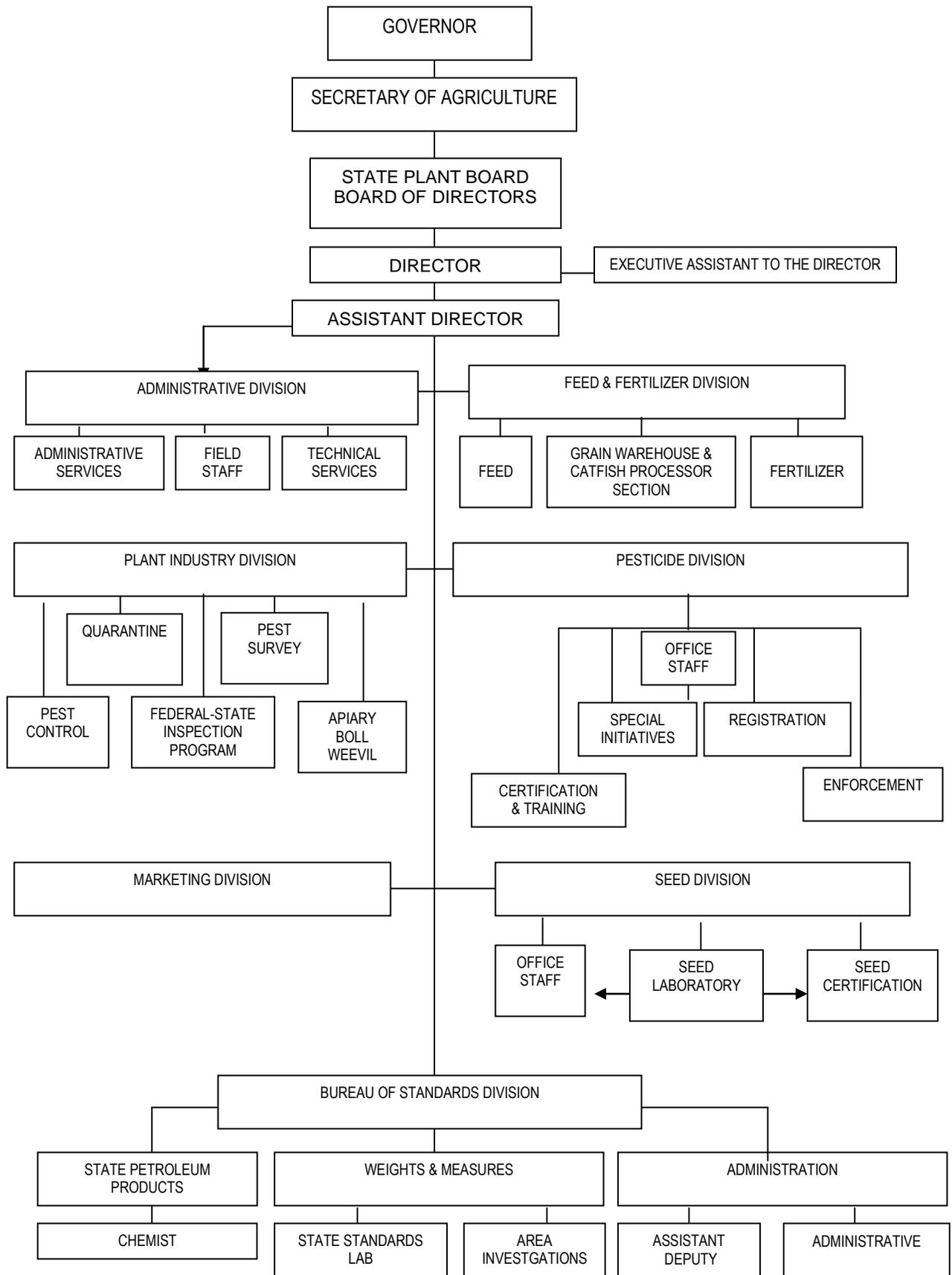
Seed programs dominated the work load again this year. This work includes seed certification, seed service, and seed regulatory enforcement. This was followed by EPA Enforcement, Feed, Fertilizer and Line, and Pesticides and Pesticide Use and Application.

PERSONNEL

Agency Turn Over July 1, 2013 through June 30, 2014

This represents 33 changes out of a total of 145 full-time positions.

| New Hires | Rehires | Terminations | Retirement | Internal Activity |
|------------------|----------------|---------------------|-------------------|--|
| 9 | 3 | 7 | 7 | 6 - Promotions 1 – Extra Help to Regular Hourly |



ORGANIZATION OF THE PLANT BOARD

(Fiscal Year 2013-14)

THE BOARD

Chairman
Vice-Chairman
Secretary

George E. Tidwell, Lonoke
Otis Howe, Little Rock
Wayne Owen, Monticello

Dr. Rick Bennett, Fayetteville
Russell Black, Fayetteville
Russell Bragg, Fort Smith
Rick Bransford, Lonoke
Troy Buck, Alpine
Dr. Richard Collins, Conway
Terry Dabbs, Stuttgart
Marty Eaton, Jonesboro

Danny Finch, Jonesboro
Terry Fuller, Poplar Grove
Jerry Hyde, Paragould
Larry Jayroe, Forrest City
George "Tommy" Lalman
Ray Vester, Stuttgart
Dr. Rob Wiedenmann, Fayetteville

Darryl Little, Director
Terry Walker, Assistant Director

Divisions and Personnel

1. Administration -- Terry Walker, Director

A. Information and Personnel – Terry Walker

Executive Assistant to the Director - Linda Bell

Human Resources Program Representative - Tammy Winsor

Administrative Specialist II (Receptionist): Carol Foreman

Agri Program Coordinators: Robert Banks, Black Oak
David Fort, Beebe
David Blackburn, Holiday Island
Wendy Spakes, Beebe

Plant Board Agriculture
Specialists:

Steve Bostian, Fort Smith
Kevin Cauley, England
Ben Collins, Russellville
Scott Derrick, Tilly
Lindsay Dobbins, Taylor
Skip Downing, Beebe
Matthew Fields, McCrory
Jerri Nichols Gann, Keiser
Aaron Gifford, Wheatley
Hunter Gipson, McCrory

Michael Hill, Osceola
Tommy James, Greenbrier
Marvin Johnson, Red Field
Shawn Johnson, Jonesboro
John Lansdale, Hermitage
Phillip Martin, Brinkley
Laura Ashley Metheny-Smith
Rick Qualls, Evening Shade
Scott Sharpe, Paragould
Lonnie Smith, Hoxie
Jayla Standridge, Springdale
Josh Wells, Mabelvale
Dan Wicker, Portland
Larry Wilson, Pocahontas

- B. Accounting and Purchasing Section – Inoussa Yahouza-Zaki, Agency Fiscal Manager
Fiscal Support Supervisor: JoAnn McDade
Fiscal Support Analyst: Kendra Nalley
Fiscal Support Specialist: Cynthia Steele
- C. Office Management Section -- Linda Bell, Head
Also Executive Assistant to Plant Board Director
- D. Printing and Mailing Section -- Brittany Moragne, Duplication Assistant
- E. Laboratory Section -- Elvira Thompson, Chemist Supervisor
Software Support Analyst: Richard Moix
System Coordination Analyst II: Ray Moix
Chemist: Carrie Binyon, Bart Davenport, Don Hinson
Michael Miller Martin Sharum and Michael Stage
Laboratory Technician: Richie Henson and Darwin Moss
2. Pesticides -- Micheal Thompson, Agri Plant Board Division Manager
Agri Program Manager: Dana McGinty, Susie Nichols,
Brandi Reynolds and Jason Robertson
Plant Board Agriculture Specialist: Annelie Browder
Administrative Specialist II: Jessica Jervis, Terry Mikolajczak,
Kria Milholland and Tobi Rowley
Plant Board Agriculture Specialist: Kandace Buckner,
Leigh Gibson, Zach Heathscott
and Jessica Walters
3. Feed and Fertilizer -- Jamey Johnson, Agri Plant Board Division Manager
Administrative Specialist III: Franz Oliver
Medicated Feed Mill Inspector: Ashley Turner, Plant Board
Agriculture Specialist

- A. Grain Warehouse Section -- Mike Churchwell, Agri Program Manager
Program/Field Audi Specialist: Jonathan Burns
Administrative Specialist III: Martha Wilson
- 4. Marketing -- Vacant, Agri Plant Board Division Manager
- 5. Plant Industry -- Scott Bray, Agri Plant Board Division Manager
Administrative Specialist III: Donna Wilkerson
 - A. Apiary Section -- Mark Stoll, Agri Program Manager
Administrative Specialist II: Dana Jones
Plant Board Inspector: Aman Minick and Betty Scott
 - B. Commercial Pest Control Section – Seth Dunlap, Agri Program Manager
Administrative Specialist II: Bethany Reed and Maggie Woodyard
Plant Board Inspector Supervisor: James Clark
Plant Board Inspector: Johnny Bell, Joshua Dement, Lyndall Hamilton,
Greg Hearnberger and Andrew Simpson
 - C. Plant Inspection and Quarantine Section -- Paul Shell, Agri Program Manager
24 Agricultural Specialists
 - D. Pink Bollworm Section -- Mark Stoll, Agri Program Manager
24 Agricultural Specialists
 - E. Survey Program Section -- Soo-Hoon Samuel Kim, Agri Program Manager
 - F. Special Projects Inspections -- Steve Bowlan, Plant Board Agriculture Specialist
 - G. Aquaculture Programs – Mark Stoll, Agri Program Manager
24 Agriculture Specialist
 - H. Boll Weevil Eradication Program – Mark Stoll, Agri Program Manager
24 Agriculture Specialist
- 6. Seeds -- Mary Smith, Agri Plant Board Division Manager
Administrative Specialist III: Vacant
Administrative Specialist II: Marchall Caster
 - A. Seed Certification Section -- James Chastain, Agri Program Manager
 - B. Seed Laboratory -- Aaron Palmer, Agri Program Manager
Senior Seed Analyst: Gordon Baldrige, Pamela Bingham and
Deborah Hill

7. Bureau of Standards -- Tom Pugh, AR Bureau of Standards Director
Administrative Specialist III: Sheila Carter
Administrative Specialist II: Oretha Bonds and Jessica Lain
- A. Laboratory Standards – Nikil Soman, Metrology Laboratory Manager
Agri Program Manager: Vacant
Metrologist: Charles Hawkins
Agri Program Coordinator: Randy Burns
- B. Petroleum Quality – Wilford Jones, Chemist Supervisor
Chemist: Teresa Dillard, Daniel Greene, Fred Harris
and Ronald Phillips
- C. Weights and Measures – Roger Frazier, Plant Board Agriculture Specialist
Plant Board Inspector: Tammy Beck, Mark Bell,
Virgil Bellott, Tim Chesser,
Stanley Cottrell, Lowell
French, Mike Harris, Gary
Howard, Charles Richard
Johnson, Michael Jones,
Louis G. King, Shelby
Mross, Jack Newberry,
Donald Siefken, Richard
Slater, Brian Terry and
Larry Wornock

DIVISION OF ADMINISTRATION

This division is responsible for coordinating the work activities of the five divisions and sixteen sections; direct supervision of the Accounting and Purchasing Section; Printing and Mailing Section, Personnel and Information Section; and Office Management. The Director of Administration, with guidance and counsel of the Director, provides general supervision and direction to all employees. He works closely with the Director on matters relating to the budget, personnel, area assignments and program planning. He is the travel supervisor and must approve all travel claims. When the Director is away from the office, he assumes his immediate duties.

FIELD STAFF

The field staff is comprised of 4 Agri Program Coordinators, 24 Agriculture Specialists, 5 Pest Control Inspectors, 1 Program/Field Audit Specialist, 2 Apiary Inspectors, and 15 Inspectors with the Bureau of Standards, Weights and Measures. Produce Inspectors and additional Apiary Inspectors are employed on a seasonal basis as needed.

The Agriculture Specialists work in all programs except the Bureau of Standards, the Grain Warehouse work, the Apiary work, and the Pest Control work which are carried out with separate staffs because of the specialized nature of the work and job duties.

The State is divided into 4 regions with from 4 to 9 Agriculture Specialists in each region depending on the work load. Their job duties include the inspection and sampling of seed, feed, fertilizer, pesticides and lime; monitoring the use and application of agricultural chemicals; investigating and documenting evidence in chemical complaints; inspecting vegetable plants and nursery stock; inspecting fields of crops for seed certification; carrying out insect and plant disease quarantine programs and inspecting fruits, vegetables and other agricultural products for grade.

The boundary lines of each region are determined by the amount of work to be done, the amount of travel required, the ability of the inspectors to provide adequate coverage and service to the area and to allow the inspector to be at home at night as much as possible. Economy and efficiency are major factors in determining areas, and the boundaries are changed as these and other factors dictate. When an inspector is away from his or her work area, or if for some reason cannot give immediate attention to the work duties, other inspectors are sent to give assistance. In this way, service is provided as it is needed.

Five Pest Control Inspectors were employed in the inspection of buildings, lawns, trees and shrubs for compliance with the Pest Control Law and Regulations and to enforce the EPA regulations. Each inspector was assigned to a work area and spent almost full time inspecting buildings and properties and carrying out other duties of this program. The Program Manager and Inspector Supervisor devoted considerable time to making inspections, checking out leads and gathering information on illegal operators and searching for unreported jobs. They also devoted evidence to the Pest Control Committee and the Board for their consideration.

Two Apiary Inspectors devoted full time to the inspection of apiaries for insects and diseases of bees, issuing permits for moving bees, determining pasture rights, conducting education programs and making surveys for Africanized Bees and pests we do not have in Arkansas.

The Head of the Apiary Section devotes a big portion of his time to making inspections and investigating complaints.

Two Grain Field Auditors spent full time in auditing the records and verifying quantities of grain in grain warehouses to determine if stocks of grain were on hand or accounted for. The Head of this Section also spends some time in the field making audits, assisting warehouses with record keeping and solving problems.

OFFICE STAFF

The Accounting and Purchasing Section is responsible for receiving and accounting for all receipts and disbursements, preparing payrolls, paying all bills, maintaining a cost accounting system and inventory of all Plant Board property. This section receives and disburses over \$3 million annually and the work is ably handled by the Agency Fiscal Manager, 1 Fiscal Support Supervisor, 1 Fiscal Support Analyst, and 1 Fiscal Support Specialist.

The Personnel Manager is responsible for maintaining personnel records; recruiting and interviewing job applicants and participating in selecting new employees; executing records and reports for the Office of Personnel Management; maintaining files and coordinating the Employee Performance Evaluation System; and providing support to the Accounting Section with auditing and payroll verification.

The Printing and Mailing Section is responsible for printing, packaging, and forwarding tags and labels. Preparing, posting, and sending out all mail and parcels; maintaining inventories of supplies for the field staff and providing them as requested; maintaining mailing lists according to postal regulations.

ANNUAL STATE VEHICLE REPORT

STATE OWNED VEHICLES

| CATEGORY | COMPARATIVE FIGURES | |
|---------------------------------|---------------------|-----------|
| | 2012-2013 | 2013-2014 |
| Number of Passenger Cars | 3 | 3 |
| Number of Durango/Van | 6 | 5 |
| Number of Pick-Ups | 64 | 62 |
| Large Trucks | 2 | 2 |
| Total Number of Vehicles | 74 | 72 |

PRIVATE OWNED VEHICLES

| CATEGORY | COMPARATIVE FIGURES | |
|---|---------------------|-------------|
| | 2012-2013 | 2013-2014 |
| Total Miles Traveled | 60,802 | 128,433 |
| Reimbursement Rate Per Mile | \$0.42 | \$0.42 |
| Total Amount Reimbursement for Miles Traveled | \$25,536.84 | \$53,941.97 |

PLANT BOARD
MAN HOURS BY ACTIVITY

| HOURS SPENT ON: | 2012-2013 | 2013-2014 |
|--|-------------------|-------------------|
| Abandoned Pesticide Program | 1,702.00 | 2592.00 |
| Apiary | 6,681.28 | 6725.95 |
| Aquaculture | 481.90 | 352.00 |
| Boll Weevil SE | 2,412.90 | 2504.00 |
| Bureau of Standards | 2,295.65 | 3193.36 |
| Commercial Pest Control | 10,611.92 | 11729.26 |
| EPA Certification | 9,019.88 | 7647.75 |
| EPA Endangered Species Program | 256.00 | 298.00 |
| EPA Enforcement | 22,150.05 | 22310.25 |
| EPA Ground Water Program | 1,826.36 | 2871.00 |
| EPA Worker Protection | 2,676.00 | 2754.00 |
| Feed | 14,857.80 | 15710.22 |
| Fertilizer & Lime | 11,479.64 | 12326.08 |
| Fruit & Vegetable Inspection | 574.05 | 1005.18 |
| GAP/GHP (Good Agri Practices/Good Handling Practices) | 721.30 | 654.40 |
| Grain Warehouse | 6,816.48 | 6582.27 |
| LLRice/GMO Rice (Genetically Modified Organism Rice) | 568.15 | 807.20 |
| Nursery & Vegetable Inspection | 7,322.70 | 9050.22 |
| Peanut Grading | 4,302.29 | 1125.04 |
| Pesticides & P.U.A.A. | 12,207.26 | 11930.58 |
| Private Applicators | 810.10 | 994.71 |
| Seed | 33,077.35 | 32104.56 |
| Survey & Quarantine | 10,035.84 | 8338.46 |
| | | |
| | | |
| CORE | 1,877.00 | 1616.00 |
| Emerald Ash Bore (EAB) | 2,034.50 | 1594.00 |
| Forest Outreach (FIPO) | 111.00 | 1.00 |
| Honeybee Survey | 427.00 | 426.50 |
| Imported Fire Ant (IFA) | 1,379.00 | 1035.00 |
| Pine Commodity Survey | 978.00 | 60.00 |
| Walnut Twig Beetle (WTB) | 485.50 | 0.00 |
| Oak Commodity Survey (OCS) | | 146.00 |
| TOTALS | 170,178.89 | 168,484.98 |

BUREAU OF STANDARDS
MAN HOURS BY ACTIVITY

| HOURS SPENT ON: | 2012-2013 | 2013-2014 |
|-------------------------------|------------------|------------------|
| Grain Analysis & Research Lab | 1,076.00 | 1,827.50 |
| Precision Measurement Lab | 3,731.50 | 2,859.00 |
| Moisture Meter Inspection | 2,120.00 | 1,342.00 |
| Petroleum Analysis | 2,168.00 | 1,928.50 |
| Petroleum Maintenance | 2,700.50 | 2,568.50 |
| Petroleum Sampling | 2,801.00 | 2,864.50 |
| Petroleum Biodiesel Analysis | 34.50 | 21.50 |
| Petroleum Quantity | 1,646.00 | 1,575.00 |
| Package Inspection | 8,034.50 | 9,538.00 |
| Scanner Inspection | 5,785.50 | 5,892.00 |
| Advertising violations | 55.00 | 85.00 |
| Small Capacity Scales | 1,984.00 | 1,179.00 |
| Medium Capacity Scales | 180.00 | 301.00 |
| Large Capacity Scales | 4,544.50 | 5,793.00 |
| USDA Scales | 0.00 | 0.00 |
| Livestock Scales | 0.00 | 0.00 |
| Liquified Petroleum Gas Meter | 938.00 | 666.50 |
| Administrative/Miscellaneous | 9,772.00 | 9,466.00 |
| COOL Grant | 814.00 | 671.00 |
| TOTALS | 48,385.00 | 48,578.00 |

AGENCY TOTAL: 217,062.98

FIELD SPECIALIST'S HEADQUARTERS

EAST CENTRAL DISTRICT

WENDY SPAKES, (Supervisor)
Kevin Cauley
Skip Downing
Matthew Fields
Andrew Gifford
Hunter Gipson
Tommy James
Phillip Martin
Laura Ashley Metheny-Smith

NORTHEAST DISTRICT

ROBERT BANKS, (Supervisor)
Jerri Nichols Gann
Michael Hill
Shawn Johnson
Rick Qualls
Scott Sharpe
Lonnie Smith
Larry Wilson

SOUTHEAST DISTRICT

DAVID FORT, (Supervisor)
Marvin Johnson
John Lansdale
Josh Wells
Dan Wicker

WESTERN DISTRICT

DAVID BLACKBURN, (Supervisor)
Steve Bostian
Ben Collins
Scott Derrick
Lindsay Dobbins
Jayla Standridge

HEADQUARTERS

Beebe
England
Beebe
McCrory
Wheatley
McCrory
Greenbrier
Brinkley
Marion

Black Oak
Keiser
Osceola
Jonesboro
Evening Shade
Paragould
Hoxie
Pocahontas

Beebe
Redfield
Hermitage
Mablevale
Portland

Holiday Island
Fort Smith
Russellville
Scotland
Taylor
Springdale

PEST CONTROL INSPECTOR'S AREA

| <u>AREA NUMBER</u> | <u>INSPECTOR</u> | <u>HEADQUARTERS</u> |
|-------------------------------|-------------------------|----------------------------|
| 1 | Joshua Dement | Scotland |
| 2 | Andrew Simpson | Conway |
| 3 | Lyndall Hamilton | Subiaco |
| 4 | Greg Hearnberger | Hampton |
| 5 | Johnny Bell | Marked Tree |

LABELS PRINTED AND ISSUED

JULY 1, 2013 THRU JUNE 30, 2014

| | | |
|---|-------|----------------|
| Non-Certified labels printed | | 14,913 |
| Non-Certified label orders | | 3 |
| Non-Certified label lots | | 3 |
| | | |
| Certified labels printed | | 99,843 |
| Certified orders | | 443 |
| Certified label lots | | 354 |
| | | |
| Certified blank labels issued | | 59,000 |
| Certified blank orders | | 7 |
| | | |
| GRAND TOTAL OF ALL LABELS PRINTED AND ISSUED JULY 1, 2013 TO JUNE 30, 2014 | | 173,756 |

DIVISION OF FEED AND FERTILIZER

Jamey Johnson, Director
Ashley Turner, Program/Field Audit Specialist
Franz Oliver, Administrative Specialist III
Kristen Jacks, Administrative Specialist II

PUBLIC GRAIN WAREHOUSE AND CATFISH PROCESSOR SECTION

Michael L. Churchwell, Agri Program Manager
Jonathan Burns, Program/Field Audit Specialist
Vacant, Program/Field Audit Specialist
Martha L. Wilson, Administrative Specialist III

This Division is organized into three areas whose activities are administered through the Director. The responsibilities of the Division include the administration and enforcement of the Feed and Fertilizer Laws and Regulations, Agricultural Liming Materials Act, Soil Amendment Act, Agricultural Consultants Licensing Act, 100% Natural Organic Fertilizer Act, Aflatoxin Act, Grain Warehousemen Act and the Catfish Processors Act.

