

Dealer



Pesticide Dealer Responsibilities



Multiple locations

Pesticide retailers must have a Pesticide Dealer license for each location that sells or distributes RUPs to end users. This includes in-state and out-of-state distribution/shipping facilities that ship directly to the customer in Oregon.

Inspecting products

- » Check to make sure the pesticides offered for sale are registered with ODA. Registered products should appear when searching the ODA website: <https://oda.direct/PesticideRegistrations>.
- » All pesticides must have the complete product label on the package. Some products have additional booklets, manuals, or supplemental labels.
- » Do not sell adulterated (damaged) or misbranded (incorrectly labeled) products to end users.

Consulting

Employees of the dealer must hold a Pesticide Consultant license if they are providing technical advice on RUPs. This includes recommending RUPs, calculating rates, and interpreting label instructions for clients.

Notify ODA of business changes

Notify ODA if the name of the business, facility address, or your contact information changes. With few exceptions, a change to a business name requires a separate license to be issued.

Custom applications

The pesticide dealer license does not allow the license holder to perform any pesticide applications on the property of others. A Commercial Pesticide Operator license must be obtained prior to starting a pesticide application business or applying pesticides to the property of others. Individuals making pesticide applications must obtain a Commercial Pesticide Applicator license with the appropriate license categories.

Created 8/2023

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Check licenses

Only persons with the following licenses may purchase restricted-use pesticides (RUPs):

- » Commercial pesticide applicators with the correct license categories*
- » Public pesticide applicators with the correct license categories*
- » Private applicators
- » Only Consultants with the Demonstration and Research license category

**Note: The School Integrated Pest Management license category does not authorize a license holder to purchase or use RUPs. Licensed Pesticide Apprentices, licensed Immediately Supervised Trainees, and unlicensed individuals cannot purchase RUPs.*

Verify pesticide licenses at <https://oda.direct/PesticideLicensingStatus>.

Verifying categories

Individuals attempting to purchase restricted-use pesticides must only be sold products that would be legal to use under their license.

- » Commercial and public applicators' categories must match the product uses. For example, a commercial applicator with the "Structural Pest" category should not be sold a restricted-use agricultural herbicide. *Note: The School Integrated Pest Management license category does not authorize a license holder to purchase or use RUPs.*
- » Private applicators are only allowed to purchase restricted-use pesticides for agriculture, forestry, greenhouse or nursery use.
- » Consultants with the Demonstration and Research license category can only purchase restricted-use pesticides for use in research or demonstration trials or plots.
Large quantities should be questioned.

Dealer recordkeeping

RECORDKEEPING REQUIREMENTS

A pesticide dealer must prepare and maintain the following records for each sale or distribution of a RUP. These records must be maintained for a period of three years from the date of sale or distribution.

- » Pesticide license holder information
 - ♦ Name of purchaser (no nicknames, initials, partial names, or ranch or company names)
 - ♦ Address of purchaser
 - ♦ License number of purchaser (note: also record state that issued the license if the RUP is being sold or distributed to an out-of-state end user)
- » Date (M/D/Y) of the sale or distribution
- » Identity of pesticide product/s sold or distributed (EPA Reg No. or specific product name including formulation and identity of manufacturer)
- » Quantity of each pesticide product sold or distributed

Although the sale of a RUP is made to a licensed certified applicator, the product may be picked up by an un-licensed person designated by the purchaser. The name of the person picking up the RUP should be listed in the sales record.

HOW TO KEEP RECORDS

- » Develop your own forms based on the elements listed above.
- » Records may be kept in hard copy format or on a computer system.
- » Records must be maintained for 3 years.
- » Provide records to ODA upon request.

Secondary containment

DOES MY FACILITY NEED SECONDARY CONTAINMENT?

- » If you are an agricultural products establishment whose principal business (50% or more) is retail sales, OR
- » You are a Commercial Pesticide Applicator, OR
- » You are a custom blender, AND
- » One or more of the stationary pesticide containers holds 500 gallons or more of a liquid pesticide or 4,000 pounds or more of dry pesticides...

Then you **MUST** have a secondary containment unit and a containment pad.

Repackaged/refillables

- » Dealer (independent refiller) must have a written contract with the product registrant.
- » Refiller and product registrant are responsible for the product integrity.
- » Use only a registrant-acceptable container and confirm that it is safe to use.
- » Refillable containers must be properly cleaned to registrant specifications.
- » Refillable containers must be properly labeled; including the EPA establishment number and the net contents.
- » Records must be kept on the product, date, and container for each refill.