

Laws and Licenses

Florida Department of Agriculture
and Consumer Services

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Laws

- In Florida, Pesticide Regulations fall under two Statutes:
 - *Chapter 487*, Florida Statutes – Florida Pesticide Law, and the associated Rules, Chapter 5E-2 and 5E-9, Florida Administrative Code
 - *Chapter 482*, Florida Statutes - Structural Pest Control Act, and the associated Rules, Chapter 5E-14, Florida Administrative Code



Chapter 487, F.S.

- Florida Pesticide Law, and the associated Rules, Chapter 5E-2 and 5E-9, Florida Administrative Code
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- What is in the Law and Rules?
- Where can I get a copy of the Laws and Rules?



Chapter 487 – Florida Pesticide Law

- The Statute gives the Florida Department of Agriculture the Authority to Regulate Pesticide distribution and use
- The Rules spell out how that Authority will be carried out

Chapter 487 – Florida Pesticide Law

■ Defines:

- Pesticide / Restricted Use Pesticide
- Certified Applicator
- License types
- Identifies various pests
- Label and labeling
- Direct Supervision



Chapter 487 – Florida Pesticide Law

- Lists:
 - Prohibited Acts
 - Requirements for Registering Pesticides
 - Requirements for Licensing and Certification of Pesticide Applicators
 - Renewals
 - Fees
 - Administrative Rules



Chapter 487 – Florida Pesticide Law

- Enforcement and Sampling
- Duties of Licensee
- Liability for damage or injury to property, animal or person
- Records
- Penalties; Administrative Fines
- Worker Protection

Rule 5E-2 (Pesticides)

- *5E-2.033 Organo-Auxin Herbicides*
 - Restrictions and Prohibitions
 - Wind speed
 - Records (Suggested record keeping form included)



Florida Department of Agriculture & Consumer Services
Division of Agricultural Environmental Services

**SUGGESTED PESTICIDE RECORDKEEPING FORM
for Organo-Auxin Herbicides**

Chapter 487.051(1)(b), F.S. and 5E-2.035, F.A.C.

This is a suggested format for recording the information required for application of organo-auxin herbicides and plant growth regulators (general or restricted use) to a land or surface area greater than 5 cumulative acres with a 24-hour period. For a land or surface area less than 5 cumulative acres within a 24-hour period, only wind speed and direction readings are required.

Date _____ Time Began _____ Time Ended _____

Licensed Applicator _____ License No. _____

Person making application (if not licensed) _____

Property owner or person authorizing treatment _____

Location of treatment area: County _____ Field _____

Site Address _____

Location of mixing/loading site _____

Crop or site treated _____ Acres treated _____

Brand name of product applied _____

Amount of product applied per acre _____ Active Ingredient per acre _____

Nozzle type _____

Gallons per minute _____ Angle of spray (if applicable) _____

WIND SPEED AND DIRECTION - Record hourly during application

Wind Speed (3 readings within 5 minutes)

Time	1	2	3	4	Average	Wind Direction
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____



Rule 5E-9 Licensed Applicators

- 5E-9.019 Pesticide Applicator Licenses
- 5E-9.021 Categories of Licensure
- 5E-9.023 General Certification Standards
- 5E-9.024 Category Certification Standards



Rule 5E-9

- 5E-9.026 Certification, Licensure and License Renewals
- 5E-9.028 License Fees
- 5E-9.029 Recertification

Rule 5E-9

- *5E-9.032 Application Records*
 - Must be kept for all Restricted Use Pesticide Applications
 - Recommend to keep for all Pesticide Use Applications
 - RUP Records must be kept for 2 years

Rule 5E-9

■ *5E-9.034 Direct Supervision*

- Supervise no more than 15 people at one time
- Must provide training BEFORE application
- Be able to physically arrive on site for application if needed
- Be immediately available for verbal communication
- Responsible for all applications made under your license

Chapter 487 – Florida Pesticide Law

- Where can I get a copy of the Statutes and Rules?
 - A copy is in this Manual
 - Website: www.flaes.org
 - Direct link:
<http://www.flaes.org/complimonitoring/databasesearch/pesticidecertlicensinglawsandrules.html>

Chapter 487 – Florida Pesticide Law

- Where can I get a copy of the Statutes and Rules?
 - Email me:
tamara.james@freshfromflorida.com
 - Call me: (850) 617-7876

Obtaining and Renewing A Pesticide License

Obtaining a New License

- Take exams at your local county extension office.
- Exams are then sent to Tallahassee to be graded.
 - Exam results will be received by mail approximately three to four days after the exams have been taken.
 - Applicants may start checking for exam scores on our website, www.flaes.org two weeks after the exam.



