

RULES ARE THERE FOR A REASON

ARIZONA PESTICIDE APPLICATION LAWS

Union of Saints • Arizona Consumer Safety Brief

EDUCATIONAL NOTICE

This document provides general educational information about Arizona pesticide regulation. It is not legal advice and does not determine whether a particular application was lawful. The exact pesticide label, facts of the application, property type, and applicable agreements must be reviewed.

Arizona has specific rules governing pesticide application, particularly when licensed pest management businesses apply pesticides in or around residential property. For an apartment situation, several layers of law may matter, including Arizona pesticide law, the pesticide's EPA approved label, licensing and recordkeeping requirements, notification rules, and landlord tenant obligations.

The Arizona Rules Most Relevant to Residential Property

1. The pesticide must be used according to its label

Arizona's Office of Pest Management regulates nonagricultural, or structural, pest management. Structural pest management includes pest control in and around structures. The Office enforces state and federal laws governing pesticide use, storage, disposal, licensing, and recordkeeping.

The pesticide label is not merely a set of optional directions. The exact product label must be examined for permitted application sites, application methods and rates, precautions, restrictions, and other legally applicable directions.

2. Licensing and qualified pest management professionals matter

Arizona regulates pest management businesses and applicators. Consumers can verify license status and review complaint history through the Arizona Department of Agriculture. Whether a particular person or activity requires a license can depend on the statutory category and any applicable exemption.

3. Arizona has pesticide treatment notification requirements

A.R.S. § 3-3621 contains notice requirements for pest management treatments. For treatment in or around certain residential structures, the business licensee must provide the required written notice to the person who requested the treatment or that person's designated agent. Required information includes identification of the pesticide by trade name.

For larger properties and ongoing pest management arrangements, the identity of the person legally entitled to receive notice may be different from the individual occupants. This distinction is important in apartment communities. A statutory notice requirement to management does not necessarily mean that every tenant is independently entitled to advance notice of every exterior application.

4. Interior residential treatment carries additional notice considerations

When pesticides are applied inside residential units, Arizona law contains additional notice requirements. The applicable notice should be reviewed together with A.R.S. § 3-3621, current administrative rules, and the particular pesticide label.

What About Exterior Spraying Without a Tenant's Consent?

Arizona law should not be summarized as creating a universal rule that every apartment tenant must give written consent before an otherwise lawful pesticide is applied to common exterior property. Whether notice or consent was required depends on the facts, the location of treatment, the product label, the statutory provisions involved, the lease, and any separate agreement or accommodation.

That does not mean management or an applicator may spray without limits. The application must still comply with applicable pesticide law, the product label, licensing and recordkeeping requirements, and any contractual or property specific obligations.

If a lease, accommodation, written agreement, or prior agreement establishes a no spray requirement or other pesticide restriction, that can create a separate landlord tenant or contractual issue beyond the pesticide statutes themselves.

Advance Notice Is Required in Some Settings, But Not Universally

Arizona imposes specific advance notification requirements in certain settings, including schools and child care facilities. Those provisions demonstrate that Arizona law expressly addresses advance notice in particular contexts, but they should not be treated as a universal 48 or 72 hour advance notice rule for every apartment resident.

If the Product Was Termidor or Fipronil

The investigation should identify the exact product and application rather than relying only on the word "Termidor."

- Name of the pest management company and applicator
- Exact Termidor product name
- EPA registration number
- Date and approximate time of application
- Exact areas treated
- Application method
- Concentration and application rate, if available
- Whether the treatment was a perimeter, soil, spot, crack and crevice, or other treatment
- Applicator and business license information
- Service ticket, treatment record, and any notice provided
- The pesticide label in effect for the exact product used

Three Questions to Ask After a Residential Pesticide Application

Was the pesticide application itself lawful?

Compare the exact application with Arizona pesticide law and the EPA approved label for the exact product used.

Were licensing, notice, and recordkeeping requirements satisfied?

Identify the business, applicator, treatment record, notices, product, and relevant licensing information.

Were separate housing obligations violated?

Review the lease, accommodation, written communications, prior agreements, and other landlord tenant obligations separately from pesticide law.

Reporting and Consumer Protection

The Arizona Department of Agriculture Office of Pest Management investigates consumer complaints involving matters within its jurisdiction, including allegations of improper pesticide application or use. Arizona also maintains a pesticide hotline for pesticide related illness, exposure, or drift incident reports.

Primary Sources and Official Resources

- Arizona Department of Agriculture, Office of Pest Management — <https://agriculture.az.gov/divisions/environmental-consumer-protection-division/office-of-pest-management>
- Arizona Department of Agriculture, Pest Management FAQs — <https://agriculture.az.gov/divisions/environmental-consumer-protection-division/pest-management-division/pest-management-faqs>
- Arizona Department of Agriculture, File Complaints — <https://agriculture.az.gov/pestspest-control/pesticide-use-providers-continuing-education/file-complaints>
- Arizona Revised Statutes, Title 3 — Pest Management statutes, including A.R.S. § 3-3621 — <https://www.azleg.gov/arstitle/>
- U.S. Environmental Protection Agency — pesticide product labels and federal pesticide requirements — <https://www.epa.gov/pesticides>

UNION OF SAINTS

Rules exist to protect people, property, animals, workers, and the environment.