Michigan Department of AGRICULTURE & Rural Development

Pesticide and Plant Pest Management
Pesticide Application Business Record & Customer Information Review Checklist

Commercial Applicator Record: Regulation 636 Rule 15

Element Present? Yes or No	Required Elements of **Firm Record**
	Brand name of product; 15(2)(a) *Only the product(s) applied must be listed. It is a violation to list/record product(s) that were **not** applied - a firm may list several pesticides on the record, but the applicator must circle or note which ones were actually applied.*
	EPA Registration Number of product; 15(2)(a) *It is a violation to list/record information on a product that was **not** applied. Note that 25B products (minimal risk pesticides) do not have an EPA Registration Number, so it is recommended that "25B" is listed.*
	Concentration of pesticide applied; 15(2)(b) *Amount of carrier & pesticide to create an end use dilution. Example: 2 fl. oz per 5 gal H2O. For Ready-to-Use (RTU) products/pre-packaged/unmixed products, a concentration is not required but it is recommended that "RTU" is listed. A standard unit of measure **must** be listed (ounce, oz, gallon, gal, 2 bait blocks, etc.).*
	Amount of pesticide end use dilution applied; 15(2)(c) *Amount of tank mix or pre-packaged pesticide. Examples: 48 gal (product + carrier), 5 pounds, 1-ounce of aerosol spray. The actual amount must be listed with a unit of measure (a rate of application is not acceptable). Amounts must be listed for **each** field/location and not as a total amount for all fields/locations applied with the tank load.*
	The target pest, purpose, or crop site; 15(2)(d)
	The date the pesticide was applied; 15(2)(e)
	The address or location of the pesticide application; 15(2)(f)
	The method of application; 15(2)(g) *Examples: spreader, duster, boom-sprayer, broadcast, spot treatment, etc.*
	The rate of application; 15(2)(g) *Examples: 6 lbs. per 5000 sq ft, to run-off. Rates of application should reflect the format described on the pesticide label. Units of measure must be listed for product and area.*
	Records maintained at least 1 year following application of general use product; 15(2)
	Records maintained at least 3 years following application of restricted use product; 15(1)

Customer Information Requirements: Regulation 637 Rule 12

Element Present? Yes or No	Required Elements of **Customer Information/Receipt**
	The name of the firm; 12(2)(a)
	The address of the firm; 12(2)(a)
	The telephone number of the firm; 12(2)(a)
	The full name of the applicator(s) who provides the service; 12(2)(b) *Ensure that the first and last name are legible. If more than one applicator – all names must be listed.*
	A general description of the target pest(s); 12(2)(c)
	(Brand) name of the pesticide(s) applied including the common name(s) of active ingredient(s); 12(2)(d) *Only the product(s) applied must be listed. It is a violation to list/record a product that was not applied. A firm may list several pesticides on the record, but the applicator must circle or note which ones were actually applied.*
	Time of application; 12(2)(e)
	Date of application; 12(2)(e) *Day, month and year are required.*
	Precautionary warnings which are pertinent to customer; 12(2)(f) *Review labels to ensure all precautions are listed.*

	The above customer information must be provided (a) not later than at the time of each pesticide application OR (b) electronically within 48 hours **with written approval prior to application**; **Rule 12(3)**
	Pesticide risk and benefit statement provided to customer at or before the first application; 12(4) *MDARD has a template copy available for use, visit www.michigan.gov/mdard and enter "risk and benefit" into the search field.*

Regulations cited above:

R 285.636.15 Commercial applicator records.

Rule 15. (1) All commercial applicators shall maintain verifiable records of restricted-use pesticide applications for a period of not less than 3 years following the application. The records shall show all of the following information:

(a) The name and EPA registration number of the pesticide applied.
(b) Concentration of the pesticide applied.
(c) The amount of pesticide end use dilution applied.
(d) The target pest, purpose, or crop site.
(e) The date the pesticide was applied.
(f) The address or location of pesticide application.
(g) The method and the rate of application.

