

Records of Pesticide Applications in Hawaii

April 27, 2007

This leaflet is the update for “Recordkeeping Requirements for Applications of Restricted Use Pesticides in Hawaii” (July 2005).

This leaflet is one item in a packet of “core” study material developed for persons seeking certification by the State of Hawaii Department of Agriculture to buy, use, or supervise the use of *restricted use* pesticides.

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INTRODUCTION

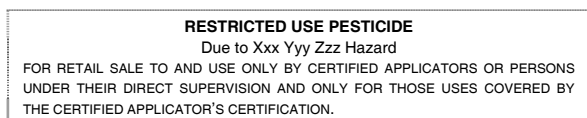
This leaflet is a guide to the State of Hawaii Department of Agriculture's rules for making and keeping records of applications of restricted use pesticides in Hawaii. The rules specify:

- What information must be recorded
- Who is responsible for making and keeping the records
- Who may inspect the records
- To whom must the information be provided and who is responsible for providing the information
- Who may request the information

Included in this guide are brief discussions of parts of the "Worker Protection Standard," a federal regulation. The regulation applies specifically to pesticides used for agricultural plants, whether or not the pesticides are classified for restricted use.

RESTRICTED USE PESTICIDES

Two kinds of restricted use pesticides are sold in Hawaii. *Federal* restricted use pesticides have labels that bear a restricted use pesticide statement in a box near the top of the label's front panel. (See example in the box below.) *State* restricted use pesticides do not have such labels, but dealers who stock these pesticides can identify them.



Typical box on front panel of a label of a federal restricted use pesticide

(Names of restricted use pesticide products may be found on the Internet at a Hawaii Department of Agriculture webpage. See

details in item 2 in the "REFERENCES" section of this leaflet.)

Anyone who wants to buy, use, or supervise the use of restricted use pesticides in Hawaii must be *certified* by the Hawaii Department of Agriculture as a *private* applicator or a *commercial* applicator. Private applicators handle restricted use pesticides for their own ranches, farms, nurseries, commercial forests, and other agricultural sites. Commercial applicators handle restricted use pesticides either for agricultural sites on a "for-hire" basis or for non-agricultural sites.

SCOPE OF THIS LEAFLET

This leaflet is mainly about recordkeeping for restricted use pesticides applied in Hawaii. Included in this leaflet, however, is a summary of both federal and State of Hawaii requirements for sharing of information about applications of pesticides used for agricultural plants. This summary is included because some of these pesticides are classified for restricted use. (Learn more about this requirement by reading the section "SHARING APPLICATION INFORMATION ABOUT AGRICULTURAL USE PESTICIDES" in this leaflet.)

Also included are the following four summaries of recordkeeping-related topics:

1. Records for *chloropicrin* warning agent products. Certain chloropicrin products are sold as warning agents for use with a fumigant pesticide during a structural fumigation job. These chloropicrin products are not regulated as pesticides. However, for recordkeeping purposes, applicators conducting these kinds of structural fumigation jobs in Hawaii must apply the Hawaii rules described in this leaflet to each use of such warning agents. Read the

“INFORMATION TO RECORD” section to learn more about the rules.

2. U.S. Department of Agriculture (USDA) recordkeeping regulation. Prior to 2007, a USDA recordkeeping regulation stemming from the federal Food Agriculture Conservation and Trade (FACT) Act allowed the certified applicator to record just five information items for “spot treatments” covering less than a total of 1/10 acre per day with a restricted use pesticide on a farm or in a commercial forest. As of 2007, however, this rule no longer applies in Hawaii. Certified applicators making spot treatments with restricted use pesticides in Hawaii are now responsible for recording all of the information items required by the new Hawaii rules described in this leaflet in the section “INFORMATION TO RECORD.”

3. “In-house” records. Some businesses and government agencies set their own rules for their employees to log pesticide applications. These rules might require an employee to record either more or less information than the Hawaii rules described in this leaflet. If you are one of these employees, be sure that the records you show to a Hawaii Department of Agriculture pesticides inspector meet the Hawaii rules described in this leaflet.

4. Records for a specific pesticide product. The labeling for some specific pesticide product might require the applicator to make and keep or regularly submit records to a government regulatory agency, even if the Hawaii rules described in this leaflet do not require it. These pesticides may or may not be classified for restricted use. Examples include “emergency exemption” labeling issued by the Hawaii Department of Agriculture for specific types of applications in Hawaii. Review your pesticide’s labeling to learn if any special

recordkeeping is required for the specific pesticide product you plan to apply.

RESPONSIBLE PERSONS

Hawaii-certified applicators are responsible for making and keeping a record for each application (in Hawaii) of a restricted use pesticide that they bought or otherwise acquired.

