

2011



United States Department of Agriculture  
Agricultural Marketing Service

## Federal Pesticide Recordkeeping Program Annual Summary



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The United States Department of Agriculture’s (USDA) Agricultural Marketing Service (AMS) administers programs that facilitate the efficient, fair marketing of U.S. agricultural products, including food, fiber, and specialty crops. In accordance with the 1990 Farm Bill, all private pesticide applicators are required by law to keep record(s) of their use of federally restricted use pesticide (RUP) applications for a period of 2 years. The AMS, Science and Technology Program, Pesticide Records Staff administers the Federal Pesticide Recordkeeping Program (PRP) and enforces the regulations through compliance and educational outreach activities. This Program supports the AMS goal of monitoring specific agricultural industries and activities to ensure that they maintain practices established by regulations to protect buyers, sellers, and other stakeholders.

PRP conserves resources by utilizing the services of State pesticide regulatory agencies to conduct record compliance inspections in States that are under the Federal pesticide recordkeeping regulations. In addition, the PRP recognizes State regulations that are comparable to the Federal regulations and allows applicators in those States to comply with the State pesticide regulations, thus eliminating the burden of maintaining duplicate RUP records. PRP also works with many States to educate private pesticide applicators about the requirements, provides resources to assist farmers in keeping the proper records, and develops programs to reach out to minority and small farmers.

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# History

## The 1990 Farm Bill

The 1990 Farm Bill, known officially as the Food, Agriculture, Conservation and Trade Act (FACT) of 1990, Subtitle H, Section 1491, obligates the U.S. Secretary of Agriculture, in consultation with the Administrator of the U.S. Environmental Protection Agency (EPA), to require certified applicators to maintain records regarding the use of federally restricted use pesticides. The USDA designated AMS to administer the PRP based on its experience in agricultural cooperative regulatory programs.

## The Regulations

The Federal pesticide recordkeeping regulations, "Recordkeeping Requirements for Certified Applicators of Federally Restricted Use Pesticides; Final Rule," were published on April 9, 1993. Certified private pesticide applicators were required to comply with the regulations, effective on May 10, 1993. The regulations were amended on February 10, 1995, and became effective on August 1, 1995. The regulations were amended on May 7, 2010, to increase penalties under the Federal Civil Monetary Penalties Inflation Adjustment Act of 1990.

### What's Required on an Application Record

1. Brand/Product Name
2. EPA Registration Number
3. Total Amount Applied
4. Date of Application
5. Location of Application
6. Crop, Commodity, Stored Product, or Site
7. Size of the Area Treated
8. Name of Applicator
9. Certification Number

## Pesticide Recordkeeping Program

The PRP was established in 1992 to administer the Federal pesticide recordkeeping regulations. Located in Manassas, VA, the PRP is part of the AMS Science and Technology Program. AMS has chosen to emphasize educational and compliance assistance during the RUP record inspections of certified private pesticide applicators. The majority of the compliance inspections and educational outreach are accomplished through cooperative agreements with State pesticide regulatory agencies and the State cooperative extension services.

## Benefits of the Program

The Program generates accurate and unbiased data on federally restricted use pesticides, which can be used by Federal and State agencies and other stakeholders in their decisionmaking. It encourages agricultural producers to keep accurate and complete pesticide records that can be used for production decisions. It also provides access to RUP record information for the purpose of providing medical treatment to people who may have been exposed to a RUP.

## **PROGRAM OBJECTIVE**

The objective of the PRP is to administer the recordkeeping provision mandated by the FACT of 1990. The Program is conducted by State and USDA employees through cooperative and interagency agreements. The majority of the cooperative agreements are signed with State departments of agriculture that conduct face-to-face RUP record inspections in their States. Cooperative agreements are also established to create and provide educational materials, programs, and resources to assist farmers in recording their RUP applications completely and accurately.

PRP oversees the inspections in the cooperating States and administers any resulting penalties under the Federal regulations. This Program inspects certified private pesticide applicators under the Federal regulations in 27 States by utilizing either State or Federal inspectors. The PRP recognizes the remaining 23 States and Puerto Rico as having comparable requirements to the Federal regulations and allows their applicators to comply by following their State's published requirements. PRP coordinates inspections in many of the States with their own requirements and under the Federal regulations (Chart 1). This results in a national program that requires all certified private pesticide applicators to record their RUP applications.

