



1320 Research Park
Manhattan, KS 66502
(785) 564-6688
www.agriculture.ks.gov

PESTICIDE DEALER REGISTRATION

Registration Requirements:

Each business owner must register as a pesticide dealer before offering pesticide products for sale to an individual or business for application. If a business has more than one location from which pesticides are sold, each physical location must register as a dealer. Dealer registration is nontransferable to new owners.

A pesticide is any substance used to control an unwanted plant, insect or other organism. Pesticides include herbicides, insecticides, disinfectants, fungicides, rodenticides, defoliants and plant regulators. Examples include weed control chemicals, disinfectants, swimming pool chemicals, and flea & tick collars.

Exceptions:

Businesses that sell only pesticide products that: **1)** are general use pesticides that are intended to be applied undiluted, (ready-to-use); **AND, 2)** are labeled only for use by homeowners or occupants in and around family dwellings and associated structures; are exempt from the dealer registration requirements.

Businesses that only apply pesticides are not required to register as pesticide dealers.

Registration Procedure

Registration is accomplished by completing a pesticide dealer registration application and mailing it along with the appropriate fee to the Kansas Department of Agriculture. The required fee is based on the annual sales of pesticides:

If annual sales of pesticides are less than \$2,500, the registration fee is \$25.

If annual sales of pesticides are \$2,500 or greater, the registration fee is \$100.

The registration period begins July 1 and expires June 30 the following year.

Display Certificate

Each dealer must display the registration certificate that they receive in a prominent location which can be seen by the public.

Report address or name change

Each pesticide dealer is required to notify the Kansas Department of Agriculture of any changes in business address or business name by the tenth day of the month following the month in which the change occurred.

Restricted Use Pesticides

All restricted use pesticides (RUPs) are identified as restricted use on the front top panel of the pesticide product label. RUPs may only be sold for use by appropriately certified commercial or private applicators or those they supervise.

Sales of RUPs for use by uncertified applicators without supervision by a certified applicator are in violation of the Kansas Pesticide Law. Violations are subject to civil penalties by the Kansas Department of Agriculture (KDA).

Each dealer who sells restricted use pesticides (RUPs) must keep records of these sales. Each sales record is subject to inspection by KDA and must be maintained for two years.

Required information for RUP sales:

- Name of each person to whom the RUP has been sold or conveyed, as verified by the person's presentation of a federal or state government-issued identification card
- Address of either the residence or principal place of business of each person to whom the RUP has been sold or conveyed
- Name and address of either the residence or principal place of business of the individual to whom the RUP has been delivered or conveyed, if different from the purchaser.
- Certification number of the applicator's certificate
- Name of the state issuing the certificate
- Expiration date of the certificate
- If the applicator is a certified commercial applicator of pesticides, then, the categories and subcategories in which the applicator is certified. Ensure that the certification is appropriate for uses on the product label.
- Registered name of the RUP
- EPA registration number of the RUP
- If applicable, the "special local need" state registration number of the RUP
- Quantity of the RUP sold or conveyed
- Date of sale

Additional information is required if the dealer makes a restricted use product available to an uncertified person for use by a certified applicator.

- Name of the uncertified person to whom the RUP has been made available, as verified by the uncertified person's presentation of a federal or state government-issued identification card
- Address of either the residence or principal place of business of the uncertified person to whom the RUP has been made available
- Name of the certified applicator who will use or supervise the use of the RUP
- Address of either the residence or principal place of business of the certified applicator

Annual Report of RUP Sales

Each dealer must submit an annual report of sales for each restricted use pesticide product sold or conveyed. This may be reported on the back of the registration renewal application form or in a separate format. The report shall include:

- Complete registered name of the RUP product
- EPA Registration Number as shown on the product label
- Special Local Needs registration number, if any
- Quantity of restricted use pesticide product sold or conveyed

Quantities of pesticide products dispensed through equipment as part of the business application service should not be reported as pesticide sales.

Failure To Comply

Each pesticide dealer is responsible for the acts of each individual employed by such dealer in the solicitation and sale of pesticides and all claims and recommendations for use of pesticides. The dealer's registration is subject to denial, suspension or revocation.

Provisions of the Kansas Pesticide Law covering dealer registration are: K.S.A 2-2438a(q), 2-2438a(s), 2-2440e, 2-2453, 2-2454, 2-2469; K.A.R. 4-13-1(f), 4-13-29, 4-13-30, 4-13-31, 4-13-32, 4-13-25l, 4-13-62. Other: Environmental Remediation: 2-3713(a)(4)