



Office of  
**INDIANA STATE CHEMIST AND SEED COMMISSIONER**

*Protecting Indiana's Agriculture and Environment - Feed, Fertilizer, Pesticide and Seed*

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**NOTICE to Registrants of Dicamba-Containing Agricultural Herbicide Products**

Effective November 4, 2017 the Indiana Pesticide Review Board classified all pesticide products containing at least 6.5% dicamba, and having agricultural use labels, as Restricted Use Pesticides (RUPs) in Indiana. These products include over-the-counter herbicides that were previously sold to unlicensed applicators and farmers. Since these products are state RUPs but not federal RUPs, they will not bear the Restricted Use Pesticide legend on the label. A list of 2017 registered products likely to be impacted by this new state RUP classification has been attached and can also be found at [www.oisc.purdue.edu/pesticide/pdf/list\\_of\\_2017\\_dicamba\\_products.pdf](http://www.oisc.purdue.edu/pesticide/pdf/list_of_2017_dicamba_products.pdf).

**1. What does the RUP classification mean to my company if we offer these products for sale in Indiana in 2018 and beyond?** Any retailer that offers to sell or distribute these RUPs directly to end users (certified applicators) in Indiana must have a *Restricted Use Pesticide Dealer Registration* issued by the Office of Indiana State Chemist (OISC). The requirement is the same as for any federal or state RUP. The details for becoming a registered Indiana RUP dealer are available on the OISC web site <http://www.oisc.purdue.edu/pesticide/> under the link *Restricted Use Pesticide (RUP) Dealers*.

**2. Do these regulatory requirements also apply to the new dicamba formulations Engenia, FeXapan, and Xtendimax?** Yes, these products are not only state RUPs, they are also federal RUPs, effective October, 2017.

**3. What if my firm does not sell or distribute these herbicides directly to end users in Indiana?** If you do not sell or distribute your dicamba product(s) directly to end users (certified applicators), you do not need to concern yourself with becoming a registered RUP dealer. However, you should advise your customers who may sell or distribute to Indiana end users of the need to become registered dealers.

**4. If we plan on selling these RUP products to end users, how do we apply for a Dealer Registration?** The application form is available at [http://www.oisc.purdue.edu/pesticide/application\\_forms.html](http://www.oisc.purdue.edu/pesticide/application_forms.html). Complete the form, checking box (c) on the form under TYPE OF CREDENTIAL REQUESTED and submit the \$45.00 annual registration fee. For questions about becoming a Restricted Use Pesticide Dealer contact Linda Schiuszi at [lschuiusz@purdue.edu](mailto:lschuiusz@purdue.edu) or 765-494-6271.

**5. What if my firm does not want to continue selling these products into Indiana?** During the implementation period of this new Indiana regulatory requirement non-saleable stock may be returned to you or re-distributed to other applicators or dealers outside of Indiana. However, neither old stock already in channels of trade or new stock not yet shipped may be sold or distributed to non-certified users or non-registered dealers in Indiana after January 1, 2018.

**6. Can non-certified applicators purchase these state RUP herbicides outside of Indiana and bring them into Indiana for application?** Non-certified applicators may be able to purchase these products from dealers located outside of Indiana, but the applicator may not legally apply the state RUP in Indiana without a valid Indiana certification credential. If it is determined that the dealer knowingly supplied the RUP to an Indiana applicator, the dealer will be held accountable for unlawful distribution.

**7. Who can I contact if I have additional questions about Indiana dicamba product registration requirements?** Please contact Sarah Caffery at [scaffery@purdue.edu](mailto:scaffery@purdue.edu) or 765-494-1587.