

Licensing of Lawn and Ornamental Pesticide Applicators in Florida ¹

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This document explains the laws that govern the four separate license categories for persons who professionally apply pesticides to lawns and ornamentals in this state.

Background

The licensing and regulation of persons who apply pesticides to lawns and ornamental plantings in Florida is controlled by two laws administered by the Florida Department of Agriculture and Consumer Services. The laws are the Florida Pesticide Law (Chapter 487) and the Florida Structural Pest Control Law (Chapter 482).

Ornamental and Turf Category (Chapter 487)

All persons who apply or supervise the application of restricted-use pesticides to agricultural areas, industrial areas, and any outdoor areas not associated with buildings or public health pest control must have a pesticide applicator license issued by the

Bureau of Compliance Monitoring/Pesticide Certification Section. Because golf courses, parks and cemeteries legally are not considered to be associated with buildings or public health pest control, they are regulated under the Florida Pesticide Law.



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Examinations

Persons must successfully complete two examinations before they can apply to the Department for a license. These examinations are a Core examination and an Ornamental and Turf category examination. The Core examination may be taken at any University of Florida, IFAS, County Extension Office. The Ornamental and Turf examination may be taken at a University of Florida, IFAS, County Extension Office that offers category examinations. No special qualifications must be met to take the examination.

Fees

No examination fee is required. The license fee for a commercial applicator is \$160 for a four-year license. The fee for a public applicator is \$60 for a four-year license.

Re-certification

Applicators must re-certify every four years. To re-certify, applicators may take the examinations again or attend training and obtain twelve (12) continuing education units (CEUs) approved for the ornamental and turf category and four (4) continuing education units (CEUs) approved for the core category. Core CEUs can't be used to meet the required ornamental and turf CEUs. No substitutions of other types of CEUs are allowed.

Pest Control Operator - Lawn and Ornamental Pest Control (Chapter 482)

A business that performs pest control on Florida lawns and ornamentals must be licensed. Because this activity is considered as "pest control," and these sites are not considered as "agricultural or industrial sites," these applicators are licensed by the Florida Department of Agriculture and Consumer Services, Bureau of Entomology and Pest Control under the Florida Structural Pest Control Law.

Each licensed pest control business must have a certified operator at each business location. Licensing of the pest control business is required for the application of any pesticide. The certified operator

may supervise one or more employees at the business location.



Examinations

To become a certified operator, a person must pass an examination. A person must apply to the Bureau of Entomology and Pest Control, FDACS, to take the examination. The applicant must possess one of the following minimum qualifications in order to take the examination:

1. Three years' employment as a service employee of a licensed business that performs lawn and ornamental pest control. One year of the employment must be in Florida within the year immediately preceding the application for the examination.
2. A degree with advanced training or a major in entomology, botany, or horticulture from a recognized college or university, which includes the completion of at least 20 semester hours or 30 quarter hours of college credits in these subjects, plus one year of employment as a service employee of a licensed pest control business in Florida.
3. A two-year degree in horticulture technology or the equivalent from a college or university, with advanced training of 20 or more semester hours or 30 or more quarter hours of credit in horticulture, plus one year of employment as a

service employee of a licensed pest control business in Florida.

4. A two-year degree in general pest control technology, or the equivalent, from a college or university, with advanced training of 20 or more semester hours or 30 or more quarter hours of credit in entomology, plus one year of employment as a service employee of a licensed pest control business in Florida.
5. Twenty-four semester hours or 26 quarter hours of courses in entomology, pest control technology, agronomy, botany, horticulture, and related subjects, plus one year of employment as a service employee of a licensed pest control business.

Examination dates and locations are scheduled by the Florida Department of Agriculture and Consumer Services, Bureau of Entomology and Pest Control, 1203 Governors Square Blvd, Suite 300, Tallahassee, FL32301-2961. Telephone 850/921-4177

Note: This examination is not given at University of Florida, IFAS, County Extension Offices.

Fees

The application to take the examination must be accompanied by a fee of \$225. The fee for issuing a pest control business license is \$250 and the annual renewal fee is \$150. The initial fee for the certified operator's certificate is \$150. The annual renewal fee is \$150.

Each pest control business when making application for a pest control business license or its renewal must furnish a certificate of insurance which meets the requirements for minimum financial responsibility for bodily injury and property damage. This consists of:

- Bodily injury: \$100,000 each person and \$300,000 each occurrence; and
- Property damage: \$50,000 each occurrence and \$100,000 in the aggregate.

Or

- Combined single-limit coverage: \$400,000 in the aggregate.

Re-certification

Certified operators obtain two (2) core CEUs approved for the core category plus two (2) CEUs approved for the lawn and ornamental category prior to the expiration of their annual certificate; or pass an examination.

Non-Certified Employees

Non-certified employees who perform or solicit pest control for a licensed company must be employees of the company, not independent contractors, and must work under the direct supervision of the certified operator in charge . Non-certified employees can only use the licensee's pesticides, equipment, and other materials when performing pest control. An employee may not perform pest control without carrying a current employee identification card having the employee's signature and current photograph. The card must be presented on demand to the person for whom pest control is being performed or solicited. Within 30 days of the onset of employment, either the licensee or the licensee's certified operator in charge must apply to the Bureau of Entomology and Pest Control for an identification card. The fee for each identification card is \$10 and each card is valid for one year. Each cardholder must receive 4 hours of classroom training in pesticide safety, integrated pest management, and applicable federal and state laws and rules within 6 months after issuance of the card or must have received such training within 2 years before issuance of the card. Each cardholder must also receive at least 2 hours of continuing training in pesticide safety, integrated pest management, and applicable federal and state laws and rules before the renewal date of the card. The card is no longer valid after an employee leaves any given employer.

