

PEST CONTROL ADVISER REQUIREMENTS

Agricultural Pest Control Adviser:

Any person who offers a recommendation or who holds himself forth as an authority on any agricultural use or a general adviser on any agricultural use who solicits services or sales.

Adviser licensing requirements do not apply to persons within an established place of business who merely writes sales invoices/receipts or otherwise handles over-the-counter sales transactions wherein no recommendations of any type are made or inferred.

Recommendation:

The giving of any instruction or advice on any agricultural use as to any particular application on any particular piece of property.

Agricultural pest control advisers shall put all recommendations in writing.

Copies of the recommendation are required to be given to:

1. Grower/operator of property
2. Pesticide dealer prior to the application
3. Applicator prior to the application

Copies of the recommendation are required to be kept on file for one year and must be made available for inspection.

What is Required on Each Recommendation (NOTE: Applies to any Pesticide Recommended):

1. The name and dosage of each pesticide to be used or description of method recommended.
2. Identity of the pest to be controlled (designated by common name).
3. The owner or operator and location of acreage to be treated.
4. The commodity, crop or site to be treated.
5. The suggested schedule, time or conditions for the pesticide application or other control method.
6. A warning of the possibility of damages by the pesticide application that are known to exist, that reasonably should have been known by the adviser to exist.

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7. The signature and address of the person making the recommendation, the date and the name of the business such person represents.
8. Total acreage or units to be treated.
9. Concentration and volume per acre or other units.
10. Worker reentry interval, if one has been established; preharvest interval and label restrictions on use or disposition of the treated commodity, by-products or treated area.
11. Criteria used for determining the need for the recommended treatment. (Example: Industry practice; trap monitoring; presence of pest)
12. Certification that alternatives and mitigation measures that would substantially lessen any significant adverse impact on the environment have been considered and if feasible adopted.

NOTE:

Feasible alternative - means other chemical or non-chemical procedures which can reasonably accomplish the same pest control function with comparable effectiveness and reliability, taking into account economic, environmental, social and technological factors and timeliness of control.

Feasible mitigation measure - means condition attached to the approval of an activity which if implemented would substantially reduce any adverse impact, taking into account economic, environmental, social and technological factors and timeliness of control.

Agricultural Use:

Includes but not limited to:

- a. Commercial production of plants or animals
- b. Parks
- c. Golf courses
- d. Cemeteries
- e. Roadsides
- f. Right-of-way
- g. Nurseries
- h. Label directions in "per acre"
- i. Waterways