The major activities involve registration approval after label review of various products covered; issuance of permits and licenses to manufacturers, blenders, vendors, grain warehousemen, catfish processors and consultants; subjecting feeds, fertilizers, and liming materials to continuous inspection and sampling in the field and chemical analysis in the laboratory to determine label compliance; inspecting medicated feed mills to determine compliance with FDA manufacturing practices; collection of fees and record inspections to determine proper payment; compiling statistical data for the use of industry and educational agencies. In addition, grain warehousemen and catfish processors must be properly bonded and insured.

Each year staff members will attend and participate in several meetings and seminars aimed at program development and evaluation, continuing education, and cooperation with the various agricultural associations.

Tonnage for feed, fertilizer, liming materials and soil amendments are reported each fiscal year. Agricultural consultants and feed facilities are licensed each calendar year. Fertilizer facilities and fertilizer manufacturers are registered and/or licensed each fiscal year. Grain warehousemen and catfish processors are registered and/or licensed each fiscal year.

FEED

Prior to distribution or sale, each feed company must purchase a feed facility license. All feed shipments, bulk or bag, must be properly labeled showing the required guarantees, list of all ingredients and drugs if the feed is medicated. Feeds may contain only approved drugs and antibiotics at proper levels and/or combinations to assure efficacy and safety. Most important is the withdrawal interval before slaughter to assure elimination from the tissues and thereby prevent illegal residues in meat, milk and eggs.

Under Act 726 of 1997, a total of 18 firms operating 30 feed mills were granted exemptions from the Feed Law. Such exemptions are available to a mixer feeding his own poultry or animals. This includes the company owning the mill, feed and poultry or animals. Under this integrated system no feed is actually sold. The feed ownership is retained by the manufacturer.

Sample collection and the number of analyzes were lower than the previous year. One Thousand One Hundred Eighty Six firms have facility licenses. Total feeds reported sold amounted to **1,059,307** tons which was less than the previous year. The percent of feeds mislabeled was lower.

Tonnage Sales Reported, Samples Analyzed and Violations, by Classification

| Classes of Feed | Tons | Violations |
|------------------------------------|---------------|------------|
| Formula Feeds | | |
| Broiler Feeds | 32227 | 0 |
| Turkey Feeds | 240 | 0 |
| Starter-Grower (Egg-Type) | 3911 | 18 |
| Layer-Breeder (Egg-Type) | 14485 | 0 |
| Beef Feeds | 179420 | 27 |
| Dairy Feed | 13311 | 6 |
| Swine Feed | 28166 | 16 |
| Sheep Feed | 5833 | 3 |
| Mineral & Vitamin Feeds | 13160 | 2 |
| Horse Feeds | 33385 | 39 |
| Pet Foods | 142694 | 2 |
| Fish Foods | 20510 | 2 |
| Miscellaneous Feeds | 43828 | 16 |
| Sub-Totals | 531170 | 131 |

| Feed Ingredients | Tons | Violations |
|------------------------------------|------------------|-------------------|
| Alfalfa Products | 7275 | 0 |
| Animal Products | 92310 | 0 |
| Barley Products | 21 | 0 |
| Brewers Products | 5325 | 0 |
| Citrus Products | 66 | 0 |
| Cottonseed Products | 9219 | 0 |
| Distillers Products | 52535 | 0 |
| Fats and Oils | 16374 | 0 |
| Grain Sorghum Products | 51 | 0 |
| Lespedeza Products | 0 | 0 |
| Linseed & Flax Products | 4 | 0 |
| Maize Products (Corn) | 71760 | 3 |
| Marine Products | 296 | 0 |
| Milk Products | 1356 | 0 |
| Mineral Products | 16783 | 1 |
| Molasses | 717 | 0 |
| Oat Products | 1472 | 1 |
| Peanut Products | 2017 | 0 |
| Rice Products | 33617 | 0 |
| Rye Products | 5100 | 0 |
| Soybean Products | 60648 | 0 |
| Vitamin Products | 3080 | 0 |
| Wheat Products | 11486 | 0 |
| Miscellaneous Products | 136625 | 0 |
| Sub-Totals | 528137 | 7 |
| GRAND TOTAL | 1,059,307 | 137 |
| 2012-13 | 1,278,534 | 216 |
| 2011-12 | 1,256,756 | 325 |

Breakdown of Violations by Discrepancy

| | | | |
|---------------|----|------------|---|
| Crude Protein | 90 | Vitamin A | 0 |
| Crude Fat | 6 | Copper | 9 |
| Crude Fiber | 40 | Phosphorus | 0 |
| Calcium | 7 | Zinc | 8 |
| Salt | 24 | Magnesium | 0 |

| | 2013-14 | 2012-13 | 2011-12 |
|--|--------------|--------------|--------------|
| Percent of samples on which violations were issued. | 6.76% | 7.00% | 7.80% |
| Samples Analyzed | 2027 | 1794 | 2091 |

**CHEMICAL LABORATORY ANNUAL REPORT 2013
(FEED AND LIMESTONE)**

2013 Feed Analyses Reported
(Official Feed Samples Received: 2027)

| | | | |
|---------------------|------|---------------------|--------------|
| Crude Protein | 2001 | Copper | 360 |
| Crude Fat | 1834 | Iron | 8 |
| Crude Fiber | 2000 | Magnesium | 41 |
| Urea | 36 | Manganese | 22 |
| Moisture | 2027 | Potassium | 525 |
| Ash | 1347 | Zinc | 507 |
| Phosphorus | 1291 | Aflatoxin | 1 |
| Calcium | 1290 | Amprolium..... | 13 |
| Salt | 1001 | Carbadox..... | 1 |
| Sodium | 155 | Methoprene..... | 5 |
| Vitamin A | 52 | Sulfamethazine..... | 7 |
| | | TOTAL | 14524 |

Unofficial Feed Samples: 15

Stop Sales Issued by Inspector

| Reason For Issuance | Number Issued | Number of Bags | Number of lbs. |
|-------------------------------|---------------|----------------|----------------|
| Improperly labeled | 3 | 129 | 6450 |
| Analysis (conflicting/absent) | 1 | 22 | 1100 |
| Not Registered | 1 | 0 | 0 |
| Other (Feed Law Violation) | 1 | 0 | 0 |
| Other (Misbranded) | 0 | 0 | 0 |
| TOTALS | 5 | 151 | 7550 |

AGRICULTURAL LIMING MATERIALS

Each liming material must be registered by the manufacturer, importer or other guarantor prior to sale or distribution in the State. Any person or firm engaging in the spreading of liming materials on property other than their own must secure a lime vendor's license. Any liming material proven to be deficient from its statement of guarantee to the extent of 5% or more is subject to penalty.

One hundred ten firms registered 141 liming materials, and licenses were issued to 80 vendors operating 110 spreader trucks. Two Hundred and five samples were collected and analyzed which was lower than the previous year. Nine samples were found to be deficient. There were no stop sales issued on lime. A total of 225,503, tons were reported sold which was lower than the previous year. Ten cents per ton of the fee collected accrues to the University of Arkansas for soil testing purposes. Fee collections were as follows:

| | | |
|---|----|-------------------|
| Registrations (141 products @ \$15.00 each) | \$ | 2,115.00 |
| Vendor's Licenses (80 @ \$15.00 each) | | 1,200.00 |
| Spreader Trucks (110 @ \$3.00 each) | | 330.00 |
| Tonnage Fees: (225,503 tons @ \$0.30 per ton) | | 67,650.90 |
| Sample Deficiencies (9) | | 996.34 |
| | | ----- |
| | | 72,292.24 |
| Less University of Arkansas Portion | | <u>-22,550.30</u> |
| Net Amount to Plant Board | | \$ 49,741.94 |

2013 Liming Materials Analyses Reported (Official Limestone Samples Received: 169)

| | |
|------------------------------------|------------|
| Calcium Carbonate Equivalent | 169 |
| 10 Mesh Sieve Pass | 169 |
| 60 Mesh Sieve Pass | 169 |
| 100 Mesh Sieve Pass | 169 |
| Moisture | 169 |
| TOTAL | 845 |

Unofficial Limestone Samples: 2

AGRICULTURAL CONSULTANTS
(Calendar Year 2013)

Each person performing the functions of a licensed agricultural consultant, before advertising as such, must meet specific licensing requirements and obtain a license. Such functions being defined as providing advice or prescriptions for: the control or eradication of any insect or mite pest, any plant, pathogen (including nematodes), or any weed; and the use of fertilizer, lime and/or micro-nutrients based on soil classification and cropping systems and soil or plant tests. During 2013, there were 279 such consultants licensed which was lower than the previous year.

FERTILIZER

Each fertilizer brand and specialty product must be registered by the manufacturer or guarantor prior to sale or distribution. During the fiscal year, 449 manufacturers registered 4,229 brands and products. Sales totaled 1,102,512.47 tons, which was 31,787 more than the previous year. Sample collection and analysis was lower.

Monthly and annual statewide reports and an annual county consumption reports were published. The raw data is provided by manufacturers and registrants through the submission of monthly distribution summaries. The cost of the county report is supported by the University of Arkansas with a portion of the \$2.40 per ton inspection fee collected for soil testing and related purposes. These reports are widely used by research, educational and industry groups to determine whether the soil testing laboratory's recommendations are being followed and to pinpoint the areas of greater fertilizer usage.

There was a decrease in the number of bulk blending plants registered for 2013-14 and an increase in the number of liquid mix plants. There were 147 dry bulk and 17 liquid mix plants in operation with 2 facilities licensed for bulk storage of anhydrous ammonia. There were 197 fertilizer facility licenses issued to those bulk storage and/or blending facilities located in the state. The mode of distribution is illustrated by the following data:

SUMMARY COMPARISON

| | 2013-14 | % | 2012-13 | % | 2011-12 | % |
|-----------------|--------------|-------|--------------|-------|--------------|-------|
| Bagged | 105,283.51 | 9.6 | 49,281.28 | 4.6 | 72,813.02 | 6.3 |
| Dry Bulk | 915,510.80 | 83.0 | 927,821.58 | 86.7 | 962,019.19 | 83.3 |
| Fluids | 81,718.16 | 7.4 | 93,622.54 | 8.7 | 119,843.08 | 10.4 |
| Totals | 1,102,512.47 | 100.0 | 1,070,725.40 | 100.0 | 1,154,675.30 | 100.0 |

There was a decrease in the percent of deficient fertilizer samples. Deficiencies amounting to \$20,360.06 were assessed on 55 of 1132 samples or 4.9% of the total. The average penalty per ton was \$62.07 as compared to \$69.55 and \$116.17 in the previous two years. Segregation continues to be a problem. This is reflected in dry blends being penalized approximately seven times the combined rate of other fertilizers. Under the Regulations, penalties are assessed when individual plant food is deficient by 10% or more of the stated guarantee or when the overall value of the fertilizer is more than 3% deficient.

2013-2014 SAMPLING AND DEFICIENCIES
(Only materials and top 10 blends listed individually)

| KIND | OFFICIAL SAMPLES REPORTED | *PENALTY SAMPLES |
|-----------------------------|--|-----------------------------|
| Nitrogen Materials: | | |
| Ammonium Nitrate | 31 | 0 |
| Nitrogen Solutions | 5 | 0 |
| Sulfate of Ammonia | 67 | 0 |
| Urea | 213 | 0 |
| Other Nitrogens | 60 | 12 |
| Phosphate Materials: | | |
| Superphosphate - 45%+ | 87 | 0 |
| Other Phosphates | 0 | 0 |
| Potash Materials: | | |
| Muriate of Potash 60% | 166 | 1 |
| Other Potashes | 35 | 0 |
| Other Materials: | | |
| DAP (18-46-0) | 49 | 0 |
| Micronutrients | 3 | 0 |
| Others | 0 | 0 |
| TOTAL MATERIALS | 716 | 13 |

| TOP 10 BLENDS: | | |
|----------------------------|-------------|------------|
| 46-00-00 | 213 | 0 |
| 00-00-60 | 166 | 1 |
| 00-46-00 | 82 | 0 |
| 21-00-00 | 66 | 0 |
| 32-00-00 | 2 | 0 |
| 00-18-36 | 15 | 1 |
| 18-46-00 | 4 | 0 |
| 41-00-00 | 17 | 5 |
| 28-00-00 | 2 | 0 |
| 34-00-00 | 25 | 0 |
| Other Blends | 402 | 41 |
| TOTAL TOP 10 BLENDS | 637 | 7 |
| GRAND TOTALS | | |
| 2013 | 1132 | 55 |
| 2012 | 1330 | 109 |
| 2011 | 1262 | 106 |

*NOTE - A fertilizer is subject to penalty when its total value is 3% or more below the guarantee, or when nitrogen, available phosphoric acid, potash or other guaranteed constituent(s) is 10% or more deficient. The unit values for the primary plant foods are: Nitrogen - \$12.00; Available Phosphoric Acid - \$15.00; and Potash - \$11.00.

**Summary Data for 2013-14 Fertilizer Samples
Deficiencies and Penalty Assessments for Current and Previous Years**

| Calendar Yr | Samples | Penalties | % Penalties | Total Value Penalties |
|-------------|---------|-----------|-------------|-----------------------|
| 2013 | 1132 | 55 | 4.9 | \$20,360.06 |
| 2012 | 1330 | 109 | 8.2 | \$42,900.60 |
| 2011 | 1262 | 106 | 8.4 | \$93,396.28 |

Breakdown of 2013-14 Penalty Samples by Deficiency

| Deficiency | Number of Samples |
|---|-------------------|
| Triple Value (exceeding 5% overall) | 12 |
| Actual Value: | |
| 3-5% overall (N-P-K) | 1 |
| Nitrogen | 2 |
| Available Phosphoric Acid | 6 |
| Potash | 19 |
| Minor Elements (sulfur, iron, boron, etc.) | 15 |
| TOTALS | 55 |

2013-14 Penalty Data - By Types of Fertilizers

| | Samples Taken | NUMBER OF PENALTIES | | | % of Type Deficient | AVERAGE PENALTIES | | |
|--------------------------|---------------|---------------------|--------------|-------|---------------------|-------------------|--------------|--------------|
| | | Triple | Actual Value | Total | | Per Ton 2011 | Per Ton 2012 | Per Ton 2013 |
| Granulars (pelletized) | 4 | - | - | - | - | | | - |
| Dry Blends | 608 | 12 | 42 | 54 | 8.9 | | | 62.63 |
| Liquids | 18 | - | - | - | - | | | - |
| Materials | 502 | - | 1 | 1 | 0.2 | | | 31.68 |
| Other | - | - | - | - | - | | | - |
| 2013 (Total all samples) | 1132 | 12 | 43 | 55 | 4.9 | \$116.17 | \$69.55 | \$62.07 |
| 2012 | 1330 | 15 | 94 | 109 | 8.2 | | | |
| 2011 | 1262 | 39 | 67 | 106 | 8.4 | | | |

| Fertilizer Brands Registered | |
|-------------------------------------|-------|
| 2013-14 | 4,229 |
| 2012-13 | 3,352 |
| 2011-12 | 3,746 |

2013-2014 SOIL AMENDMENTS

Each product must be registered by the manufacturer or guarantor prior to sale or distribution in the State. The Act requires that the active ingredients be listed as well as proof of usefulness and/or value. During the fiscal year, thirty-four (34) manufacturers registered (125) products that were approved for sale, which was more than the previous year.

| 2013 Calendar Year Fertilizer Analyses Reported - Chemical Laboratory | | | |
|--|------|-----------------|-------------|
| Nitrogen | 779 | Chlorine | 12 |
| Phosphate | 496 | Copper | 2 |
| Potash | 552 | Iron | 19 |
| Moisture | 1085 | Magnesium | 4 |
| Boron | 9 | Manganese | 6 |
| Sulfur | 18 | Zinc | 78 |
| Calcium | 0 | | |
| TOTAL | | | 3060 |

Additional Fertilizer Information

| | |
|-----------------|-----|
| Blends | 556 |
| Granular | 4 |
| Liquids | 18 |
| Materials | 507 |
| Other | 0 |

2013 CALENDAR YEAR UNOFFICIAL FERTILIZER SAMPLES

Unofficial Samples - The laws administered provide only for the analyses of official samples, i.e., those taken by Plant Board inspectors in accordance with established methods. Farmers, ranchers and other agricultural workers occasionally submit samples. As a matter of policy, these are checked as a service whenever this does not interfere with official work. Others are collected from opened packages by the inspection force. 0 Samples of fertilizer were handled in this manner.

| Unofficial Samples Reported | |
|------------------------------------|----------|
| Fertilizer | 0 |

PUBLIC GRAIN WAREHOUSE AND CATFISH PROCESSOR SECTION

In the fall of 2013 most of our Grain Warehouses were full to capacity during the harvest and for several months following harvest. Arkansas had a great soybean and corn crop this past year which was very good for our warehouses. Some even had to utilize emergency storage to handle all of our farmers' grain.

The spring of 2014 has been very difficult for our state, with most of our state experiencing many delays in planting their crops. First cooler than normal temperatures delayed planting, after that came the rain, and then we received even more rain. All the early rain made it harder for the farmers to stay in the fields to complete their planting and with the continued rains they were not able to complete their planting. Of course the rains caused many to try replanting some or parts of fields that were lost due to the rain. Also some have experienced flooding that caused partial losses that could not be replanted. Only time will tell us the extent of damage to the crops and how much this will affect our grain warehouses.

The Public Grain Warehouse and Catfish Processor Section performs four primary duties each year. Our first is to license and audit all state licensed public grain warehouses under Act 83 of 1979. This law was enacted by Legislature in 1979 and the Grain Warehouse Section was added to the Arkansas State Plant Board shortly thereafter. Then in 1987 Act 365 (the Catfish Processor Fair Practices Act) was enacted by legislature and we became the Public Grain Warehouse and Catfish Processor Section. Our duties with the Catfish Processor Fair Practices Act enable our section to register and audit all businesses that engage in the purchase and processing of pond raised catfish in our state. In 1995 the USDA Pesticide Recordkeeping Program was added to our duties and shortly thereafter we began auditing tonnage fees on seed, feed, fertilizer, and lime.