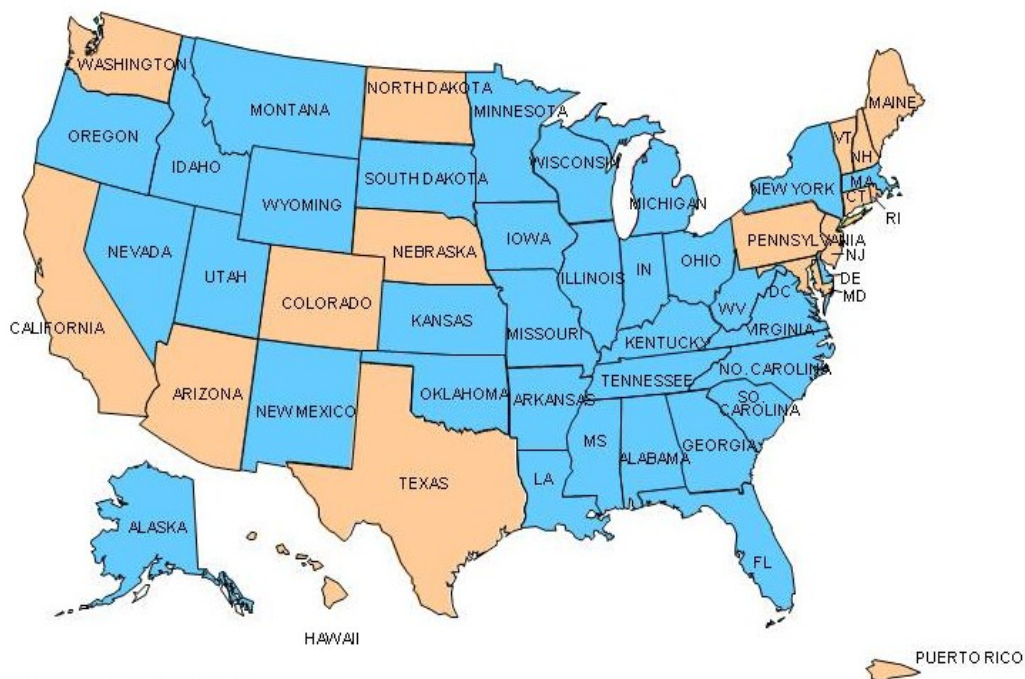
### **Cooperative and Interagency Agreements**

In FY 2011, PRP reimbursed 32 cooperating States, 1 university and 2 Federal agencies (over \$1.5 million or 60 percent of PRP operating funds) for conducting inspections of certified private pesticide applicator RUP records and educational outreach. State and Federal inspectors met with over 4,000 applicators in FY 2011. Most of the applicators chosen for inspection were randomly selected from pesticide dealer sales reports or were screened by inspectors to locate only those who had purchased and/or applied RUP in the past 2 years. Less than 10 percent of the applicators were selected randomly from the entire list of certified private pesticide applicators. PRP established cooperative agreements with States that operate under regulations recognized by the PRP, including Colorado, Florida, Indiana, Massachusetts, Nevada, New Jersey, Ohio, West Virginia, and Wisconsin.

### **Inspection Program With Federal Agencies**

Federal inspectors with USDA's Animal and Plant Health Inspection Service (APHIS) and Grain Inspection, Packers and Stockyard Administration (GIPSA) inspected applicators in two States, Missouri and New York. Federal inspectors conducted a total of 275 inspections. Both Federal and State inspectors work with certified private pesticide applicators to help them bring RUP records into compliance on the first inspection through compliance assistance efforts.

## Pesticide Recordkeeping Federal-State Cooperative Program



Blue - States inspected under the USDA cooperative program  
Tan - States not operating under the USDA cooperative program

### Compliance and Compliance Assistance

The PRP issued 83 warning letters in 17 States during FY 2011. These warning letters were sent to private pesticide applicators who failed to comply by denying access, failing to maintain records, or having incomplete records. The 83 applicators who were not in compliance represent approximately 2 percent of the 4,086 certified private applicators inspected under the Federal regulations in FY 2011.



