

Oklahoma Department of Agriculture
Consumer Protection Services
2800 North Lincoln Boulevard
Oklahoma City OK 73105-4298
 Ryan Williams: 405-522-6728/Thoa Nguyen: 405-522-5988
 Fax: 405-522-5986

APPLICATION FOR RESTRICTED USE
PESTICIDE DEALER PERMIT

Office Use Only
Receipt # _____
417 \$ _____
License # _____
Issue Date _____
AGN # _____
EXPIRATION DATE _____

CHECK ONE: () NEW () RENEWAL

Renewal notices and permits will be sent to the mailing address noted in this block. Include information for the entity responsible for payment and submission of the application here:						
Business /Company Name: _____						
Physical Address: _____						
Mailing Address:		Street (no PO Boxes)	City	State	Zip	County
		Street or PO Box	City	State	Zip	
Phone: _____		E-mail: _____				

If the name or physical address (actual location) of the dealership site is different from that noted in the block above, fill in this section. (eg. a business may have multiple dealership locations.)						
Dealership Name: _____						
Physical Address (Permitted location): _____						
		Street (no PO Boxes)	City	State	Zip	County
Phone: _____						

I hereby apply for a Restricted Use Pesticide Dealer Permit to allow me to sell, store, and/or distribute Restricted Use Pesticides within the State of Oklahoma. I further agree to comply with the provisions of Title 2, Oklahoma Statutes, Section 3-81 et. Seq. and the State Board of Agriculture Rules and Regulations, which include but are not necessarily limited to the following requirements.

1. **Keep accurate records for a period of at least two (2) years at each business location including:**
 - a. **Brand Name**
 - b. **EPA Registration Number**
 - c. **Date of Sale**
 - d. **Total Amount of Restricted Use Pesticides Sold**
 - e. **Person To Whom Sold**
 - f. **Name of Certified Applicator If Different From The Purchaser Who Will Supervise Product Use.**
 - g. **Name Of Person Who Will Use or Supervise The Use Of Each Restricted Pesticide Sold.**
 - h. **Other Information As Required By The Board (failing to allow an inspection of these records)**
2. **Remit the fifty-dollar (\$50.00) permit fee for each business location to be permitted. A separate application is required for each location. Permits expire the last day of the quarter in which the company's alpha name is grouped below. Permit fees are not prorated. For renewals, if the application is not received by the fifteenth day of the month first following the date of expiration, an additional penalty fee of \$50.00 will be charged.**

- Group 1 – Companies A, B, C, D, E, & F – *March 31*
- Group 2 – Companies G, H, I, J, K, L, & M – *June 30*
- Group 3 – Companies N, O, P, Q, R, & S – *September 30*
- Group 4 – Companies T, U, V, W, X, Y, & Z – *December 31*

Sign & Print Name

Date

Pay by Credit Card: Card No. _____ Amount: \$ _____ Type of Card: _____ Visa _____ MasterCard Exp. Date (MM/YYYY) _____/_____ Name on Card: _____

Extract of 2 O.S. 1991, Section 3-81.38 Definitions:

The term "Restricted use pesticide dealer" means any person engaged in the sale, storage, or distribution of restricted use pesticides;

2 O.S. 1991 Section 3-82, I. 1-6 Permit Required :

1. It shall be unlawful for any person to sell, offer for sale, or distribute within this state any restricted use pesticide without first obtaining a restricted use pesticide dealer's permit issued by the Board;
2. A permit may be issued by the Board in any category of pesticide sales if the applicant qualifies under the provisions of this subarticle and the applicant is limited to the category of pesticide sales named on the permit. The Board may establish categories of pesticide sales as necessary;
3. The permit shall be issued only upon application on a form prescribed by the Board and the application shall contain information regarding the applicant's proposed operation and other information as specified by the Board;
4. **Each business location engaged in the sale or distribution of restricted use pesticides shall require a separate permit;**
5. The annual permit fee for a restricted use pesticide dealer permit shall be Fifty Dollars (\$50.00) for each location; and
6. The Board may require a certified applicator to be present at any location where designated restricted use pesticide sales occur.

Rules and Regulations-

35:30-17-21

RUP dealers must keep accurate records for at least two years at each business location. Records must show the following information on each restricted use pesticide sold:

- (1) Complete brand name of the pesticide.
- (2) EPA registration number of the pesticide.
- (3) Date the pesticide was sold.
- (4) Total amount of restricted use pesticide sold.
- (5) Name of the person to whom sold.
- (6) Name and license or certification number of the certified or private applicator.
- (7) Other information as required by the Board.

35:30-17-22.

Any pesticide classified for restricted use by the U.S. Environmental Protection Agency, either by regulation (40 CFR 162.31) or through the registration process, shall also be classified as restricted use for 2 O.S. Section 3-81 et al.