The Arkansas Public Grain Warehouse Law charges the State Plant Board, Grain Warehouse Section with the responsibility of licensing, auditing and bonding those grain warehouses that are not licensed with the federal government under the United States Warehouse Act. The principal objective is to protect depositors (owners) who want to store their grain commercially. This protection is given by insuring that warehouses are licensed and bonded as well as audited on a regularly unannounced basis.

Although the Grain Warehouse program is basically a regulatory program, the enactment of Act 342 of 1983 (The Receivership Act) makes the staff a service organization by authorizing the Grain Warehouse Section to petition State and Federal courts for the appointment of the Plant Board Director as a receiver for the purpose of presenting a plan on the disposition of stored grain and the warehouseman's bond when grain warehouse failures occur. In addition, Act 401 of 1981 (Grain Ownership) provides that ownership of grain and title to grain, in the possession of the public grain warehouseman, does not pass to such

warehouseman, unless; the owner of the grain has, (by written document signed by the owner of grain or by being purchased by warehouseman), transferred title to the warehousemen.

During the licensing period, the office staff reviewed all records on file to assure everything was up-to-date. The particular areas of concern were on-premise storage capacity, bonding requirements, insurance on stored grain and financial statements. Thirty-eight (38) licenses were issued covering approximately sixty-four (64) locations.

PROBLEM AREAS

At the end of the year, as we look to the New Year, most of our grain warehouses will be expecting to have less demand for grain storage this fall due to the planting and flooding difficulties that were experienced this spring.

ARKANSAS CATFISH PROCESSORS FAIR PRACTICES LAW ACT 365 OF 1987 (As amended by Act 53 of 1989 and Act 764 of 1991)

This law was designed to protect catfish producers from unfair payment practices by processors. All catfish processors must be registered with the Grain Warehouse and Catfish Processor Section before they can operate within the state. Certain conditions written in the law determine whether or not processors are required to post security with the State Plant Board. In addition, the law requires processors not to discount for water and to weigh trash fish separately. Certain types of scales must also be used in the weighing of catfish if the processor processes more than 17,500 pounds per week.

PROBLEM AREAS

The catfish industry in our state is facing many problems in these economic times. Feed prices have risen to record heights again and along with grain prices going higher the catfish industry has been pushed to an economic low. Due to these circumstances Arkansas has lost thousands of acres back to row crop farmers.

FUTURE OUTLOOK

At the present time we are expecting less volume than last year at our facilities. Steve Priest, one of our auditors retired this year after 9 years of dedicated service to our division. He will be missed by all. We are currently seeking to find a replacement for him.

The staff is always ready to help with problems that occur in the grain warehousing and aquaculture industries. As usual; routine, group and follow-up audits will continue.

Our staff continues to help others by conducting seed, feed, fertilizer and lime tonnage audits. We hope we will be able to help others more this year when we are once again fully staffed.

Our staff has a good mixture of youth and experience. As of June 30, 2014, Martha Wilson has been with us for 26 years; Jonathan Burns has 2 years and I (Michael L. Churchwell) have been here 29 years. We hope that our experience shows and that our clients and co-workers feel that we are both fair and consistent in our duties for the Arkansas State Plant Board.

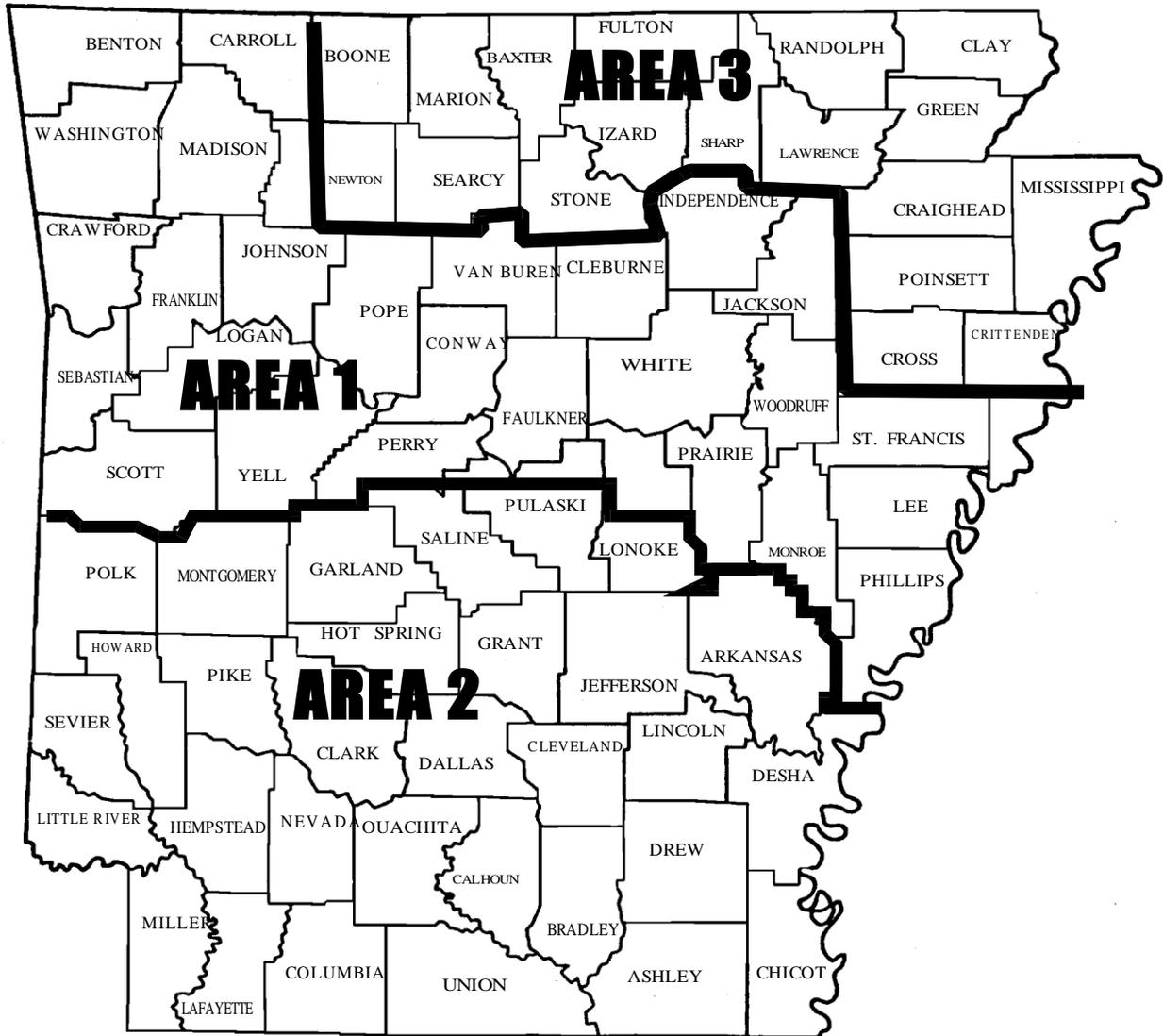
GENERAL CATFISH PROCESSOR INFORMATION

| CATEGORY | COMPARATIVE FIGURES | |
|--------------------------------------|---------------------|--------------|
| | 2012-2013 | 2013-2014 |
| Number of Processors Registered | 5 | 5 |
| Number of Audits Performed | 15 | 8 |
| Violations Found and Corrected | 0 | 0 |
| Number of Pounds Processed | 8,513,462 | 5,043,281.00 |
| Total Amount of Security Posted | \$0.00 | \$0.00 |
| Number of Demands Made on Securities | 0 | 0 |
| Total Amount Paid Out | 0 | 0 |

GENERAL GRAIN WAREHOUSE INFORMATION

| CATEGORY | COMPARATIVE FIGURES | |
|--|---------------------|------------------|
| | 2012-2013 | 2013-2014 |
| Number of Audits Performed | 65 | 74 |
| Number of Suspended License | 0 | 0 |
| Number of Grain Shortages Found | 0 | 0 |
| Violations Found and Corrected | 2 | 3 |
| Total Licensed Capacity (bushels) * | 33,660,000 | 35,047,000 |
| Number of Bins | 1,491 | 1,437 |
| Number of Storage Buildings | 105 | 106 |
| Number of Licenses Issued | 38 | 38 |
| Increased Storage Capacity | 4 | 5 |
| Total Amount of Securities Posted | \$6,276,249.98 | \$6,177,750.00 |
| Total Demands on Securities | 0 | 0 |
| Total Amount Paid Out | 0 | 0 |
| Number of Bond Cancellations | 1 | 0 |
| Increased Securities due to Net Worth Deficiencies | 4 | 3 |
| Total Insurance Certificates Posted (Est.) | \$734,214,970.00 | \$707,771,750.00 |
| Total Insurance Claims | None Reported | None Reported |
| Number of Insurance Cancellations | 0 | 0 |
| Number of Warehouse Receipts Issued | 0 | 0 |
| Collateral Warehouse Receipts | 60% | 60% |
| Indemnity Posted for Lost Warehouse Receipt | 0 | 0 |

* This indicates all licensed facilities on-premises storage capacity. It does not indicate the total amount of grain handled by the facility. Usually a licensed facility will handle four to five times its storage capacity.



AREAS OF FIELD AUDITOR STAFF

**Each area auditor will assist other auditors on the audits of the larger facilities.
An average of two audits was conducted on each licensed facility this year.**

PESTICIDE DIVISION

Micheal Thompson - Director

Susie Nichols, Dana McGinty, Brandi Reynolds, & Jason Robertson - Asst. Directors

Annelie Browder - Program Coordinator

(Calendar Year – 2013)

The responsibilities of this Division include the administration and enforcement of the Pesticide Control Act and Regulations, Pesticide Use and Application Act and Regulations, Regulations on Pesticide Classification, and special initiatives negotiated with EPA dealing with Worker Protection, Endangered Species, Ground Water Protection, and Container and Containment.

The major activities involve: registration approval after label review of various products covered; issuance of permits and licenses to manufacturers, dealers, and custom, commercial, non-commercial and private applicators after qualification; subjecting pesticides to continuous inspection and sampling in the field and chemical analysis in the laboratory to determine label compliance; inspecting pesticide producing establishments to insure compliance with the Federal Insecticide Fungicide & Rodenticide Act (FIFRA); investigating pesticide complaints; applying legal remedies such as civil penalty assessment to effect compliance when violations are found; collection of fees and record inspections to determine proper payment; compiling statistical data for the use by industry and educational agencies; providing compliance assistance and enforcement of Worker Protection standards; implementing State Ground Water Protection Plan; and developing a State Endangered Species plan.

New developments in inspection techniques require periodic evaluation by the division staff. During the year staff members attended and participated in several meetings and seminars aimed at: program development and evaluation; continuing education; applicator certification; and cooperation with the various agricultural associations.

Details of enforcement activities and related information in each major area follow.

PESTICIDES

Each product must be registered by the manufacturer or guarantor prior to sale or distribution. This involves label review to insure that the buyer or user is informed of the purpose of the product, the kinds and amounts of active ingredients, and that there are adequate directions for use and necessary warnings and precautions for the protection of the public. Most uses are those which have been approved federally for interstate shipment. Others are "special

local needs" registrations which are granted for State use under Section 24(c) of the Amended FIFRA. Some pesticide uses pose unique hazards due to crop or use pattern and are therefore prohibited or restricted. As an example: The use of 2,4-D is governed by detailed regulations.

All agencies of government that are involved with pesticide application as well as industry related groups have been involved in an educational effort designed to assure that pesticide users are knowledgeable regarding federal and state pesticide laws and regulations. The Cooperative Extension Service, in its role as pesticide educators, trained several hundred additional private applicators.

During 2013, 1,255 manufacturers registered 12,686 products as compared to 1,137 and 12,543 the previous year. Under the enforcement grant a total of 98 formulation samples were collected and 136 analyses were reported, with 1.5% being found deficient.

Additional activities included the issuance of 3 Emergency Exemptions from registration and 13 Special Local Needs registrations as allowed under Section 18 and Section 24(c), respectively, of the amended FIFRA. The Emergency Exemptions were for HopGuard (hop beta acid) for control of the varroa mite in honey bee colonies, Apivar (amitraz) for control of varroa mite in honey bee colonies, and AV10-11(anthraquinone) seed treatment for rice to control blackbirds. Special Local Needs registrations were to gain additional uses or change use patterns for products currently registered by EPA.

2013 CHEMICAL LAB PESTICIDE REPORT

Formulation Pesticide Samples

| | <u>Number of Guarantees</u> | <u>Number Deficiencies</u> | <u>Percent Deficient</u> |
|---|---------------------------------|--------------------------------|------------------------------|
| <u>Insecticides, Fungicides & Rodenticides</u> | | | |
| Rodenticides..... | 3 | | |
| Fungicides..... | 5 | | |
| Miscellaneous Insecticides..... | 28 | | |
| Sub-Total..... | 36 | | |
| <u>Herbicides, Defoliant & Desiccants</u> | | | |
| 2,4-D (salts, esters & acids) | 15 | 1 | 6.6% |
| Dicamba | 8 | | |
| Glyphosate (salts & acids) | 27 | | |
| S-Metolachlor | 9 | 1 | 1.1% |
| Miscellaneous Herbicides | 41 | | |
| Sub-Total..... | 100 | 2 | 2.0% |
| GRAND TOTAL..... | 136 | 2 | 1.5% |

| Calendar Year | Samples Received | Analysis Reported | Ingredients Deficient * |
|----------------------|-------------------------|--------------------------|--------------------------------|
| 2013 | 98 | 136 | 1.5% |
| 2012 | 157 | 199 | 5.5% |
| 2011 | 201 | 239 | 1.5% |
| 2010 | 181 | 214 | 2.3% |

* Deficient to the extent a Stop-Sale was issued

ADDITIONAL PESTICIDE SAMPLES

| | <u>Samples</u> | <u>Analyses Reported</u> |
|---|-----------------------|---------------------------------|
| Use Dilution & Surfactants (Agricultural) | 44 | 84 |
| Pesticide Enforcement Residue Samples | 16 | 35 |
| Pest Control Samples (Dilutions & Formulations) | 53 | 79 |
| Pest Control (Soil, wipe, vegetation & fire ant spls) | 46 | 81 |
| TOTAL | 159 | 279 |

2013 Groundwater Monitoring

| | |
|------------------------------|----|
| Wells Tested | 64 |
| Wells Retested | 0 |
| Wells Where Pesticides Found | 10 |
| Wells Access Denied | 0 |

PESTICIDE USE AND APPLICATION ACT

Commercial applicators must secure licenses and a decal for each unit of spraying equipment, such licenses and decals being issued upon submission of adequate proof of financial responsibility. Out-of-state operators must also designate a resident agent for service of process. The number of operators licensed in 2013 was slightly lower than in 2012. Air strips were visited numerous times to examine equipment for leaks and proper spray system maintenance. Operators of ground equipment must be either a Licensed Certified Applicator or a Commercial Applicator Technician.

| | <u>2013</u> | <u>2012</u> | <u>2011</u> |
|----------------------------------|-------------|-------------|-------------|
| Commercial Licenses Issued | 419 | 424 | 419 |
| Decals Issued for | | | |
| Application Equipment: Aerial | 351 | 351 | 365 |
| Ground | 928 | 927 | 908 |
| | 1,279 | 1,278 | 1,273 |
| | | | |
| Pilot & Ground Operator Licenses | 1,010 | 1,050 | 1,059 |
| Category Authorizations | 1,592 | 1,363 | 1,386 |
| Commercial Applicator Technician | 120 | 141 | 147 |

There were 19,872 private applicators and 539 non-commercial applicators licensed for the use and/or supervision of the use of restricted use pesticides. Approximately 3,373 private applicators were certified/re-certified. Also, the Regulations require the licensing of dealers who sell restricted use and Class E or F pesticides in containers of more than one quart. There were 430 such licenses issued.

REQUEST FOR INVESTIGATION

Suspected by Requester:

(Some requested investigations may have involved more than one area affected)

| <u>Pesticide</u> | <u>Crop, etc.</u> | <u>Number</u> |
|--------------------|-------------------|---------------|
| Glyphosate | Field Crop | 22 |
| | Residential | 6 |
| Aldicarb | Animal | 6 |
| Dicamba | Field Crop | 4 |
| | Residential | 2 |
| Glufosinate | Field Crop | 6 |
| Quinclorac | Residential | 5 |
| 2,4-D | Field Crop | 2 |
| | Residential | 2 |
| Misc. Pesticides | Field Crop | 14 |
| | Residential | 3 |
| | Animal | 1 |
| No Pesticide Named | | 100 |

Found by Inspector:

(Some requested investigations may have involved more than one area affected)

| <u>Pesticide</u> | <u>Crop, etc.</u> | <u>Number</u> |
|-----------------------|-------------------|---------------|
| Glyphosate | Field Crop | 13 |
| | Residential | 6 |
| Aldicarb | Animal | 6 |
| 2,4-D | Field Crop | 2 |
| | Residential | 3 |
| Paraquat | Field Crop | 2 |
| Quinclorac | Residential | 1 |
| Misc. Pesticides | Field Crop | 5 |
| | Residential | 7 |
| No Symptoms Found | | 25 |
| Undetermined | | 12 |
| Discontinued | | 75 |
| Incomplete Case Files | | 19 |

Number Of Requests Made:

176

| | | |
|---------------------------------------|------|-----|
| <u>Previous 5 Years Total:</u> | 2012 | 180 |
| | 2011 | 195 |
| | 2010 | 189 |
| | 2009 | 186 |
| | 2008 | 160 |

REGULATIONS ON PESTICIDE CLASSIFICATION

All pesticides registered for sale in Arkansas are assigned to a Class. Each Class carries with it one or more restrictions that must be complied with by the user, applicator, or dealer. The classification system ranges from Class A which presumably all pesticides are registered as initially, until a problem develops. The only use-restrictions assigned to Class A products are those on the product label. If problems develop with a product, the Plant Board, after a public hearing, can move a product from the Class A designation to another designation (B, C, D, E or F) which has more restrictions. Each classification carries with it all the restriction(s) that are specified for that class plus all that came before it. That is, if a product is classified as Class D it will be bound to the restriction(s) specified for Class D and those specified for Classes A, B and C.

This allows the Plant Board to have a systematic approach to placing use-restrictions on products when needed as opposed to creating a unique set of restrictions for each product as needed. This has also cut down on the confusion that existed as to what regulations apply to what products.

The distribution of Class E and F products requires a Restricted Use Pesticide Dealer's License. Dealer records of sales or distributions must be retained for two years. Custom Applicator permits are also required of custom-applicators, such being issued after qualification of the operator in charge (and pilots for aerial application) through testing and proving financial responsibility. All equipment used to apply Class E and F products must be inspected annually. Distance requirements are also required to susceptible crops.

| | <u>2013</u> | <u>2012</u> | <u>2011</u> |
|----------------------------------|-------------|-------------|-------------|
| Custom-Applicator Permits Issued | | | |
| Aerial | 124 | 127 | 131 |
| Ground | 65 | 64 | 61 |
| Operators-In-Charge Authorized | 206 | 205 | 207 |
| Pilots Authorized | 219 | 224 | 224 |
| Decals Issued | 391 | 381 | 404 |
| Equipment Inspections | 132 | 150 | 204 |

ARKANSAS/EPA SPECIAL INITIATIVES
CALENDAR YEAR 2013

Ground Water - Ground water is one of Arkansas' major resources and agricultural chemical practices should not pollute ground water. Arkansas has developed and revised its Generic Pesticide Management Plan (PMP) to help prevent contamination of its ground waters.

