

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

PROPOSED AMENDMENT

2 CSR 70-25.180 Contents of Records Maintained by Pesticide Dealers. The department is amending sections (1) and (3).

PURPOSE: This amendment updates record keeping requirements for pesticide dealers.

(1) Pesticide dealers must keep records relating to the sale or distribution of restricted use pesticides. All required information must be recorded within three (3) business days of the sale or distribution and kept [F]for three (3) years[, pesticide dealers must keep and maintain records of sales and distribution of restricted use pesticides in a neat and legible condition].

(3) Records shall contain the following information:

(A) Pesticide dealer's name and license number;

(B) The trade name, United States Environmental Protection Agency (EPA) registration number, the applicable state special local need (SLN) registration number(s), the amount of each restricted use pesticide made available at each transaction, and the date of the transaction; and

(C) Information related to the individual receiving the restricted use pesticide. This shall include:

1. The name, address, license number, certification category(ies), and license expiration date of the certified applicator [*or operator*] to whom the restricted use pesticide was made available; **or**

2. [*The name, address and permit number of the private applicator with a permit to whom the restricted use pesticide was made available;*]**The name, address, license number, and license expiration date of the pesticide dealer to whom the restricted use pesticide was made available; and**

3. The state, tribe, or federal agency that issued the certification or dealer license if not issued by the director; and

[3.] **4.** If applicable, the name, address, and verified relationship of the noncertified, designated representative to whom the restricted use pesticide was made available. The relationship between the certified applicator **or pesticide dealer** and noncertified, designated representative may be verified through one (1) of the following:

A. Actually seeing the certified applicator's [*or operator's*] **or pesticide dealer's** original license and an original identification document of the noncertified designated representative; or

B. Actually seeing a photocopy of the certified applicator's [*or operator's*] **or pesticide dealer's** license and a signed statement from the certified applicator [*or operator*] authorizing the noncertified designated representative to take possession of the restricted use pesticide[; and].

[4. *The name, address, license number and license expiration date of the pesticide dealer to whom the restricted use pesticide was made available.*]

*AUTHORITY: section 281.050, 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: 281.050, 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.*