



# Restricted Use Pesticide Recordkeeping Inspection

## Agricultural Marketing Service

### What are the goals of the program?

The U.S. Department of Agriculture's Agricultural Marketing Service (AMS) has two major goals for the Federal Pesticide Recordkeeping Program - to provide the certified private pesticide applicator with educational tools to assist them in maintaining the necessary restricted use pesticide records, and to provide assistance during a recordkeeping inspection to ensure the applicator's compliance with the regulation.

### Why am I being inspected?

AMS has agreements with Federal, State, tribal, and U.S. territory agencies to monitor certified private pesticide applicators' restricted use pesticide records through record inspections.

### How does the inspection process work?

First, the inspector will present credentials at the beginning of an on-site record inspection. Then, the inspector will provide you with information on the recordkeeping requirements, review your restricted use pesticide application records, and provide compliance assistance. Lastly, the inspector will complete an inspection sheet on your records and provide you with a copy. A specified number of selected certified private pesticide applicators will be visited in your State to determine the level of compliance with the regulation.

### How did the requirements originate?

The 1990 Farm Bill mandated the Secretary of Agriculture to require certified private pesticide 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 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.

*Tracks success.* 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.

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### **How was I selected to have my records inspected?**

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

### **Who can review my records?**

The designated State, Federal, or tribal agency personnel may have access to inspect your records.

Certified/licensed health care professionals, or those acting under their direction, may have access to your record information when treating an individual who may have been exposed to restricted use pesticides. In the case of a medical emergency, record information must be made available immediately.

### **How is restricted use pesticide data collected?**

Restricted use pesticide application record inspections, like this one, are not related to the voluntary pesticide use surveys conducted by USDA's National Agricultural Statistics Service. NASS 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?**

Yes. Any certified private pesticide applicator who fails to comply with the regulations shall be subject to a civil penalty of not more than \$750 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 AMS Administrator determines that the certified private pesticide applicator made a good-faith effort to comply.

### **Whom do I contact if I have questions?**

Contact the AMS Public Affairs Office at (202) 720-8998 and inform the person that answers the telephone that you are a certified private pesticide applicator.

You may also obtain information on the Pesticide Recordkeeping Program's Web site at [www.ams.usda.gov/pesticiderecords](http://www.ams.usda.gov/pesticiderecords).

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