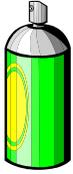


HIGHLIGHTS OF THE DELAWARE PESTICIDE LAW



THE PESTICIDE LABEL

THE LABEL IS THE LAW! It has information you must know. It is unlawful to sell a pesticide without an attached label.

CERTIFICATION

Restricted Use Pesticides (RUP's) are pesticides that, even when applied according to label directions, may cause unreasonable damage to the environment or injury to the applicator if additional regulations and restrictions are not enforced. Therefore, RUP's may be applied only by certified applicators or by those working under their direct supervision.

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 certified applicator.
- Weather conditions if label advises precautions against drift: wind velocity and direction, temperature and relative humidity.

EMPLOYEE REGISTRATION

The certified, commercial applicator must train and register employees who apply pesticides. The registration must be submitted to the Delaware Department of Agriculture within 30 days of employment. The certified applicator must be able to verify employee training.

BUSINESS LICENSE



Any person in the business of applying pesticides (even 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 Ornamental and Turf, Right-of-Way, and Structural Pest Control must display their company name and pesticide business license number on all service vehicles. The license number shall be in **BOLD, READABLE NUMBERS**, not less than two (2) inches or more than six (6) inches high.

DEALERS

Dealers of pesticides must keep records on the sale of RUP's:

- 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 alleged to have been damaged, the report must be filed before 25% of the crop has been harvested. The claimant must permit the DDA, the applicator and his representatives to observe, within reasonable hours, the alleged damages.

OTHER FEDERAL AND STATE LAWS

RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)

RCRA regulates the disposal of hazardous wastes. It is administered by the EPA and the Delaware Department of Natural Resources and Environmental Control.

SUPERFUND AMENDMENTS AND REAUTHORIZATION ACT OF 1985 (SARA)

Sara Title III (Emergency Planning and Community Right-to-Know Act) establishes emergency planning preparedness and reporting of quantities of stored or spilled hazardous chemicals. It is administered by EPA, the Division of Delaware.

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 a certified applicator in direct supervision.
- 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.

In addition, you must have a copy of the label at the site during application. You must provide information from the label to any interested person at or near the application site upon request. Penalties may be assessed at up to \$2,500 per violation.

FOR MORE INFORMATION:



(800) 282-8685
(302) 698-4500

Pesticide Compliance

Delaware Department of Agriculture

New Castle County Extension: (302) 831-2526
Kent County Extension: (302) 697-4000
Sussex County Extension: (302) 856-7303