FORMS FOR RECORDING INFORMATION

None of the Hawaii rules described in this leaflet require you to use any specific form. You may record and keep information on paper, computer disk, or other media.

A good form leads you to record all required information items and lasts for *two* years. Organize and store your records so that you could find the information for your own use and for a pesticides inspector to review.

There is a generic form on last page of this leaflet. This form is intended for Hawaii’s private and commercial applicators. You may use or modify it for your recordkeeping needs.

Computer programs for recordkeeping are available. The programs may be useful for managing large numbers of records but using one is not required for complying with the Hawaii rules. Use caution when choosing a recordkeeping program. If it was made for another state or for general purposes, it may not lead you to record all the information items required by the Hawaii rules.

INFORMATION TO RECORD

Both private and commercial applicators must make a record that includes the

following information items for each application of any *restricted use* pesticide.

1. Brand name or common name of pesticide product.

EXAMPLES — Diazinon 4E Sprayable Insecticide (brand name). Diazinon (common name).

Search the pesticide label for this information. The brand name is the name of the product. It's printed in big bold letters near the top of the label's front panel.

2. EPA registration number of pesticide product

EXAMPLES — 24-678. 123-9876-AA. 456-9867-123.

Search the pesticide label for the *EPA Reg. No.* or *EPA Registration Number*. It's usually located on the label's front panel just below the list of ingredients.

3. Type of formulation of pesticide product

EXAMPLES — Liquid. Powder. Granules. Pellets. Bait blocks. Wettable powder (W or WP). Emulsifiable concentrate (E or EC). Water-dispersible granules (WDG). Dry flowable (DF). Granular (G). Flowable (F). Aqueous suspension. Water-soluble liquid. Water-soluble powder. Liquefied gas.

Search the pesticide label for this information or identify the formulation when you measure the pesticide product.

4. Per cent active ingredient in pesticide product

EXAMPLES — Mevinphos 23%. 1,3-dichloropropene 60.8% + chloropicrin 33.3%.

Search the pesticide label for this information. It's usually on the front panel in the ingredients list. If a product contains two or more active ingredients, record each percentage.

5. Scientific or common name of target pest

EXAMPLES — Purple nutsedge (a common name). *Cyperus rotundus* (a scientific name). Drywood termite. Burrowing nematode. Roof rat.

6. Dilution rate

EXAMPLES — 1½ cups per 20 gallons water. 1 fluid ounce per 1 gallon diesel/water mix. 1.25 pounds per 42 gallons water.

7. Total amount of pesticide product used

EXAMPLES — 1½ cups. 5 fluid ounces. 2.50 pounds.

8. Total area covered

EXAMPLES — 2,350 square feet. 180 square feet. 1.375 acres. 36,415 cubic feet. 98 linear feet.

9. Crop, commodity, stored product or other site treated

EXAMPLES — Banana orchard. Poinsettias. Grass seed. Lumber. Pasture. Ditchbank. Animal cages. Sewer line.

10. Address or location of treated site

EXAMPLE — 12-345 Puakea Rd. Kaneohe 96744 [plus sketch, diagram, or map with a brief description].

Record enough detail so that you could point out the treated site to an inspector two years later. Include a sketch, diagram, or map if there could be confusion about the location of the treated site, especially if the site is within a larger area containing many other sites treated at different times.

11. Time and date of application

12. Name and certification number of certified applicator

The certification number appears on the wallet-sized card that the Hawaii Department of Agriculture issues to a certified applicator.

13. Restricted entry interval (REI)

EXAMPLES — 4 hours. 72 hours.

Search the pesticide's labeling for this information if the pesticide is labeled for agricultural uses. Find it in either (1) the box of statements beginning with the phrase "AGRICULTURAL USE REQUIREMENTS," or (2) the specific instructions for the agricultural crop, commodity, or site to be treated.

14. Whether both posting and oral notification (double-notification) is required

EXAMPLES — Yes. No.

Search the pesticide's labeling for this information if the pesticide is labeled for

agricultural uses. Look for a statement like this:

*Notify workers of the application by warning them orally **and** by posting warning signs at entrances to treated areas.*

It's usually in the box of statements beginning with the phrase "AGRICULTURAL USE REQUIREMENTS."

15. Any other information that the head of the Hawaii Department of Agriculture deems to be necessary

The Hawaii Department of Agriculture did not require any other information when this leaflet was written.

Items 1–14 are summarized in Table 1.

MAINTAINING RECORDS

Maintain each record for *two* years at the principle place of business.

INSPECTION OF RECORDS

Representatives of the U.S. Department of Agriculture (USDA) and the Hawaii Department of Agriculture (HDOA) may inspect your records. HDOA's pesticides inspectors may represent either the USDA or the HDOA. These inspectors are required to show you a government identification card at the start of the inspection.

