



# Oregon

Theodore R. Kulongoski, Governor

Department of Agriculture

635 Capitol Street NE  
Salem, OR 97301-2532

May 22, 2007

TO: Oregon Pesticide Dealers and Other Interested Persons  
FROM: Christopher K. Kirby, Administrator – Pesticides Division  
SUBJECT: CHANGES IN OREGON PESTICIDE DEALER REQUIREMENTS



This letter is provided as follow-up to letters dated February 5 and 23, 2007. Those letters, and this letter, pertain to additional requirements of Oregon Pesticide Dealers when distributing/selling “restricted use” pesticide products containing the active ingredient carbofuran.

Temporary amendments to the requirements of Pesticide Dealers when distributing/selling carbofuran containing products were adopted by the Oregon Department of Agriculture (ODA) effective March 1, 2007. Those temporary amendments have now been adopted as permanent amendments. These requirements are stated in Oregon Administrative Rules – Chapter 603, Division 057, Section 0140 (OAR 603-057-0140). A copy of the current wording of OAR 603-057-0140 is enclosed with this letter.

Failure to comply with the requirements of Pesticides Dealers stated in OAR 603-057-0140 is a violation of the Oregon Pesticide Control Act (Oregon Revised Statutes – Chapter 634). Records of carbofuran product distributions/sales submitted to ODA will be reviewed for completeness. Compliance with these requirements will be part of Pesticide Dealer record inspections conducted by ODA Pesticides Division Investigators.

If you have questions about the requirements of Pesticide Dealers, or about other pesticide issues, please contact the ODA Pesticides Division Investigator for your area. These Investigators are identified below:

Counties: Clatsop; Columbia; Hood River; Multnomah; Tillamook; Washington  
Brent Nicolas telephone: 503-986-4635, in Salem

Counties: Benton; Clackamas; Lincoln; Marion; Polk; Yamhill  
Dan Blevins telephone: 503-986-4635, in Salem

Counties: Crook; Deschutes; Lane; Linn; Jefferson  
Michael Babbitt telephone: 503-986-4635, in Salem

Counties: Coos; Curry; Douglas; Jackson; Josephine; Klamath; Lake  
Ron Simeroth telephone: 541-779-9637, in Central Point

Counties: Baker; Gilliam; Grant; Harney; Malheur; Morrow; Sherman; Umatilla; Union; Wallowa; Wasco; Wheeler  
Dennis Miller telephone: 541-564-5962, in Hermiston

OREGON ADMINISTRATIVE RULES  
CHAPTER 603, DIVISION 057  
PESTICIDES

**603-057-0140 Pesticide Dealer Records**

(1) As provided in subsections (6) and (7) of ORS 634.322, a pesticide dealer shall prepare and maintain records of his sales of restricted-use and highly toxic pesticides for a period of three years. Such records shall include:

- (a) The names and addresses of the purchasers of such pesticides, and the license or certificate numbers of the purchasers;
- (b) The date of sale;
- (c) The trade name (and the formulation if applicable) of such pesticides;
- (d) The quantity of each sale of such pesticides.

(2) In addition to the requirements of a pesticide dealer otherwise specified in (1) of this section, a pesticide dealer shall prepare and maintain records of sales of products containing the active ingredient carbofuran as follows:

- (a) The name and address of the person who received the product when the product was not delivered directly to the purchaser;
- (b) The crop(s) to which the product will be applied;
- (c) The acreage of each crop to which the product will be applied;
- (d) The amount of product that will be applied to each acre of each crop;
- (e) The intended date of application to each crop.

(3) The information required by (2) above shall be obtained by the pesticide dealer from the person receiving the product at the time of distribution or sale.

(4) All information prepared for every distribution or sale of a pesticide product containing the active ingredient carbofuran shall be submitted by the pesticide dealer to the Oregon Department of Agriculture within five business days of the distribution or sale.

(5) Failure to comply with the conditions set forth in OAR 603-057-0140 may be considered as violations of ORS 634.372, and may be subject to any enforcement action available to the department under ORS 634.