The Arkansas State Plant Board and the Arkansas Department of Environmental Quality (ADEQ) will continue to work with registrants, EPA and other agencies on preventing contamination of ground water in Arkansas. The state and federal agencies will be looking for ways to determine the sources of contamination to ground water in the state of Arkansas. The Plant Board has developed a list of best management practices for agricultural pesticide use to help the regulated community better understand how to avoid polluting ground water. All well sample results are posted on the Plant Board web site and are available for public viewing at www.plantboard.arkansas.gov

The State Plant Board collected sixty-five (65) ground water samples from sixty-five (65) wells in nineteen (19) counties in Arkansas. Access was denied to Plant Board inspectors on twelve (12) occasions in nine (9) counties. Samples were collected in the following counties: Four (4) in Clay County, eleven (11) in Desha County, two (2) in Greene County, one (1) in Hempstead County, nine (9) in Jackson County, three (3) in Lafayette County, four (4) in Lawrence County, four (4) in Lincoln County, six (6) in Mississippi County, and nine (9) in St. Francis County. Pesticides were detected in ten (10) wells sampled during 2013. On August 21, 2013 Clay County well #13, a domestic well, tested positive for 0.73 µg/L Bentazon in a running well sample. A resample has been ordered for this well. On July 10, 2013 Desha County well #75, an irrigation well, tested positive for 1.83µg/L Metolachlor in a running water sample. A resample of this well was requested. On August 6, 2013 Jackson County well #11, an irrigation well, tested positive for 2.21µg/L Bentazon in the running water sample. A resample of this well was requested. On September 3, 2013 Lafayette County well #40, an irrigation well, tested positive for 0.86µg/L Bentazon in the pre purge water sample and 0.75µg/L Bentazon in the post purge water sample. A resample of this well was requested. On August 20, 2013 Lafayette County well #39, a former mixing well, tested positive for 163.59µg/L Bentazon, 1.02µg/L Clomazone, 8.12µg/L Fluometuron, 1.4µg/L Metolachlor, 2.4µg/L Picloram, 9.26µg/L Quinclorac, 10.26µg/L Triclopyr in the pre purge water sample and 181.5µg/L Bentazon, 1.04µg/L Clomazone, 7.56µg/L Fluometuron, 1.45µg/L Metolachlor, 2.63µg/L Picloram, 9.85µg/L Quinclorac, 10.99µg/L Triclopyr in the post purge water sample. This well is no longer in use, but a resample was been requested. On June 25, 2013 St. Francis County well #05 an irrigation well tested positive for 0.32µg/L Bentazon and 0.45µg/L Quinclorac in the running well sample. On June 25, 2013 St. Francis County well #06 an irrigation well tested positive for 0.32µg/L Bentazon and 0.33µg/L

Quinclorac in the running well sample. On June 25, 2013 St. Francis County well #07 an irrigation well tested positive for 1.06µg/L Bentazon in the running well sample. On June 25, 2013 St. Francis County well #08 an irrigation well tested positive for 0.82µg/L Metolachlor in the running well sample. On June 25, 2013 St. Francis County well #10 an irrigation well tested positive for 0.87µg/L Bentazon in the running well sample. A resample of each well in St. Francis county has been requested.

Worker Protection Standard - The Worker Protection Standard (WPS) is intended to reduce the risk of pesticide poisoning and injuries to agricultural workers by reducing exposure to pesticides and pesticide residues and providing training for people working around, mixing, loading, applying or transporting pesticides. The WPS covers workers on farms, forests, nurseries and greenhouses. The Arkansas State Plant Board provided EPA produced educational materials including water bottles and bandannas in Spanish language to help educate Limited English Proficient Hispanic workers about the dangers of pesticide residues on clothing and personal protective equipment, and reminding them that work clothes should be washed separately from the family clothing to avoid cross contamination. The information also reminded the workers to wash their hands before eating, smoking, or using the rest room and that they may transfer pesticides to their families if they are not cautious.

During the 2013 calendar year the Arkansas State Plant Board conducted sixty-four (64) total Worker Protection Inspections at agricultural establishments including commercial application firms, farms, nurseries and greenhouses. Of the sixty-four inspections conducted, fifty-nine (59) were considered Tier I worker protection inspections and five (5) were considered Tier II inspections. Seventeen (17) inspections were conducted at Commercial Applicator Firms, six (6) were conducted at Nursery/Greenhouse operations, and forty-one (41) were conducted at Farms.

Endangered Species - The Endangered Species Act is intended to protect and promote the recovery of animals and plants that are in danger of becoming extinct due to the activities of people. Under the Act, EPA must ensure that the use of pesticides it registers will not result in harm to the species listed as endangered and threatened by the U.S. Fish and Wildlife Service, or the habitat critical to those species' survival. To implement the Endangered Species Protection Program, labels of certain pesticides will direct users to bulletins with information on the endangered species habitat. This program will protect endangered and threatened species from harm due to pesticide use.

The Arkansas State Plant Board provided outreach to applicators, growers, and other groups that had concerns about the endangered species program. The Arkansas State Plant Board maintained its web page which includes a link to the current EPA bulletins live Endangered Species page. Zero (0) bulletins were in effect for Arkansas in 2013. The Arkansas State Plant Board would prefer this program remain voluntary and not a regulatory program.

The Arkansas State Plant Board has reviewed all section 18's and 24C's issued and checked labels on Section 18's to insure that endangered species habitats are not harmed or destroyed by pesticide use.

DIVISION OF PLANT INDUSTRY

Scott Bray, Director

All work dealing with plants, plant materials, insects, and plant diseases is handled by the Plant Industry Division. The Division's work is divided into four sections:

1. Plant Inspection and Quarantine
2. Commercial Pest Control
3. Apiary/Pink Bollworm
 - A. Pink Bollworm
 - B. Boll Weevil Eradication
 - C. Sweet Potato Weevil
 - D. Bait and Ornamental Fish Certification
4. Federal-State Fresh Fruit and Vegetable Inspection Section

A report of the work done by each section follows:

Plant Inspection and Quarantine Section

Paul Shell, Head

Nursery

| Summary of Nursery Inspections 2013-2014 | | | | |
|---|------------------------|---------------------------|--------------------------------|--------------------------|
| Kind of Business | Number Licensed | No. of Inspections | Certificate Tags Issued | Stop-Sales Issued |
| Landscape Contractor | 186 | 188 | 6 | 0 |
| Nurseryman | 133 | 133 | 3,966 | 2 |
| Nursery Dealer | 627 | 530 | 1,152 | 3 |
| Totals | 946 | 851 | 5,124 | 5 |

Nurseryman. A nurseryman grows a major part of the stock he sells. Nurserymen in Arkansas grow primarily ornamental plants, trees, brambles and other fruit plants, and sod.

Nursery Dealer. A nursery dealer does not grow his stock but buys it from nurserymen for resale. Emphasis has been continued toward better correlating the size of heelyards to the proper fees required. A growing number of dealers maintain display areas and heelyards greater than 500 square feet.

Nursery Landscape Contractors. Those nursery dealers involved in the installation of ornamental or horticultural plants, or offering for sale, or selling nursery stock in Arkansas, through the planting of nursery stock for compensation, are considered to be nursery landscape contractors. If not already holding a valid Arkansas Nurseryman or Nursery Dealers License, Nursery Landscape Contractors are required to obtain a valid nursery landscape contractor license issued by the State Plant Board to perform such services.

Stop-Sales. These are issued when plants are dead, dying, showing disease or insect damage which cannot be corrected. In some cases, the business will destroy the plants without a stop-sale being issued. Stop-sales issued this year were for dead trees and rose bushes, and for borer damage on fruit trees.

Vegetable Plants

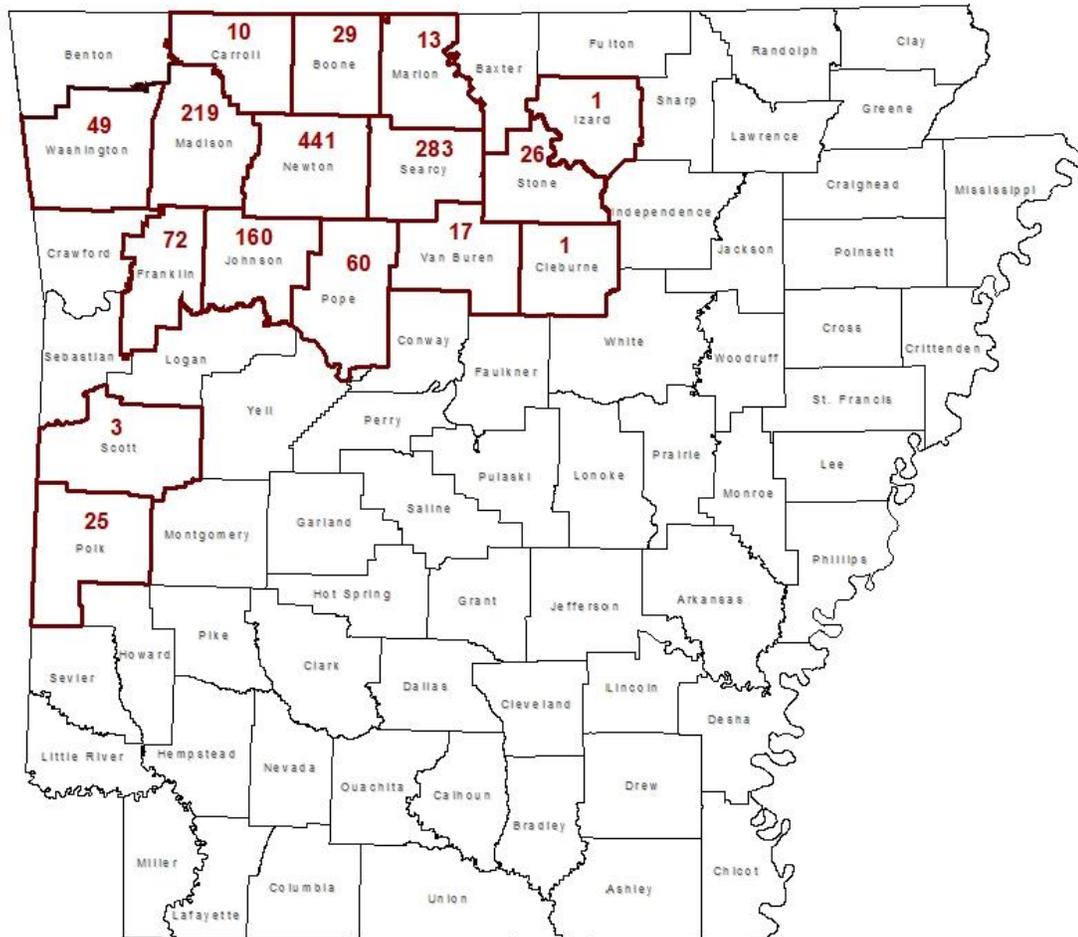
Cabbage, Tomato, Onion and Pepper Inspections. Arkansas Plant Permit Numbers were issued to 2 growers of assorted vegetable plants with 2 inspections performed.

Out-of-State Cabbage, Tomato, Pepper and Onion Plant Shippers. Arkansas Plant Permit Numbers were issued to 6 shippers.

Ginseng

Arkansas is one of 18 states that has and maintains an approved program for the harvest and export of wild ginseng set forth by the U.S. Scientific Authority and Management Authority in Washington, D.C. For the 2013 harvest season, certificates were issued on 42 shipments of wild ginseng totaling 1,407 pounds. The general distribution of ginseng in Arkansas is believed to be stable. In Arkansas, Ginseng is found only in moist shaded locations in the Ozark and Ouachita Mountains and on Crowley's Ridge. This plant is very sensitive to seasonal conditions such as rain and temperature. During dry years, it often goes dormant before the harvest season begins. The harvest was much more intensive in Johnson, Madison, Newton, and Searcy Counties where ginseng is known to be most abundant. The following map shows the number of pounds of ginseng collected in each county.

Arkansas State Plant Board Ginseng Report 2013



Quantities indicate the number of pounds (dry weight) of Wild Ginseng collected per county.

Total collected 1407 pounds

Federal Phytosanitary Certificates

In 1976, the State Plant Board entered a cooperative agreement with APHIS-USDA whereby properly qualified and trained Plant Board personnel can issue Federal Phytosanitary Certificates on plant material being shipped to other countries. This document attests to the freedom from pests, weeds, and diseases of concern for the importing country. Scott Bray - Plant Industry Division Director, Mark Stoll - Apiary Manager, and Paul Shell - Plant Inspection and Quarantine Manager are qualified to issue these documents.

There were 1,933 certificates issued this year. The top three primary items certified are as follows: 640 phytos issued on 418,426,108 pounds milled rice, 622 phytos on 33,229,033 board feet pine lumber, and 288 phytos on 4,434,839 board feet red oak lumber. Remaining items certified include: rice flour, rice seed, rice straw, soybean seed, cotton seed, cottonseed grain cottonseed meal, cottonseed hulls, cottonwood cuttings, bramble plants, and honeyberry plants. Phytos were also issued for the following types of lumber: ash, cedar, cottonwood, elm logs, hickory, sycamore, sweet gum and white oak. These certificates covered shipments to the following 52 countries: Afghanistan, Argentina, Australia, Bahrain, Barbados, Belgium, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cyprus, Djibouti, Dominican Republic, Egypt, Germany, Ghana, Greece, Guatemala, Guinea-Bissau, Haiti, Honduras, Hong Kong, India, Indonesia, Israel, Italy, Japan, Korea, Lebanon, Liberia, Malaysia, Mexico, Morocco, Netherlands, Norway, Pakistan, Panama, Peru, Saudi Arabia, Serbia, Spain, South Africa, Thailand, Trinidad and Tobago, Turkey, United Arab Emirates, United Kingdom, Uruguay, Vietnam, and Yemen.

State Phytosanitary Certificates

This year, there were 70 State Phytosanitary certificates issued. The top 3 primary items shipped are as follows: 31 certificates on 7,437,014 pounds rice, 17 on 875 pounds soybean seed, and 9 on 9,182 bramble plants. Other commodities include the following: rice seed, grape plants, blueberry plants, cherry plants, strawberry plants, black currant plants, and houseplants. These certificates covered shipments to the following 6 states and territories: California, Idaho, Ohio, Oregon, Puerto Rico, and Texas.

Imported Plants and Seeds

Certain plants imported into Arkansas from other countries are required to remain under post-entry quarantine for two years or longer. During the quarantine period the imported plants are kept separate from other plants of like kind and are inspected periodically for insects and diseases, which may not have been apparent at the time of importation. There were no post-entry inspections this year.

Homeowner Assistance

An average of 4 - 5 calls every working day, year round, were received from property owners with insect or plant disease problems in their lawns, trees, and shrubs. Similar calls were also received from nurserymen and vegetable plant growers. Three-fourths of such calls could be diagnosed and control recommendations given by telephone. The remaining calls required a visit to the premises. In addition to this, an average of 5 insect and disease specimens per month were brought or mailed to the office for identification and recommendations. Those which could not be identified by the staff were forwarded to appropriate departments at the University of Arkansas at Fayetteville. Other than servicing nurserymen and plant growers, this is primarily a function of the Cooperative Extension Service. The Plant Board has provided this service so long and so well, however, that it has come to be expected by the citizens of the state and it is good public relations. It also provides a means of keeping up with any new insects or diseases, which may be introduced into the State.

Cooperative State-Federal Programs

The Plant Board cooperates in programs with Federal agencies such as the Animal and Plant Health Inspection Service of USDA, the US Forest Service, US Fish and Wildlife Service, and the US Army Corps of Engineers. There is also cooperation with other State agencies and institutions such as the University of Arkansas, the Cooperative Extension Service, and the Arkansas Forestry Commission. In addition to projects performed by the State Plant Board, we also coordinated a Corn Commodity Survey performed by Dr. Gus Lorenz of the U of A Cooperative Extension Service.

Outreach and Education

Whenever a new insect pest, plant disease or invasive weed appears in an environment, the chances of success in combatting this pest are greatly improved by early detection. When many different people and groups throughout the state are familiar with these new pests there is a greater likelihood that they will inform us about potential sightings. Outreach and education spreads the word about these pests and great efforts have been made to improve its effectiveness in the state. One formal way outreach has been done is through the Forest Invasive Pest Outreach. Cooperation with the University of Arkansas Cooperative Extension Service to develop a comprehensive strategy for invasive pest outreach beginning with forest invasive pests has resulted in the development of an invasive pest website specific to Arkansas. In January a meeting was created to discuss outreach options and pressing invasive forest pest issues with different agencies throughout the state. This meeting started the process of developing a forest pest outreach directory. Other outreach and education activities conducted include thirty-five specific meetings addressing approximately forty

different stakeholder groups about invasive pests and the importance of Cooperative Agricultural Pest Survey (CAPS) as well as ongoing participation at various conferences and trade shows to display and educate the attendees about invasive species to be on the lookout for in Arkansas. These outreach events vary from passive, general, public events to direct, one-on-one meetings with involved stakeholders.

Weed Programs

Itchgrass (*Rottboellia exaltata*). This weed has been problematic in the past, but is considered eradicated because no plants have been found since 2000.

Purple Loosestrife. Since all Lythrum species were designated noxious weeds in 1990, the Plant Board has continued eradication efforts on 4 areas known to have purple loosestrife. The site in Randolph County has had no plants for the past seven summers. The 1/8 acre in Horseshoe Bend and the 1/2 acre patch in Southern Stone County are also currently being monitored, with no new plants found. The location at Mammoth Springs State Park has had no plants observed the past six years, and is being monitored and treated by the park staff as needed. The site at Beaverfork Lake near Conway has shown no new plants this past year. We will continue monitoring these sites into the future.

Water Hyacinth. This is a floating aquatic plant which has been popular with water gardeners. In April 2006 this plant was placed on the Prohibited Plant List by the Plant Board due to the highly invasive nature of the plant when it grows in wetlands. There are several populations of this plant along oxbow lakes and backwaters of the Lower Arkansas River. The plant is also known to grow in Lake Dardanelle, the lower portions of the Ouachita River, and has been spotted in the Little Maumelle River west of Little Rock. The Little Maumelle infestation has been reduced over the past three years due to previous cold winters, but some isolated patches remain.

Insect and Mollusk Programs

Brown Garden Snail: Each load of plant material arriving from quarantined areas of California and Washington must be accompanied by an official snail-free certificate or a quarantine treatment certificate. This year, 54 loads of nursery stock from California were inspected at various points in the state. No snails were found.

Christmas Tree Inspections: The Plant Board also inspected trees grown out of the state of Arkansas at Christmas tree dealers across the state. No pine shoot beetles were found or Gypsy Moth Egg masses were found (for more information on Gypsy Moth see the report on the following page).

The Pine Commodity Survey was conducted for the early detection of five invasive insect pests of pine forests. The insects are: Siberian Silk Moth (*Dendrolimus sibericus*), Large Pine Weevil (*Hylobius abietis*), Brown Spruce Beetle (*Tetopium fuscum*), Pine Shoot Beetle (*Tomicus destruens*) and the Wood Wasp (*Sirex noctilio*). Thirty two locations were selected in the central Arkansas area. Locations included businesses that receive solid wood packing materials, river barge terminals, saw mills, Christmas tree farms, and standing pine timber. Two full-time employees placed Lindgren funnel traps, cross vane traps and the modified milk carton trap at these locations with the appropriate lure combinations. Samples were collected from the wet cups on the funnel traps and the cross vane trap. Suspects were screened by APHIS/PPQ personnel and sent to the approved identifier. Results of this survey came back negative for all of the target insects.

Oak Commodity Survey

This survey was conducted for the early detection seven invasive insects of oak forests. The insects surveyed for included: *Agilus biguttatus*, oak splendor beetle: *Platypus querivorus*, oak ambrosia beetle: *Scolytus intricata*, European oak bark beetle: *Archips xylosteanus*, variegated golden tortrix: *Lymantria mathura*, pink gypsy moth: *Tortrix viridana*, green oak tortrix and *Tremex fuscicornis*, Tremex wasp. Thirty six sites were selected in the Northwest and central Arkansas for this survey. Areas surveyed included: a.) known solid wood packing material destinations; b.) AR and MS river barge terminals; c.) selected city industrial parks; d.) oak lumber mills and e.) parks/campgrounds and tourist attractions in the Ozark and Ouachita mountains. Trapping began in April and will conclude in October 2014. One part-time employee was used to conduct the survey and traps were screened monthly. All traps were inspected/screened by the State Survey Coordinator and suspect, if any, were sent to APHIS/PPQ for confirmation.

Emerald Ash Borer (EAB)

This small exotic beetle from China has been destroying ash trees throughout the Upper Midwest and the Great Lakes Region. There is a quarantine against movement of ash trees and logs from several states, but new infestations are appearing in new areas. In 2008, several infested trees were found in Missouri near the Arkansas border, most likely from firewood brought into a campsite.

