



**Pesticide Product Registration Requirements
Technical Grade Active Ingredients (TGAs), Manufacturing-Use Pesticides
(MUPs), and Warehousing Unregistered Products in Oregon**

Interpretive Guidance

Last Updated: June 8, 2023

"ORS 634.016 Registration of pesticides and application devices; fee; contents of application; restriction on pesticide distribution and use; exemption.

(1) Every pesticide, including each formula or formulation, manufactured, compounded, delivered, distributed, sold, offered or exposed for sale in this state shall be registered each year with the State Department of Agriculture.

...

(7) The provisions of this section shall not, except as provided herein, apply to:

- (a) The use and purchase of pesticides by the federal government or its agencies.*
- (b) The sale or exchange of pesticides between manufacturers and distributors.*
- (c) Drugs, chemicals or other preparations sold or intended for medicinal or toilet purposes or for use in the arts or sciences.*
- (d) Common carriers, contract carriers, or public warehousemen delivering or storing pesticides, except as provided in ORS 634.322."*

Clarifications

A. Do Technical Grade Active Ingredients (TGAs) or Manufacturing-Use Pesticides (MUPs) need to be registered in Oregon?

The Oregon Department of Agriculture (ODA) only requires state registration of end-use pesticide products. ODA does not require registration of technical grade active ingredients (TGAs) or manufacturing-use pesticides (MUPs) - specifically, those EPA-registered pesticide products for which the only direction for use on the label is to formulate EPA- registered end-use pesticide products.

NOTE: Some registrants use the term "MUP" to describe pesticides that are used in the manufacture of items that are not end-use pesticides; for example, pesticides applied as preservatives in the manufacture of caulks or paints or treated lumber. Such pesticides are not true MUPs; they are end-use pesticides that require



registration with ODA. If there are any end-use pesticide directions in Directions for Use on the label of a product, then the product is not an MUP and is required to be registered with ODA.

B. Does a pesticide product need to be registered with ODA if the product is shipped to a formulator in Oregon to be reformulated or repackaged?

1. If a large bulk quantity of a TGA or MUP product is shipped into Oregon and then repackaged into smaller containers of the TGA or MUP at a facility within Oregon, these products are not required to be registered with ODA.
2. If a TGA or MUP product is shipped to a formulator in Oregon, and that formulator manufactures an end-use pesticide product at this facility in Oregon:
 - a. the TGA or MUP product itself is not required to be registered with ODA; however,
 - b. the end-use pesticide product that is manufactured/formulated at the facility in Oregon must be registered with ODA (even if that end-use product will not be sold/distributed in Oregon).
3. If an end-use product is shipped to a formulator in Oregon for the purpose of reformulating or repackaging, both the original end-use product shipped into Oregon, and the new end-use product reformulated/repackaged within Oregon must be registered with ODA (even if these end-use products will not otherwise be sold/distributed in Oregon).
4. If an end-use product is shipped to a formulator in Oregon for the exclusive purpose of formulating a custom blend pesticide product, the end-use product shipped to that formulator must be registered with ODA (even if that "shipped-in" end-use product will not otherwise be sold/distributed in Oregon).

C. What are ODA's rules/regulations regarding warehousing unregistered pesticide products in the State of Oregon?

ODA requires state registration of end-use pesticide products that are manufactured, compounded, delivered, distributed, sold, offered, or exposed for sale in Oregon. However, under ORS 634.016(7), registration with ODA is not required for a product that is only being transported through Oregon, or being temporarily warehoused within Oregon during such transport, if the product will not be distributed, sold, offered, or exposed for sale within Oregon. It is advisable that,



during warehousing, such unregistered product be held separate from any retail sections of the temporary storage site, and be clearly tagged as “Not For Sale In Oregon”.

