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Policy Statement 06-0302

Licensing of Pesticide Business & RUP (Restricted Use Pesticide) Dealer Location

I. Introduction

IC 15-3-3.6-6 establishes that a pesticide business license must be obtained for each location from which pesticide use or application is conducted. IC 15-3-3.6-12 establishes that registration shall be required for each business location distributing restricted use pesticides. The following explanation should assist in determining whether a particular location requires a pesticide business license and/or a restricted use pesticide dealer registration.

II. When is a Pesticide Business License required?

In general, a pesticide business license is required for each location where pesticide application orders are taken or where pesticides are stored, mixed or loaded on a for hire basis. A pesticide business license is **not required** IF:

1. No pesticide application orders are taken at the location, **AND**
2. The location is not advertised to the general public in any way, **AND**
3. The location is not open or accessible to the general public.

III. When is a RUP Dealer Registration required?

In general, a RUP dealer registration is required for each business location that distributes or brokers restricted use pesticides to certified users. "Business location" means the physical site of each office, warehouse, salesroom, or other establishment with a distinct mailing or electronic address at which orders for pesticide products with restricted uses are brokered or accepted from certified users. *This would include facilities whose function includes allowing customers to pick up their RUP purchases.* A RUP dealer registration is **not required** if the location is used solely to store pesticides.

Each location that requires a RUP dealer registration shall record for each transaction involving a restricted use pesticide the following:

1. Name, address, and certificate number of the certified user;
2. Date;
3. Brand name, manufacturer and EPA registration number;
4. Amount of product sold;
5. Signature of person presenting the certification credentials.

These records shall be maintained for two (2) years from the date of sale.