USDA United States Department of Agriculture

Restricted Use Pesticide Recordkeeping Inspection

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The focus of this fact sheet is to explain the purpose and process of the Federal restricted use pesticide recordkeeping compliance monitoring program.

Why Am I Being Inspected?

The United States Department of Agriculture's (USDA) Agricultural Marketing Service (AMS) has entered into agreements with Federal, State, tribal, and U.S. territory agencies to monitor certified private applicators' restricted use pesticide records. **The inspector will present credentials issued by the Agricultural Marketing Service upon contact. The inspector will provide you with information on the recordkeeping requirements, review your restricted use pesticide application records, and provide compliance assistance.** A specified number of selected private applicators will be visited in your State to determine the level of compliance with the law. The inspector will complete an inspection sheet on your records and provide you with a copy.

How Does Keeping Pesticide Records Benefit Me?

Keeping pesticide application records is a good business practice and has numerous benefits! Here are just a few examples:

* **Saves money** - Accurate pesticide records will enable you to know and buy the correct amount of pesticides for each growing season.
* **Shows what is working** - Good records will help you determine if a pesticide application achieved the best results or why a pesticide may have performed poorly. Good records prevent future failures.
* **Documents correct use** - Should a question arise concerning pesticide use, your records may provide liability protection.
* **Improves management decisions** - Since some pesticides have restrictions on what can be planted the following year in the same field, good records can help you plan your crop rotations.

How Did the Recordkeeping Requirements Originate?

The 1990 Farm Bill mandated the Secretary of Agriculture (USDA) to require certified private applicators to maintain records regarding the use of federally restricted use pesticides. The Agricultural Marketing Service has been designated to administer the Federal Pesticide Recordkeeping Program.

How Was I Selected To Have My Records Inspected?

Private applicators are selected to be inspected through a random selection process. Random selections are made from a State's certified private applicator list or the restricted use pesticide sales list of pesticide dealers. Your name or certification number will not appear on the inspection sheet. **Your identity and the results of your specific inspection will remain confidential.**

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Who Can Review My Records?

- The designated State, Federal, or tribal agency personnel may have access to inspect your records upon presentation of credentials.
- When treating an individual who may have been exposed to restricted use pesticides, certified/licensed health care professionals, or those acting under their direction, may have access to your records. In the case of a medical emergency, **record information** must be made available immediately.

What Are the Goals of the Federal Recordkeeping Program?

The Agricultural Marketing Service has two major goals for the program: to provide education to the agricultural community on pesticide recordkeeping responsibilities, and to promote recordkeeping compliance through educational outreach and compliance assistance inspections.

What Will Happen to the Record Information Regarding Restricted Use Pesticide Application?

Restricted use pesticide application record inspections, like this one, are **NOT** related to the voluntary pesticide use surveys done by the National Agricultural Statistics Service (NASS). NASS, under USDA, will obtain pesticide use data from agricultural producers through voluntary surveys. NASS reports the national data on restricted use pesticides to Congress annually.

Are There Any Penalties for Violations of the Federal Pesticide Recordkeeping Requirements?

Yes. Any certified applicator who fails to comply with the regulations shall be subject to a civil penalty of not more than $550 in the case of the first offense, and shall be subject to a civil penalty of not less than $1,100 for each violation for subsequent offenses. However, a civil penalty may be less than $1,100 if the Agricultural Marketing Service Administrator determines that the certified applicator made a good-faith effort to comply.

Who Do I Contact If I Have Questions?

Call the Pesticide Records Branch office at (703) 330-7826 between 8 a.m. and 4:30 p.m. eastern time, Monday through Friday. Inform the person who answers the telephone that you are a private applicator and would like a return call. Leave your name and telephone number, and a pesticide specialist will return the call, saving you a long-distance phone charge. You may obtain information on the Pesticide Recordkeeping Program website at www.ams.usda.gov/science/sdpr.htm. You may send questions/comments via electronic mail to amspesticide.records@usda.gov or written questions/comments to USDA/AMS/Pesticide Records Branch, 8609 Sudley Road, Suite 203, Manassas, VA 20110-4582.

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