

Certification of Commercial (Restricted-Use) Pesticide Applicators

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Introduction

Commercial applicators must be certified to use or supervise the use of pesticides that are registered for restricted-use only. Certification of pesticide applicators is designed to ensure that they have sufficient competence to use these materials without injuring humans or the environment.

After October 21, 1977, pesticides registered for restricted-use were generally available only to certified applicators. Tennessee has developed a certification program and set standards that meet the minimum requirements of federal standards.

Legislative Background

In 1947, Congress passed the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), which required federal registration of pesticides shipped in interstate commerce.

Under the 1947 FIFRA, registered pesticides could be used by almost anyone for any purpose, and in any way, because that law did not address pesticide use itself.

In 1972 Congress amended the FIFRA to add key regulatory mechanisms. Among other things, they (1) prohibit use of any registered pesticide in a manner inconsistent with label instructions; (2) require that pesticides be classified for general or restricted-use; and (3) provide that pesticides in the restricted category may be used only by or under the direct supervision of certified applicators or under such other regulatory restrictions as the EPA administrator may require. The amended FIFRA was fully implemented in October 1977.

Classification of Pesticides

All pesticides fall into one of two categories: general or restricted-use. If a pesticide is restricted for any user, it will be stated on the label.

General use pesticides are those that will not ordinarily cause unreasonable adverse effects on the user or on the environment when used in accordance with their label instructions. They will be available to the public.

Restricted-use pesticides are defined as those which may cause adverse effects on the environment and/or the applicator, unless subject to additional regulatory restrictions. They will generally be available only to certified applicators.

Types of Applicators

The amended FIFRA provides for two types of certified applicators, commercial (restricted-use) and private. Restricted-use applicators are those who use or supervise the use of restricted pesticides on any property other than as provided by the definition of "private applicator." A private applicator is a farmer, rancher, orchardist, nursery producer, greenhouse operator, etc., who uses or supervises the use of restricted pesticides to produce an agricultural commodity on property owned or rented by the applicator or his/her employer or, if applied without compensation other than trading of personal services between producers or agricultural commodities, on the property of another person.

Restricted-Use Applicator Requirements

Written examinations will be used to determine the competence of commercial applicators. When considered appropriate, demonstration testing may also be required, especially for the licensed categories. Tennessee standards for applicators meet those set by EPA.

All restricted-use applicators are required to take an exam. Part of the exam covers general standards of which all restricted-use applicators must have knowledge and be tested. These standards include a practical knowledge of the principles and practices of pest control and safe use of pesticides. Exams will be based on (1) label and labeling comprehension; (2) safety factors; (3) environmental factors and consequences of misuse of pesticides; (4) knowledge of pests; (5) knowledge of pesticides and formulations, including hazards associated with residues; (6) equipment use; (7) application techniques; and (8) applicable state and federal laws and regulations.

The remainder of the exam will relate to the respective category(s) that will qualify him/her for a particular occupation.

Supervision of Non-certified Applicators

The amended FIFRA provides that under certain circumstances a restricted-use pesticide may be applied by competent persons under the direct supervision of a certified applicator. The regulations provide standards of supervisory competence for the restricted-use applicator whose activities include supervision of non-certified personnel. State regulations sometimes supersede federal regulations. When it comes to using restricted-use pesticides, Tennessee's regulations do just that. Tennessee's regulation (**0080-09-02-.08, USE OF RESTRICTED USE PESTICIDES**) states the following: No person shall use or buy a restricted-use pesticide unless certified as a private applicator or a commercial applicator or unless licensed as a commercial pest control operator.

Procedures for Certifying Commercial Applicators

Training sessions are held periodically for those seeking to become certified commercial applicators. Training sessions include information on the general standards and/or the particular category(s). A test on general standards and category(s) is given following the training. The exam fee is \$25.

Types of Restricted-Use Applicators

In Tennessee there are two major types of commercial applicators: (1) certified commercial applicator and (2) licensed applicator (licensed commercial pest control operator or licensed certified commercial applicator).

A certified commercial applicator is one who does not receive direct compensation for application of a restricted-use pesticide, but is salaried.

A licensed applicator (commercial pest control operator) is one who receives direct compensation for application of restricted-use pesticides. More information may be obtained from UT Extension publication "SP 363-E Licensing of Commercial Pest Control Operators (Commercial Pesticide Applicators)."

Categories of Certified Commercial Applicators

Tennessee has established 16 major categories in the nonlicensing restricted-use group. The categories for certified restricted-use applicators are as follows:

- 1 - Agricultural Plant Pest Control (Ag Ground/Aerial)
- 2 - Forest Pest Control
- 3 - Ornamental and Turf Pest Control
- 4 - Seed Treatment
- 5 - Aquatic Pest Control
- 6 - Right-of-Way Control
- 7 - Industrial, Institutional, Structural and Health-related (General Household and Structural Pests)
- 8 - Public Health Control
- 10 - Demonstration, Research and Regulatory
- 11 - Wood Preservatives
- 12 - Pesticide Dealers Certification
- 13 - Antifouling Marine Paint
- 14 - Microbial Pest Control
- 15 - Worker Protection Standards
- 16 - Sewer Line Chemical Root Control
- LHA – Limited Herbicide Applicator (glyphosate rule)

Recertification of Certified Commercial Applicators

A commercial applicator must become recertified every three years. This may be done anytime during the three-year cycle. Recertification may be accomplished by attending approved training sessions offered at various places in Tennessee or other states. The trainings may be offered by UT Extension or other organizations. A total of nine, 12, 18 or 30 points (depending on your category) must be earned within three years to become recertified. See UT Extension publication "SP 363-D Tennessee Commercial Applicator Recertification Point System" for more information. Each training program may be assigned points upon request.

Educational institutions should send their programs to:
Darrell Hensley
University of Tennessee
2505 E.J. Chapman Drive, 370 PBB
Knoxville, TN 37996-4560

Industry should send their programs to:
Mary Borthick
Tennessee Department of Agriculture
P.O. Box 40627, Melrose Station
Nashville, TN 37204

The roster of attendance should be sent to the Tennessee Department of Agriculture at the above address. The title of the meeting, location and date must be the same on the application as on the roster. The application should have a brief outline of the program with a list of topics, length of each topic, and speakers (with their title and employer).



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