

Pesticide Recordkeeping ¹

Michael Aerts, O. Norman Nesheim, and Frederick M. Fishel²

This document details the legal recordkeeping requirements for certified pesticide applicators.

Background

Changes to the 1990 Farm Bill by the US Department of Agriculture (USDA) included the “Recordkeeping Requirements for Certified Applicators of Federally Restricted-Use Pesticides,” which became law May 11, 1995.

Also, the Florida Department of Agriculture and Consumer Services (FDACS), under the authority of the Florida Pesticide Law, requires certified pesticide applicators to maintain records relating to the application of all restricted-use pesticides. These requirements are unrelated to the Worker Protection Standard requirements, which provide specific information to agricultural workers and pesticide handlers about applications made to fields, forests, greenhouses, and nurseries.

Restricted-Use Pesticides

Restricted-use pesticides are for retail sale to, and use by, only certified applicators or persons under their direct supervision and only for those purposes covered by the applicator's certification. When a pesticide is classified as restricted, the label will state “Restricted-Use Pesticide” at the top of the front panel. Below this heading may be a statement describing the reason for the restricted classification.

Benefits of Recordkeeping

Agricultural producers who keep records of their pesticide use are smart managers. By using their pesticide records, they can make decisions that save time and money.

Here are examples of benefits to recording and maintaining accurate pesticide-use records:

Pesticide-Management: a certified applicator keeps track of different pesticide treatments and results through recordkeeping. Producers can then use these records to analyze the effectiveness of past pesticide applications and determine the best pesticide-management program to deal with current problems. Records also provide a documentation system for determining crop replant, rotation, and pre-harvest intervals, and forage, feed and grazing restrictions.

Integrated Pest Management. Pesticide recordkeeping is a major tool of Integrated Pest Management (IPM). Record-keeping of different application rates, products, techniques, and growing conditions enables an applicator to increase profits through better pesticide-use planning.

Food Supply Safety. Although the United States has the safest, most affordable, and most abundant food supply in the world, food safety concerns continue to be expressed by the general public. Pesticide records can help to calm consumer fear regarding the safety of the food supply.

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2. Michael Aerts, M.S., former assistant; O. Norman Nesheim, professor emeritus, Food Science and Human Nutrition Department; and Frederick M. Fishel, professor, Agronomy Department, and director, Pesticide Information Office; UF/IFAS Extension, Gainesville, FL 32611.

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Improper Application Safeguard. Records are the best safeguard if a producer is accused of an improper application that causes drift, personal injury, or potential water-quality impairment.

Re-registration Assessment. Accurate pesticide-use information can assist the Environmental Protection Agency (EPA) in its risk-assessment process for pesticides undergoing re-registration. Knowledge of what pesticides are used, and on what crops, is important information for risk-assessment processes. Recordkeeping can help in the process to preserve registrations for minor-use pesticides.

Health Management. The ability to provide information on the use of restricted-use pesticides (in the case of medical treatment) benefits the applicator, agriculture producer, workers, and medical personnel.

Required Information

Recordkeeping regulations in Florida require ten (10) primary data elements be recorded for each restricted-use pesticide application. These include:

1. The name and the pesticide applicator license number of the licensee responsible for the pesticide application;
2. The name of the person who actually applied the pesticide;
3. The date and start time and end time of treatment;
4. The location of the treatment site, which may be recorded using any of the following example designations:
 - County, range, township, and section;
 - An identification system utilizing GPS coordinates, maps and/or written descriptions that accurately identify the location of the treatment and distinguish the treatment site from other sites;
 - The identification system established by the USDA found in 7 CFR 110, which utilizes maps and numbering systems to identify field locations; or,
 - The legal property description.
5. The crop, commodity, or type of target site treated;
6. The total size (in acres, square feet, acre-feet, number of animals treated, or other appropriate units) of the treatment site;

7. The brand name and EPA registration number of the pesticide product applied;
8. The total amount (lbs., gal., etc.) of formulated product applied;
9. The application method; and,
10. The name of the person requesting or authorizing the application, or a statement of authority to make such application, if the application was made to property not owned or leased by the licensee.

Commercial applicators must, within thirty (30) days of the application of a restricted-use pesticide, provide a copy of the application record to the person for whom the application was made.

Recording repetitive information that applies to all records is not necessary, as long as the information is recorded one time and there is a written record indicating that this information applies to other applications as well.

The required information shall be recorded no later than two (2) working days after the date of application and may be incorporated into other business transaction records. All records must be retained for a period of two (2) years and must be maintained in a manner that is accessible to authorized representatives.

No one type of recordkeeping form is required; any recordkeeping form is acceptable as long as the required data are included. This allows applicators flexibility to fit the recordkeeping requirements into their current recordkeeping scheme.

Record Access

Upon written request by an authorized FDACS representative, a licensed applicator must make available the restricted-use pesticide application records. The authorized representative may copy or photograph the records. Original records are to be kept by the licensed applicator.

In addition, licensed applicators must promptly make application records and any label information available to a licensed health-care professional or their designated representative, if the health-care professional determines the information is necessary to provide medical treatment or first aid to an individual who may have been exposed to the pesticide for which the record is maintained. Information must be made available immediately following application in cases of medical emergencies. The attending

licensed health-care professional may release the record or record information to appropriate federal or state agencies that deal with pesticide use or any health issue related to the use of pesticides when necessary to prevent further injury or illness. A licensed health-care professional may also release the record or record information to submit pesticide poisoning incident reports to the appropriate federal or state agencies.

Violations

A certified applicator who violates any provision of this program will, in the case of the first offense, be asked to correct their violation(s) and be subject to a civil penalty of not more than \$500. For subsequent offenses, an applicator may be subject to a greater civil penalty. The penalty may be adjusted if FDACS or USDA determines that the certified applicator made a good-faith effort to comply. Any violators who are penalized will be served with a signed, written notice of the violation and will have twenty-one (21) days to request a hearing or respond to the charges.

Who to Contact

Should there be any questions or a need for additional information, contact:

FDACS Bureau of Licensing and Enforcement
3125 Conner Blvd. MD-1
Tallahassee, FL 32399-1650
Phone: (850) 617-7997
Fax: (850) 922-6961