

# SCSL Digital Collections

## Pesticide recordkeeping regulations for South Carolina

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## ***Pesticide Recordkeeping Regulations for South Carolina***

### ***Which pesticide uses and which applicators are covered?***

*In South Carolina, pesticide applicators may be required to maintain records or display information on their pesticide applications under four different regulations. All of these regulations require that information or records be kept on a per application basis. A given application may be affected by more than one of these regulations. The following information is provided as a brief summary of the recordkeeping requirements of these regulations. You must consult the regulations and individual pesticide labels for complete information.*

### **EPA's Worker Protection Standard (WPS)**

- The WPS does NOT have a recordkeeping requirement as such. However, it DOES require that certain information on individual pesticide applications be displayed for a specified time period: the Restricted Entry Interval (REI) of the pesticide +30 days, but it does not require ag employers or applicators to "maintain records" of applications. Some of the required information to be displayed is the same information required to be kept under the USDA Federal pesticide recordkeeping requirement.
- The WPS covers ALL pesticides (Restricted Use *and* general use) used in the production of agricultural plants. (See the WPS and individual pesticide labels for additional information.) Pesticide application information to be provided or displayed to WPS employees must be provided for all appropriate pesticides, regardless of whether or not the pesticides are Restricted Use.
- The WPS affects agricultural employers (agricultural plant production: farms, nurseries, greenhouses, and forestry operations). It does not matter whether or not the ag employer is a Certified Applicator.

### **South Carolina Pesticide Control Act (SCPCA)**

*The SCPCA covers the sale and use all pesticides registered in South Carolina.*

- Records of use of Restricted Use Pesticides (RUPs) must be kept by all Commercial and Noncommercial applicators. This recordkeeping requirement does not cover Private Applicators. (See USDA Recordkeeping Requirement below.)
- Commercial Applicators must provide copies of application records to clients who are Certified Private Applicators within 30 days of an application of an RUP.
- Termiticide applications by Commercial Applicators must be recorded on the Department of Pesticide Regulation form 'Record of Termiticide Use in South Carolina' and the form retained for at least two years.

### **South Carolina Chemigation Act (SCCA)**

- The SCCA affects ALL chemicals (fertilizers, plant growth regulators, pesticides—both general use and RUPs, etc.) applied to agricultural crops, nurseries, turf, golf courses, greenhouse sites, or land through irrigation equipment. This includes overhead irrigation, trickle or drip irrigation, etc.
- The ability to use pesticides in chemigation is on the individual product label. Many labels specifically prohibit use in chemigation.
- The SCCA affects any chemigator, whether or not the individual is a Certified Applicator.
- When the water supply used in chemigation is a public water supply, the SCDHEC's State Safe Drinking Water Act must be complied with.

## USDA Federal Pesticide Recordkeeping Requirement

- The Federal pesticide recordkeeping requirement covers Restricted Use Pesticides (RUPs) ONLY.
- *This federal regulation requires that Certified Private Applicators also keep records of their RUP applications.* In South Carolina, Certified Commercial Applicators were already required to keep records of their RUP applications by the SCPCA.

## Recordkeeping Tips & Additional Information

- The USDA and some commercial companies have paper forms and software to assist you in your recordkeeping.
- Records for the various regulations do not have to be kept individually; you can keep a single, comprehensive set of application records, provided that you keep all required data elements. The records can be on paper, or in a computer file, or both.
- More detailed information on pesticide records and recordkeeping can be found on the Clemson University Pesticide Information Program web site: <http://entweb.clemson.edu/pesticid/saftyed/recordkp.htm>
- Under the SC Pesticide Control Act, the SC Chemigation Act, and the USDA Federal pesticide recordkeeping requirement, records must be maintained for two (2) years from the date of the application. Again, the WPS does not require application records to be maintained after the required display period.
- Whenever you are recording information on any of your pesticide applications, identify the pesticide(s) with three (3) identifiers:
  - 1 The BRAND (Trade) or PRODUCT name,
  - 2 The COMMON CHEMICAL name (active ingredient name), and
  - 3 The EPA Registration No.

The recordkeeping regulations above vary in which of the identifiers they require, but because you may be required to display information or keep pesticide application records under more than one regulation, *use all three identifiers any time you record application information.* That way, you don't have to worry about which regulation you are keeping records for.

- A tip: Sometimes the pesticide label does not have the common chemical name of the active ingredient on it, rather, it has the full chemical name. You can often find the common chemical name on the Material Safety Data Sheet (MSDS).

*An example:* A pesticide product called "FURY INSECTICIDE" lists the active ingredient name on its label as: S-Cyano (3-phenoxyphenyl)methyl (+,-) cis/trans 3-(2,2-dichloroethyl)-2,2 dimethylcyclopropane carboxylate. The MSDS provides, in addition to the chemical nomenclature, the common chemical name, in this case, zeta-cypermethrin.

- The Clemson University Cooperative Extension Service encourages ALL pesticide applicators to keep good records of ALL their pesticide applications. Good application records not only meet regulatory requirements but provide information you can use to trouble-shoot application/control problems, or to duplicate control successes. You should keep any additional information in your records that would be useful to YOU, including weather information, such as temperature, wind speed and direction, etc.; nozzle tip size; spray pressure; application rate; ground speed; boom height; drop-spreader settings; etc.

*An example:* If a pesticide label instructs you to "Apply only when the wind speed is less than 10 mph. ...wind speed must be measured adjacent to the application site on the upwind side, immediately prior to the application," you should not only make this measurement, but record it in your application record.

- Recordkeeping regulations for Private Pesticide Applicators are found in the Federal Food, Agriculture, Conservation and Trade Act (FACT), administered by the USDA Agricultural Marketing Service (AMS). More detailed information on pesticide recordkeeping is available from your county Extension Pesticide Training Coordinator or the Department of Pesticide Regulation.