RECORDKEEPING AIDS MANAGERS

In addition to meeting federal and state recordkeeping requirements, managers can use pesticide application records to:

Meet buyer requirements. Produce and grain buyers may require information about

pesticides used to treat the crops. By keeping pesticide records, managers can easily meet these requirements.

Help secure funding. Some lending institutions and buyers request field records to evaluate potential environmental liability when making land sales or loans. Managers can prepare for meeting lending institutions' requirements by referring to their records.

Aid in a medical emergency. When an accident involves pesticides, emergency medical personnel need the best possible information to give effective treatment. Managers can meet this need by referring to their records.

Improve crop rotation decisions. When deciding which crop to plant next in a field, growers' choices may be limited by restrictions for certain pesticides applied to the previous crop. Soil-borne residue of pesticides applied to the previous crop could carry over to the next. Then, the residue might appear as illegal residue in a follow-up crop that can absorb it, or damage one that cannot tolerate it. Growers can make these kinds of crop rotation decisions with more confidence by referring to their pesticide application records.

Improve pesticide rotation decisions. Using pesticides from different chemical groups is a strategy for reducing pest resistance to a pesticide. Managers can review their records to learn what pesticides they used, and if necessary, choose a pesticide from a different chemical class for the next treatment.

Show what works and what doesn't. When they see effective pest control results, managers can review their records to learn what pesticide applications, if any, may have helped. And when they see poor pest control results, managers can review their records to determine if the pesticide could have been the

cause. In either case, pesticide application records can help managers repeat successes and avoid repeating failures.

With the aid of written records, managers can accurately recall details and better their chances of making time- and money-saving decisions.

SHARING APPLICATION INFORMATION ABOUT AGRICULTURAL USE PESTICIDES

If you plan to apply a pesticide in an agricultural operation, you or your employer may be required to share certain specific information about the application with others. Those who receive the information may be required to display the information for their agricultural employees who will be working near the application site. The information must also be shared, when requested, in case of a possible employee pesticide poisoning.

Employer information exchange

According to the Worker Protection Standard (WPS), a federal regulation, the following information items must be provided to the *employer(s)* whose employees will be at the site to be treated:

- a. Brand name of pesticide product;
- b. EPA Registration Number of pesticide product;
- c. Pesticide product's active ingredient(s) name(s);
- d. Specific location and description of the treated area;
- e. Date of application;
- f. Time of application;
- g. Restricted entry interval (REI);
- h. Whether posting and oral notification (double-notification) are required; and,
- i. Any other product-specific requirements on the product labeling concerning protection of workers or other persons during or after application.

These information items must be provided for *each application* of an agricultural use pesticide, whether or not the pesticide is

classified for restricted use. This type of information sharing must be done *before* the pesticide application takes place. The person responsible for ensuring that this happens is usually the *employer* of the pesticide handler.

See details in EPA's 'How to Comply' manual, page 33 "EMPLOYER INFORMATION EXCHANGE" section.

However, according to a **new Hawaii rule**, if the pesticide will be applied in Hawaii by a Hawaii-certified *commercial applicator*, then the commercial *applicator* is responsible for providing the information *prior* to the application. Also, the information must be in a *written form*, according to the Hawaii rule.

See details in State of Hawaii's Hawaii Administrative Rules, Title 4 Hawaii Department of Agriculture, Chapter 66 Pesticides, ¶4-66-62(c), as amended and compiled 12/16/06.

Information at a central location

According to the WPS, information items **a–g** listed under "Employer information exchange"(above) must be displayed so that it can be seen by employees who will be at the site to be treated. This means that the display must be in a "central location," though there are exceptions for commercial forestry operations. The information must be displayed whether or not the pesticide is classified for restricted use. The person responsible for ensuring that this happens is the *employer(s)* whose employees who will be at the treated site.

See details in EPA's 'How to Comply' manual, page 19 "INFORMATION AT A CENTRAL LOCATION" section.

A proper display is important because it would provide information to the employees

about sites they should avoid during and for some period of time after the pesticide application. This time period following an application is called the “restricted entry interval” or the “REI,” according to the WPS. Generally, no one may enter the treated area during the REI, although under some rare and specific conditions, “early entry” by certain employees is allowed. The REI will be listed on the pesticide’s labeling. Some examples are: 4 hours, 24 hours, and 72 hours.

Emergency assistance

According to the federal Worker Protection Standard (WPS), the following information items must be provided to an employee or to the emergency doctor or nurse tending to the employee who could have been poisoned or injured by a pesticide at the agricultural site.

1. Product name, EPA registration number, and active ingredients for any product(s) to which the person may have been exposed;
2. Antidote, first aid, statement of practical treatment and other medical or emergency information *from the product labeling*;
3. Description of the way the pesticide was being used; and,
4. Circumstances of the employee’s exposure to the pesticide.

