

Certification of Regulated Articles

All regulated articles moving interstate and outside the IFA Quarantine area must demonstrate compliance with the IFA Quarantine regulations (7 CFR 301.81). Establishments that regularly ship large quantities of regulated articles (nursery stock) outside the regulated area should enter into a compliance agreement. A compliance agreement is reviewed on a regular basis, and through this agreement, the grower is issued a stamp, a written statement or other means of certifying each shipment. Establishments that rarely ship outside the regulated area will need to call their State inspector several weeks prior to shipment and have each load issued a certificate or limited permit demonstrating compliance with the IFA regulations. This will require the inspector to be present for any treatments required prior to shipment. Contact your State inspector for details.

Recordkeeping

Recordkeeping for all restricted-use pesticides (RUPs) is required by FIFRA, 40 CFR Part 171, and the Food, Agriculture, Conservation and Trade (FACT) Act of 1990, commonly referred to as the 1990 Farm Bill. Section 11 of FIFRA and 40 CFR Part 171 require certified commercial applicators to maintain records of application of RUPs. The 1990 Farm Bill requires private pesticide applicators to keep records of restricted-use chemicals they apply (www.ams.usda.gov/AMSV1.0/pesticiderecords). Many State pesticide laws, including those for recordkeeping, are more extensive than Federal law, and certified private and commercial applicators must familiarize themselves with the State's pesticide laws and recordkeeping requirements.

Under Federal law, commercial applicators and those who contract with commercial applicators to apply RUPs to property owned by another person must maintain applicator records for at least 24 months from the date of pesticide use, and they shall include the following information [40 CFR 171.11(c)(7)]:

- Name and address of the person for whom the pesticide was applied;
- Location of the pesticide application;
- Target pest(s);
- Specific crop or commodity, as appropriate, and site, to which the pesticide was applied;
- Year, month, day, and time of application;
- Trade name and Environmental Protection Agency (EPA) registration number of the pesticide applied;
- Amount of the pesticide applied and percentage of active ingredient per unit of the pesticide used; and
- Type and amount of the pesticide disposed of, method of disposal, date(s) of disposal, and location of the disposal site.

Under Federal law, private applicators must maintain applicator records for at least 2 years. The nine required elements that must be recorded within 14 days of each RUP application are as follows (1990 Farm Bill):

- The brand or product name
- The EPA registration number
- The total amount applied
- The month, day, and year
- The location of the application
- The crop, commodity, stored product, or site
- The size of area treated
- The name of the certified applicator
- The certification number of the certified applicator

Approved State plans for certification of commercial and private applicators must include provisions requiring certified commercial applicators to keep and maintain for the period of at least 2 years routine operational records containing information on types, amounts, uses, dates, and places of application of RUPs, and for ensuring that such records will be available to appropriate State officials.

The term commercial applicator means a certified applicator (whether or not he/she is a private applicator with respect to some uses) who uses or supervises the use of any pesticide which is classified for restricted use for any purpose or on any property other than as provided by the definition of "private applicator."

The term private applicator means a certified applicator who uses or supervises the use of any pesticide which is classified for restricted use for purposes of producing any agricultural commodity on property owned or rented by him/her or his/her employer or (if applied without compensation other than trading of personal services between producers of agricultural commodities) on the property of another person.

Many State pesticide agencies have developed recordkeeping forms for your convenience. Check with your State regarding specifics on recordkeeping requirements and forms. For States operating under Federal law for private applicator recordkeeping, forms are available at: www.ams.usda.gov/AMSV1.0/pesticiderecords.

Mitigative Measures

The following measures are required to minimize the impact of quarantine treatments on the environment and human health. Any person requesting certification to authorize the movement of regulated articles must adhere to these measures where applicable.

- All applicable Federal, State, and local environmental laws and regulations must be followed.
- Safety equipment and clothing (personal protective equipment [PPEs]), as specified by the label instructions, must be used and worn during treatments and inspections.
- Safety practices shall be communicated, and regulated establishment managers must require that on-the-job safety practices be followed.
- All pesticides must be applied, handled, stored, and used in accordance with label instructions.
- Empty pesticide containers must be disposed of in accordance with label instructions and Federal, State, and local regulations.
- Pesticide remaining in containers after completion of an application must be retained and disposed of in accordance with label instructions and Federal, State, and local regulations.
- Oral or written warnings must be provided to workers and the general public, indicating pesticide application areas during application and appropriate re-entry intervals (REIs).
- Owners or managers of regulated properties must take precautions to limit access to treated areas by the public, livestock, and wildlife.

Protocol for Collection of Nursery Potting Media for Bulk Density Determination

Contact your State regulatory official/inspector (see page 18) prior to collecting samples to determine where to submit samples and any costs associated with the work.

If the State does not provide specific instructions for sample collection, the following protocol can be used:

- Collect potting media from five different locations around the media pile for a total of approximately one-half gallon of media, and place in a heavy duty plastic bag. Do this for each different media type you want bulk density determined for. Double bagging may be necessary to ensure against breakage during shipping.
- If a sample form is not supplied by the State, please include with each sample:
 - ◆ Contact person name, phone number, mailing address, and email address;
 - ◆ Date sample collected;
 - ◆ Requested service: bulk density determination; and
 - ◆ Any additional remarks or comments, as needed.