Once You've Gotten Your Scores

- If you failed the exams:
 - Schedule to retake with the local County Extension Office.
- If you passed all exams:
 - An Application will be mailed to you
 - Fill out application completely
 - Be sure to sign the application



Once You've Gotten Your Scores

- Mail application with license fee in yellow envelope provided or to address on top right hand corner of application. Make sure it is signed.
- Mailed applications go directly to Finance & Accounting – it can take up to 2 working weeks for us to receive your paperwork.
- From exam to license in the hand takes usually 6 – 8 weeks

Adding Categories

- What if I want to add a category to my license after it has been issued?
 - Take the exam. On your Contact Information Sheet, check “Additional Category”
 - We will send you a new license with the additional category 4 - 6 weeks after you pass the exam
 - Your license expiration date **DOES NOT CHANGE**
 - There is no additional cost to add a category



Renewing Your License

- Applicator Licenses are issued for 4 year certifications and must be renewed at the end of each 4 year period.
- Licenses may either be renewed with Continuing Education Units or by retaking the Certification Exams.
- Renewal notices are mailed out 60 days before the license expiration date



Renewing Your License - CEUs

- Fill out and sign your renewal notice; Make sure to keep a copy for your records
- Mail the renewal with copies of your CEUs and license fee in the yellow envelope provided or to the address in the upper right hand corner
- Remember it goes to Finance and Accounting before we get it.



Renewing Your License - Exams

- If you renew by Examination, fill out and sign your renewal notice. Make sure to keep a copy for your records.
- Mail the renewal with the license fee in the yellow envelope provided or to the address in the upper right hand corner
- Remember it goes to Finance and Accounting before we get it.

Renewing Your License

- Exams are only good for 1 year. The license must be issued before the year is up or you will need to re-take the exam.
- CEUs will only be accepted when earned during the licensure period
- CEUs are category specific

Renewing Your License

- What if I don't renew my license before it expires?
 - You may still renew up to one year from your expiration date with CEUs.
 - Your license expires on the date on your license
 - \$50.00 late fee if renewed more than 60 days after expiration



Renewing Your License

- What if I have enough CEUs for my CORE and one or more of my categories, but not all of them?
 - Go ahead and renew with what you have to avoid your license expiring or having to pay a late fee. You can earn CEUs for the missing categories and add them to your license up to one year from the original expiration.

Renewal Notices

- Renewal notices are mailed approximately 60 days before license expiration.
- Provide Pesticide Certification Office with correct, current mailing address.
- Be sure to read the renewal notice and other documentation you receive with it.
 - Be sure to fill it out completely.



Continuing Education Units

- Make sure you have enough to meet requirements for your category(s).
- Be sure Record of Attendance forms are filled out and signed.
- All incomplete forms will be sent back to the applicant to complete.

CEU Requirements for Renewal

<u>Category</u>	<u>Number of CEUs</u>
Core	4
Aquatic	16
Forestry/ Right of Way	8
O&T	12
Natural Areas	16

NOTE: CEUs are category specific



Designation of Authorized Purchasing Agent

- An Authorized Purchasing Agent is someone you designate to be able to purchase and pick up chemicals under your license.
- You may have as many or few as you like.

Duplicate Copies of Licenses

- You may obtain a duplicate copy of your license if yours has been lost or stolen or is unreadable
- At this time there is no cost to obtain a duplicate license



Obtaining A Reciprocal License

- Florida reciprocates with all states that require testing to obtain the RUP license.
- Can only reciprocate with an equivalent category.



Obtaining A Reciprocal License

- To obtain a Reciprocal license you must complete a Reciprocal Request Form
- Provide a clear legible copy (FRONT and BACK) of your current RUP license that was obtained through examination



Obtaining A Reciprocal License

- If your Reciprocal Request meets Florida's requirements:
 - You will receive an application form
 - License and Fee will be prorated to expire with your current RUP license (maximum of 4 years certification)
 - Must have a Designation of Registered Agent (DORA) on File if not a Florida resident
 - www.sunbiz.org

License Fees

- Private – only for production of Agricultural Commodities - \$100/ 4 years
- Public – only for employees of Government Agencies (not contractors) - \$100/ 4 years
- Commercial - \$250/ 4 years

Contact Information

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