

FACT SHEET

Kansas Department of Agriculture • 1320 Research Park Drive • Manhattan, KS 66502 • (785) 564-6688 • www.agriculture.ks.gov

Pesticide Sales

The Kansas Agricultural Chemical Act, the Kansas Pesticide Law and the Federal Insecticide, Fungicide, and Rodenticide Act require that pesticide products be sold in containers that have intact labels that include all required information that the purchaser will need to use the product correctly.

It is unlawful to sell pesticides in containers that have been opened, broken or damaged. The entire labeling must be intact, complete, attached to the container, be legible and be free of pesticide residue. Bags of pesticides that have been torn open or damaged should be returned to the registrant/producer for disposal or repackaging.

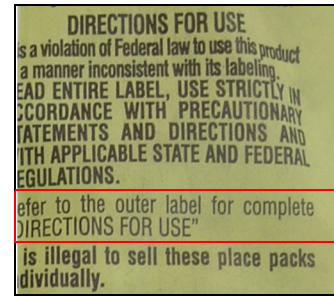
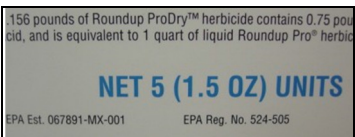
The Kansas Legislature recently amended the Kansas Pesticide Law to authorize the Kansas Department of Agriculture to impose civil penalties of up to \$5,000 on pesticide dealers that violate the law. Although the Kansas Department of Agriculture has the authority to pursue these cases, some may still be forwarded to EPA for action where penalty amounts can be higher.



Sales of individual packs or units from a larger multiunit product container are not allowed unless it is intended by the manufacturer and each unit has its own complete label.



Only three units remain in the multiunit container pictured here, while the net contents statement indicates it contains five packets.

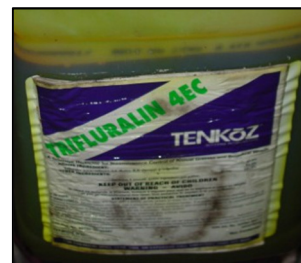


The complete directions for use are not on the individual place packs therefore it is illegal to sell the place packs separately.



A pesticide container must include an entire, intact label that is legible, attached to the container and free of pesticide residue. This container and its label are covered by pesticide residue.

Bags of pesticides may be sold only if the entire package contents are still intact and the entire label can be clearly read. Required signal words on this label are covered by tape.



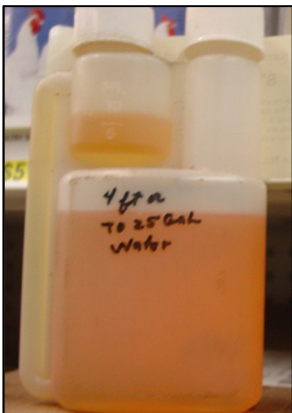
The pages of this labeling booklet are stuck together and unreadable. The dealer may not offer a pesticide product for sale if the label or part of the label is unreadable.



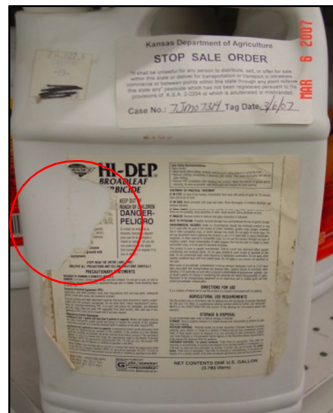
This container is missing its required pamphlet.



DIRECTIONS FOR USE
It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.
READ ENTIRE LABEL AND PAMPHLET. USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS AND DIRECTIONS, AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.



Marking on a container or label, such as to note rates of application or directions is not allowed.



Without the manufacturer's complete label, this pesticide cannot be sold.

Stickers or price tags cannot be placed over text on the label.



Restricted-Use Pesticide Sales

It is a violation of the Kansas Pesticide Law and FIFRA to make a restricted-use pesticide available for use by a person who is not a certified applicator or under the supervision of a certified applicator.

When selling a restricted-use pesticide to a commercially certified applicator, the dealer must verify the applicator is certified and that the certification is in the proper category to apply the pesticide. For example, Tordon 22K, EPA Reg. No. 62719-6, may not be applied to a residential lawn by an applicator commercially certified in only subcategory 3B (turf). Each dealer who sells restricted-use pesticides must keep records of these sales.



When selling fumigants, which are restricted-use pesticides, dealers must provide at least one applicator's manual and also should provide several placards that are in the shipping container.

If you have questions about whether a pesticide container or label is lawful, call us at (785) 564-6688, or visit us online at

www.agriculture.ks.gov/divisions-programs/pesticide-fertilizer

This project has been funded wholly or in part by the United States Environmental Protection Agency under assistance agreement BG99732308 to the Kansas Department of Agriculture. The contents do not necessarily reflect the views and policies of the Environmental Protection Agency, nor does mention of trade names or commercial products constitute endorsement or recommendation for use.

Pesticide and Fertilizer Program
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502
(785) 564-6688