(2) All commercial applicators shall maintain verifiable records of general-use pesticide applications for a period of not less than 1 year following the application. Such records shall show all of the following information:

(a) The name and EPA registration number of the pesticide applied.
(b) The concentration of the pesticide applied.
(c) The amount of pesticide end use dilution applied.
(d) The target pest, purpose, or crop site.
(e) The date the pesticide was applied.
(f) The address or location of pesticide application.
(g) The method and the rate of application.

(3) It is the responsibility of the employer of the commercial applicator to maintain the verifiable record at the place of business. The application records shall be made available, upon request, to an authorized representative of the director during normal business hours.

R 285.637.12 Applicator service agreements.

Rule 12. (1) Before applying a pesticide, a commercial applicator who is required to be licensed by the act, or his or her authorized agent, shall enter into an oral or written service agreement with the customer or authorized agent. The agreement shall specify all of the following:

(a) The customer's consent to services.
(b) The name, address, and telephone number of the firm that provides the pesticide application services.
(c) The approximate schedule, frequency, and duration of anticipated services.

(2) A commercial applicator who is required to be licensed by the act, or his or her authorized agent, shall provide all of the following written information to the customer or to the customer's authorized agent:

(a) The name, address, and telephone number of the firm that provides the pesticide application services.
(b) The full name of the applicator who provides services.
(c) A general description of the target pest or pests to be controlled.
(d) A list of the pesticides applied, including the common name of the active ingredient.
(e) The time and date of the application.
(f) Applicable precautionary warnings or reentry restrictions which appear on the label of the pesticide or pesticides that are applied.

(3) The information required in subrule (2) of this rule shall be provided in one of two ways:

(a) Not later than at the time of each pesticide application.
(b) The information may be provided electronically within 48 hours after the application if the commercial applicator has the written approval of the customer or the customer's authorized agent **prior to the application**.

(4) Not later than at the time of initial pesticide application, a commercial applicator who is required to be licensed by the act, or his or her authorized agent, shall provide all of the following written risk and benefit information to the customer or the customer's authorized agent:

(a) The definition of a pesticide.
(b) A general description of how pesticides work.
(c) Why pesticides are used.
(d) General toxicity information related to all of the following:
(i) The type of compound used.
(ii) The environment in which the pesticide is applied.
(iii) General exposure information.
(iv) The amount or rate of pesticide applied.
(v) Proper pesticide applications in compliance with the label.
(e) Common sense precautionary measures for the customer regarding pesticides.
(f) General information on the environmental fate of pesticides.
(g) Instructions to the customer to discuss site preparation and precautionary measures with the pesticide applicator.
(h) Instructions to the customer to consult with a physician if an unusual reaction occurs.

(5) A commercial agricultural or aerial applicator may provide the information specified in both of the following provisions to the customer or the customer's authorized agent in place of the information requirements specified in subrules (2) and (3) of this rule:

(a) Oral instructions to the customer or the customer's authorized agent on labeled reentry and preharvest interval requirements before application.
(b) A copy of the risk and benefit information sheet or the pertinent section of the label that pertains to risks and benefits.

(6) If an emergency requires immediate pesticide application, the information that is required in subrule (2) of this rule may be provided after the application has occurred.

(7) The department reserves the right to review and prohibit the use of written information required to be provided to customers in subrule (3) of this rule if the director determines that the information does not meet the intent of subrule (3) of this rule.

(8) The duration of a service agreement shall not be more than 12 months unless either written notification of continuation of service is provided annually or unless the service agreement is a signed contract that specifies a definite time period during which the contract is valid. Written notification of continuation of service shall provide information to the customer regarding how to discontinue service.

(9) When requested by the customer or his or her authorized agent, the commercial applicator shall provide all of the following documents to the customer:

(a) Product labels.
(b) Material safety data sheets.
(c) Environmental protection agency fact sheets, if available.
(d) A document that specifies the rate of application of the active ingredients of the products applied.

(10) If the customer is acting in the interest of residents of the treated premises, then the customer shall make the information provided in this rule available to the residents upon request.