NJDEP Bureau of Pesticide Regulations Checklist

This is a brief summary of regulations applying to farms using pesticide prepared by the NJ Farm Bureau

Agricultural Employer is anyone who:

- Hires workers, for any type of compensation, to perform activities related to the production of agricultural plants - or is responsible for the management of an <u>agricultural establishment</u> that uses such workers

Worker is anyone who:

- Is employed for any type of compensation and is doing task such as harvesting, weeding, watering etc…, relating to the production of agricultural plants on a farm , forest ,nursery or greenhouse

Handler is anyone who:

- An employee mixing loading, transferring, or applying pesticides
- Handling opened containers of pesticides
- Cleaning, adjusting, handling, or repairing and part of pesticide equipment that may contain pesticide residues
- Assisting in the application, including soil incorporation.

Private pesticide license requirement:

- Persons with a gross receipts greater than $2500 per year need to be licensed for all pesticide use including restricted and general use pesticide.
- This could include some organic growers.

Record Keeping 7:30-8.8(a)

Any person required to be licensed as a private pesticide applicator shall keep, for each application of a pesticide made by him or her or under his or her direct supervision, shall record the following the following information for each application.

1. The date of application;
   - For pesticides having a specific restricted entry interval (REI) on the label or labeling, the date of application shall include the hour completed (which signals the beginning of the
   - REI); and
   - The re-entry time and date;
2. The place of application;
   - For pesticide applications to an agricultural commodity, place of application shall include:
     - The name and address of the farm;
     - The specific field, greenhouse or land area, including the municipality and county;

- o   The crop, commodity or stored product that was treated with the pesticide; and
- o   The size of the area treated;
3. The brand or trade name, the active ingredients, and the EPA registration numbers of each pesticide used
4. The "recipe" used to mix the pesticide mixture, as required by the label. The recipe shall consist of:
   - The total amount of pesticide concentrate; and
   - The total amount of diluents (ex: water).
5. The total amount of mixture used for each individual application.
6. The full name and pesticide applicator license number of the person making the application; or the full name and handler card number of the handler; or a symbol which corresponds to that person's name and license number on a separate list of all private applicators and/or handlers.

If an applicator chooses to create a code system for each pesticide that is used and applicator making an application rather than writing out the name this would be allowed as long as the following is completed:

1. A listing is maintained with the names, active ingredients (common chemical name, if available) and corresponding EPA Registration Numbers of all the pesticides applied. This information may be kept separately from the records required above, only if a code is used on each application record which corresponds to a pesticide on the list
2. A code is created for each handler(s) working under the private applicator's direct supervision and maintained accordingly on a list and symbol recorded in the records..
   - All records and information required to be kept pursuant to this section shall be recorded in writing as soon as possible, but no later than 24 hours after application and kept for a minimum of three years.
   - This information should be requested from any commercial applicator making a custom application for the farmer

Storage Records 7:30-9.5(b)

- Must maintain a list of what is stored or likely to be stored during the license year?
- Do not need to include pesticides stored for less than seven calendar days at loading or application sites in connection with their use.
- Annually send a copy of pesticide inventory list with an explanatory cover letter to the local fire company along with a written description or diagram depicting the exact location of the area on the property where the pesticide is stored by **May 1**
- A copy of each year's cover letter shall be kept on file for three years
- Updated list kept at separate location

Storage requirements 7:30-9.5(c)
- Structurally separate from any living areas unless adequately separated and ventilated.
- Secure, locked

- Prominent warning signs in English and any other language of the local area

Service Vehicle Requirements 7:30-9.5(f)
- Pesticides in separate compartment from driver (<u>Must</u> be a licensed pesticide applicator or operator if transporting to an application site)
- Pesticides in containers or portable application equipment in open/easily accessed areas of vehicle:
- locked or secured to vehicle-when unattended
- Container(s) less than 5 gals. securely stored-avoids spills
- Container(s) more than 5 gals. braced/secured to vehicle
- Glass container(s) securely padded
- Tank containing pesticides equipped with cover while in transport

Emergency management supplies 7:30-9.5(h)
- Absorbent material
- shovel
- Fire extinguisher supplied with at least a 10-B:C dry chemical or CO_2

Containers and container labeling 7:30–9.6(b)
- No person should transport or store pesticide containers unless properly labeled with brand or trade name, EPA registration number, name and percentage of active ingredient and appropriate signal work such as Caution, Danger-Poison and Warning.

Backflow preventer 7:30-10.2(h)

- No person shall add water to any pesticide handling, storage, or application equipment via a hose, pump, or other equipment unless such hose, pump, or other equipment is fitted with an effective valve or device to prevent backflow of pesticides or liquids containing pesticides into water supply systems, streams, lakes, other sources of water or other areas. It is acceptable to fill a tank with a