

# PESTICIDES: Retail Storage, Display and Sale Requirements in Wisconsin

Do you sell products used to control pests? If so, you should know that the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) has rules about pesticide display, storage, use and sales records.

## Pesticide Storage

Always store pesticides in a manner that protects both the container and the product inside the container. Some pesticide labels list special storage requirements such as “protect from freezing” or “keep from heat, sparks or open flame.” To protect the product and ensure safety, follow these label requirements.

## Pesticide Sale and Display

Only display or sell pesticides with complete, legible labels. The container must be sound and unbroken with a tight, secure lid. Display pesticides in areas separate from displays of food, animal feed, livestock remedies, drugs and plants to prevent possible contamination.

All pesticide labeling contains a signal word to indicate the pesticide’s potential for causing harm.

<b>CAUTION</b>	Least toxic pesticides
<b>WARNING</b>	More poisonous than CAUTION pesticides
<b>DANGER</b>	Most poisonous or irritating

Pesticides that have the signal word WARNING or DANGER or that are packaged in glass or non-rigid containers **must be displayed at least 42 inches above the floor** to keep them out of the reach of children.

Wisconsin regulations require that you keep pesticide sales records. For each pesticide sold you must keep records at least two years of:

- the kind or brand name of the pesticide
- the quantity sold.

## Damaged Bagged Fertilizer/Pesticide Mixtures

During transport or while on display, bagged fertilizer and pesticide mixtures (“weed and feed” products) may become damaged. Bags that are damaged but with little or no product loss may be sold as long as the label is complete, legible and undamaged.

If there is product loss or the label is damaged, do not sell the product; remove it from the sales floor. The best method to dispose of damaged fertilizer and pesticide mixtures is to return them to the manufacturer. If product return is impossible, the product may be applied to the retailer’s property according to the label directions. Another option is to give the product free of charge to an employee of the retailer or to another responsible party for use according to label directions. The recipient of these products must have at least one container with a legible label so they can follow the label directions.

Depending on sales volume, retailers may have several bags of unsalable weed and feed products each year. Develop a policy before the start of the sales season on how to handle damaged goods. To avoid storing large amounts of unsalable product, remove damaged goods from the sales area and dispose of them regularly according to store policy.

## Sales of Restricted-Use Pesticides

The sale or use of some pesticides may be restricted by the U.S. Environmental Protection Agency (EPA). All restricted-use pesticides are labeled “Restricted-Use.” If you sell restricted-use pesticides, you must have a dealer’s license from the DATCP. Restricted-use pesticide dealers must also keep detailed sales records that include:

- Date of sale
- Name and address of purchaser
- Purchaser’s pesticide applicator certification number
- Brand/product name or common chemical name of pesticide
- EPA registration number of the product
- Quantity of pesticide sold
- The name and address of the person to whom the pesticide was delivered, if other than the purchaser.

## Landscape Pesticide Sales

If you sell pesticides that are used on lawns, trees or shrubs, Wisconsin regulations require that you make the following information readily available to buyers at no additional charge at the time of sale.

1. **Warning signs** that are at least 4 x 5” in size must be available for voluntary use by your customers. Signs must be professionally printed with red lettering on a white background and must state “PESTICIDE APPLICATION” and “PLEASE KEEP OFF.” They must also contain the universal symbol depicting an adult, child and pet in a circle with a diagonal line across the circle (minimum 2” in diameter). An example is shown.



2. You must also provide **pesticide application information sheets** for customers. These information sheets must be identical to the written notice required by DATCP rules. **NOTE: Signs available from MHA have this information printed on the back of each sheet.**

## Questions About Pesticides?

DATCP’s Agricultural Resource Management Division regulates the use and distribution of pesticides in Wisconsin. To get answers to your questions about pesticides or pesticide regulations, call (608)224-4500. Ask to talk to a pesticide specialist.

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Wisconsin DATCP  
PO Box 8911 • Madison, WI 53708-8911  
(608)224-4500  
<http://datcp.state.wi.us/core/insectspesticides/insectspesticides.jsp>



# Wisconsin Retailers

You Must Have These Signs Readily Available for Customers Who Purchase Pesticides, AND You Must Provide the DATCP Required Pesticide Application Information Sheet



MHA has combined the required informational sheet and four, colored signs on one 8 ½ X 11 cardstock sign.

Packs of 100 cards are available  
at a Member Price of only \$13.00  
plus shipping/handling and tax.

To place an order call 800-888-1817 and ask for Judy Borski.

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