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Recordkeeping for Private Pesticide Applicators in Montana

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This publication is a general resource for good pesticide recordkeeping and explains in detail what information private pesticide applicators are required to record in order to comply with federal regulations on restricted-use pesticides.

Federal regulations require that **all** private pesticide applicators keep records of **any** federally restricted-use pesticide they use. Restricted-use pesticides (RUPs) are pesticides that are either toxic to humans and animals or they have the potential to contaminate the environment. The pesticide label will indicate if a product is a restricted-use pesticide.

You cannot legally purchase or apply a restricted-use pesticide unless you are properly certified. While it is a legal requirement of all private applicators to keep records of restricted-use pesticide applications, keeping records for all pesticides you apply is a good business practice and has numerous benefits.

Remember, the term “*pesticide*” includes **herbicides, insecticides, rodenticides, and fungicides.**

Recordkeeping format

While there is no standard form for keeping restricted-use-pesticide records, there is a standard format. Pesticide recordkeeping regulations require that certified private pesticide applicators record the following information within 14 days of the application and that they maintain these records for two years following the application. This is for **each** restricted-use pesticide treatment applied on the **same** day.

Required recordkeeping elements

Failure to properly record the following items may result in a referral to the United States Department of Agriculture for further action, potentially leading to a civil penalty, and may result in fines of \$500 or more.

- 1. The applicator’s name and applicator ID.** Montana private applicator’s license numbers end with “-11” and are noted on the license card above the applicator’s name. If the application was made by someone who is not certified but under the supervision of a certified private applicator, then record the name and number of the certified applicator supervising the application.
- 2. The exact month, exact day, and exact year of the application.** *Do not* use phrases such as “between August 23 and 28” or “end of May.” Be specific
- 3. The location of the application.** Record the actual location of the treated area, not the address of the farm or business. Your goal is to be able to identify the exact area of the application two years later if requested. The law allows any of the following designations: (1) Legal property descriptions, (2) Maps or written descriptions, (3) Identification systems and maps used by government agencies, and (4) Any applicator-derived method that can accurately pinpoint the sprayed area.
- 4. The size of the area treated.** This information should be recorded in a unit of measure normally expressed on the pesticide label, usually in acres. For band applications, record the total area covered. For example, if an 80-acre field is band sprayed, the entire 80 acres would be recorded as the “size of area treated.” Also include linear feet, bushels, bin size, cubic feet and number of animals. Knowing your sprayer’s calibration will help you determine the size of the area treated. Use the following basic formula:

$$\text{Acres treated} = \frac{\text{Volume of pesticide mix used (gallons)}}{\text{Sprayer output in Gallons Per Acre (GPA)}}$$

Example:

- Sprayer calibration = 30 Gallons Per Acre (GPA)
- Gallons of water/pesticide sprayed = 300 gallons
- Acres sprayed = 10 acres (300 gallons ÷ 30 GPA)

Example:

- Backpack sprayer = 80 GPA.
- Gallons of water/pesticide sprayed = 5 gallons
- Acres sprayed = 0.0625 acres (5 gallons ÷ 80 GPA)

Required elements continued on page 2

5. **The crop, commodity, stored product, or site to which the pesticide was applied.** Refer to the pesticide label. Labels can be very specific as to what sites may or may not be treated.
6. **The total amount of undiluted pesticide applied** and *not* the total solution after water or other substances have been added. This *does not* refer to the percent of active ingredient. *Do not* indicate “labeled rate.” If the label states the pesticide is to be measured in pints or ounces, then record the amount in those measurements. Again, knowing your sprayer’s calibration will help you determine the total amount applied. Use the following formula:

$$\text{Amount used} = \text{Acres sprayed} \times \text{Labeled rate per acre}$$

Example

- Sprayer Calibration = 30 GPA
- Total mixture sprayed = 300 Gallons (Acres Sprayed = 10 acres)
- Labeled rate per acre = 1 pint per acre
- Total undiluted amount used = 10 pints (10 acres x 1 pint per acre)

Example

- Backpack calibration = 80 GPA
- Total mixture sprayed = 5 gallons (Acres sprayed = 0.0625 acres)
- Labeled rate per acre = 1 quart per acre (32 ounces per acre)
- Total undiluted amount used = 0.0625 quarts (0.0625 acres x 1 quart) or;
2 ounces (0.0625 quarts x 32 ounces)

7. **The trade, brand or product name of the restricted-use pesticide is the name under which the product is sold.** The common name is the name of the active ingredient found in the pesticide formulation. For example, Tordon 22K® is the trade, brand or product name of picloram, the common name for the active ingredient found in this herbicide. Ally® and Escort® are the brand or trade names for the chemical metsulfuron-methyl.
8. **The Environmental Protection Agency (EPA) Registration Number** found on the label. The registration number is *not* the same as the EPA Establishment Number that is also located on the label and tells where the pesticide was manufactured.

Recording spot treatments

Spot treatments are especially useful in the control of noxious weeds. A spot treatment is defined as: the use of a restricted-use-pesticide (RUP) on the same day where the total area treated is less than 1/10 of an acre (4,356 ft²). This could be 1/10 of an acre of weeds within a 5-acre pasture.

Example:

Sprayer output is 50 GPA. Five gallons of a herbicide mixture was sprayed to control spotted knapweed in Field 6, a 10-acre pasture. The total **sprayed** area was 1/10 acres (5 gallons ÷ 50 GPA). You would note the following in your records under location: **“Spot application for noxious weeds in field 6.”**

Using the example above, say that you had mixed a rate of 1 pint of restricted-use herbicide per acre. You would have applied 0.1 pints of **undiluted** pesticide over Field 6. (0.1 acres of weeds were actually sprayed x 1 pint per acre = 0.1 pints of undiluted product.

If you applied any amount greater than 5 gallons of **solution**, then you have exceeded the legal definition for a spot treatment. For example, if you applied 10 gallons of **solution** over the 10 acres, you sprayed 0.20 acres (10 gal. ÷ 50 GPA) within the 10-acre pasture, which is in violation of Federal recordkeeping requirements for spot treatments.

The spot treatment provision excludes greenhouse and nursery applicators, who are required to keep all data elements as listed.

When recording spot treatments you are required to record the following:

1. **Date of application including month, day and year.**
2. **Brand or product name and the EPA registration number.**
3. **Total amount of pesticide applied.**
4. **Location of the pesticide application designated as “spot application” followed by a description.** For example, “spot treatment--treated for noxious weeds in Fields A and C” or “spot treatment along road to grain bins.”
5. **Month, day and year of the application.**

Who has access to restricted-use pesticide (RUP) records?

The U.S. Department of Agriculture (USDA) administers the federal pesticide recordkeeping program while the Montana Department of Agriculture conducts inspections of restricted-use pesticide (RUP) records. Others who have legal authority to inspect your restricted-use records include:

- Other U.S. Department of Agriculture-authorized representatives who present identification.
- Other State-authorized representatives who present identification.
- Attending licensed health care professionals or those acting under their direction, USDA representatives, and State regulatory representatives with credentials.

For more information, contact:

Your county office of the Montana State University Extension Service

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