Compliance assistance is offered to all applicators who initially fail to record all of the required record elements, if they have the original application information available in written form. Inspectors are trained to provide this assistance as needed to help applicators come into compliance during inspections. Out of the 4,086 certified private pesticide applicators inspected, more than 400 were provided compliance assistance for 1 or more of the required record elements. The two major elements that continue to require the most assistance are the “amount of pesticide applied” and the “EPA registration number.”

## **Follow-Up Inspections**

A total of 90 follow-up inspections were conducted in 19 States that are under the Federal regulations. Those follow-up inspections examine the records of applicators who were out of compliance the previous year. The majority of applicators visited during a follow-up inspection are found to have their RUP application records completed accurately.

## **Educational Outreach**

**Outreach to Tribal Nations:** The Montana Department of Agriculture (MDA) continued its program to work with county and tribal extension agents and other agriculture representatives to conduct private certified pesticide applicator training in the State of Montana. The training program included information on the Federal pesticide recordkeeping regulations and having cooperative extension agents provide educational materials to assist applicators with compliance of the regulations.

**Louisiana Department of Agriculture and Forestry (LDAF) Outreach to Commercial Applicators:** LDAF continued its educational outreach to commercial pesticide dealers and applicators. In 2010, LDAF inspected 658 commercial applicators and 204 pesticide dealers. During these inspections, the LDAF staff reviewed the requirements for commercial applicators under the Federal pesticide recordkeeping regulations and provided them with educational brochures that provide detailed information about the requirements.

**New York State Cooperative Extension Offices Support:** Additional pesticide recordkeeping outreach materials were provided to the New York Extension Service in counties selected for Federal inspection to help applicators in those counties understand and comply with the Federal regulations. The Cooperative Extension service offices in the counties where applicators were selected for inspection were also notified of the inspections so applicators had time to compile their records.

**Oregon Department of Agriculture (ODA) Provides Outreach to Applicators Statewide:** ODA conducted educational and outreach activities statewide in association with routine pesticide licensing certification and re-certification of private applicators. The Federal pesticide recordkeeping requirements were incorporated into the overall functions of the ODA regulatory program, and presentations to private applicators were conducted to help distinguish the difference between the Federal requirements and State requirements. More than 35 presentations were provided to applicators attending grower meetings, industry meetings, and trade shows. Attendance to these meetings varied from 50 to 200 agricultural personnel and private applicators.

**Private Pesticide Applicator Assistance Project:** The Nevada Department of Agriculture conducted several RUP training seminars around the State to assist applicators in complying with the Federal and State regulations. The training sessions focused on how applicators can renew their pesticide certification through the continuing education program and provided an extensive overview of the pesticide recordkeeping requirements.

**PRP Large and Small Educational Displays:** The PRP large display was used to provide outreach information to growers at trade shows and conventions. The smaller table-top display was loaned to cooperators attending local, regional, and State trade shows as a way of providing outreach materials on a local level. The Idaho State Department of Agriculture (ISDA) provides educational outreach and materials to applicators in Idaho by using the PRP table-top display at Western and Eastern Idaho State Fairs. The Nevada Department of Agriculture also utilized the table-top display at its training sessions in the State.



### **Workshops and Trade Shows**

**Sunbelt Agricultural Exposition:** PRP staffed a booth at the Sunbelt Agricultural Exposition on October 19-21, 2010, in Moultrie, Georgia. A pesticide recordkeeping display was set up, while educational, program, and informational materials were provided to certified private pesticide applicators from the southeast region of the country. More than 150,000 growers, agriculture-related professionals, young farmers, and small and minority farmers attended the trade show. More than 1,000 recordkeeping manuals were distributed during the trade show.

**Cotton Beltwide Conference Annual Meeting and Trade Show:** PRP staffed the AMS exhibit at the American Farm Bureau Federation Annual Meeting and Trade Show on January 4-6, 2011, in Atlanta, Georgia. More than 800 recordkeeping manuals and other outreach materials were provided to applicators in attendance at the trade show.

**Southern Sustainable Agriculture Conference Annual Meeting and Trade Show:** PRP staffed the AMS exhibit at the American Farm Bureau Federation Annual Meeting and Trade Show on January 20-22, 2011, in Chattanooga, Tennessee. More than 800 recordkeeping manuals and other outreach materials were provided to applicators in attendance at the show.

