Restricted Use Pesticides
Record Keeping Requirements

As required by the 1990 Farm Law, the final regulations for Restricted-Use Pesticides (RUPs) record keeping were printed on April 9 and will go into effect on May 10, 1993. Under the federal and state record keeping rules, certified private applicators of Restricted-Use Pesticides will be required to keep the following information:

1. brand or product name and the EPA registration number,

2. total amount of RUP applied, (this does not refer to percent of active ingredient nor does it include the water used as a carrying agent), formulation and the dilution rate,

3. location of the application, size of area treated, and the crop, commodity, stored product, or the site to which the RUP is applied,

4. date (month, day, year) of application,

5. the target pest,

6. if a certified operator is used - the name and certification number of the applicator, and

7. the same information applies, for a total area less than one-tenth acre occurring on the same day, to be designated as spot treatment except for nursery or greenhouse application.

All necessary information as outlined above must be recorded within 30 days of application and the records must be maintained for two years from the date of application. Where state regulations are not comparable to federal regulations, private applicators must comply with the federal regulations. The above list is a combination of the minimum requirements set by the State of West Virginia and federal regulations. This list should meet both federal and West Virginia minimum RUP record keeping requirements.

Commercial applicators will continue to maintain the records they have been required to keep under state or federal regulations but must now furnish a copy of the state or federal record to their customer within 30 days of application. This also applies to a private applicator who acts as a commercial applicator.

Access to a private applicator's records has been granted to certain state and federal agencies and certified health care professionals who need the information to treat a person exposed to RUPs. However, information that could lead to the identity of an individual producer is withheld.

State pesticide regulatory agencies are in charge of enforcing the record keeping regulations. Penalties for first violations are set at $500 and a minimum of $1,000 for additional violations. USDA stresses that during this first year (1993), emphasis will be placed on educating producers about the record keeping.
There is no standardized form required for keeping pesticide records. This is to allow applicators the flexibility to fit the requirements into their present system of record keeping. The West Virginia University Extension Service has developed the "Pocket Farm Record Book" that is designed to fit into your pocket enabling you to carry it with you while doing daily farm activities. This record book covers all areas of the farm; crops, livestock, marketing, financial and management. There is a pesticide section included in the booklet that will meet federal and state record keeping requirements. This booklet along with the farm business checklist will form the "first entry" basic record keeping system for any type of farm business. These booklets are available for $2.50 from your local County Extension Service Office or by contacting Luther Smith at 293-3391.

Although regulations only require record keeping for restricted use pesticides, it is recommended that the above guidelines are used for all pesticide application. This will provide the farmer with valuable information for making management decisions. It will also act as documentation for any liability questions that might arise from the application of a pesticide. Since pesticide related matters are under constant review at this time, it is better to keep detailed records and err on the side of safety than to be sorry later.

Note: The regulations concerning pesticide record keeping are under constant review, it is recommended that the farmer check with state or federal agencies periodically to make sure he/she is still in compliance.