

901:5-11-10

Recordkeeping.

(A) Commercial applicators:

~~(1) Applying pesticides to areas other than structures or their contents shall record, in English, on the date of application the following information for each application made by the commercial applicator or trained servicepersons working under the commercial applicator's direct supervision:~~

~~(a) Name of responsible commercial applicator and names of the trained servicepersons applying pesticides under the commercial applicator's direct supervision;~~

~~(b) Name and address of person contracting for service;~~

~~(c) Date of application;~~

~~(d) Type and size of area to be treated;~~

~~(e) Location or field identification number of treatment area, if different than the address in paragraph (A)(1)(b) of this rule;~~

~~(f) Trade name (brand name) and EPA registration number of pesticides used;~~

~~(g) Total amount of each pesticide product used;~~

~~(h) If diluted, total volume of use dilution applied;~~

~~(i) Type of equipment used;~~

~~(j) Time of day of application, including the time of starting the actual application and the time of completion of application or, if uncompleted, the time when operations ceased for the day; and~~

~~(k) Wind direction, velocity and air temperature.~~

~~(2)~~(1) Applying pesticides under the pesticide use categories defined in paragraphs (N)(7) and (N)(10) of rule 901:5-11-01 of the Administrative Code, or to structures and their contents shall record, in English, on the date of application the following information for each application made by the commercial applicator or trained servicepersons working under the commercial applicator's direct supervision:

- (a) Name of responsible commercial applicator and names of the trained servicepersons applying pesticides under the commercial applicator's direct supervision;
- (b) Name and address of person contracting for service;
- (c) Date of application;
- (d) Pests to be controlled;
- (e) Locations and methods of treatment for each pesticide used;
- (f) Trade name (brand name) and EPA registration number of pesticides used;
- (g) Application concentration or dilution used for each pesticide and total volume applied;
- (h) Time of day of application, including the time of starting the actual application and the time of completion of application or, if uncompleted, the time when operations ceased for the day.

(2) All pesticide applications not covered in paragraph (A)(1) of this rule shall record, in English, on the date of application the following information for each application made by the commercial applicator or trained servicepersons working under the commercial applicator's direct supervision:

- (a) Name of responsible commercial applicator and names of the trained servicepersons applying pesticides under the commercial applicator's direct supervision;
- (b) Name and address of person contracting for service;
- (c) Date of application;
- (d) Type and size of area to be treated;
- (e) Location or field identification number of treatment area, if different than the address in paragraph (A)(2)(b) of this rule;
- (f) Trade name (brand name) and EPA registration number of pesticides used;
- (g) Total amount of each pesticide product used;
- (h) If diluted, total volume of use dilution applied;

(i) Type of equipment used; Time of day of application, including the time of starting the actual application and the time of completion of application or, if uncompleted, the time when operations ceased for the day; and

(j) Wind direction, velocity and air temperature.

- (3) Applying pesticides or monitoring devices to structures for the control or monitoring of termites, shall create before the application, a detailed drawing of the footprint of the structure to be treated. This drawing must include linear dimensions of the structure and, for liquid termiticide applications, the depth to footer on all exterior walls.
- (4) Utilizing bait or monitoring devices in and around structures for the monitoring or control of termites shall create in English on the date of installation and subsequent monitoring of those stations, a record which includes all information required in paragraphs ~~(A)(2)(a), (A)(2)(b), (A)(2)(c), and (A)(2)(d)~~ (A)(1)(a), (A)(1)(b), (A)(1)(c), and (A)(1)(f) of this rule, as well as:
- (a) Total number of bait or monitoring devices installed or monitored;
- (b) Status of termite activity in each bait or monitoring device.
- (5) Shall submit, within ten days following the date of completion, a copy of each record required under paragraphs (A)(1), (A)(2), (A)(3) and (A)(4) of this rule to the registered pesticide business location from which the application was conducted or the commercial applicator's employer if the employer is not a pesticide business.
- (6) Applying pesticides under pesticide-use categories 2A, 2B, 2C, 2E, and 2F shall provide a copy of each pesticide application record to the person contracting for service, upon request or, if not requested, within thirty days after the pesticide application unless the person contracting for services has provided to the pesticide business a signed agreement allowing the pesticide business to retain that record.
- (B) The employer of a commercial applicator that receives copies of records under this rule or paragraph (I) of rule 901:5-11-13 of the Administrative Code shall retain those records for a period of three years from the date of application or inspection and shall make those records available to the director.
- (C) Pesticide businesses shall:
- (1) Retain at the appropriate registered location, or at the pesticide business if there is no registered location, records submitted to them under this rule or paragraph

(I) of rule 901:5-11-13 of the Administrative Code. Those records shall be maintained for a period of three years from the date of application or inspection and shall be made available to the director.

- (2) Retain for three years following the employee's termination, written verification documenting that the employee has read the Ohio department of agriculture trained servicepersons manual or received equivalent training prior to the employee's first exposure to pesticides, as required by paragraph (A)(1) of rule 901:5-11-02 of the Administrative Code. This verification shall be made available to the director.

(D) Pesticide dealers shall:

- (1) Keep a record of all sales of restricted-use pesticides made to pesticide applicators. This record shall be maintained at the registered pesticide business location where the sale was made using a format which includes the following items:
- (a) The name of the pesticide applicator;
 - (b) The license number and pesticide-use categories listed on the pesticide applicator's license;
 - (c) The brand name and quantity of pesticide purchased;
 - (d) The EPA registration number and invoice number from the pesticide dealer's sales paperwork;
 - (e) The date of sale; and
 - (f) The name of the person receiving the pesticide if different from the pesticide applicator.

The pesticide dealer's copy of the records of sales shall be kept in a file and made available to the director during reasonable hours. The dealer shall retain such records for no less than three years.

- (2) Compile an annual report of restricted-use pesticide sales records made for the period from the first day of July to the last day of June of the following calendar year. The report shall contain all of the information required under paragraph (D)(1) of this rule. If there are no sales of restricted-use pesticides for the period, the report shall so state. This report shall be made on a form designed by the director or on a computer-generated equivalent. The report shall be made available to the director during reasonable business hours. The dealer shall retain the report for no less than three years.

- (3) Submit on or before the last day of July of each year to the pesticide regulation section of the Ohio department of agriculture a copy of the report for the most recently completed reporting period compiled pursuant to paragraph (D)(2) of this rule. The copy submitted under this paragraph shall be identical to the report compiled and retained pursuant to paragraph (D)(2) of this rule.

(E) Private applicators:

- (1) Shall record the following information for each application on the date of application:
 - (a) The responsible private applicator's name and license number;
 - (b) The brand or product name and EPA registration number of the restricted use pesticide applied;
 - (c) The total amount of the restricted use pesticide applied;
 - (d) Location and/or field number for area treated and total area or acreage treated;
 - (e) Crop treated; and
 - (f) Month, day and year of application;
- (2) Shall submit on the date of application a copy of records required under paragraph (E)(1) of this rule to the private applicator's employer, if applicable.
- (3) Or their employers, if applicable, shall retain records generated pursuant to paragraph (E)(1) of this rule for a period of three years from the date of application and shall make those records available to the director. In the case of a crop site being leased or rented by a private applicator, the private applicator shall make the pesticide application record available within thirty days of the request by the owner of the land or an agent thereof.
- (4) Shall record the information required in paragraph (E)(1) of this rule for both restricted and general use pesticides applied under the exemption in division (D) of section 921.26 of the Revised Code.

Effective:

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Certification

Date

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