



Reporting and Recordkeeping Requirements for Compliance with Local Law 37 (Pesticide Use by New York City Agencies)

New York City Local Law 37, enacted May 9, 2005, established new requirements regarding pesticide use on property owned or leased by the City (hereafter referred to as “City property”), including the prohibition of certain pesticide products, posting of warning notices prior to applications, and new recordkeeping provisions. This fact sheet describes the reporting and recordkeeping requirements.

New York State Requirements

The New York State Environmental Conservation Law (Title 12 (§ 33-1205)) requires licensed pesticide applicators to maintain pesticide use records and provide them to the New York State Department of Environmental Conservation (DEC). Basic information about products used, their EPA registration number, date and address of applications must be reported to DEC. Applicators can report to DEC electronically¹ or by using page one of Form 44-15-26. The reverse side of Form 44-15-26 provides space for contractors to record additional information that must be maintained though not reported to DEC² as part of their daily use record and available for inspection.

Additional Local Law 37 Requirements

Local Law 37 requires similar record keeping to § 33-1205, but also requires that agency staff and contractors record, for each pesticide application; the dosage rate, method of application, target organism, the name of the active ingredient of the pesticide product, and certification that prior notice was provided to affected parties (see “Notification Requirements For Compliance with Local Law 37” fact sheet). These additional reporting requirements apply to pesticide applications made beginning January 1, 2006. Agencies must also keep records of any waivers granted for continued use of otherwise prohibited pesticide products.

Reconciling State and Local Pesticide Reporting Requirements

Applicators should continue to complete the front side of the annual report required by DEC (Form 44-15-26). DOHMH has modified the reverse of 44-15-26 to maintain these additional data to facilitate LL37 reporting requirements. That modified reverse side of the form is now available on the Local Law 37 website (www.nyc.gov/health/LL37). Applicators may find active ingredients listed on product labels, or can look them up via the web.³ Agencies may also ask DOHMH to look up product information by emailing product names and/or registration numbers to LL37prod@health.nyc.gov.

City agencies must file annual reports on all pesticide applications made on their owned or leased property in the preceding calendar year each February 1st beginning in 2007 with the DOHMH. Records of applications made to public golf courses must however, be made to both the City Council and the DOHMH. Agencies must collect the report of the pesticide applications from their staff and contractors in order to fulfill this requirement.

¹ Instructions can be found at: <http://www.dec.ny.gov/chemical/27506.html>

² Forms can be downloaded at: http://www.dec.ny.gov/docs/materials_minerals_pdf/form26.pdf

³ See <http://ppis.ceris.purdue.edu/htbin/ppisprod.com>

A summary of specific data required to be maintained and reported for pesticide applications by New York State and New York City can be found in the table, below. Local Law 37 requirements are the most stringent, and applicators who comply with Local Law 37 will also comply with State requirements.

Pesticide Application Data Record Keeping and Reporting Requirements			
	New York State Requirement		Local Law 37 Requirement
	Reported to NYS DEC	Maintained on-site	Reported to City Council/DOHMH
Application-Specific Information			
EPA Registration Number	Yes	Yes	Yes
Product Name	Yes	Yes	Yes
Quantity of Pesticide Used	Yes	Yes	Yes
Date Applied	Yes	Yes	Yes
Location of Application, Including 5-Digit Zip Code	Yes	Yes	Yes
Dosage Rate (Concentration)	No	Yes	Yes
Method of Application	No	Yes	Yes
Target Organism	No	Yes	Yes
Active Ingredient(s)	No	No	Yes
Certification of Prior Notice	No	No	Yes
Years records must be retained.		3 years	3 years

Electronic Reporting

DOHMH developed the New York Pesticide Use Reporting System (NYCPURS) to manage the reporting requirements under Local Law 37 of 2005, and Local Law 54 of 2007. NYCPURS is a web-based electronic reporting system that permits agency staff and contractors to enter pesticide use data directly into a system that will automate many functions, including looking up and recording the active-ingredient(s) based on the product, auto-entry of property, and printed and electronic report generation.

Agencies should consider participating in this electronic system, and should consider requiring their contractors to do the same. For more information on electronic reporting, contact LL37info@health.nyc.gov.

For more information on Local Law 37, please email us at LL37info@health.nyc.gov.