Recordkeeping Requirements

FOR FACILITIES THAT REPACKAGE OR PRODUCE PESTICIDE PRODUCTS

If your facility repackages or produces pesticide products, you must be a registered establishment with the U.S. Environmental Protection Agency (EPA) and have an EPA establishment number, such as 01234-WI-001. An establishment number is unique to each address or facility and cannot be used for multiple facilities within an organization. If your organization has several facilities that repackage or produce pesticide products, they each need an EPA establishment number. To register your facility, complete EPA form 3540-8 available here. For a list of active establishments, visit the EPA website.

A facility with an EPA establishment number must maintain repackaging and production recordkeeping, and report this to EPA by March 1 each year. Production is either physically manufacturing a pesticide product or repackaging it from one container to another. To report production to EPA, visit the EPA webpage.

A facility with an EPA establishment number may also be inspected by EPA under a pesticide or producer establishment inspection. The inspection focuses on facility maintenance and recordkeeping. For a complete list, refer to 40 CFR 169 - Books and Records of Pesticide Production and Distribution located here.

The Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) is authorized under a cooperative agreement to conduct establishment inspections on behalf of EPA. DATCP submits inspections to EPA, and EPA determines if any enforcement action is needed.

Recordkeeping

YOU MUST MAINTAIN THESE RECORDS FOR TWO YEARS

PESTICIDE PRODUCT LABEL

- Brand name
- Name, address of producer, registrant, supplemental registrant, or distributor
- Net contents
- EPA registration number
- EPA establishment number (if on a mini-bulk filled by your facility, it will maintain your facility's EPA establishment number)
- Ingredient statement totaling 100%
- Precautionary statement (Signal Word)
- Directions for use
- Disclaimer statement
- Worker protection directions
  - For agriculture production:
    - Application restriction
    - Restricted entry interval
    - Personal protective equipment
- Storage and disposal
- Refilling statement

INBOUND RECORDS

when the product arrives at the facility

- Brand name
- Name and address of shipper
- Name of delivering carrier
- Date received by establishment
- Quantities received

PRODUCTION RECORDS

each time a product is repackaged or produced

- Brand name
- EPA registration number
- Amounts produced per batch
- Date
- Batch ID (numbers and letters, with a description of your coding)

SHIPPING RECORDS

when the product leaves the facility

- Brand name
- Name, and address of consignee
- Name of originating carrier
- Date shipped or delivered for shipment
- Quantities shipped or delivered for shipment
- Location where pesticide is produced

INVENTORY RECORDS

what is being held at the facility

- Types and amounts of pesticides produced by the establishment, and how much is in stock

REPACKAGING AGREEMENT

- You must maintain a written contract with the registrant of each product your facility repackages. You must keep this agreement as long as the facility is repackaging the products listed, and you must update it if anything in the agreement changes. The agreement should include all of the following:
  - List of products the facility is allowed to repackage.
  - List of acceptable containers the product can be repackaged into.
  - Residue removal procedure.

Facility Maintenance

IF A FACILITY HAS CONTAINERS THAT HOLD 500 OR MORE GALLONS OF LIQUID OR 4,000 POUNDS OF DRY MATERIAL, CONTAINERS MUST MEET THE FOLLOWING REQUIREMENTS:

- A vent designed to: relieve excess pressure; prevent losses by evaporation; and exclude precipitation
- A shut-off valve capable of being locked
- External site gauges are prohibited
- Stationary containers must be:
  - Resistant to extreme changes in temperature
  - Constructed of materials that are adequately thick and resistant to corrosion, puncture, and cracking
  - Capable of withstanding all foreseeable operating stresses

ALL CONTAINERS AT A FACILITY MUST HAVE THE FOLLOWING:

- Serial number or other identifying code
- Presence of UN symbol or U.S. Department of Transportation (DOT) markings (on mini-bulk containers)
- Each opening (other than a vent) of a portable pesticide container that is designed to hold liquids, must have a one-way valve, tamper evident device, or both
- Pesticide label securely attached that includes the net contents and EPA establishment number

THE ESTABLISHMENT MUST CLEAN EACH REFILLABLE CONTAINER BY CONDUCTING THE PESTICIDE PRODUCT'S REFILLING RESIDUE REMOVAL PROCEDURE BEFORE REPACKAGING, UNLESS THE FOLLOWING CONDITIONS ARE MET:

- Tamper-evident device and/or one-way valve is intact
- No change that would cause the composition of the product being repackaged to differ from the composition described
- Is being refilled with the same pesticide product
- Repackaged with the same single active ingredient

In addition, other procedures may be necessary to assure that the product's integrity is maintained.

This publication is to serve as a guide for a facility, and the information may not be exhaustive of what EPA requirements are for an EPA-registered establishment. The items referenced in this publication are located in 40 CFR 169- Books and Records of Pesticide Production and Distribution.