Limited Certification - Lawn and Ornamental (Chapter 482)

Limited certification has been established for:

- government employees who apply pesticides to lawns and ornamentals;
- persons who apply pesticides only to lawns and ornamentals on their own private (business) property; and
- employees who apply pesticides to lawns and ornamentals on private (business) property owned by their employers.

This certification is not required when the only pesticides applied are disinfectants, sanitizers, or ready-to-use pesticides sold over the counter at retail.

Persons who apply pesticides to the lawn and ornamentals on their own residential property are not included in this requirement.

Each person who applies the pesticide must have the limited certification. There is no provision for supervision of pesticide application by uncertified persons. Limited certification does not authorize the operation of a pest control business.

Examinations

A person seeking limited certification in the Lawn and Ornamental category must pass an examination. The examinations are offered at University of Florida, IFAS, County Extension Offices. An application to take the examination must be made to the FDACS Bureau of Entomology and Pest Control. After the application and required fee are submitted, an authorization to take the examination is generated. When the exam is to be taken, this authorization must be presented to the person administering the examination in order to sit for the examination.

Fees

The fee for this limited certification examination and four-year license is \$150 which must be submitted with the application for the examination. A \$25 re-certification fee is currently charged every four years.

Re-certification

Re-certification is required every four years. Applications for re-certification must be accompanied by proof of having completed any combination of four (4) core or lawn and ornamental CEUs.

Limited Certification - Commercial Landscape Maintenance Personnel (Chapter 482)

Limited certification for commercial landscape maintenance personnel has been established to authorize them to apply herbicides for controlling weeds in plant beds and to perform integrated pest management on ornamental plants using the following materials: insecticides and fungicides having the signal word "caution" on the label, but not having the word "warning" or "danger" on the label. The certified person is limited to using portable, hand-held 3-gallon compressed air sprayers or backpack sprayers having no more than a 5-gallon capacity. Power equipment may not be used. Each person who applies the pesticides permitted by this limited certification category must be certified.

Limited certification for commercial landscape maintenance personnel does NOT authorize:

- application of pesticides to turf;
- operation of a pest-control business;
- application of pesticides by unlicensed or uncertified personnel working under the supervision of the certified person.

Examinations

Commercial landscape maintenance personnel seeking limited certification must pass an examination. Persons must apply to the FDACS Bureau of Entomology and Pest Control to take the examination. To be eligible to take the examination, an applicant must have completed six classroom hours of plant bed and ornamental continuing education training approved by the department. Examinations are offered at University of Florida, IFAS, County Extension Offices. After submitting the application and the required fee, the applicant will

receive authorization to take the exam. This authorization must be presented to the person administering the examination before it may be taken.

Fees

The fee for a limited certification examination and one-year license is \$150. The fee must be paid with the application to take the examination. A re-certification fee of \$75 is charged annually.

Each person who makes application for certification must furnish proof of having a certificate of insurance which states that employer meets the requirements for minimum financial responsibility for bodily injury and property damage. This consists of:

- Bodily injury: \$100,000 each person and \$300,000 each occurrence; and
- Property damage: \$50,000 each occurrence and \$100,000 in the aggregate.

Or

- Combined single-limit coverage: \$400,000 in the aggregate.

Re-certification

Re-certification is required annually and is satisfied by providing proof of having completed any combination of four (4) core or lawn CEUs and providing the same proof of having a certificate of insurance as is required for initial certification.

Yardman

A yardman who applies a pesticide to the lawn or ornamental plants of an individual residential property is exempted from licensing and certification requirements if the yardman applies pesticides owned and supplied by the individual property owner. The yardman cannot advertise for or solicit pest-control business and cannot hold himself out to the public as being engaged in pest control. The yardman cannot supply his own pesticide application equipment, use pesticide-applying power equipment or use any equipment other than a handheld container when applying the pesticide.

Study Materials and Training

Manuals and study materials for lawn and ornamental, limited lawn and ornamental applicators, and limited commercial landscape maintenance pesticide applicators who will be taking exams may be obtained from the UF/IFAS Extension Bookstore by calling 1-800-226-1764 and FDACS Bureau of Entomology and Pest Control at 850-921-4177. Sample labels may be obtained from suppliers of pesticide products. For information on training opportunities, contact a local UF/IFAS Cooperative Extension Office. Information on local, state, and national programs having opportunities to earn CEUs may be found at www.flaes.org.

Additional Information

For licenses under the Florida Pesticide Law (Ch. 487):

Florida Department of Agriculture & Consumer Services
Bureau of Compliance Monitoring
Pesticide Licensing Section
3125 Conner Drive, Bldg 8, L-29
Tallahassee, FL 32399-1650
Phone: 850/488-3314
<http://www.flaes.org/complimonitoring/index.html> (accessed October 31, 2005)

For licenses under the Florida Structural Pest Control Law (Ch. 482):

Florida Department of Agriculture & Consumer Services
Bureau of Entomology and Pest Control
1203 Governor's Square Blvd., Suite 300
Tallahassee, FL 32301-2961
Phone: 850/921-4177
<http://www.flaes.org/aes-ent/index.html> (accessed October 31, 2005)