

Restricted-use pesticide license — how to obtain and renew



By Stephen H. Futch

This is a CEU article that grants one general standards (core) CEU when submitted and approved.

In Florida, the Florida Department of Agriculture and Consumer Services (FDACS), Division of Agricultural Environmental Services administers the pesticide certification and licensing program. The program is supported by state funding and fees collected



through its administration.

On a national level, Congress enacted legislation that regulates the production, transportation, sale, use

and disposal of all pesticides. The Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) was enacted in 1947 and subsequently amended in 1972, 1975, 1978 and 1988. On a national level, FIFRA is administered by the U.S. Environmental Protection Agency (EPA). In Florida, EPA has designated FDACS to enforce the provisions of FIFRA.

EPA is responsible for registering or authorizing pesticide products in the United States. EPA's registration is based on a detailed assessment of the potential effects of the product on human health and the environment when used in accordance with the pesticide label. The approved label is enforceable under both federal and state statutes, and unapproved uses can result in civil and/or criminal penalties.

Per federal guidelines, state restrictions can't be more liberal than those of FIFRA. However, individual states may impose stricter regulations on pesticides. Examples of Florida-specific rules that limit how, when or where specific pesticides can be used in the state include specific regulated pesticides such as bromacil, methyl bromide and organo-auxin herbicides. Labeling and packaging of pesticides must be uniform on a nationwide basis. Uniform packaging standards include container type, size and color.

All registered pesticides are classified according to their potential hazards for the approved methods, sites and crops. Pesticides will be categorized as unclassified or restricted-use pesticides (RUPs). Unclassified pesticides may also be referred to as "general-use" pesticides. The general-use pesticides have a lower toxicity than RUPs and pose a lower risk to humans or the environment. General-use pesticides can be purchased and used by the unlicensed public without permits or restrictions. Pesticides are classified as RUPs if improper use may result in an unreasonable adverse effect to human health and/or the environment. Applicators of RUPs must be trained to minimize the adverse risk when using a pesticide.

CERTIFIED APPLICATORS

RUPs may only be sold to persons who are certified and licensed applicators. Certified applicators are individuals who have been recognized as being competent to use or supervise

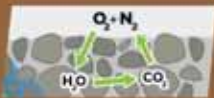
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the use of RUPs by the agency responsible for regulating pesticides within the state where they will be applied. Under FIFRA, applicators of RUPs will be classified as either a private, public or commercial applicator. A private applicator is a certified applicator who uses or supervises the use of any RUP for the purpose of producing an agricultural commodity on his/her own property or property he/she rents or leases. A commercial applicator uses or supervises the use of RUPs for any purpose on property except for those provided under the terms and restrictions of a private applicator. However, a person who is applying pesticides by air must be certified as a public or commercial applicator.

Per the law (5E-9.034), direct supervision means that the licensed applicators are responsible for the pesticide use activities and actions of individuals under their direct supervision and shall be in a location from which they can physically arrive on site before or during pesticide use, if and when their presence is needed. The licensed applicator must be immediately available for verbal communications with persons under his or her immediate supervision to provide direction during all times pesticides are being used. A person licensed for RUPs may supervise up to 15 unlicensed people at any one given time. It is also the responsibility of the licensed applicator to ensure that unlicensed applicators or mixer-loaders and field workers have been provided adequate safety training for the products being used or for those that have been used where they may be working. Additional requirements are also outlined in the Worker Protection Standard.

In Florida, Chapter 487 of the Florida Statutes governs pesticide dealers as well as people who apply pesticides in agricultural situations. Chapter 487 has three pesticide applicator license types: private, public and commercial. The requirements for each type of license will vary depending on how and where those RUPs are being applied.

