

how would you address the problems that will develop when field sizes change from year to year?

SENATOR ELMER: Senator Schmit, the commercial appliance of restrict...this would apply only to the restricted-use pesticides or herbicides. And, currently, the commercial applicators that are putting on these restricted-use pesticides are required to put down the time of day that they've been applied, where the...and identify the fields to which they've been applied and how much was applied to that field and the number of acres within that field. I'm sure that you, as a farmer, when you go out and put on, for example, Counter rootworm control when you plant your corn, which is a restricted-use pesticide, would know how many acres was in the field and where it is. And if you're having a commercial applicator put it on, the commercial applicator would be keeping that record for you. It would only apply if you, yourself, put on the restricted herbicide or pesticide.

SENATOR SCHMIT: Thank you, Senator. Then what you're saying is that I, as a farmer, would have to maintain the same kind of identical records on my farm for the restricted-use pesticides that I applied as I will have to maintain as a commercial applicator if I apply those pesticides as a commercial applicator.

SENATOR ELMER: That's correct, Senator Schmit. And it would greatly enhance the Department of Agriculture or the Department of Environmental Control's ability, if they find groundwater contamination in an area that has been derived from the restricted-use pesticide, to be able to identify which fields they've been put on and assist them in determining how these contaminations occur, how fast they move, what chemicals are involved, since most of these restricted-use pesticides are being applied by private operators at the point we are now.

SENATOR SCHMIT: Senator, are there penalties in 349 or in existing statutes that would penalize an individual operator if he or she did not maintain such records? And if there are such penalties, are you aware of the nature and extent of those penalties at the present time?

SENATOR ELMER: There are such penalties, Senator Schmit, and, off of the top of my head, at this point, I don't remember precisely what those penalties are.