Enforcement Overview for Licensing and Recordkeeping

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Cases with Violations Related to Licensing or Recordkeeping

Year Case was Started	Cases with Sub 8 Violations	Cases with Sub 5 Violations*	Cases with Sub 13 Violations
2020	~10	~10	~1
2021	~20	~15	0
2022	~15	~20	0
2023	~15	~20	0
2024	~15	~10	~1
2025	~15	~15	0

*Sub 5 violations cover insufficiencies in any of the recordkeeping requirements found in ORS 634, so dealer records as well as applicator records required.

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ORS 634.372(8), or Sub 8

- A person may not, as a pesticide applicator or noncommercial pesticide applicator, work or engage in the application of any classes of pesticides without first obtaining and maintaining a pesticide applicator license or noncommercial applicator license, or apply pesticides that are not specifically authorized by such license.

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ORS 634.372(13), or Sub 13

- A person may not apply any pesticide classified as a restricted-use or highly toxic pesticide to agricultural, horticultural or forest crops on land owned or leased by the person without first obtaining and maintaining a private applicator certificate.

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ORS 634.372(5), or Sub 5

- A person may not refuse or neglect to prepare and maintain records required to be kept by the provisions of this chapter.

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- **603-057-0140**
  Pesticide Dealer Records
- (1) As provided in subsections (6) and (7) of ORS 634.322, a pesticide dealer shall prepare and maintain records of his sales of restricted-use and highly toxic pesticides for a period of three years. Such records shall include:
- (a) The names and addresses of the purchasers of such pesticides, and the license or certificate numbers of the purchasers;
- (b) The date of sale;
- (c) The trade name (and the formulation if applicable) of such pesticides;
- (d) The quantity of each sale of such pesticides.

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Common Issues with Dealer Records

- No name of licensed purchaser recorded.
- No address of licensed purchaser recorded.
- No license number recorded.
- Incorrect licensed purchaser recorded.
- Incorrect license number recorded.
- No EPA registration number recorded for product sold and no additional information on the product sold to identify it.
- Incorrect EPA registration number recorded for product sold.
- Lack of units on quantity sold.
- Product sold to incorrectly licensed individuals.

Common Issues with Applicator Supervision

- No licensed applicator supervising.
- No IST or APL license for the supervised.
- Lack of availability of supervising applicator (APL).
- Supervising applicator not onsite or further than 5 minutes away (IST).

- **634.146 Records required of operators; retention period; report to owner of treated field crops.** (1) Pesticide operators shall prepare and maintain records on forms approved by the State Department of Agriculture. Such records shall include:
- (a) The name of the person for whom the pesticide was applied.
- (b) The approximate location of the land or property on which the pesticide was applied.
- (c) The date and approximate time of application.
- (d) The person who supplied the pesticides.
- (e) The trade name and the strength of such pesticides.
- (f) The amount or concentration (pounds or gallons per acre of active ingredient or concentration per approximately 100 gallons).
- (g) The specific property, crop or crops to which the pesticide was applied.
- (h) The summary information of equipment, device or apparatus used and, if applied by aircraft, the Federal Aviation Administration number.
- (i) The names of the pesticide applicator or pesticide trainees who did the actual application or spraying.

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Common Issues with Applicator Records

- No supervised applicator license number recorded.
- Incorrect supervising applicator recorded.
- No IST or APL for CPA or PPA being supervised by another CPA or PPA.
- Incorrect categories of the supervising applicator for the application being made.
- Multiple applicators listed without clear identification of who is supervising.