PRIVATE APPLICATOR

The private applicator is a licensed applicator who applies RUPs by ground application for the purpose of producing an agricultural commodity. As noted earlier, the property where the pesticide application is taking place must be owned or rented by the applicator or the applicator's employer. This license is intended for owners and employees of farms, ranches, groves, nurseries, gardens and other establishments that produce

Specific number of CEUs required to renew individual categories.					
License Type	License Period	Categories	Exam Required for Initial Certification	Recertification Requirement	
				Category CEUs	Core CEUs
Private RUP	4 years	Private Applicator	Core + Private	4	4
Public or Commercial RUP License	4 years	Aerial Applicator	Core + Aerial	16	4
		Ag Animal	Core + Ag Animal	4	
		Ag Row Crop	Core + Ag Row Crop	8	
		Ag Tree Crop	Core + Ag Tree Crop	8	
		Aquatic Pest Control	Core + Aquatic Pest Control	16	
		Demonstration and Research *	Demonstration and Research	4	
		Forest Pest Control	Core + Forest Pest Control	8	
		Natural Areas Weed Management	Core + Natural Areas Weed Management	16	
		Ornamental and Turf	Core + Ornamental and Turf	12	
		Right-of-Way Pest Control	Core + Right-of-Way Pest Control	8	

**Demonstration and Research is a secondary category issued only in combination with another category.*

agricultural commodities. This license would not be valid for maintenance of ornamentals and turf at golf courses or around residential properties, as this activity would fall under the commercial license area.

PUBLIC APPLICATOR

A public applicator is a licensed applicator employed by a governmental entity that uses a RUP in conjunction with his or her governmental employment. This license is valid only for work performed during the course of employment.

COMMERCIAL APPLICATOR

A commercial applicator is a person who uses RUPs in any agricultural or related area for any purpose other than that provided by the private or public applicator area. An example of

a commercial applicator includes citrus caretakers or contract pesticide applicators for various agricultural situations.

License categories for commercial applicators that are common in agricultural crops include: aerial, agricultural animal, agricultural row crop, agricultural tree crop, aquatic pest control, demonstration and research, forest pest control, natural areas weed management, ornamental and turf, right-of-way pest control, seed treatment, soil and greenhouse fumigation, and wood treatment.

Applicators may apply RUPs only in the categories for which they have been licensed. Note that a citrus caretaker with an agricultural tree crop license could not apply a RUP in a row crop situation unless he or she also has that license category as well.

EXAMINATION TO OBTAIN A RUP LICENSE

Florida law requires that the person desiring to obtain a license demonstrates knowledge and is competent in the use of pesticides by taking an exam in appropriate category areas. Once the person has demonstrated competency by passing the exam, he or she becomes certified and is then eligible to obtain a pesticide license. Exams will not be translated into other languages orally, in writing or other forms; they are only offered in English.

To obtain a private license, the individual must take two examinations and pass both exams. The two exams that the private applicator must pass are the general standards (core) and the private applicator agricultural pest control exam.

For a public or commercial applicator license, the applicants must pass the general standards (core) examination and also one for each of the categories for which they intend to apply RUPs. Public and commercial license applicators can be licensed in multiple categories as desired by taking and passing various category exams.

Individuals must answer at least 70 percent of the multiple-choice questions correctly to be considered to have passed the exam. If the individual passes one exam and fails the other, he or she is required only to retake the exam that he or she failed in an effort to obtain a pesticide license. There is no limit on the number of times an individual can take the exam, nor is there a waiting period between taking the exams.

The general standards (core) exam contains information on basic and general knowledge of proper pesticide use and safety.

Most exams are given at County



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Cooperative Extension Service offices. County offices establish their own testing schedules. Potential applicators should check with their local Extension Service office to obtain information on testing and which categories are available locally.

LICENSE RENEWAL OR RECERTIFICATION

To renew your RUP license, you must demonstrate continued competency in the safe and proper use of pesticides. To recertify, the license holder may either retake the appropriate certification exams or accumulate a specific number of continuing education units (CEUs) during the licensing period for both the general standards (core) and each category he or she is licensed in. Most agricultural licenses are valid for a 4-year period.

All license holders must obtain at least four (4) core CEUs plus the designated number in each category. For the specific number of CEUs required to renew each category, see the table. Note that other categories are also available and the number of CEUs required will vary.

Training classes are approved by FDACS to issue CEUs and are provided at many local and regional meetings around the state. Your local County Extension Service offers many classes that are noted on its websites, newsletters and advertisements. Search the FDACS website at app1.flaes.org/ceu/AvailableClassSearch.asp for a listing of statewide classes.

