



LIBRARY OF VIRGINIA

Archives, Records, and Collections Services
800 E. Broad St., Richmond VA 23219
(804) 692-3600

RECORDS RETENTION AND DISPOSITION SCHEDULE
SPECIFIC SCHEDULE NO. 301-205
Agriculture and Consumer Services, Dept. of
Consumer Protection, Division of
Pesticide Services, Office of

The schedule on the attached page(s) is approved with agreement to follow the records retention and disposition policies listed below:

AGENCY APPROVAL

AGENCY HEAD OR DEPUTY *Sandra J. Hill*
AGENCY RECORDS OFFICER *Betsy R. Howther*

STATE APPROVAL

STATE ARCHIVIST *Sandra G. Trethewey*
COMPTROLLER OR DEPUTY _____

EFFECTIVE SCHEDULE DATE: JAN 21 2015

POLICIES FOR RECORDS RETENTION AND DISPOSITION

- 1. This schedule is continuing authority under the provisions of the Virginia Public Records Act, § 42.1-76, et seq. of the Code of Virginia for the retention and disposition of the records as stated on the attached page(s).
- 2. This schedule supersedes previously approved applicable schedules.
- 3. This schedule is used in conjunction with the Certificate of Records Destruction (RM-3 Form). A signed RM-3 Form must be approved by the designated records officer and on file in the agency or locality before records can be destroyed. After the records are destroyed, the original signed RM-3 Form must be sent to Library of Virginia (LVA).
- 4. Any records created prior to 1913 must be offered, in writing, to LVA before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from LVA. A copy of the offer must be attached to the RM-3 Form when it is submitted to LVA.
- 5. All known audits and audit discrepancies regarding the listed records must be settled before the records can be destroyed.
- 6. All known investigations or court cases involving the listed records must be resolved before the records can be destroyed. Knowledge of subpoenas, investigations, or litigation that reasonably may involve the listed records suspends any disposal or reformatting processes until all issues are resolved.

- 7. The retentions and dispositions listed on the attached page(s) apply regardless of physical format, i.e., paper, microfilm, electronic storage, optical imaging, etc. Unless prohibited by law, records may be reformatted at agency or locality discretion. Microfilming must be done in accordance with 17VAC15-20-10, et seq. of the Virginia Administrative Code, "Standards for the Microfilming of Public Records for Archival Retention." All records must be accessible throughout their retention period in analog or digital format. Whether the required preservation is through prolongation of appropriate hardware and/or software, reformatting, or migration, it is the obligation of the agency or locality to do so.
- 8. Custodians of records must ensure that information in confidential or privacy-protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Ultimate destruction is accomplished through shredding, pulping, burning, and overwriting or physically destroying media. Deletion of confidential or privacy-protected information in computer files or other electronic storage media is not acceptable. Records containing Social Security numbers must be destroyed in compliance with 17VAC15-120-30.
- 9. Under the Virginia Public Records Act, § 42.1-79, LVA is the official custodian and trustee of all state agency records transferred to the Archives, Library of Virginia. LVA may purge select records in accordance with professional archival practices in order to ensure efficient access.
- 10. Unless otherwise directed, files are closed out at the end of each calendar or fiscal year as appropriate. Retention periods start at that time.



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EFFECTIVE SCHEDULE DATE: 1/21/2015

RECORD SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION PERIOD	DISPOSITION METHOD
<u>Actionable Inspection and Investigation Files</u> This series documents routine inspections of pesticide businesses, storage of pesticides, and other uses of pesticides, and the investigation of complaints received by the Office of Pesticide Services that result in the issuance of an enforcement action. This series may include, but is not limited to: inspections, violations and resolutions.	200320	5 Years after closed	Confidential Destruction
<u>Applicator Certification Files: Commercial; Registered Technician; and Private</u> This series documents the certification of registered technicians and commercial and private applicators. This series may include, but is not limited to: applications, examinations, certification of registration forms, and correspondence.	200321	5 Years after expiration	Confidential Destruction
<u>Emergency Exemption Files</u> This series documents requests to use a pesticide under an emergency exemption when a serious pest problem jeopardizes the production of agricultural goods or public health, but no pesticides are currently registered for that situation. This series may include, but is not limited to: product information and responses to the request.	200322	3 Years after expiration	Confidential Destruction
<u>Experimental Use Permits</u> This series documents the issuance of permits for the experimental use of pesticides which are not fully registered for public use. This series may include, but is not limited to: permits, correspondence, and support documentation.	200323	3 Years after expiration	Confidential Destruction
<u>Non-Actionable Inspection and Investigation Files</u> This series documents routine inspections of pesticide businesses, storage of pesticides, and other uses of pesticides in which no violations are cited and that do not result in the issuance of an enforcement action. This series may include, but is not limited to: inspections and findings.	200324	3 Years after closed	Confidential Destruction



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<u>Pesticide Business License Files</u> This series documents the applications for and licensing of Virginia businesses for pesticide business licenses. This series may include, but is not limited to: applications, pesticide business license exams, insurance forms, receipts, and correspondence.	200325	5 Years after expiration	Confidential Destruction
<u>Proctor Files</u> This series documents the authorization for individuals to proctor tests for private applicators and registered technicians. This series may include, but is not limited to: applications and contact information.	200326	3 Years after closed	Confidential Destruction
<u>Product Registration and Special Local Needs Files (Section 24c)</u> This series documents the registration of pesticide products by the Office of Pesticide Services and requests to use a pesticide in a manner not identified on the product label. This series may include, but is not limited to: new product applications, renewal applications, pesticide product labels, safety data sheets, bulletins, and responses received seeking short term permission to use products in a manner not identified on the product label, including the name and description of the product, and responses to the request.	200327	5 Years after expiration	Confidential Destruction
<u>Worker Protection Standard (WPS) Train-the-Trainer Files</u> This series documents the training of non-certified individuals to provide training to workers or handlers. This series may include, but is not limited to: training-provider agreement forms, training verification cards, and correspondence.	200328		Permanent, In Agency