This information must be provided upon request. The person responsible for ensuring that this happens is the *employer* whose employee needs emergency assistance.

See details in EPA’s ‘How to Comply’ manual, page 27 “EMERGENCY ASSISTANCE” section.
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Table 1. Comparison and summary of information to record or display for applications of *restricted use* pesticides and *agricultural use* pesticides in Hawaii

1.	For each application of a restricted use pesticide	For each application of an agricultural use pesticide
2.	When used for any purpose	When used to produce “agricultural plants” <ul style="list-style-type: none"> • Farms, greenhouses, forests, nurseries • Commercial, research, or teaching purposes • <u>Not</u> golf courses, parks, lawns, ornamental gardens, roadsides, or pastures • Transplants are “agricultural plants.”
3.	Record and keep record for two (2) years at principal place of business.	Display before the application takes place and continue to display for at least 30 days after the restricted entry interval expires (or at least 30 days after the end of the application, if there is no restricted entry interval for the pesticide).
4.	As required by Hawaii Department of Agriculture regulation: “Chapter 66”	As required by U.S. EPA regulation: “Worker Protection Standard” (WPS)
5.	Brand or common name of the pesticide product	Product name
6.	EPA registration number of pesticide product	EPA registration number
7.	Type of formulation	—
8.	Per cent active ingredient	Active ingredient(s)
9.	Scientific or common name of target pest	—
10.	Dilution rate	—
11.	Total amount of pesticide product used	—
12.	Total area covered	—
13.	Crop, commodity, stored product or other site treated	—
14.	Address or location of treated site	Location and description of area to be treated
15.	Time and date of application	Time and date the pesticide is scheduled to be applied
16.	Name of certified applicator and his or her certification number	—
17.	Restricted entry interval (REI)	Restricted-entry interval (REI)
18.	Whether posting <i>and</i> oral notification are required	Whether the pesticide labeling requires both treated-area posting <i>and</i> oral notification

FOR MORE INFORMATION

You may direct your questions or comments about recordkeeping requirements to a *pesticide education specialist* at one of these Hawaii Department of Agriculture offices:

- Honolulu, ph. (808) 973-9424 or 973-4909, for Kauai and Oahu
- Kahului, ph. (808) 873-3960, for Maui, Molokai, and Lanai
- Hilo, ph. (808) 974-4143, for Hawaii island

REFERENCES

1. Hawaii Administrative Rules, Chapter 4-66, as amended and compiled December 16, 2006. <<http://www.hawaiiag.org/hdoa/adminrules/ar-66.pdf>>
2. Hawaii Department of Agriculture webpage of pesticide products licensed for distribution and sale and Hawaii. Updated monthly. <www.hawaiiag.org/hdoa/pi_pest_list.htm>

To view the lists, click on either “List of licensed pesticides by EPA Registration Number” or “List of licensed pesticides by Registrant Name.” In either list, the names of restricted use pesticides are displayed in capital letters and are marked with an asterisk, like this:

MEVINOX 4F FLOWABLE INSECTICIDE*

3. U.S. Environmental Protection Agency. “How To Comply With the Worker Protection Standard for Agricultural Pesticides: What Employers Need To Know” booklet (EPA 735-B-05-002, September 2005) <www.epa.gov/oecaagct/htc.html>
4. Association of State Departments of Agriculture, in conjunction with the Agricultural Marketing Service of the U.S. Department of Agriculture. “Pesticide Recordkeeping, a Federal Requirement” (a leaflet). July 1993.

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Certified applicator's name and certification number: _____ # _____

Underlined items must be displayed when and where required by the federal Worker Protection Standard (WPS) regulation.

Explanation and examples of information items to record are in the "INFORMATION TO RECORD" section on pages 4-6.

PESTICIDE PRODUCT			
<u>BRAND NAME</u> OR COMMON NAME	<u>EPA REGISTRATION NUMBER</u>	<u>ACTIVE INGREDIENT(S)</u> AND PERCENTAGE(S)	FORMULATION

<u>DATE</u>	<u>TIME</u>	ADDRESS OR LOCATION OF APPLICATION, AND <u>DESCRIPTION OF AREA TO BE TREATED</u> <i>Attach map for more accurate record.</i>	CROP, COMMODITY, STORED PRODUCT, OR SITE TARGETED	PEST TARGETED	DILUTION RATE, <i>if applicable</i>	TOTAL AMOUNT OF PRODUCT USED	TOTAL AREA COVERED	<u>RESTRICTED ENTRY INTERVAL (REI)</u> , <i>if applicable</i>	"DOUBLE NOTIFICATION" REQUIRED?