A new State Survey Coordinator was hired in August 2013 to continue this survey which was begun in April 2013. The Emerald Ash Borer Survey was completed for the early detection of *Agrilus planipennis*. The field survey work was completed in August. Twelve full-time employees were assigned 550 locations to place traps. Some of the locations were inaccessible or impractical for trap placement. Trappers submitted mid-survey data information which was submitted to PPQ personnel for data entry. No EAB were found through this survey.

A new survey was begun in April 2014 and will be completed in August 2014. The results will appear in next year's annual report.

Gypsy Moths are a highly invasive European import which has severely impacted hardwood forests and urban areas throughout the Northeast, Mid-Atlantic, and Great Lakes regions of the United States. They lay egg masses on tree trunks, but can also lay eggs on outdoor furniture, trailers, and recreational vehicles. The Plant Board, along with several cooperating agencies trap throughout the state and concentrate on areas which have the highest likelihood of receiving traffic from areas of the country in which the insect is common. Campgrounds, parking lots, tourist areas, and roadside rest areas are some examples of target trapping areas.

The Gypsy Moth Detection Survey Plan for Arkansas has been developed through the joint efforts of the Arkansas State Plant Board, the U.S. Forest Service and the USDA APHIS Plant Protection and Quarantine. The plan follows the guidelines of the National Survey Plan.

Arkansas' plan has three distinct parts.

(1) The 1st part is detection traps which are deployed all over Arkansas by our cooperating agencies, the Plant Board, and USDA APHIS PPQ. Every summer approximately 5,000 traps are placed throughout the state. Cooperating agencies include the Arkansas Game and Fish Commission, Arkansas Forestry Commission, Arkansas State Parks, Arkansas Highway Commission, University of Arkansas Cooperative Extension Service, Ouachita National Forest, Ozark National Forest, Buffalo National River, Natural Resources Conservation Service, United States Army Corps of Engineers, Camp Robinson National Guard and Fort Chaffee. USDA and Plant Board do concentrated trapping in rotating zones in forested areas of Arkansas.

(2) Delimiting trapping is conducted in high risk areas (those areas where there were catches the previous year). If a gypsy moth is caught, the square mile around the catch is heavily trapped for the following two years. This shows whether the catch was from a breeding population or merely a hitchhiker. One moth was caught in Newton County near the community of Parthenon in 2012, and one moth was caught at Maumelle Park on the Arkansas River in Pulaski County in 2013. These areas are undergoing delimiting trapping in the summers of 2014 and 2015.

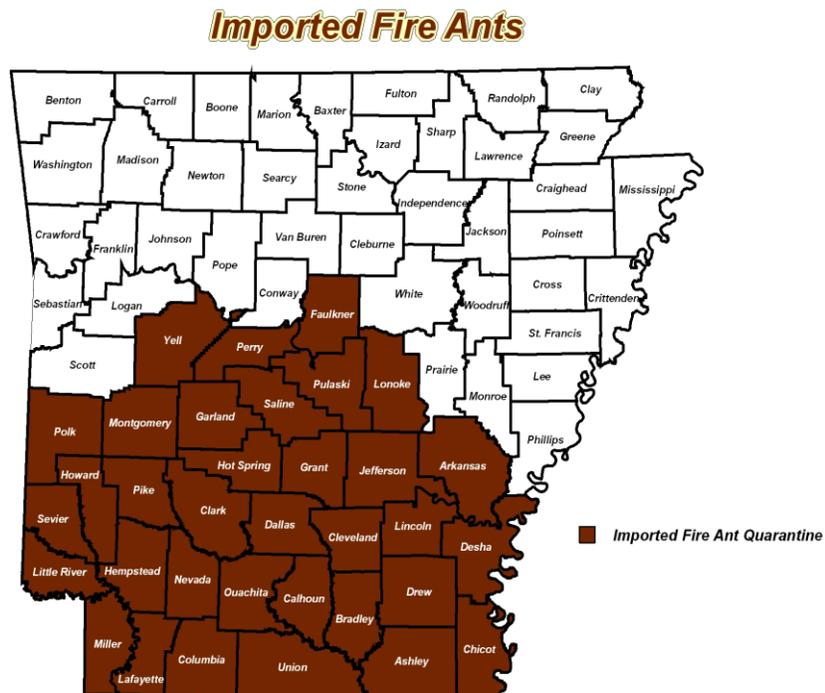
(3) The 3rd portion of the overall plan is the delimiting trapping in the eradication zone. This method will only be used if we find another breeding population.

During the Christmas season, our inspectors check on cut Christmas trees from areas of the country where a potential gypsy moth population could occur. The inspectors look at quarantine paperwork from the shipper, and also inspect tree bark for gypsy moth egg masses.

Imported Fire Ant

Originally from South America, fire ants are steadily moving northward. They can fly at certain times of the year, but can also spread artificially through potted plants, grass sod, hay, straw, mulch and used dirt moving equipment. Businesses which are located within the quarantine must sign up for a compliance agreement if they wish to move a regulated article outside of the quarantine. The compliance agreements outline the steps necessary to prevent fire ants from moving into new areas through these products. Companies which hold compliance agreements are inspected annually and their treatment records are checked. The Plant Board also tests soil from treating nurseries to ensure that those plants have the required insecticide.

We perform a border survey every year in the areas just beyond the quarantine to determine if new populations of IFA have become established. If a county or a portion of a county is considered infested, it is added to the quarantine. 663 nursery sites were inspected and treatment certificates were checked. Also inspected were 80 nurseries, nursery dealers, sod farms, hay producers, and used dirt moving equipment operators who are currently operating under IFA compliance agreements.



Disease Programs

Karnal Bunt. Karnal Bunt, or partial bunt, is a fungal disease of wheat, durum wheat and triticale. The disease is caused by spores. Typically, only a portion of the kernel is affected; this is why the disease is sometimes called partial bunt. Damage is twofold; 1.) Infested plants produce less grain, 2.) The quality of the grain itself is lessened. Although the overall crop losses caused by Karnal Bunt might not be severe, the disease has quarantine significance and therefore could affect US grain exports. A National survey plan developed by APHIS is the guideline which each wheat growing state follows. In 2014 22 elevator facilities were sampled at least once during the Arkansas wheat harvest. All grain and seed samples were negative for the fungal spores. The numbers were down due to a limited crop of wheat this year.

The following is a breakdown of counties and the number of samples taken in each county: Arkansas – 4, Ashley – 1, Craighead – 1, Cross – 2, Drew – 1, Jackson – 2, Lafayette – 1, Lawrence – 1, Lee – 2, Lincoln – 1, Mississippi – 2, Monroe – 1, Phillips – 2, Poinsett – 1.

Sudden Oak Death. This is a fungus-like disease which has impacted coastal forests in Northern California and Southern Oregon. The disease is spread by other plants, many of which are sold as ornamentals. Nurseries in California, Oregon, and Washington which ship host plants out of state must be certified free of this disease in order to ship. They are also required to notify non-quarantined states when potential host plants are shipped to these states. We have conducted nursery surveys in the past looking for this disease. Whenever this disease is found in a shipping nursery, states on the receiving end are notified and those plants are analyzed for the presence of the disease. This is known as a Trace Forward, and there was one shipment of plants to a homeowner in Arkansas. Leaf samples were taken and sent to the Plant Pathologist with the University of Arkansas Cooperative Extension Service. The samples were negative for the disease.

Thousand Canker Disease of Black Walnut. This is a disease complex where the tiny walnut twig beetle spreads a fungus as it attacks walnut trees. Infected trees show dieback and eventual death. This disease has caused the death of walnut trees in Western United States, and has been found in Tennessee, Virginia, and Pennsylvania. In March 2011, the Plant Board enacted a walnut quarantine for any state in which the disease has been found. Articles regulated by the quarantine include walnut nursery stock, raw lumber, lumber with bark, walnut mulch and chipped walnut wood, and non-coniferous firewood. Unregulated articles include kiln dried walnut (if stripped of bark), finished walnut lumber and furniture, and walnut fruits (nuts).

The survey work consisted of trapping and a visual survey performed for the purpose of early detection of Thousand Canker Disease and Walnut Twig Beetle in black walnut trees. One

seasonal employee placed a total of 90 traps in two counties located in the Northwest part of the state. Sixty traps were placed throughout Washington County and 30 traps in Benton County. The trapping took place from April thru June. Traps have been retrieved and two suspect samples submitted. Results were negative.

Biotechnology

We continue to receive from USDA, APHIS, PPQ applications for movement and/or planting of material under regulation for comment. Our comments are considered by PPQ before permits are granted relative to these Genetically Modified plants.

Liberty Link. Discovery in Europe, in December of 2006, of rice containing a genetically engineered characteristic negatively impacted rice exports from Arkansas. Market prices dropped and several subsequent shipments were declined entry. Regulatory actions were undertaken. Regulations were enacted and protocols established requiring all seed to be used for planting be tested for the potential presence of the genetically modified trait. These requirements are still in place. Currently those regulations are still in place and are being enforced.

Permitted Trial Inspection

Plant Board Inspectors have been trained and are being called on to inspect trials permitted through the USDA, APHIS, Biotech Regulatory Services permitting system. As assigned, inspectors gather relevant information, perform site visits, and confirm activities of the trial are consistent with the protocols stipulated in the permit approval. A written report is prepared and returned to BRS. This program has exited the pilot stage and is now being treated as an operational function of the BRS mission. The program has eleven state participants in 2014.

**COMMERCIAL PEST CONTROL SECTION
ANNUAL REPORT
FOR
FISCAL YEAR JULY 1, 2013 / JUNE 30, 2014**

Seth Dunlap, Agri Program Manager
James Clark, Plant Board Inspector Supervisor
Vacant, Administrative Specialist II
Vacant, Administrative Specialist II
Maggie Woodyard, Administrative Specialist II

INSPECTORS

Johnny Bell, North East AR Inspector
Lyndall Hamilton, North West AR Inspector
Greg Hearnberger, South AR Inspector
Josh Dement, North Central AR Inspector
Andrew Simpson, Central AR Inspector

The Pest Control Section is charged with carrying out the Arkansas Pest Control Law and Regulations, "Act 488 of 1975" and the Federal Insecticide Fungicide Rodenticide Act "FIFRA" concerning the non-agricultural use of pesticides. The section is staffed with one Agri Program Manager, one Pest Control Inspector Supervisor, five Pest Control Inspectors, and three Administrative Specialists.

Any person engaging in pest control service in Arkansas must obtain a license from the Plant Board Pest Control Section. A license can be obtained only after the individual has met financial and moral requirements and has completed written examinations in both category and basic EPA certification with passing scores. This section issues licenses or certificates in ten separate categories. Those persons licensed or certified are inspected routinely to insure proper performance under State and Federal Laws and Regulations. The heaviest work load is the inspection of work performed in structural pest control. This section investigates individuals performing commercial pest control services without a license. These offenders are subject to the Plant Board Pesticide Enforcement Response Policy or are prosecuted with the assistance of local law officials.

This year, 166 licensed Termite and Other Structural Pest Control operators reported 20,546 Termite and Other Structural Pest jobs.

Plant Board inspectors performed 117 routine inspections, responded to 193 requests for inspections and performed 133 re-inspections.

Active Operators this year - 1809

Active Agents this year – 2668

Applicants certified this year - 133

| EXAMINATIONS | TOTAL | PASSED | FAILED |
|--|--------------|---------------|---------------|
| Basic EPA Certification | 179 | 168 | 11 |
| Termite and Other Structural Pests (Class 1) | 31 | 20 | 11 |
| Household Pest (Class 2-H C) | 49 | 33 | 16 |
| Rodent Control (Class 2-R C) | 45 | 34 | 11 |
| General Fumigation (Class 3) | 7 | 0 | 7 |
| Ornamental Tree & Turf Pest Control (Class 4) | 78 | 29 | 49 |
| Weed Control (Class 5) | 46 | 23 | 23 |
| Golf Course Pest Control (Class 6) | 20 | 11 | 9 |
| Food Mfg., Processing & Storage Pest Control (Class 7) | 3 | 1 | 2 |
| Food Related Fumigation (Class 8) | 27 | 17 | 10 |
| TOTAL | 485 | 336 | 149 |

Pest Control Section inspectors monitored pre-treatments for prevention of termites at 5 job sites.

Pest Control inspectors took 106 physical samples during the course of their work this year.

The Pest Control Section staff conducted 9 hearings this year.

Civil penalties issued thru the Pest Control Committee/Plant Board this year - 11

For a total amount of \$9,400.00

Civil penalties paid this year - 11

For a total amount of \$9,400.00

Termite and Other Structural pest control work takes up most of our time due to the amount of work performed and the importance of protecting the single most important investment consumers have, their home. Overall the staff performed 117 routine inspections, responded to 193 inspection requests, monitored 5 pre-treats, and issued 79 “first” pink slips to 56 companies, 18 “second” pink slips to 16 companies and 6 “third” pink slips to 5 companies this year.

This year, 458 licensed operators re-certified.

The Pest Control Section staff issued 13 Warning Letters this year.

Two hundred and seven (207) Cease and Desist orders were issued by the Pest Control Section staff this year.

Property owners made 193 requests for inspections this year. Many of these requests came from disputes where the pest control operator and homeowner could not agree on the responsibility based upon Pest Control Law, Regulations and contractual agreements to settle these disputes. The staff feels that solving problems associated with property owner’s requests is one of our most important duties.

The staff is continuing to work with the pest control industry, legislators and other interested groups and individuals to make changes to Arkansas Pest Control Law & Regulations, as necessary.

The Pest Control Section staff filled the following orders this year:

| | |
|---------------------------|----------------------------|
| Forms – N/A | Study Kit (3) - 11 orders |
| Applications - 355 orders | Study Kit (4) - 147 orders |
| Mailing Lists – N/A | Study Kit (5) - 73 orders |
| Circular 6 – 376 orders | Study Kit (6) - 22 orders |
| Study Kit (1) - 67 orders | Study Kit (7) - 6 orders |
| Study Kit (2) - 52 orders | Study Kit (8) - 12 orders |

Mr. Seth Dunlap, Manager of the Commercial Pest Control Section, made 4 trips to attend conferences this year.

Apiary Section 2013-2014

Managed Programs: Apiary, Sweet Potato Weevil, Pink Bollworm, Boll Weevil, and Aquaculture.

Mark Stoll; Agri Program Manager (Section Head)
Betty Scott; Plant Board Inspector (Apiary Inspector)
Aman Minick; Plant Board Inspector (Apiary Inspector)
Dana Jones; Administrative Specialist II (Secretary II)

APIARY

Inspections

There were a total of 1,686 active registered apiarists in the state with 5,141 registered apiaries. A total of 20,972 colonies were visited this year. Out of these, 11,474 colonies were inspected.

Migratory Beekeepers

There were 11 moving permits issued this year to beekeepers moving from state to state. There were 10 commercial beekeepers that left the state on pollination contracts. They transported 4,384 hives on these contracts.

Honeybee pests and disease

The breakdown, out of the 11,474 colonies inspected, is as follows:

| | |
|---------------------|-----------------------------|
| American foulbrood: | 0 |
| European foulbrood: | 39 |
| Chalkbrood: | 6 |
| Sacbrood: | 2 |
| PMS: | 4 |
| Nosema: | 0 |
| Varroa Mite: | 286 (Occurs in most hives.) |
| Tracheal Mites: | 0 (Occurs in most hives.) |
| Small Hive Beetle: | 1,237 |
| CCD: | 0 |

The majority of the beekeepers are aware of the need to treat for both the varroa and tracheal mites. The wild bee (feral colonies) population is slowly increasing. The Africanized Honey Bee has been found in the state and could be spreading out through the state in the future.

The Small Hive Beetle was brought to the United States in 2000. Several states have now become infested with the beetle. The Apiary Section has deregulated the Small Hive Beetle due to the percentage of the state that now currently has the beetle.

Survey

The Apiary Section of the Arkansas State Plant Board participated, for the third straight year, in a National Honey Bee Survey by USDA. The survey will determine what honey bee pests and diseases we have in the United States. This information will help the U.S. in banning imports of bees from other nations that has a bee pest or disease not found in the U.S.

The survey required twenty-four composite samples. These samples will be composite samples from eight hives in each apiary. The sample consists of three collection types: live bee box, alcohol sample, and alcohol filtered sample. The survey also called for the collection of pollen from ten of the twenty-four sample locations. Arkansas has completed this survey for the third year and will participate in the survey again in the next fiscal year on a volunteer basis.

Africanized Honey Bee

The introduction of the Africanized bee into Arkansas has been closely monitored by the placement of traps along the Oklahoma, Texas and Louisiana borders. Forty-one (41) traps were placed around the state in 2006, in 2007 Fifty (50) traps were placed, in 2008 sixty (60) traps were placed, in 2009 sixty (60) traps were placed, in 2010 sixty (60) traps were placed, in 2011 sixty-one (61) traps were placed, in 2012 sixty-five (65), in 2013 fifty-six (56) traps were placed, and in 2014 fifty-six (56) traps are currently in the field. The 2014 swarm traps are placed in trap lines along the Oklahoma and Louisiana borders, along Africanized Honey Bee (AHB) counties in Arkansas, and in strategic locations. There have been about twenty positive locations verified in Arkansas since 2005. Counties with positive finds include: Miller, Lafayette, Clark, Columbia, Bradley, Nevada, Faulkner, Baxter, Howard and Union counties.

The Apiary Section continues its effort to monitor locations for AHB, and to provide information on new positive finds to the public.

Public Relations

The Apiary Section has held a large role in educating the public about bees by participating in a total of thirteen (13) demonstrations, twenty-five (25) programs, nineteen (19) presentations, and twenty-two (22) films/exhibits designed to increase public awareness of the honeybees' importance in agriculture, provide education, provide information concerning the Apiary Laws, and to provide a better understanding of the importance of honey bees. The section has also helped teach in nine (9) beekeeping classes to those interested in learning more about how to keep bees and treat for pests and diseases.

The staff has also represented the State Plant Board in several beekeeping association meetings throughout the state, and in surrounding states. The Apiary Section was represented at the annual meetings of the American Association of Professional Apiculturists, American Beekeeping Federation and the Apiary Inspectors of America, which were held jointly in January of 2014 in San Antonio, TX.

SWEET POTATO WEEVIL

There were a total of 12 growers planting 3,493 acres of sweet potatoes in Sweet Potato Green Tag Certification Program this fiscal year. All twelve (12) growers were in Program A. There were no Sweet Potato Weevils trapped last year.

A \$10 per acre trapping fee was implemented in 1998 to recover the costs of certifying sweet potato fields free of the Sweet Potato Weevil. A total of \$34,930 was collected this year.

A total of 1,060,202 green tags were mailed out to the growers. The Green Tags were modified in design this year to make it easier for the producers to use. The Arkansas State Plant Board was represented at the 2013 National Sweet Potato Convention held in New Orleans, LA in January.

PINK BOLLWORM

A total of 26 traps were placed by the State Plant Board at Gins in Northeast Arkansas. USDA trapped the remaining Gins in the state. No pink bollworm moths were recovered in the 2013 survey.

Guidelines or criteria of placing an area under Area A (infested area):

If a single moth is trapped prior to September 1, the area will be placed under regulation immediately. If a single moth is trapped after September 1, and no larvae recovered, regulations will not be applied unless an additional moth is trapped within a 1 ½ mile radius of the initial trap find.

The quarantine was lifted by USDA in the spring of 2000. Arkansas is now considered to be Pink Bollworm free.

Most gin owners, managers and/or operators were most cooperative in all phases of the program. All gins were in compliance with the gin clean-up deadline.

Growers were most cooperative with the stalk destruction requirements. No violations will be carried over from 2013 leaving zero (0) on the 2014 prohibited ginners list.

All designated oil mills that received quarantined cottonseed were milled out and cleaned up by the June 1 deadline.

All survey, regulatory, and control work was in cooperation with USDA-APHIS. Other agencies such as Agricultural Extension Service, Soil Conservation Service, Agricultural Stabilization and Conservation Service, etc., assisted in publicity and other phases of the program.

BOLL WEEVIL

The Boll Weevil Eradication Program has successfully completed another year. The entire state is under the eradication program. The Northeast Delta Zone was the last zone to enter the Program in Arkansas. This zone entered under a forced program administered by the State Plant Board.

