

# Highlights from the DE Pesticide Law and DE Pesticide Rules & Regulations

## THE PESTICIDE LABEL



**THE LABEL IS THE LAW!** It has all the information you must know. If you do not follow what is on the label, you are breaking the law! It is unlawful to sell a pesticide

without an attached label.

## CERTIFICATION

Restricted Use Pesticides (RUPs) are pesticides that, even when applied according to label directions, may cause unreasonable environmental damage or injury to the applicator if additional regulations and restrictions are not enforced. Therefore, RUPs may be applied only by certified applicators.

## APPLICATION RECORDS

All applicators should keep the following records for 2 years from the date of application:



- Pesticide name and formulation
- EPA registration number
- Dilution rate and amount applied
- Date and area treated
- Pest Controlled
- Name of applicator
- Name of the certified applicator
- Weather conditions if the label advises precautions against drift: wind velocity and direction, temperature, and relative humidity.

In addition:

- ✓ A copy of the label of the pesticide being used must be at the application site.
- ✓ Records shall be logged immediately or within 24 hours of application completion.

## REGISTERED SERVICE EMPLOYEE

This only applies to commercial certification. For an employee to work under a certified commercial applicator, the applicator must train and register those employees. The registration must be submitted to the Delaware Department of Agriculture (DDA) within 45 days of employment. The certified applicator must be able to verify the DDA-approved employee training. Registered Service Employees shall not apply Restricted Use Pesticides (RUPs).

## BUSINESS LICENSE

Any person in the business of applying pesticides (even for general-use) to the land of another must obtain a pesticide business license from the DDA in addition to a regular business license (for example, Division of Revenue). All pest control businesses licensed in the following categories must display their company name and pesticide business license number on all service vehicles: 1C, 03, 5C, 06, 7A, 7B, 7C, 7D, 7E, 7F, 11. The DDA business license number shall be in **BOLD, READABLE NUMBERS**, not less than two (2) inches or more than six (6) inches high, and follow the format of – DDA Bus. Lic. ####.



## DEALERS

Dealers of pesticides must keep records on the sale of RUPs:

- Pesticide name & EPA Registration Number
- Quantity and date
- Name and address of purchaser or receiver, including the certified applicator's ID number

## DAMAGE OR INJURY



Any person claiming damages from a pesticide application must file a report with the DDA within 60 days. If a growing crop is allegedly damaged, the report must be filed before 25% of the crop has been harvested. The claimant must permit DDA, the applicator, and his/her representatives to observe the alleged damages within reasonable hours.

## BULLETINS LIVE! TWO (BLT)

This is an online site to access Endangered Species Protection Bulletins. These bulletins contain enforceable pesticide use limitations such as:

- Location of use limitations
- Products with limitations
- Terms of the limitation

Go to [www.epa.gov/pesticides/bulletins](http://www.epa.gov/pesticides/bulletins)



## ADDITIONAL TRAINING REQUIRED BY EPA

Some chemical formulations require additional EPA training beyond being a certified applicator. If required, the information will be provided on the product's label. Some products included are dicamba and paraquat.

## HAZARDOUS CHEMICAL INFORMATION ACT

This act requires that employers provide employees and other interested parties with certain pesticide use and safety information. It is administered by the State of Delaware, Division of Public Health, Bureau of Environmental Health.

## FINES AND PENALTIES

The Delaware Pesticide Law states that certain actions are unlawful. These unlawful acts include:



- Make a pesticide recommendation or application not in accordance with the label.
- Operate in a faulty, careless, or negligent manner.
- Fail to keep required records.
- Transport, store or dispose of pesticides in a manner as to endanger man, crops, livestock, wildlife, or the environment.
- Detach, alter, deface, or destroy the label before sale.
- Apply an RUP without certified applicator status.
- Fill application equipment without a backflow-preventing valve or device unless a separate water storage tank is used & the fill spout does not touch the water level.

Don't forget, you must have a copy of the label at the site during application. You must also provide information from the label to any interested person at or near the application site upon request.

***Penalties may be assessed up to \$2,500 per violation.***

## FOR MORE INFORMATION

### DDA Pesticides Section

Ph: 302-698-4571

Web: <https://de.gov/pesticides>



DELAWARE DEPARTMENT OF  
**AGRICULTURE**