

## Dealer Responsibilities

- Adhere to license requirements.
- Maintain proper records of sales and distribution.
- Distribute restricted-use and state-limited-use pesticides only to licensed or certified applicators.
- Know what license is legal and check the category before selling to applicators.
- Make sure employees understand the law.
- Know if a product is RUP, SLUP or regulated herbicide.
- Follow Section 18 and 24C registrations and know the dates of the exemption.
- Have available a list of poison control centers in the state or other sources to provide medical assistance.
- Notify the fire chief, in writing, of the name and telephone number of the representative to contact in case of emergency if the dealer stores products in amounts that exceed 55 gallons, 500 pounds or lesser amounts determined by TDA, within one-quarter mile of a residential area.

## TDA Offices

Texas Department of Agriculture  
P.O. Box 12847  
Austin, Texas 78711  
1-800-TELL-TDA  
<http://www.TexasAgriculture.gov>

### West Texas Regional Office (Region 1)

4502 Englewood Ave.  
Lubbock, Texas 79414  
(806) 799-8555

### North Texas Regional Office (Region 2)

1720 Regal Row, Suite 118  
Dallas, Texas 75235  
(214) 631-0265

### Gulf Coast Regional Office (Region 3)

Elias Ramirez State Office Building  
5425 Polk Avenue  
Houston, TX 77023  
(713) 921-8200

### South Central Regional Office (Region 4)

8918 Tesoro Drive, Suite 120  
San Antonio, Texas 78217  
(210) 820-0288

### Valley Regional Office (Region 5)

900-B E. Expressway 83  
San Juan, Texas 78589  
(956) 787-8866

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Hearing impaired please call (800)735-2988  
(voice) or (800)735-2989 (TDD)

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## Other important numbers

Texas State Poison Center 1-800-764-7661  
(1-800-POISON1)

National Pesticide Telecommunications Network  
1-800-858-7378

To report spills, call the Texas Commission on  
Environmental Quality at 1-800-832-8224 or (512)  
239-2507.



Commissioner Sid Miller

## How to Comply Laws and Regulations Related to Pesticide Distribution

The Texas Pesticide Law prescribes the requirements for distributing pesticides in Texas and was enacted to ensure that pesticide use and distribution in Texas is performed in a safe and efficient manner. The Texas Department of Agriculture conducts regular inspections of pesticide dealer establishments to check for compliance with law and regulation requirements.

## Dealer Licensing

A TDA license is required to distribute restricted-use or state-limited-use pesticides or regulated herbicides in Texas. Pesticide distribution is defined as offering for sale, holding for sale, selling, bartering or supplying.

A license is not required to sell or distribute general-use products, though establishments that sell general-use products are governed by display, storage and disposal regulations.

- A license is issued to a specific outlet or facility and is not transferable. Change of ownership requires a new application to be submitted.
- Any change related to the information submitted on a dealer license application must be provided to TDA within 30 days of the change.
- Licenses must be prominently displayed in the place of business.
- A person who does not have a place of business in Texas may obtain one license for all out-of-state locations but must designate a resident agent.

### License Fee

The fee is \$250 based on a two-year cycle. A dealer's license expires on the last day of the month of the second anniversary date on which it was issued or renewed. Forms are available at TDA Regional offices, in Austin or on the TDA Web site.

### Pesticide Classifications

**General-use** – can be purchased and used by the general public. Does not require a license to distribute or use.

**Restricted-use** – for purchase and use only by certified pesticide applicators or persons under their direct supervision. Designation is placed on the product by EPA. The label will state restricted-use.

### State-limited-use or Regulated

**Herbicides** – pesticides containing certain active ingredients, with the potential to cause adverse effects to nontargeted vegetation even when used according to direction. Classified as SLU when distributed in containers larger than one quart liquid or 2 pounds dry or solid.

### State-limited-use

- 2,4-dichlorophenoxyacetic acid (2,4-D)
- 2,4-dichlorophenoxy butyric acid (2,4-DB)
- 2,4-dichlorophenoxy propionic acid (2,4-DP)
- 2-methyl-4-chlorophenoxyacetic acid (MCPA)
- 3,6-dichloro-o-anisic acid (dicamba)
- 3,4-dichloropropionanilide (propanil)
- 5-bromo-3-sec-butyl-6-methyluracil (bromacil)
- 2,4-bis(isopropylamino)-6-methoxy-s-triazine (prometon)
- 3,7-dichloro-8-quinolinecarboxylic acid (quinclorac)
- devices using the active ingredients sodium fluoroacetate (Compound 1080) and sodium cyanide, in any quantity, for livestock predation

### Regulated Herbicides.

- 2,4-dichlorophenoxyacetic acid (2,4-D)
- 2-methyl-4-chlorophenoxyacetic acid (MCPA)
- 3,6-dichloro-o-anisic acid (dicamba)
- 3,7-dichloro-8-quinolinecarboxylic acid (quinclorac)

### Who May Purchase

Only licensed or certified applicators or those authorized to take delivery can purchase restricted-use and state-limited-use pesticides or regulated herbicides. Both the dealer and the applicator who purchases a pesticide illegally from the dealer may be held jointly responsible.

Licensed veterinarians don't need a pesticide applicator license to purchase and use a restricted-use or state-limited-use pesticide or regulated herbicide during the course of their normal practice or to use a state-limited-use pesticide or regulated herbicide on property they own or rent. Veterinarians must provide their veterinary license number at the time of purchase, and dealers must maintain that information.

### Records

Licensed dealers are required to keep records of each distribution of restricted-use and state-limited-use pesticides or regulated herbicides, including:

1. Name, address, licensed or certified applicator number, dealer license number or veterinary license number of the person to whom the pesticide was distributed;
2. Date of distribution;
3. Brand name and EPA registration number;
4. Quantity of pesticide distributed; and
5. If the distribution is made to a nonlicensed person, the name and address of that person.