Cotton acreage is decreasing in Arkansas each year. In 2007 there were 852,159.1 acres of cotton statewide. The 2007 total was down 308,104.3 from the 2006 crop year. In 2008 there was a total of 605,686.8 acres of cotton statewide. That is down 246,472.3 acres state wide from 2007. In 2009 there was a total of 490,816.1 acres of cotton statewide. This is down 669,447.3 acres from the 2006 crop year. Since 2006 the cotton crop in Arkansas has decreased by over 50%. However, in 2010 there was a total of 522,221.3 acres of cotton statewide. This marked the first increase in cotton acreage since the start of the decline in 2007. In 2011 the total cotton acres increased again to 631,504.1 acres. However, in 2012 the cotton acreage declined to 587,128.60, in 2013 there was 304,000 acres, and forecasts for the 2014 crop predict that the acreage will be around 315,000 acres.

In 2012 the Arkansas State Plant Board adopted a new billing system for the program. Instead of having the Boll Weevil Foundation collect field information from the growers and us this data for billing the Plant Board entered into a MOU, memorandum of understanding, with USDA-FSA. This MOU made it possible for FSA to share the certified field information with the Plant Board, and the Plant Board used that data to create invoices for the growers. By doing this the referendum zones were basically indeterminable in reference

to how they had been separated in the past. The acreage was only identified/separated by the per/acre assessment.

In 2013 there were two different per/acre assessments: \$8 and \$5 per acre.

The \$8 per acre assessment encompassed the Northeast Delta, Northeast Ridge, Central, and Southeast Zones. The \$5 per acre assessment included the Southwest Zone.

Aquaculture

The Aquaculture program was started in 2006. This program was started to certify bait and ornamental fish shipments, and to show that the shipments meet the Official Standards for Certification of Bait and Ornamental Fish. The Arkansas State Plant Board is working in conjunction with USDA accredited veterinarians that are completing two-year disease free inspections. These inspections follow APHIS-approved protocols and are followed by onsite inspections of biosecurity and aquatic nuisance species (ANS) status completed by Arkansas Agriculture Department field staff. Upon completing the two-year of disease free testing and the onsite inspection the Arkansas State Plant Board will issue the fish producers Certificates to verify that the shipment of bait and ornamental fish are certified to be ANS free and disease free.

In 2012 the Snakehead Fish and Quagga Mussel were added to the ANS list, and Best Management Practices for Gambusia were adopted.

The Arkansas State Plant Board had 18 producers signed up in 2013 for certification. The total acres for 2013 were 14,643.45. This program charges \$1 per surface acre and collected \$14,643.45 in annual fees from the participating producers.

Arkansas Federal-State Inspection Program

Scott Bray, Director
John Lansdale, Officer in Charge
Douglas Goodson or Edgar Rippee, AMS/USDA Program Managers
July 1, 2013 - June 30, 2014

Under a cooperative agreement with the USDA, this section is responsible for providing inspections of fresh fruit and vegetables for the purpose of certifying their quality, condition and quantity as authorized by the Agricultural Marketing Act of 1946. Quality - referring to the inherent properties of a product which determines its relative degree of excellence. Condition - referring to the relative degree of soundness or preservation of a product and

includes but is not necessarily limited to, its firmness or stages of ripeness, decay, freezing, shriveling, flabbiness or any other progressive factor which effects the products marketability. Quantity - meaning the number or weight.

In providing this service there are two types of inspections, shipping point and market inspections. Shipping point inspections are those performed on products produced within the state at the point of origin or production and are therefore, seasonal in nature. Market inspections are those made of products after they have been shipped from the point of origin or production and may include those produced within the state as well as other states or foreign countries.

The following table pertains to shipping point inspections performed during FY 2013- 2014.

| APPLICANTS | PRODUCTS | NUMBER GROWERS | NUMBER CONTAINERS | NUMBER POUNDS |
|---|------------|----------------|-------------------|---------------|
| Proffer Wholesale Produce Warren, Arkansas | Tomatoes | 5 | 71,150 | 1,482,069 |
| " | Cucumbers | 2 | 20,938 | 923,258 |
| " | Squash | 2 | 10,687 | 213,740 |
| " | Snap Beans | 2 | 172 | 4,816 |
| " | Peppers | 2 | 12,332 | 332,222 |
| " | Okra | 2 | 544 | 5,440 |
| " | Eggplant | 2 | 2,069 | 62,070 |

Requests for the shipping point inspection service continue below normal due to changes in marketing procedures (direct marketing, roadside markets, u-pick operations), and reduction in production of some products, etc.

All Market Inspections are performed by the section manager.

The following table pertains to Market Inspections performed during FY 2013-2014.

| PRODUCT | NUMBER OF LOTS INSPECTED | NUMBER OF POUNDS |
|----------|--------------------------|------------------|
| Tomatoes | 0 | 0 |

The section manager assisted in some demonstrations with regard to grading, packing and marketing of fruits and vegetables.

This section is responsible for providing grading services of Farmers Stock Peanuts at two locations called buying points in the state. Seven full time employees and six extra help employees are licensed by AMS/USDA to grade the peanuts in FY 2013-2014, aided by ten support staff members. There were 1,207 certificates issued.

| FARMERS STOCK PEANUTS TONS GRADED | OIL STOCK/CLEANER RESIDUE TONS GRADED |
|--|--|
| 20,339 | 392 |

This division cooperated with USDA’s Foreign Agricultural Service, Trade Opportunity Referral System (TORS) of Export Trade Services Division with regard to marketing Arkansas agricultural products. It is also, cooperating with the Arkansas Industrial Development Commission in exchanging and forwarding inquiries on trade leads.

This section is also responsible for the Good Agricultural and Good Handling Practices Audit Verification Programs.

This program is an audit based service, in order to assess a company’s efforts to minimize the possibility of contamination of fresh fruits, vegetables and nuts by microbial pathogens. It does not assure that the product is free from microbial contamination. Audits are intended to occur on a scheduled basis at a minimum of once a year. The responsibility for continuing product safety and the continued observance of practices leading to a minimized possibility of microbial contamination rests with the company.

These instructions are specifically developed by the Fresh Products Branch to assist officially licensed auditors in the application of auditing principles and practices, the use of an official checklist and define GAP & GHP terms in order to conduct audits for GAP & GHP program compliance. These instructions do not establish any rule or regulation.

The mission of the program and the intent of these instructions are to provide a uniformly applied national auditing program for the U.S. fresh produce industry for purposes of verification with GAP & GHP.

| USDA GAP/GHP AUDITS PERFORMED | USDA GAP/GHP UNANNOUNCED FOLLOW –UP AUDITS | PRODUCE GAPS HARMONIZED AUDITS PERFORMED | PRODUCE GAPS HARMONIZED UNANNOUNCED FOLLOW –UP AUDITS |
|--|---|---|--|
| 7 | 0 | 7 | 2 |

DIVISION OF SEEDS

Mary A. Smith, Director

The Seed Division's responsibilities are both service oriented and regulatory: (1) The enforcement of Seed Laws and Regulations, (2) The operation of an Official Seed Laboratory, and (3) The management of the Seed Certification program. All activities are coordinated through the Division Director. A summary of the work activities are as follows:

I. SEED LAW ENFORCEMENT

Mary A. Smith, Seed Control Official

Brenda R. Bland, Adm. Asst. III

Marchall Caster, Adm. Asst. II

The ultimate purpose of seed laws and regulations is to protect the consumer and seedsman from poor quality or mislabeled planting seed. This is primarily achieved through routine compliance monitoring - audits of seedsmen/farmers and field inspectors policing the areas where agricultural seed is sold. The inspectors make sure that all the seed, which is being offered for sale, has a label. The label provides information for the buyer - the germination potential, the kind and numbers of noxious weeds per pound, the % other crop, the % weeds, the % inert material present, etc.

The inspectors randomly take samples of the seed that is being offered for sale and send them, along with copies of the labels, to the seed laboratory. The seed analysts will test and analyze the seed and compare their findings with that on the label.

The seed is considered mislabeled if the seed analyst's findings are out of tolerance with the label. A Stop-Sale Notice is issued which prevents the seed from being sold until it has been released to show the correct information, sold for feed (must be untreated), or returned to the manufacturer.

Stop-Sale Notices are also issued by the field inspectors because of technical violations, such as: no analysis labels on the seed; insufficient information on the label; no Arkansas Seed Dealer's license; out-of-date-of test, etc.

All Stop-Sale Notices, whether issued by the Division Director or by the Field Inspector, must have a written release issued by the inspector after he/she is satisfied appropriate measures were taken to correct the violation.

| | <u>13/14</u> | <u>12/13</u> |
|--|---------------------|---------------------|
| Number of Regulatory Samples collected from seed being offered for sale in the trade channels. | 1,636 | 1,566 |

| | | |
|--|--------------|--------------|
| | <u>13/14</u> | <u>12/13</u> |
| Number of Stop-Sale Notices issued by the Division Director because the seed was found to be mislabeled. | 38 | 33 |
| Number of Stop-Sale Notices issued by Inspectors because of technical violations. | 70 | 52 |

A breakdown of the top ten crops collected by the inspectors and tested by the seed laboratory **for regulatory purposes** is as follows:

| Crop | Number Collected | Number Mislabeled | Number in Tolerance, but below Labeled Germ |
|---------------|------------------|-------------------|---|
| Soybeans | 935 | 3 (0.32%) | 30 (3.21%) |
| Rice | 194 | 0 | 1 (0.52%) |
| Wheat | 119 | 0 | 0 |
| Corn | 113 | 0 | 0 |
| Ryegrass | 98 | 12 (12.24%) | 0 |
| Tall Fescue | 60 | 16 (26.67%) | 3 (5.00%) |
| Grain Sorghum | 14 | 0 | 0 |
| Oats | 12 | 1 (8.33%) | 0 |
| Rye | 11 | 1 (9.09%) | 0 |
| Orchardgrass | 10 | 0 | 0 |
| All Others | 70 | 5 (7.14%) | 0 |
| Total | 1636 | 38 (2.32%) | 34 (2.08%) |

Each year the Seed Committee reviews the Seed Enforcement Report and recommends the acceptance or rejection (to the full board) of any informal hearing agreements of seed companies with poor labeling records. For the 13-14 year, there are no companies with three or more consecutive years of excessively high percentages of mislabeled seed (which requires an enforcement response of an informal hearing). However, there are three companies with two consecutive years of over 10% mislabeled seed that will be issued alert letters and five will receive caution letters for one year of over ten percent mislabeling record.

The Federal Seed Act regulates seed in interstate commerce, requiring proper labeling and prohibiting misrepresentation of seed transported from one state to another. By agreement between State and Federal authorities, randomly selected regulatory seed samples of interstate shipments are sent to the USDA Federal Seed Laboratory to be grown in varietal test plots. The Federal Seed Branch requests records on any seed found to be mislabeled as to variety. An investigation is made to determine who is responsible and appropriate action is taken - which can range from a warning letter to a penalty assessment.

Last year (12/13) the USDA Federal Seed Branch planted 37 samples of interstate shipments of soybeans & tall fescue we submitted. Results of the grow-out tests show 4 of the 23 soybean samples and 2 of the 14 Tall Fescue samples were incorrectly labeled as to variety. The rest appear to have been correctly labeled. Vegetable samples were requested this year, and we had none of the kinds requested to submit.

Other activities included:

1) Soybean and rice growing conditions were affected by the wetter than normal growing season in the spring, summer and fall of 2013; conditions were not quite as good as those in 2012 - resulting in very good quality soybeans but not quite as excellent overall seed quality as 2013. However, the seed quality for rice was improved over the previous year. The number of stop-sales and advisory letters issued for soybean germination problems increased somewhat over the previous year. Inspectors sampled over 930 regulatory soybean samples to check for possible problems with this seed in the marketplace. In 12/13, no stop-sales were issued for soybean germination problems compared to two in 13/14. Also, the number of advisory letters was increased – 30 issued this year compared to the 5 advisory letters in 12/13 (sent to seedsmen whose seed was in tolerance with the labeled germ, but 3% or more below the labeled germination percent). These advisories alert seedsmen to monitor their seed in the marketplace. Also, no Arbitration complaints were filed last year on the crops planted in 2013 and so far (to date) this season, no calls for forms to apply for arbitration have been received on the crops planted in 2014.

2) Liberty Link (LL) Rice contamination found in rice grain shipments in 2006 led to 06/07 activities in sampling, testing, and issuing validation reports for seed lots that were not found to be positive for the LL trait. This same testing has continued each year since that time. Plant Board Inspectors provided sampling for all rice seed intended for planting in Arkansas in the spring of 2014. During the testing phase, over 330 samples were submitted to labs for testing - all with negative results. The Seed Division issued approximately 1,080 Seed Sample Validation Reports in the spring and summer of 2014.

Another part of seed law enforcement is the issuance of various licenses:

| | <u>13/14</u> | <u>12/13</u> |
|---|--------------------------------------|--------------------------------------|
| Number of Seed Dealer's Licenses Issued | 215 | 219 |
| Number of Subsidiary Locations Registered | 146 | 143 |
| Number of Seed Treater's Licenses Issued | 112 | 108 |
| Number of Seed Treater's Restricted-Use Pesticide Lic. Issued | 24 (2013) | 21 (2013) |
| | <small>(24 Loc. 30-treaters)</small> | <small>(21 Loc. 23-treaters)</small> |

All seed sold for planting purposes must have a tonnage fee paid on it to help support the regulatory work. This fee can be paid by purchasing permit tags, analysis labels, or by filing quarterly reports on the number of pounds of seed sold and paying a fee per each hundred pounds sold. The tonnage fee breakdown is as follows:

| | <u>13/14</u> | <u>12/13</u> |
|---|--------------|--------------|
| Number of Permit & Analysis Labels Issued (non-certified) | 14,913 | 8,257 |
| Number of Pounds Reported | 332,841,962 | 331,311,570 |

Aaron Palmer, Manager (CSA)*

Senior Seed Analyst
Gordon Baldrige (CSA)*
Pamela Bingham
Margaret Breard
Debbie Hill (CSA)*
Minta James (CSA)*
Barbara Moore (CSA)*

*Certified Seed Analyst

The seed laboratory tests both regulatory samples as explained under “Seed Law Enforcement” and service samples. Service samples are seed samples submitted by seedsmen or farmers for the purpose of obtaining information as to the quality of the seed for planting purposes. If the seedsman is going to sell his seed for planting, he must have an official seed laboratory test to support the labeling information. The breakdown and comparison to last year is as follows:

| | <u>13/14</u> | <u>12/13</u> |
|-------------------------------------|--------------|--------------|
| Number of Service Samples Tested | 7,159 | 6,720 |
| Number of Regulatory Samples Tested | <u>1,587</u> | <u>1,566</u> |
| Total | 8,746 | 8,286 |

Many of the seed samples submitted to the seed laboratory required “special tests” in addition to the standard purity and germination tests. The comparison to last year is as follows:

| | <u>13/14</u> | <u>12/13</u> |
|--|--------------|--------------|
| Number of Purity Tests | 4,697 | 4,827 |
| Number of Germination Tests | 8,701 | 8,234 |
| Number of Phenol Tests (varietal test for wheat) | 79 | 48 |
| Number of Coleoptile Tests (varietal test for wheat) | 79 | 48 |
| Number of Hypocotyl Tests (varietal test for soybeans) | 25 | 28 |
| Number of Peroxidase Tests (varietal test for soybeans) | 0 | 0 |
| Number of Fluorescence Tests (varietal test for oats) | 10 | 9 |

| | | |
|--|------------------|------------------|
| Number of Moisture Tests (certification requirement) | 1,198 | 1,076 |
| Number of Tests for Red Rice (pounds hulled) | 1,000 (3,208) | 1,036 (3,420) |
| Number of Cool Tests (vigor test for cotton) | 6 | 2 |
| Number of Accelerated Aging Tests (vigor test for soybeans & wheat) | 3,655 | 3,282 |
| Number of Tetrazolium Tests (rapid viability test for seed) | 53 | 58 |
| Soybean Herbicide Trait Tests | 1,194 | 1,071 |
| Rice Herbicide Trait Tests | 354 | 337 |
| TOTAL TESTS CONDUCTED | 21,051 | 20,056 |

The seed laboratory tests over 60 different crops, which range from alfalfa to wheat. Below is a breakdown of the top ten crops in numbers submitted for service testing, compared to last year:

| CROP | 13/14 | 12/13 |
|----------------------|--------------|--------------|
| Soybeans | 3,909 | 3,589 |
| Rice | 1,272 | 1,177 |
| Wheat | 941 | 770 |
| Oats | 153 | 133 |
| Garden Beans | 94 | 77 |
| Corn | 42 | 43 |
| Annual Ryegrass | 79 | 110 |
| Cotton | 15 | 9 |
| Clover | 82 | 120 |
| Cowpeas | 19 | 33 |
| All Others | 553 | 659 |
| TOTAL SAMPLES | 7,159 | 6,720 |

The Seed Lab Manager currently serves on the Executive Board of the “Association of Official Seed Analysts” (AOSA).

III. SEED CERTIFICATION

James Chastain, Certification Manager

The Seed Certification Program provides constant supervision to the production of seed with the highest genetic and mechanical purity. Rigid standards of quality are set-up by the Plant Board for the three classes of certified seed. Detailed records are maintained for four generations of seed production. Each generation of Foundation, Registered and Certified seed production must be field inspected and then laboratory tested. Only when all standards are met can certified tags/labels (or bulk certificates for wheat) be issued.

In 2006, new standards were added to the Certification program for the certification of vegetatively propagated turfgrasses. Protocols and forms for this program have been developed and training for inspections has been conducted and is on-going. Three inspections are conducted annually on the fields in certification. Maps using GPS coordinates developed for all fields in continuous production continued to be helpful for this year's inspections.

In addition to the Certification Program, the Seed Division began offering services in 1994 other than the traditional seed certification program. The Identity Preserved/Quality Assurance Program allows inspection services to be developed to meet the specific needs of individual companies.

Regulation changes in 2004 allowed registered grade rice, wheat and soybeans to be sold in bulk bags (superbags). This altered the way some of the crops are sold. There is a decrease in the amount of traditional bag labels printed and an increase in the superbag labels printed, especially for rice.

A breakdown of the acreage under each of these programs, and tags/labels issued is as follows:

| | 2013 Crop Year | 2012 Crop Year | 2011 Crop Year |
|---|-------------------------------|-------------------------------|-------------------------------|
| Total Acres Certified | 39,279 | 40,628 | 54,424 |
| Total Acres Identity Preserved/Quality Assurance | 6,176 | 6,164 | 3,018 |
| Grand Total (Acres) | 45,455 | 46,792 | 57,442 |
| Number of Conditioners Inspected | 35 | 33 | 33 |
| Number of Permits Issued (includes Bulk Wheat Permits) | 45 | 51 | 65 |
| Bushels of Wheat Sold Bulk Certified | 2,337 | 9,346 | 16,301 |
| Bushels Wheat Sold in Super Bags | 801,842 | 1,087,748 | 975,929 |
| Bushels Soybeans Sold in Super Bags | 54,283 | 66,245 | 65,120 |
| Bushels Rice Sold in Super Bags | 2,009,679 | 1,299,258 | 1,120,866 |
| Number Labels Issued on Traditional Size Bags | 118,397 | 284,622 | 198,181 |

CERTIFICATION DATA FOR THE 2013 CROP YEAR

| CROP | No. of Applications | Acres Approved | NUMBER OF LABELS ISSUED ON TRADITIONAL SIZE BAGS | | | | # of Labels Issued if all Certified seed was sold in 50 lb. traditional units |
|---------------|---------------------|----------------|--|--------------|---------------|----------------|---|
| | | | FD | REG | BT | TOTALS | |
| Oats | 4 | 129 | 0 | 518 | 0 | 518 | 518 |
| Wheat | 61 | 14,988 | 15,085 | 0 | 28,460 | 43,545 | 1,008,559 |
| Rice | 122 | 19,579 | 6,152 | 4,720 | 33,872 | 44,744 | 1,853,455 |
| Soybeans | 24 | 2,457 | 4,147 | 1,646 | 23,797 | 29,590 | 94,730 |
| E. Gammagrass | 1 | 4 | 0 | 0 | 0 | 0 | 0 |
| Peanuts | 2 | 1,768 | 0 | 0 | 0 | 0 | 0 |
| Triticale | 1 | 53 | 0 | 0 | 0 | 0 | 0 |
| Turfgrass | 16 | 301 | - | - | - | - | - |
| TOTALS | 231 | 39,279 | 25,384 | 6,884 | 86,129 | 118,397 | 2,957,262 |

CERTIFICATION DATA FOR THE 2012 CROP YEAR

| CROP | No. of Applications | Acres Approved | NUMBER OF LABELS ISSUED ON TRADITIONAL SIZE BAGS | | | | # of Labels Issued if all Certified seed was sold in 50 lb. traditional units |
|---------------|---------------------|----------------|--|--------------|----------------|----------------|---|
| | | | FD | REG | BT | TOTALS | |
| Oats | 2 | 140 | 0 | 0 | 0 | 0 | 0 |
| Wheat | 66 | 12,403 | 15,271 | 4 | 150,272 | 165,547 | 1,470,845 |
| Rice | 130 | 23,612 | 3,217 | 4,674 | 80,362 | 88,253 | 1,257,585 |
| Soybeans | 25 | 2,458 | 3,597 | 3,669 | 22,556 | 29,822 | 105,496 |
| E. Gammagrass | 1 | 11 | 0 | 0 | 0 | 0 | 0 |
| Peanuts | 1 | 1,308 | 0 | 0 | 0 | 0 | 0 |
| Triticale | 6 | 397 | 0 | 0 | 1,000 | 1,000 | 1,000 |
| Turfgrass | 16 | 300 | - | - | - | - | - |
| TOTALS | 247 | 40,628 | 22,085 | 8,347 | 254,190 | 284,622 | 2,834,926 |

THE BUREAU OF STANDARDS

The Bureau of Standards was originally created as the Weights and Measures Division under the State Plant Board with passage of Weights and Measures Act 482 of 1963. In 1977, Act 768 transferred the Weights and Measures Division to a Division of the Department of Commerce. In 1983 with Act 691, the Weights and Measures Division became an independent agency and the name “Arkansas Bureau of Standards” was adopted. In 1993, Act 610 transferred the Arkansas Bureau of Standards to the Arkansas State Plant Board.