LICENSE RENEWAL

All RUP licenses should be renewed on or before the license expiration date. Applicators renewing after the expiration date will be required to affirm that they have not purchased or used RUPs between the expiration and renewal date. License holders can renew up to 60 days after the expiration date without late fees. If the license has expired by more than 60 days, a \$50 late fee will be required. Licenses that have expired by more than one year will not be allowed to renew, and the individual must retake the certification examinations to obtain a new license.

The fee to obtain or renew a RUP license is \$100 for the private or public license and \$250 for a commercial license. In most cases the license is good for a 4-year period from renewal or issue date.

All license holders should receive renewal notices from FDACS 60 days prior to the expiration of the RUP license. It is the licensee's responsibility to change addresses or other

personal information that is on file with FDACS as needed.

For more information on RUP licenses or license categories, visit the website at www.flaes.org or consult with the FDACS Pesticide Certification office at (850) 617-7870.

Source of information: Applying

Pesticides Correctly by Fred Fishel, SM 1, UF/IFAS; Pesticide Applicator Certification and Licensing in Florida, Florida Department of Agriculture and Consumer Service, 2010.

Stephen H. Futch is an Extension agent at the Citrus Research and Education Center in Lake Alfred.

'Restricted-use pesticide license' test

To receive one core continuing education unit (CEU), read "**Restricted-use pesticide license — how to obtain and renew**" in this issue of *Citrus Industry* magazine. Answer the 20 questions on the magazine's website (www.citrusindustry.net) or mail the answers and application information to the address at the bottom of the form. The article and test set will be valid for up to one year from the publication date. After one year, this test will no longer grant a CEU.

- | | | |
|---|---|---|
| 1. In Florida, EPA administers the pesticide certification and licensing program. | T | F |
| 2. FDACS enforces the provisions of FIFRA in Florida. | T | F |
| 3. EPA's registration decision is based solely on the potential effects a pesticide may have on human health. | T | F |
| 4. Unapproved uses of a pesticide will result in only criminal penalties. | T | F |
| 5. Per federal guidelines, state restrictions on pesticides can be more liberal than those of FIFRA. | T | F |
| 6. Pesticide labeling and packaging are not required to be uniform on a nationwide basis. | T | F |
| 7. Pesticides are classified into three classes: unclassified, general use and restricted use. | T | F |
| 8. RUPs pose a greater risk to humans or the environment than general use pesticides. | T | F |
| 9. RUPs can only be sold or used by properly licensed certified pesticide applicators | T | F |
| 10. Certified applicators are individuals who have been recognized as being competent to use or supervise the use of RUPs. | T | F |
| 11. A commercial pesticide applicator can apply pesticide to property that is owned by others as long as he or she is properly licensed for application to that commodity. | T | F |
| 12. When directly supervising unlicensed applicators, as long as you can be in immediate verbal communications with the applicators, that is considered to be sufficient supervision under rule 5E-9.034. | T | F |
| 13. A private pesticide applicator of RUPs can apply RUP by air as long as he or she owns the crop where the chemicals are being applied. | T | F |
| 14. A public applicator can apply RUP to his or her own crops. | T | F |
| 15. A commercial applicator can apply RUP to a crop that he or she does not own. | T | F |
| 16. Commercial applicators of RUP can only apply RUP to the category in which they are licensed. | T | F |
| 17. To obtain a private RUP license, the individual only needs to pass the private applicator exam before being able to apply for the RUP license. | T | F |
| 18. RUP exams are only given in English, but are allowed to be translated to the native language of the person taking the exam. | T | F |
| 19. To renew a private RUP license, the license holder must obtain at least four CEUs in both the core and private category over the 4-year license period to be able to renew his/her license. | T | F |
| 20. All RUP licenses should be renewed on or before the license expiration date. | T | F |

Please mark the number below to rate this article and test:

Not very useful										Very useful
1	2	3	4	5	6	7	8	9	10	

Pesticide Applicator CEU Form

First Name: _____ Last Name: _____

E-mail: _____

Pesticide License Number: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____

Please mail the answer sheet or a copy of the form to: Steve Futch, Citrus Research & Education Center, 700 Experiment Station Road, Lake Alfred, FL 33850

If you have questions regarding this form, test or CEUs, e-mail Steve Futch at shf@ufl.edu or call (863) 956-8644. Allow two weeks to process your CEU request.

