



Great Lakes Chemical Corporation

FUMIGATION FAX

February 2004

Volume 9, Issue 1

Selling Restricted Use Pesticides

State and federal regulations require that Restricted Use Pesticides (RUPs) such as methyl bromide and chloropicrin, be sold and distributed only to certified applicators with the appropriate license that covers use of RUPs. These regulations also require that the distributor and seller have the correct pesticide dealer license to sell RUPs. Both applicators and pesticide dealers are required to keep records of all transactions and uses of RUPs. Most states require the dealer to keep a copy of the customer's current applicator certificate on file at the dealer location.

Many state agencies have found through routine inspections that some pesticide dealers have sold RUPs to applicators with expired or no certification. Also, it has been found that unauthorized unlicensed persons have sold RUPs to uncertified applicators. Both of these transactions are in violation of the law.

Violators are subject to civil state penalties of up to \$1,000 per sale per product and federal penalties of up to \$5,500 per sale per product. Criminal prosecution under state and federal law may also be enforced and the penalties could involve both fines and imprisonment. Violations and the associated stress, frustration and expense that may result from selling pesticides to uncertified applicators can be avoided by taking the following precautions:

- ? Know your state pesticide regulations for Restricted Use Pesticides. Distributors and sellers should have and renew the appropriate pesticide state dealer license that permits the sale of RUPs.
- ? Before selling to someone new, insist on seeing some form of identification and check the applicator certification credentials.
- ? Monitor the expiration dates on applicator certificates held by current customers. Ask them to provide updated photocopies of recertification documents.
- ? Question lawn care, residential, aquatic or soil pest control applicators who try to purchase the 100% methyl bromide commodity restricted use pesticide product. Remember that a pesticide product can only be used for those uses, treatment sites, and pests listed on the label. Any other use is a violation of the law.
- ? If you have a question about an applicator's certification credential, call your state Department of Agriculture, or state agency that regulates the applicator certification program. You can find out if an applicator's certification is current or has been revoked or been suspended before the scheduled expiration date.

ALWAYS READ AND FOLLOW LABEL DIRECTIONS



**Great Lakes
Chemical Corporation**

Agricultural Products Business
One Great Lakes Blvd., PO Box 2200
West Lafayette, IN 47996
Ph: 800-378-9451; fax: 765-497-6666
E-mail: mhowland@glcc.com