During the spring of 1996, the Bureau of Standards underwent reorganization from four divisions (Administrative, Petroleum Quality, Weights and Measures and Laboratory Standards Division) to three divisions. The Laboratory Standards division was placed under the Weights and Measures Division. The Administrative Division provides executive direction to the three divisions.

In compliance to Acts 586 & 587 of 2001 the existing divisions are now identified as the State Petroleum Products Division, the State Weights and Measures Division and the Office of Administration. The State Weights & Measures Division oversees the Area Investigation Section and the State Standards Laboratory.

The State Petroleum Products Division is responsible for testing of motor fuels (gasoline, kerosene, and diesel fuel), illuminating oils and heating oils used in Arkansas commerce. The Division provides protection for consumers, technical assistance to the petroleum industry, and assures consumers and the petroleum industry receives quality petroleum products in commercial transactions. Unannounced fuel samples are collected from retail fuel stations, terminal storage tanks, pipeline terminals, refineries and wholesale bulk plants regularly.

In addition the division performs compliance testing on motor fuel and liquefied petroleum gas meters certified for use by Arkansas Registered Service Agents.

The State Weights and Measures Division is responsible for ensuring “equity may prevail” in the many commercial transactions involving weighing and measuring in the marketplace. Every transaction involving the exchange of goods, property and service is affected in a very vital way by some form of weighing or measuring. This division enforces the provisions of Act 587 of 2001 and the regulations as prescribed in the National Institute of Standards and Technology Handbooks 44, 130, 133, and specifications and test method standards set forth in the most recent edition of the Annual Book of ASTM Standards.

Weight and Measure Division consists of thirteen field investigators, residing strategically throughout the state. They carry out inspections of standard pack and random pack products at wholesale and retail outlets, test gasoline pumps, gasoline storage tanks, small capacity scales, pawn scales, and fabric store yardage measures meters. This section checks for misleading advertising violations in the news media.

The State Standards Laboratory consists of the Metrology Laboratory and Grain Moisture Meter Laboratory. The State Standards Laboratory serves as the state's primary standards and as scientific authority for measurement certification. The Metrology Laboratory maintains the official state standards of mass, length and volume; calibrates and certifies standards and instruments used by state government, commerce, industry, educational and research institutions; and provide technical assistance in the measurement field. The Grain Moisture Meter Laboratory is primarily responsible for ensuring the accuracy of moisture meters used in the buying and selling of grain. The laboratory develops grain standards and specifies basic testing techniques used in the standardization, calibration, and examination of public grain elevator moisture meters, as well as testing and verifying the accuracy of all commercial moisture meters in Arkansas.

ARKANSAS BUREAU OF STANDARDS 1963-2014

At the request of the Research Department of the Arkansas Legislative Council, the National Bureau of Standards conducted a study of the weighing and measuring practices taking place in the State of Arkansas. The resulting investigation revealed serious weight shortages among packaged food products and a high rejection rate for large and small scales and gasoline pump meters. These findings brought to light the need for an enforcement program to protect the weighing and measuring practices of both the buyers and sellers of consumer goods and commodities in the State of Arkansas.

As a result of these findings, the Division of Weights and Measures was created by the 64th General Assembly through the passage of Act 482 of 1963. The "Weights and Measures Act of 1963" made provisions for a director, a deputy director, state inspectors and technical and clerical personnel.

At its inception, the Weights and Measures Division did not have any personnel, facilities or programs in place, so the division was placed under the authority of the State Plant Board.

During the first year of operation, eight (8) new positions were created, and 14,000 tests and inspections were performed. Between 1964 and 1967, the workload increased making it necessary to hire ten (10) additional employees.

In 1963, the State Plant Board was located at 421½ West Capitol Avenue at the intersection of Broadway in downtown Little Rock. From 1963 to 1969, the Weights and Measures Division operated out of the State Plant Board office on Capitol Avenue.

In 1966, work began on a new Weights and Measures Metrology Laboratory at 4608 West 61st Street in the south central part of Little Rock. The official weights and measures standards and laboratory balances supplied by the National Bureau of Standards began arriving in 1968.

The official “State Standards” were placed in a special glass display case for protection where they could be viewed by visitors to the agency. On April 18, 1969, the Metrology Laboratory was officially dedicated.

From 1969 to 1971, new Weights and Measures programs and responsibilities brought the total number of employees to twenty-one with most of the work being coordinated from the new Weights and Measures Laboratory.

The Weights and Measures Division at this point became a functionally independent agency with responsibility for making all policy decisions and developing programs necessary to protect both the public and business sectors. During the 1971 and 1973 General Sessions, the Liquefied Petroleum Gas Testing Program was transferred to the Division of Weights and Measures, and the Grain Moisture Meter Testing Program was created.

Between 1973 and 1975, the Administrative Section and Grain Moisture Laboratory were completed, and plans for developing a Petroleum Quality Control Program were begun.

In 1977, due to major program differences and an increasing need for the Weights and Measures Division to make policy decisions, develop programs and coordinate activities from a central location, the Division of Weights and Measures was transferred from the State Plant Board and placed under the Department of Commerce.

In 1977, a Petroleum Quality Control Laboratory was completed. Chemists and technical personnel were hired to test octane ratings, water contamination and other components of gasoline and diesel fuel in order to protect motor vehicles operating in the State of Arkansas.

In 1978, Arkansas was host to the 33rd annual Southern Weights and Measures Association. This meeting was held at the Camelot Inn in Little Rock with nineteen states represented.

In 1983, the Department of Commerce was abolished, and the Division of Weights and Measures became a totally independent, functioning agency with thirty-nine full time employees. Due to the expanding role of the Weights and Measures Division, the agency name was changed to Arkansas Bureau of Standards in order to better reflect the increasing diversity of responsibilities. A subsequent internal reorganization created the Weights and Measures Division, the Laboratory Standards Division, Petroleum Quality and the Administrative Division. These changes proved beneficial at both the state and national level.

In 1983, the Director of the Bureau of Standards was elected Chairman of the National Conference on Weights and Measures.

In 1984, the National Conference approved Little Rock, Arkansas as the site for the 72nd Annual Meeting.

In 1987, the 72nd Annual Meeting of the National Conference on Weights and Measures was held at the Excelsior Hotel on July 19-24, with 383 registered delegates and guests. Forty-six

states, Puerto Rico and the Virgin Islands were represented. Foreign countries represented included Canada, France and Taiwan. On March 1, 1993, the agency commemorated National Weights and Measures Week with a ceremony at the State Capitol. On June 30, 1993, the Bureau of Standards completed thirty (30) years of continuous service to the citizens of Arkansas.

On July 1, 1993, the Arkansas Bureau of Standards was placed under the State Plant Board, as part of an administrative reorganization act. During October, the Bureau hosted the Southwest Assurance Program (SWAP) annual meeting at Hot Springs, in conjunction with the National Institute of Standards and Technology, Office of Weights and Measures.

During the 80th Session of the Arkansas General Assembly of 1995, legislation was passed to construct a Laboratory Complex for precision measurement of volume and length standards. This project, completed in August 1997, included a new volume and length laboratory and training facility for weights and measures investigators.

In October, 1995, Arkansas was selected to host the 52nd Annual Southern Weights and Measures Association's Conference for 1997. The conference, held at the Arlington Resort Hotel & Spa on October 26-30, 1997 was attended by all of the southern states, officers of the National Conference on Weights and Measures and representatives of the National Institute of Standards and Technology.

On March 7, 2001, Arkansas adopted the "Model State Weights & Measures Law" and the "Uniform Engine Fuels, Petroleum Products, and Automotive Lubricants Inspection Law" as proposed by the National Conference on Weights and Measures. These new laws are Act 586 and 587 of 2001 by the 83rd Session of the Arkansas General Assembly.

Effective July 1, 2003, the Special Testing Section of the Weights & Measures Division was abolished. All petroleum related duties were reassigned to the Petroleum Products Division and scale testing personnel now report directly to the Supervisor of the Weights & Measures Division.

February 13, 2003 marked the passage of Act 112 of 2003. This law transferred the responsibility of the annual certification and test of certain commercial devices such as meters, scales and LPG meters to the owners. The annual fee based test and certification must be performed by an Arkansas Registered Service Agent employed by the owner of the device.

PAST AND PRESENT DIRECTORS OF THE BUREAU OF STANDARDS

| | |
|---------------------------------|-----------------------------------|
| Tom R. Pugh | July 1, 2005 to Present |
| James C. Scott | November 1, 2000 to June 30, 2005 |
| James M. Hile | July 1, 1993 to October 24, 2000 |
| James M. Hile (Acting Director) | August 1, 1992 to June 30, 1993 |
| Sam F. Hindsman | August 1, 1973 to July 31, 1992 |

| | |
|------------------------------------|---|
| Grady Brown | January 1, 1973 to July 31, 1973 |
| James E. Holiman (Acting Director) | October 2, 1972 to December 31, 1972 |
| James C. Blackwood | October 1, 1970 to October 1, 1972 |
| James E. Holiman (Acting Director) | September 1, 1970 to September 30 1970 |
| George E. Miller | May 1, 1967 to August 31, 1970 |
| A. L. Little | July 1, 1963 to April 30, 1967 |

**BUREAU OF STANDARDS PERSONNEL
ADMINISTRATIVE DIVISION**

| | | |
|-------------------------------|---|-----------------|
| Director | - | Tom R. Pugh |
| Deputy Director | - | Vacant Position |
| Assistant Deputy Director | - | Tim Chesser |
| Administrative Specialist III | - | Sheila Carter |
| Administrative Specialist II | - | Oretha Bonds |
| Administrative Specialist II | - | Jessica Lain |

**STATE WEIGHTS & MEASURES DIVISION
STATE STANDARDS LABORATORY**

| | | |
|------------------------------|---|-----------------|
| Metrology Laboratory Manager | - | Nikhil Soman |
| Metrologist | - | Vacant Position |
| Metrologist | - | Charles Hawkins |
| Agriculture Program Manager | - | Randy Burns |

AREA INVESTIGATION SECTION

| | | |
|------------------------------------|---|------------------|
| Plant Board Agriculture Specialist | - | Roger Frazier |
| Plant Board Inspector - Area 1 | - | Don Siefken |
| Plant Board Inspector - Area 2 | - | Stanley Cottrell |
| Plant Board Inspector - Area 3 | - | Tammy Beck |
| Plant Board Inspector - Area 4 | - | Lowell French |
| Plant Board Inspector - Area 5 | - | Shelby Mross |
| Plant Board Inspector - Area 6 | - | Mark Bell |
| Plant Board Inspector - Area 7 | - | Lynn Bellott |
| Plant Board Inspector - Area 8 | - | Larry Wornock |
| Plant Board Inspector - Area 9 | - | Richard Slater |
| Plant Board Inspector - Area 10 | - | Brian Terry |
| Plant Board Inspector - Area 11 | - | Mike Harris |
| Plant Board Inspector - Area 12 | - | Gary King |
| Plant Board Inspector - Area 14 | - | Jack Newberry |

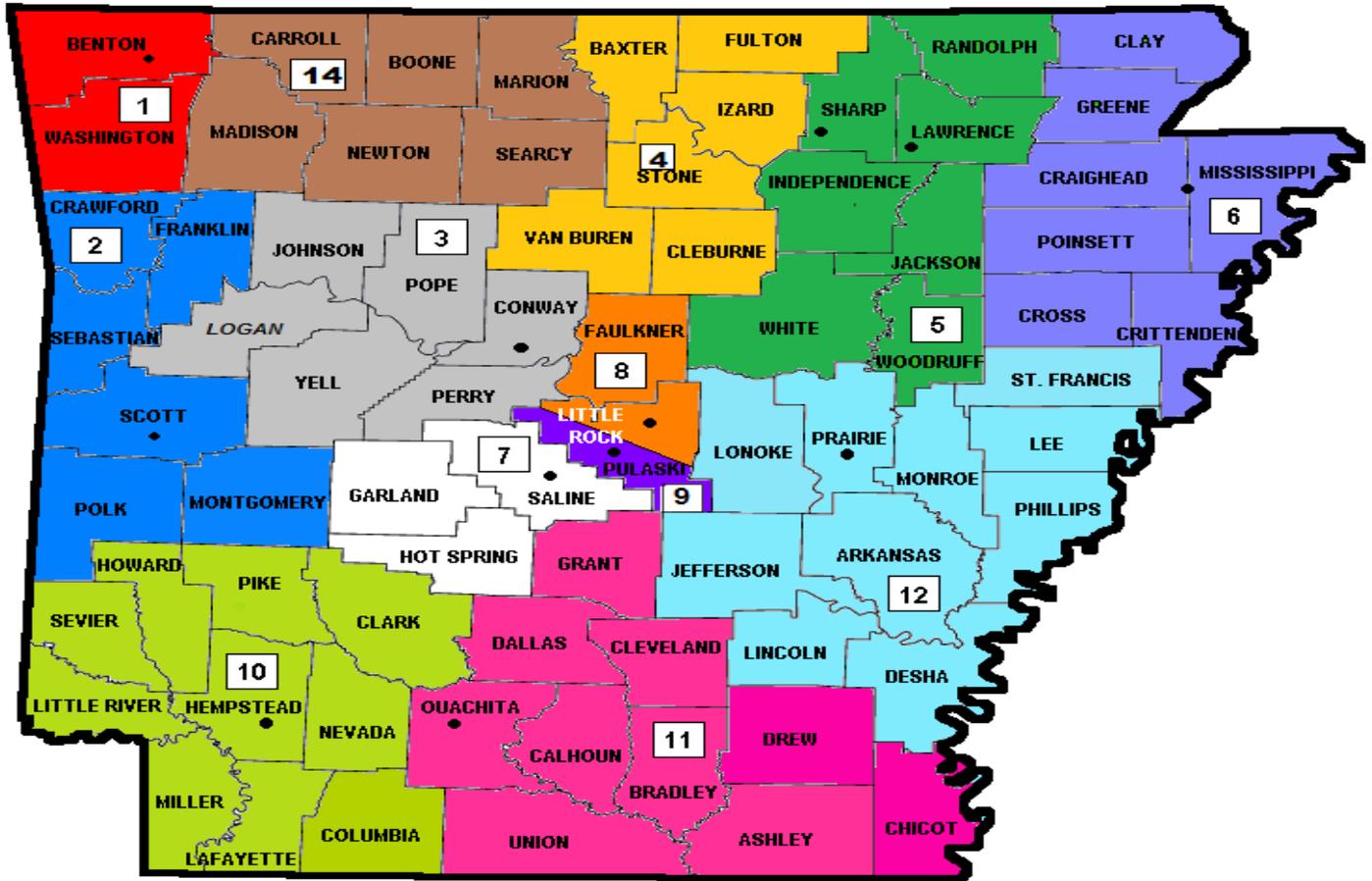
WEIGHTS AND MEASURES DIVISION

| | | |
|---------------------------|---|--------------------|
| Assistant Deputy Director | - | Tim Chesser |
| Scale Technician | - | Mike Jones |
| Scale Technician | - | C. Richard Johnson |
| LPG Technician | - | Gary Howard |

STATE PETROLEUM PRODUCTS DIVISION

| | | |
|--------------------|---|-----------------|
| Chemist Supervisor | - | Wilford Jones |
| Chemist | - | Daniel Greene |
| Chemist | - | Ronald Phillips |
| Chemist | - | Teresa Dillard |
| Chemist | - | Fred Harris |

ARKANSAS BUREAU OF STANDARDS INVESTIGATIVE AREAS BY COUNTY



| Area | Investigator | Counties |
|------|------------------|--|
| 1 | Don Siefken | Benton, Washington |
| 2 | Stanley Cottrell | Crawford, Franklin, Montgomery, Polk, Scott, Sebastian, |
| 3 | Tammy Beck | Conway, Johnson, Logan, Perry, Pope, Yell |
| 4 | Lowell French | Baxter, Cleburne, Fulton, IZARD, Stone, Van Buren |
| 5 | Shelby Mross | Jackson, Lawrence, Randolph, Woodruff |
| 6 | Mark Bell | Clay, Craighead, Crittenden, Cross, Greene, Mississippi, Poinsett |
| 7 | Lynn Bellott | Garland, Hot Springs, Saline |
| 8 | Larry Wornock | Faulkner, Pulaski North |
| 9 | Richard Slater | Pulaski South |
| 10 | Brian Terry | Clark, Columbia, Hempstead, Howard, Lafayette, Little River, Miller, Nevada, Pike Sevier |
| 11 | Mike Harris | Ashley, Bradley, Calhoun, Chicot, Cleveland, Dallas, Drew, Grant, Ouachita, Union |
| 12 | Gary King | Arkansas, Desha, Jefferson, Lee, Lincoln, Lonoke, Monroe, Phillips, Prairie, St. Francis |
| 14 | Jack Newberry | Boone, Carroll, Madison, Marion, Newton, Searcy |