**American Farm Bureau Federation Annual Meeting and Trade Show:** PRP staffed the AMS exhibit at the American Farm Bureau Federation Annual Meeting and Trade Show on January 9-11, 2011, in Atlanta, Georgia. More than 800 recordkeeping manuals and other outreach materials were provided to applicators in attendance at the trade show.

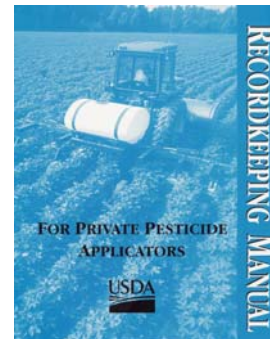
**Association of American Pesticide Control Officials (AAPCO) Annual Meeting:** The meeting was attended by PRP on March 14-16, 2011, in Crystal City, Virginia. The AAPCO represents State Pesticide Control Officials developing and implementing public programs related to the sale, application, transport, and disposal of pesticides. PRP States are members of AAPCO, and the meeting provided program staff with an opportunity to discuss current issues.

**National Pesticide Certification and Training Workshop:** PRP participated in the National Pesticide Certification and Training Workshop on August 8-11, 2011, in Portland, Oregon. The meeting is designed to discuss pesticide safety training and certification issues of common concern among USDA, U.S. Environmental Protection Agency (EPA), State, and tribal lead regulatory personnel as well as university and tribal pesticide safety educators.

**Cooperator's Meeting:** The Georgia Department of Agriculture hosted the Pesticide Records Staff Cooperators Meeting in Savannah, Georgia, on July 19-22, 2011. More than 40 representatives from State agencies and USDA's Animal and Plant Health Inspection Service, and Grain Inspection, Packers and Stockyards Administration attended. The meeting provides Federal and State cooperators with an opportunity to discuss program goals and accomplishments and to plan for the future. The meeting consisted of presentations on the electronic collection and transmission of inspection data, outreach to limited-resource farmers in Michigan, and agricultural pests in the Southwest. Other presentations included information on two of New Mexico's important crops, Chile peppers and pecans, as well as covering the changes to the Federal regulations, educational outreach, and inspector training. A field trip was taken to the Albuquerque Biological Park to tour the Rio Grande Botanic Gardens and Albuquerque Aquarium. The fieldtrip started off with a 1-hour presentation regarding the pest control issues managed by the park pest specialists.

### **Pesticide Recordkeeping Program Publications**

**Federal Pesticide Recordkeeping Manual:** The recordkeeping manual continues to be one of the program's best outreach tools for helping private applicators comply with the recordkeeping requirements. Over 62,000 manuals were distributed in FY 2011. The outreach effort was achieved through State departments of agriculture contacts, State cooperative extension service offices, and agricultural commodity trade shows.



**Federal Pesticide Recordkeeping Brochure:** The brochure was updated in FY 2010 to provide more information in an easier-to-read format. The brochure provides a small recordkeeping form on the back for private applicators that have very few applications. More than 5,800 copies were distributed in FY 2011. The program also maintains a Spanish language version of the brochure, which is available upon request.

**Federal Pesticide Recordkeeping Pocket Notebooks:** The pocket-sized recordkeeping notebook has proven very popular with applicators. The program provided more than 900 pocket-sized recordkeeping notebooks to certified private pesticide applicators.



## **2011 Federal Pesticide Recordkeeping Program Statistics**

- 4,086 inspections of certified private applicators were conducted under Federal and State regulations
- 90 follow-up inspections were completed
- 83 warning letters were written

### **Educational Materials Distributed:**

- More than 62,000 USDA pesticide recordkeeping manuals were distributed in FY 2011. This was a large increase from FY 2010, which was under 5,000 because the printing request had been backlogged. Two printing requests were filled in FY 2011, and all of the requests from customers were filled.
- Only 13 greenhouse and nursery recordkeeping manuals were distributed due to an unfilled printing request.
- 5,848 USDA pesticide recordkeeping brochures were sent out along with 920 pocket-sized recordkeeping books.
- Other outreach materials included 1,339 coasters, 575 fact sheets, 1,260 mouse pads and 750 wallet cards.

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