State Law requires that you Request and Record the Certified Applicator number At the Time of Sale:

The responsibilities associated with the acquisition of this permit are not to be taken lightly. A dealer who fails to keep proper records may be subject to suspension, cancellation, or revocation of their permit. If violations of the pesticide law occur it is considered a misdemeanor and may result in the imposition of a fine not less than one hundred dollars (\$100.00) and not more than ten thousand dollars (\$10,000.00) or by imprisonment in the county jail for not less than thirty days and not more than one year, or by fine and imprisonment. For questions concerning any RUP dealer responsibility, do not hesitate to contact this office.

Federal Recordkeeping Requirement for Private Applicators:

The Oklahoma Department of Agriculture is working with the U.S. Department of Agriculture's Agricultural Marketing Service to implement Federal recordkeeping requirements. The law requires that all certified private pesticide applicators must keep records of their use of federal restricted-use pesticides effective May 10, 1993.

A certified private applicator is defined as anyone certified by the E.P. A. or the State to use or supervise the use of a restricted use pesticide for production of any agricultural commodity on property owned or rented by the applicator or the applicators employer or, if applied without compensation on the property of another person (other than trading of personal services between producers of agricultural commodities).

Oklahoma certified private applicators, who previously had no requirement through state laws to maintain records of Federal restricted-use pesticide applications, must comply with Federal Pesticide recordkeeping regulations. We encourage you to provide this information to certified private applicators when you sell a Federal Restricted-use Pesticide to them.

Federal Recordkeeping Regulations for Private Pesticide Applicators:

U.S.D.A's Agricultural Marketing Service administers the Federal Pesticide Recordkeeping Program, which requires all certified private applicators to keep records of their use of federally restricted use pesticides for a period of 2 years. The Federal Pesticide Recordkeeping Program was authorized by the Food, Agriculture, Conservation, and Trade Act of 1990. Under this law, all certified private pesticide applicators who have no requirement through State regulations to maintain records must comply with the Federal Pesticide Recordkeeping Regulations. Certified private pesticide applicators who are required to maintain records of pesticide applications under state regulations will continue to keep their records as required by their state. The pesticide recordkeeping regulations require that certified private pesticide applicators record the following for each application, within 14 days of the application:

1. Brand or Product Name
2. E.P.A. Registration Number (EPA Establishment number is not needed)
3. Total quantity of pesticide applied in common units of measure (ie. pt, oz, etc)
4. Date of pesticide application including month, day, and year
5. Location of Restricted use pesticide application options include
 - a. County, range, township or section
 - b. ID system established by USDA (such as plat ID's used by FSA or the NRCS)
 - c. Leal property description (as listed on the deed of trust or county/city records)
 - d. An applicator generated ID system that accurately identifies the location of the applications)
6. Crop commodity, stored product, or site being treated
7. Sizes of area treated (acres, linear feet, bushel, cubic feet, # of animals, etc.)
8. Name of the private applicator performing and/or supervising the application
9. Certification number of the private applicator (name and number only have to be listed once)

When spot treatments are needed requiring the use of a restricted use pesticide in a total area of less than 1/10 of an acre, you are required to do the following:

1. Date of application including month, day and year
2. Brand of Product name
3. EPA registration number
4. Total amount of pesticide applied
5. Location of the pesticide application, designate as "Spot Application" with a short description (The spot treatment provision excludes greenhouse and nursery applicators, which are required to keep all data elements as listed).

No standard federal recordkeeping form is required. Pesticide recordkeeping can be integrated into the applicator's current recordkeeping systems. All certified private applicators will continue to maintain the records they currently keep under State, Tribal, or Federal regulations.

Federal Pesticide Recordkeeping Regulations require all commercial applicators, both agricultural and non-agricultural, to furnish a copy of the data elements required by this regulation or their state, to the customer within 30 days of the restricted use pesticide application. The records can only be legally accessed by attending licensed health care professional of those actions under their direction, USDA representatives, and State regulatory representatives with credentials.

Oklahoma Department of Agriculture

Consumer Protection Services

2800 North Lincoln Parkway

Lawton, Oklahoma 73505-9900

Phone: (405) 575-1000

APPLICANT INFORMATION

QUESTION

RENEWAL

Example

Office Use Only	
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417 \$	_____
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CHECK ONE: **NEW** **RENEWAL**

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Business				
/Company Name:	Oklahoma Farmers Coop Association			
Physical Address:	14900 S Western	Oklahoma City	OK	73180 Cleveland
	Street (no PO Boxes)	City	State	Zip County
Mailing Address:	PO Box 260	Moore	OK	73289
	Street or PO Box	City	State	Zip
Phone:	405-298-2984	E-mail:	johnk@farmers.com	

If the name or physical address (actual location) of the dealership site is different from that noted in the block above, fill in this section. (eg. a business may have multiple dealership locations.)

Dealership Name:	Drain's Coop of Apache			
Physical Address (Permitted location):	19 S Main	Apache	OK	94890 Caddo
	Street (no PO Boxes)	City	State	Zip County
Phone:	580-293-5939			

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