BUREAU OF STANDARDS DIVISION
TOM PUGH
DIRECTOR

DEPUTY DIRECTOR
VACANT

PETROLEUM PRODUCTS DIVISION

WEIGHTS & MEASURES DIVISION

OFFICE OF ADMINISTRATION

CHEMIST SUPERVISOR
WILFORD JONES

METROLOGY
LABATORY MANAGER
NIKHIL SOMAN

PB AGRICULTURE
SPECIALIST
ROGER FRAZIER

ASSISTANT
DEPUTY
DIRECTOR
TIM CHESSER

ADMINISTRATIVE
SPECIALIST III
SHEILA CARTER

Chemist
Daniel Greene
Teresa Dillard
Fred Harris
Ronald Phillips

Metrologist
Vacant Position
Charles Hawkins

Agriculture
Program Manager
Randy Burns

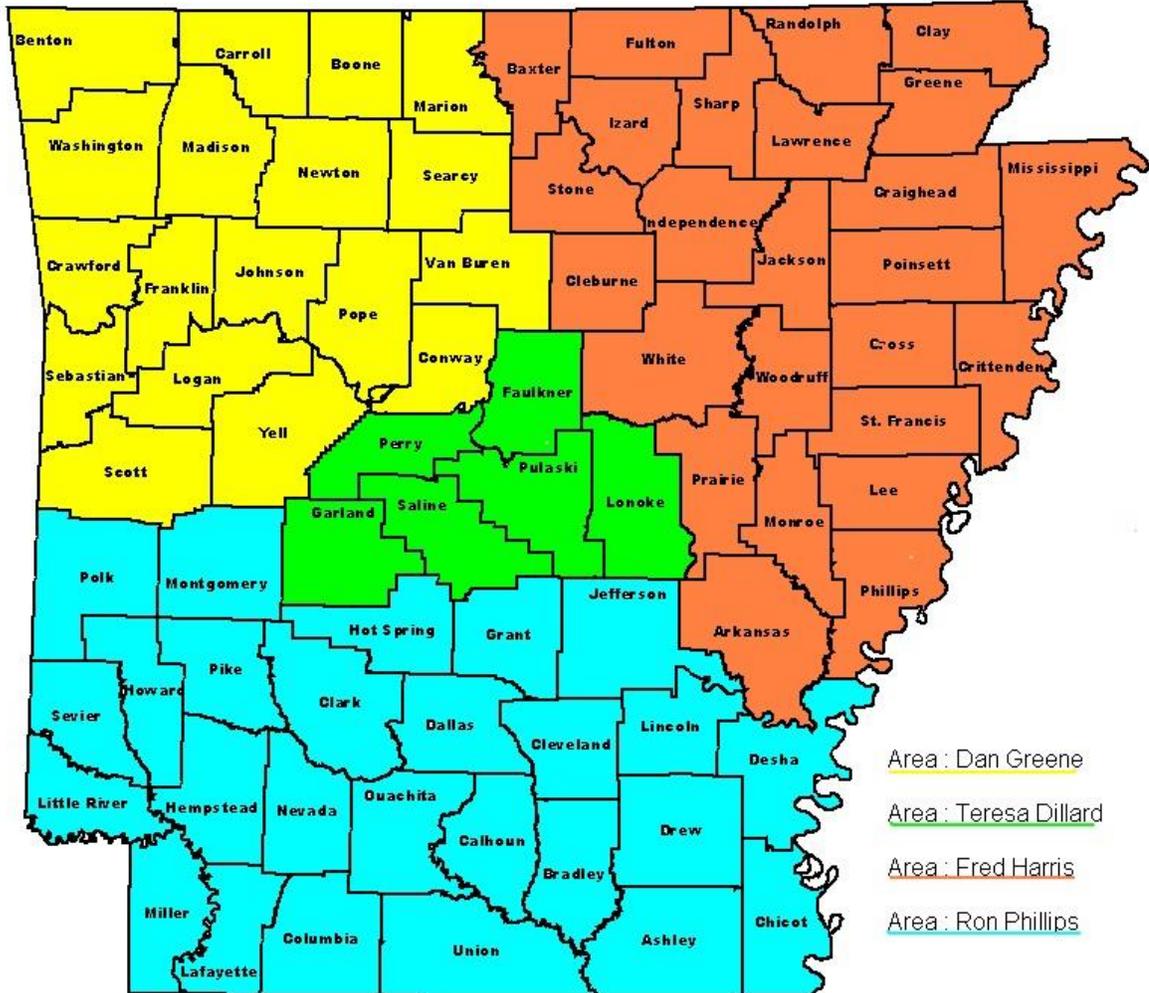
Plant Board
Inspector
Tammy Beck
Mark Bell
Lynn Bellott
Stanley Cottrell
Lowell French
Mike Harris
Gary King
Shelby Mross
Jack Newberry
Don Siefken
Richard Slater
Brian Terry
Larry Wornock

Inspector
Richard Johnson
Mike Jones

LPG Technician
Gary Howard

Administrative
Specialist II
Oretha Bonds
Jessica Lain

ARKANSAS BUREAU OF STANDARDS PETROLEUM INVESTIGATIVE AREAS BY COUNTY



PROGRESS THROUGH THE YEARS

- 1963 Creation of the Arkansas Weights and Measures Division.
- 1968 Metrology Laboratory construction completed.
- 1969 Official dedication of facilities on April 18.
- 1973 Liquefied Petroleum Gas Testing Program transferred from the L.P. Gas Board to the Weights and Measures Division.
- 1973 Began development of programs for L.P. Gas, Grain Moisture and Petroleum Quality Control.
- 1975 Administrative Section and Grain Moisture Laboratory completed.
- 1975 Petroleum Quality Control transferred from the Revenue Department to the Weights and Measures Division.
- 1975 Organization of the Weights and Measures Division into four sections: Investigative, Laboratory, Petroleum and Special Testing.
- 1977 Division of Weights and Measures transferred from the State Plant Board to the Department of Commerce. Petroleum Laboratory completed in November.
- 1978 33rd annual SWMA Conference held at the Camelot October 22-26, 1978, in Little Rock, Arkansas.
- 1983 Sam F. Hindsman elected chairman of National Conference on Weights and Measures, 1983-1984. Agency name changed to Arkansas Bureau of Standards and reorganized to include three separate divisions: Laboratory, Petroleum, and Weights and Measures.
- 1984 The National Conference approved Little Rock, Arkansas as the site for the 72nd National Conference on Weights and Measures annual meeting in July, 1987.
- 1987 72nd Annual Meeting of the National Conference on Weights and Measures held at the Excelsior Hotel July 19-24, with registered delegates and guests. Forty-six states, Puerto Rico and the Virgin Islands were represented. Foreign countries represented included Canada, France and Taiwan.
- 1993 The Bureau of Standards transferred to the State Plant Board. The Bureau of Standards hosts the annual Metrology meeting of the Southwest Assurance Program

(SWAP), in conjunction with the National Institute of Standards and Technology, Office of Weights and Measures in Hot Springs on October 3-8.

1995 Metrology Laboratory Addition approved by 80th General Assembly.

1997 Metrology Laboratory Addition completed.

1997 52nd Annual SWMA Conference held at the Arlington Resort Hotel & Spa, October 26-30, 1997 in Hot Springs, Arkansas.

2001 Acts 586 & 587 of 2001 of the 83rd Session of the Arkansas General Assembly adopted, as law, the National Institute of Standards and Technology “Model State Weights & Measures Law” and the “Uniform Engine Fuels, Petroleum Products, and Automotive Lubricants Inspection Law.”

The Bureau of Standards hosts the first annual training seminar for registered service agencies and service persons on regulations concerning commercial measuring devices and newly enacted laws and regulations.

The Special Testing Section of the Bureau of Standards initiates a new annual test schedule for mobile Liquefied Petroleum Gas meters by establishing nine locations around the state as test sites for the 860 vehicles presently in operation in the state. This resulted in 100% of the vendor’s vehicles tested for the first time, ever.

The Area Investigation Section of the Bureau of Standards implements the first annual thirty day test cycle for the certification of volumetric test measures as a prerequisite to the issuance of annual certificates of registration for meter service companies and individuals.

The Area Investigation Section achieved their goal to test 100% of gasoline meters totaling 37,154 for the first time.

2002 The Bureau of Standards hosted the second Annual training seminar for registered service agencies and service persons on regulations concerning commercial measuring devices and newly enacted laws and regulations.

June 24, 2002 the Bureau hosted the first annual information meeting for scale service technicians.

2004 Effective January 1, the annual test and certification of meters, scales and LPG meters are transferred to the Arkansas Registered Service Agents to comply with the provisions of Act 112 of 2003.

- 2005 Effective January 1, all Arkansas Registered Service Agents are required to provide security seals approved by the bureau to any individual employed as a registered technician authorized to perform inspections and tests.
- 2007 A bio-diesel testing program was designed to ensure bio-diesel quality guidelines based upon Arkansas regulations and ASTM standards. Additionally, the Bureau of Standards provides guidance, technical support and assistance to producers and distributors.
- 2008 Due to rising cost, fuel related complaints have risen significantly.
- Effective February 1, 2008, the Bureau of Standards began a Cooperative Agreement with the Federal Agricultural Marketing Service (AMS) to conduct Country of Origin Labeling-Retail Surveillance reviews at covered retail facilities. These reviews are to ensure compliance with the country of origin labeling provisions of the 2002 Farm Bill. The first phase of the reviews consisted of fifteen stores randomly selected by (AMS). The covered commodities are included in Part 60 CFR includes; Farm-Raised and Wild Fish and Shellfish.
- 2009 Effective April 27, 2009 the Bureau of Standards continued its Cooperative Agreement with the Federal Agriculture Marketing Service (AMS) to conduct Country of Origin Labeling surveillance reviews at covered retail facilities. A total of 55 retail facilities were randomly selected by (AMS). The additional covered commodities in Part 65 CFR includes: muscle cuts of meat: beef, veal, lamb, pork, goat and chicken. Ground meats include: beef, veal, pork, goat and chicken. In addition, fresh frozen fruits and vegetables, peanuts, pecans, macadamia nuts and ginseng are included as part of surveillance reviews.
- 2010 Effective January 25, 2010 the Bureau of Standards was assigned 86 randomly selected stores to perform COOL reviews in a continuation of the cooperative agreement with (AMS) to conduct Country of origin Labeling-Retail Surveillance inspections.
- Effective March 3, 2010 the Bureau of Standards began conducting inspections of precious metal scales located at jewelry stores, pawnshops, and other locations buying gold or other precious metals. The increase in the price of gold prompted many companies to purchase scrap gold and other precious metals. Approximately ninety-eight percent (98%) of the scales were rejected for not being legal for trade.
- 2013 The Bureau of Standards hosted a training seminar for registered service agencies and service persons on regulations concerning commercial measuring devices. The training provided instruction on laws, regulations, policy and requirements on inspection and testing of weighing measuring devices.

STATE PETROLEUM PRODUCTS DIVISION

The State Petroleum Products Division is responsible for assuring consumers and the petroleum industry receives quality gasoline, diesel and petroleum products in commercial transactions occurring in Arkansas. The Laboratory conducts visual, flash point, sulfur content, octane, viscosity, specific gravity, water and sediment, glycerin content, and distillation tests on gasoline, diesel, bio-diesel, kerosene, and aviation fuel samples collected from retail and wholesale outlets.

The State Petroleum Products Division enforces quality standards of engine fuels (gasoline, kerosene, diesel and alcohol blended fuels) distributed throughout Arkansas. The Division provides protection for consumers and technical assistance to the petroleum industry.

The State Petroleum Products Division began operation in June of 1975, checking complaints only with one full-time employee. The Petroleum Quality Laboratory is staffed with five Petroleum Chemists.

Motor Fuel Trends

The demand for alternative fuels has created additional oversight responsibilities for the State Petroleum Products Laboratory. Regulations are in place requiring ethanol content labeling on gasoline pumps.

A viable bio-diesel quality-testing program has been established and is designed to ensure quality guidelines based upon Arkansas regulations.

Engine Fuel Trends

Because engine fuels are susceptible to contamination, the Petroleum Division has endeavored to quality test all wholesalers and retailers doing business in the state annually. In FY 2013, we checked 2,454 stations and 134 wholesalers testing 7,730 petroleum samples; issued 417 violation notices, 220 stop sales, investigated 53 consumer complaints and 15 requested quality samples from industry.

The Bureau feels the sizable number of violations discovered is due to an effective testing and enforcement program.

Thanks to advancements in scientific testing and instrumentation, the Arkansas Bureau of Standards Petroleum Products Division adapted the Eralytics analyzer, Reid Vapor Pressure(s) device and SHIMADZU 2010 Gas Chromatograph and the HERZOG Opti-Dist Automated Distillation Apparatus for determination of illegal fuels. In addition, the Chemical Lab has an auto flash tester for determining flashpoints of highway, off-road diesel, jet A, bio-diesel and kerosene fuels.

STATE WEIGHTS AND MEASURES DIVISION

An internal reorganization in July of 1983 resulted in the Weights and Measures Division being placed under the direction of the newly created Arkansas Bureau of Standards. During the spring of 1996, the Bureau of Standards underwent reorganization from four to three divisions. In March of 2001 the Bureau was reorganized into two divisions, the State Weights and Measures Division and the Petroleum Quality Division, to comply with the provisions of Acts 586 & 587 of the Arkansas General Assembly. The State Weights and Measures Division are composed of Area Investigation and State Standards laboratory.

Area Investigation

The Area Investigation Section consists of thirteen field inspectors, strategically located throughout the state. They carry out continuous systematic inspections of standard and random pack products at retail and wholesale outlets; perform price verification inspections, test gasoline pumps and small commercial scales for compliance, gasoline storage tanks. In addition, they monitor newspapers ads to ensure correct advertisements for goods sold to the public.

Staff Training

Laws and regulations that affect the Bureau of Standards are constantly changing. For this reason, staff training is a vital part of the program. Ongoing training meetings are held to ensure staff is properly trained with up-to-date standards and testing procedures. A portion of the training is focused on personal safety issues. Recent legislation by the Arkansas General Assembly on weights and measures authorized the application of civil and criminal penalties for violations. The Director has developed a training program, creating the necessary forms and records for investigators to properly document violations and serve the offender with either a warning letter or notice of violation, with the appropriate penalty if applicable.

Package and Labeling

To assure package compliance, it is necessary that adequate and correct information be prominently displayed on a package. The Federal Fair Packaging and Labeling Act that became law in 1966 brought about accurate information on consumer packages that facilitated value comparisons.

Congress felt another way consumer value comparisons could be improved was through the Package Standards Program outlined in the Fair Packaging and Labeling Act. Packages and their labels should enable consumers to obtain accurate information as to the quantity of the contents and should facilitate value comparisons. It is the Weights and Measures Investigator's responsibility to enforce these quantity and labeling requirements.

Protecting the Public's Pocketbook

The State Weights and Measures Area Inspectors do much more than just check package quantities. Since the creation of the Division in 1963, a comprehensive field-testing program has been one of the primary goals of the Agency.

Thirteen Area Inspectors, performs continuous systematic inspections and testing of the following:

1. Random and standard pack packages
2. Retail motor-fuel dispensers
3. Check-Out Scanners
4. Timing devices
5. Commercial Scales
6. Misleading advertising violations in the print media

The Area Inspectors assist the State Petroleum Products Division in securing motor fuel samples when special problems arise. This cooperative effort between Divisions saves time, money and additional vehicle expense through more efficient use of resources. Numerous complaints are received each year with most being related to motor fuel devices. All complaints are considered a priority, they are investigated and documented in a timely manner. The complainants are informed of the results and provided a copy of the report when requested. An alert consumer continues to be one of the Field Inspectors best defenses against weights and measures violations.

Commercial Device Testing

The area investigative section is responsible for compliance testing of retail motor-fuel dispensers as well as commercial scales. In addition, the investigative section performs compliance testing of large volume meters located at stations, airports and wholesale dock and delivery truck meters.

Country of Origin Labeling Program (COOL)

The investigative section at the Bureau continues to work in a cooperative agreement relationship with USDA/AMS to perform routine retail surveillance and inspection activities within the State of Arkansas for the administration of the Country of Origin labeling (COOL) program. We are currently in the seventh year of the agreement which includes additional retail review assignments.

Large Volume and Retail Motor Fuel Meter Testing

This section is responsible for the testing and certification of large volume fuel meters used at airports, pipeline terminals, fuel wholesale loading docks and large truck stops. This

certification is accomplished by using a 150 gallon prover. In addition, two high volume test units are used to support the investigators in gasoline and diesel meter testing.

Liquid Petroleum Gas Meter Testing

One of the duties performed by this section is to test and inspect propane meters mounted on deliver trucks and stationary meters. These devices are located at propane dealers and other propane bottle filling locations across the state. These devices are certified annually by Arkansas Registered Service Agents. Inspectors travel the state making unannounced visit to Propane vendors to perform routine inspections and investigate consumer complaints on devices used to deliver propane (LPG) to the consuming public.

Large Capacity Scale Testing

The Arkansas economy is supported largely by agriculture and forestry. As a result, there are over 1600 heavy truck scales and hundreds of other large capacity scales in commercial use in the state. These devices are also certified annually by Arkansas Registered Service Agents. This section performs compliance testing and investigates consumer complaints using specially equipped heavy truck scale test units each carrying 32,000 pounds of certified test weights. There are many different types of large capacity scales in Arkansas with a wide range of weighing capacities. Some examples of the types of scales in Arkansas are given below:

Vehicle Scales (30,000 - 200,000 lbs.)

Located at grain elevators, junkyards, wood yards, sand and gravel plants, cotton gins, fertilizer plants, etc.

Livestock Scales (10,000 - 20,000 lbs.)

Located at auction barns, farms, packing houses, etc.

Hopper Scales (500 - 60,000 lbs.)

Located at feed and seed stores, fertilizer plants, etc.

Platform Scales (50 - 2,000 lbs.)

Located at grocery stores, scrap metal yards, feed mills, fertilizer stores, packing plants, chemical companies, etc.

Monorail Scales (up to 1,600 lbs.)

Located at most markets and packing plants

STATE STANDARDS LABORATORY

The State Standards Laboratory is a scientific laboratory devoted solely to the science of precision measurement, and the related calibration of measurement standards. Precision measurement science is probably the most widely used scientific engineering discipline.

The State Standards Laboratory serves as the state's primary standards laboratory and as scientific authority for quality measurement certification. Specifically, the Laboratory (1) maintains the official state standards of mass, length, and volume, (2) calibrates and certifies those standards and scientific instruments which are used by state government, commerce, industry, educational and research institutions, and (3) serves state government and citizens by providing technical assistance in the measurement field.

Most contracts awarded to industries, especially federal contracts, stipulate the standards used in quality control testing must be calibrated and certified by an institution that maintains legal traceability to the National Institute of Standards and Technology.

The laboratory participates in round robin experiments, training seminars, laboratory workshops, and regional measurement management programs which are administrated by the National Institute of Standards and Technology.

The laboratory provides calibration and certification of standards for several military industrial companies in Arkansas that produce weapons for the Defense Department. Hospitals and pharmaceutical manufacturers also submit metric mass standards and equipment to our laboratory for calibrations and certification.

Other responsibilities of the State Standards Laboratory include measurements, engineering, manufacturing, and quality assurance. Users of our services range from pharmaceutical firms, hospitals, U.S. Defense Department and weapons manufacturers to the local gasoline pump mechanic.

GRAIN MOISTURE METER LABORATORY

The Grain Moisture Meter Laboratory is a sub-section of the State Standards Laboratory. Moisture content is one of the most important factors affecting the quality of grain and the price the grower receives for that grain. The sole device utilized for determining the moisture content in grain at public grain elevators is the electronic grain moisture meter. The moisture meter has a staggering economic impact on the grain segment of our agricultural industry.

The Moisture Meter Inspection Program is a Bureau of Standards service designed to assure equity and fairness prevail between farmers and public grain elevators in commercial transactions involving the price dockage on grain due to moisture content. Specifically, the Grain Moisture Meter Laboratory (1) develops grain standards and specifies basic testing techniques used in the standardization, calibration, and examination of public grain elevator moisture meters, and (2) tests and verifies the accuracy of all commercial moisture meters in Arkansas, thereby assuring grain buyers get what they pay for and farmers don't give away their profits through faulty or inaccurate equipment. It is necessary that the greatest possible accuracy be maintained in the determination of moisture. Failure to maintain reasonable accuracy may result in great injustices in grain marketing transactions and in spoilage of

grain during shipment and storage. The Grain Moisture Meter Laboratory has the job of enforcing state laws by seeing that the moisture meters are accurate. This is accomplished through a comprehensive field inspection and laboratory analysis program.

Participation in the National Type Evaluation Program (NTEP) technical committee provides a steady source of information on many aspects of the grain trade, as well as the opportunity to provide input into the ongoing attempt to promote uniformity and standardization of the grain trade.

As a result the laboratory participated in surveys to ascertain the precision and accuracy of the current NTEP meters within the state. It should be noted we are able to perform these surveys in addition to our annual testing. In addition to the testing and collection of meters and samples respectively we are assisting the Grain Inspection Section of the U.S. Packers and Stockyards Administration (GIPSPA) in their annual National Sample Collection Program. Laboratory technicians, in addition to GIPSPA'S field offices, are collecting representative samples of the state's crops to be used in the NTEP ongoing calibration and testing program. This participation ensures that the laboratory has samples in the calibration data pool to promote the state's uniformity within the grain trade.

To date, there is roughly about 290 grain elevators with moisture meters located in Arkansas.

Looking Ahead

The State Weights and Measures Inspectors justify their salaries and expenses many times over in savings to the consumer. On any given day, every Arkansan makes dozens of purchase decisions at grocery stores, gas pumps, hardware stores or feeding a coin meter at a car wash, for a yard of fabric or a gallon of home heating fuel. The trust of the consumer is built into every transaction by a statewide weights and measures program. Not only is the Bureau of Standards here to protect the interest of the buyer, wage earner and homemaker, but also is maintained to protect the interest of the seller, manufacturer, packer, processor, wholesaler and retail merchant as well.