

**Title 2—DEPARTMENT OF
AGRICULTURE
Division 70—Plant Industries
Chapter 25—Pesticides**

PROPOSED AMENDMENT

2 CSR 70-25.120 Contents of Records Maintained by Certified Commercial Applicators, Certified Noncommercial Applicators, and Certified Public Operators. The department is amending the rule title and sections (1) through (4).

PURPOSE: This amendment clarifies record keeping requirements for pesticide applicators.

(1) Certified commercial applicators or their employers shall keep and maintain records for the use of *[any]* **all** *[pesticide(s)]* **pesticides**. These records shall **be completed within three (3) business days from the date of use and** be kept for three (3) years in a neat and legible condition.

(2) Certified noncommercial applicators and certified public operators or their employers shall keep and maintain records for the use of restricted use pesticides. These records shall **be completed within three (3) business days from the date of use and** be kept for a period of three (3) years in a neat and legible condition.

(3) These records shall be available for inspection by the director *[at a reasonable time]* during regular business hours **at the physical location from which certified applicators use or supervise the use of pesticides** or, upon request in writing, the director shall be furnished a copy of these records within ten (10) *[working]* days of receipt of request.

(4) These records shall contain the following for each application *[site]*:

(A) Name and license number of the certified applicator *[or operator]* **using or supervising the use of pesticides;**

(B) Name of the noncertified applicator, **name and license number of the noncertified RUP applicator, name of the pesticide technician trainee,** or the name and license number of the pesticide technician using the pesticide(s), if applicable;

(C) Application date, **start time, and end time;**

(D) Name and address of the person requesting the pesticide use;

(E) Address or brief description of the application site;

(F) **Size of the area treated (such as square feet, linear feet, acres, etc.) excluding indoor spot and crack and crevice applications;**

(G) **The site, crop and variety name, commodity, or stored product to which pesticide was applied, if applicable;**

[(F)] (H) **Target** *[P]*pest(s) *[controlled or prevented by the pesticide use];*

[(G)] (I) Complete trade (manufacturer's brand) name(s) from the label(s) of the pesticide(s) used;

[(H)] (J) The United States EPA registration number(s) from the label(s) of the pesticide(s) used **and the special local need registration number, if applicable.** In lieu of recording the United States EPA registration number(s) for each pesticide use, documentation shall be

maintained which provides incontrovertible correlation between each pesticide use and the United States EPA registration number(s) of the pesticide(s) used;

[(D)] **(K)** [Reasonable estimate of t] The [amount of] pesticide(s) [used, and, if applicable, the actual] **mixture rate, the total amount of mixture used, and the rate of application** expressed in reasonable and understandable terms, **if applicable**; [and]

(L) For pre-mixed, ready-to-use pesticide products, a reasonable estimate of the amount of pesticide used and the actual rate of application expressed in reasonable and understandable terms, if applicable;

[(J)] **(M)** [A reasonable estimate of t] The [time,] air temperature, [average] **measured** wind speed, and **wind** direction at the site of outdoor pesticide applications, excluding applications of pesticides in general structural pest control and termite pest control within ten feet (10') of a building[-]; **and**

(N) A written, signed, and dated request from the agricultural producer requesting the use of a lesser concentration of pesticide than is provided on the pesticide label, if applicable.

AUTHORITY: sections 281.035 and 281.045, RSMo Supp. 1990. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Sept. 6, 1977, effective Dec. 11, 1977. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990.*

**Original authority: 281.035, RSMo 1974, amended 1977, 1988; 281.045, RSMo 1974, amended 1977, 1988.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for 10:00 a.m., July 22, 2024, Missouri Department of Agriculture, Third Floor Boardroom, 1616 Missouri Boulevard, Jefferson City, MO, 65109.*