

5E-9.032 Pesticide Applicator Records.

(1) Licensed pesticide applicators shall maintain records relating to the application of all restricted use pesticides. Such records shall consist of the following information for each application:

- (a) Name and license number of the licensee responsible for the pesticide application;
- (b) Name of the person who actually applied the pesticide;
- (c) Date, start time, and end time of treatment;
- (d) Location of treatment site, which may be recorded using any of the following designations:
 - 1. County, range, township, and section;
 - 2. An identification system utilizing maps and/or written descriptions which accurately identify the location and distinguish the treatment site from other sites;
 - 3. The identification system established by the United States Department of Agriculture found at 7 CFR § 110 (1994) which utilizes maps and a numbering system to identify field locations;
 - 4. The legal property description; or
 - 5. Global Positioning System (GPS) coordinates or longitude/latitude points that delineate the treated area.
- (e) Crop, commodity, or type of target site treated;
- (f) Total size (in acres, square feet, acre-feet, number of animals treated, or other appropriate units) of the treatment site;
- (g) Brand name and EPA registration number of the pesticide product applied;
- (h) Total amount (pounds, gallons, etc.) of formulated product applied;
- (i) Application method; and
- (j) Name of the person requesting or authorizing the application, or a statement of authority to make such application, if the application was made to property not owned or leased by the licensee.

(2) The required information shall be recorded no later than two (2) working days after the date of application and may be incorporated into other business transaction records.

(3) All records shall be retained for a period of two (2) years and shall be maintained in a manner that is accessible by authorized representatives.

(4) It is not necessary to record repetitive information that applies to all records, provided the required information is recorded one time and there is a written record indicating that this information applies to other designated applications recorded.

(5) A licensed applicator who has made or supervised for another person an application of restricted use pesticide shall, within 30 days of pesticide application, provide a copy of the application records required under this rule for each application of any pesticide requiring licensure to the person for whom the pesticide application was made. This section shall not apply to private applicators if the person for whom the application was made is the licensee's full time employer and the licensee maintains the original application records at the place of employment. However, if the private applicator terminates employment with said employer, a copy of the records for all applications of restricted use pesticides made or supervised by the private applicator within the scope of employment for said employer in the previous two (2) years shall be provided to the employer within 30 days of termination.

(6) Upon written request by an authorized department representative, a licensed applicator shall make available the records required to be maintained under this rule and shall permit the authorized representative to copy or photograph any of the records. The original records shall be maintained by the licensed applicator.

(7) When the attending licensed health care professional, or an individual acting under the direction of the attending licensed health care professional, determines that any record of the application of a pesticide for which records are required under this rule is necessary to provide medical treatment or first aid to an individual who may have been exposed to the pesticide for which the record is maintained, the licensed applicator required to maintain the record shall promptly provide the record information and any available label information. If it is determined by the attending licensed health care professional, or an individual acting under the direction of the attending licensed health care professional, to be a medical emergency, the record information of the pesticide relating to the medical emergency shall be provided immediately.

(8) The attending licensed health care professional, or an individual acting under the direction of the attending licensed health care professional, may utilize and release the record or record information obtained under subsection (7) of this rule when necessary to provide medical treatment or first aid to an individual who may have been exposed to the pesticide for which the record is maintained.

(9) The attending licensed health care professional may release the record or record information to appropriate federal or state agencies that deal with pesticide use or any health issue related to the use of pesticides when necessary to prevent further injury or illness.

(10) A licensed health care professional may release the record or record information to submit pesticide poisoning incident reports to appropriate federal or state agencies.

(11) To meet the requirements of Section 487.081(6)(b), F.S., individuals must keep the same record information required in subsection (1). Such records must be maintained in a manner accessible by department representatives and shall be maintained indefinitely by the property owner or leaseholder.

Specific Authority 487.160, 570.07(23) FS. Law Implemented 487.160 FS. History—New 6-9-94, Amended 7-2-95, 9-24-98, 9-16-04.