

Dealer recordkeeping

RECORDKEEPING REQUIREMENTS

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

1. Purchaser information including full name, address, and license number (also record the license expiration date and name of issuing state) of the certified applicator to whom the RUP is being sold.
2. Date (month/day/year) of the sale or distribution.
3. Trade name of the RUP product sold including either EPA registration number or specific product name including formulation and manufacturer name.
4. Quantity of product sold or distributed.

Although the sale of a RUP may only be made to a licensed applicator, the product may be picked up by an unlicensed 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.

Don't Forget to Update Your Information With ODA

Remember to keep your address and email up to date with ODA so you do not miss out on important information.

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.

Dealer



Pesticide Dealer Responsibilities



OREGON
DEPARTMENT OF
AGRICULTURE

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Pesticides Program

Oregon Department of Agriculture

635 Capitol St. NE, Salem, OR 97301

503.986.4635

Si necesita ayuda en español, llame al 503.986.4550.
pesticide-expert@oda.oregon.gov
<https://oda.direct/AboutPesticides>

Multiple locations

Pesticide retailers must have a Pesticide Dealer license for each location that sells or distributes Restricted Use Pesticides (RUPs). 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 the Oregon Department of Agriculture (ODA). Registered products are searchable on <https://oda.direct/PesticideProducts>.
- » A downloadable list of Oregon RUPs is available at: <https://oda.direct/RUP>.
- » 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.

Consulting

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

Notify ODA of business changes

Contact ODA for changes in business name, facility address, or contact information. 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.

Check licenses

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

- » Commercial, public, and noncommercial 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 RUPs must only be sold products that would be legal to use under their license.

- » Commercial, public, and noncommercial 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 IPM license category does not authorize a license holder to purchase or use RUPs.
- » Private applicators are only allowed to purchase RUPs for agriculture, forestry, greenhouse or nursery use.
- » Consultants with the Demonstration and Research license category can only purchase RUPs for use in research or demonstration trials or plots. **Large quantities should be questioned.**
- » In addition to licensing requirements, currently licensed private applicators, and licensed applicators with the "Soil Fumigation" license category, who wish to purchase or use soil fumigants must first complete the appropriate EPA-approved training (www.epa.gov/fumiganttraining). The training is valid for 36 months and must be retaken thereafter. Note: licensed applicators who have the "Soil Fumigation II" license category do not need to take this training before purchasing or using soil fumigants.