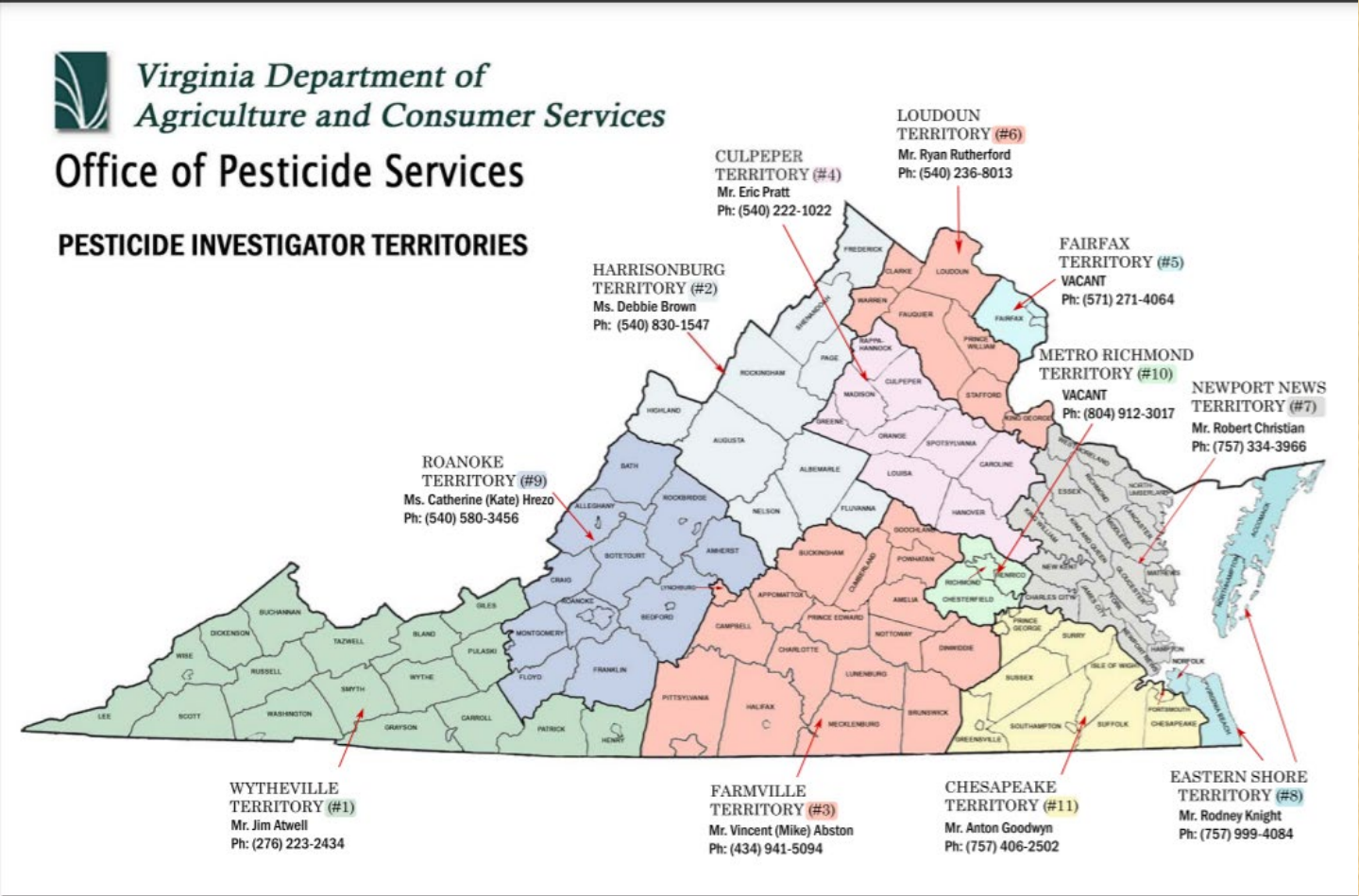
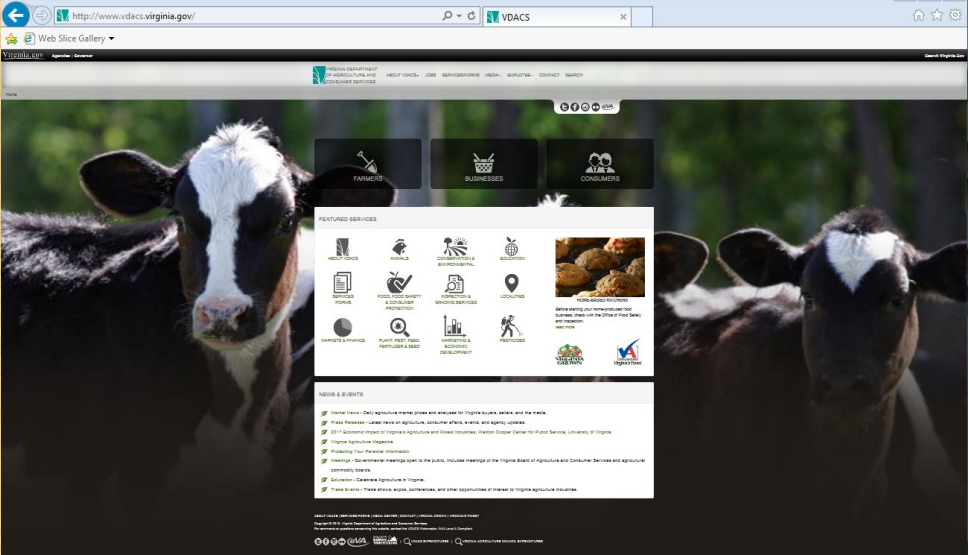


2021-2022 Pesticide Regulatory Update



Virginia Department of Agriculture and Consumer Services
Office of Pesticide Services

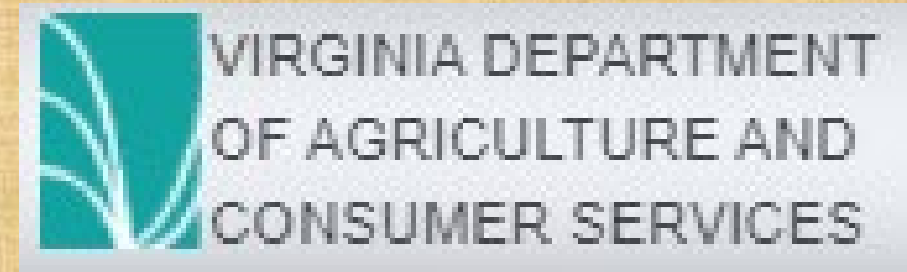
Discussion points



- Regulatory Authority
- Common Violations & Enforcement Actions
- *Label is the Law*
- Storage, Disposal & Recycling
- Incident Reporting
- Pesticide Product Registration
- Federal and State Regulatory Activities
- Recordkeeping

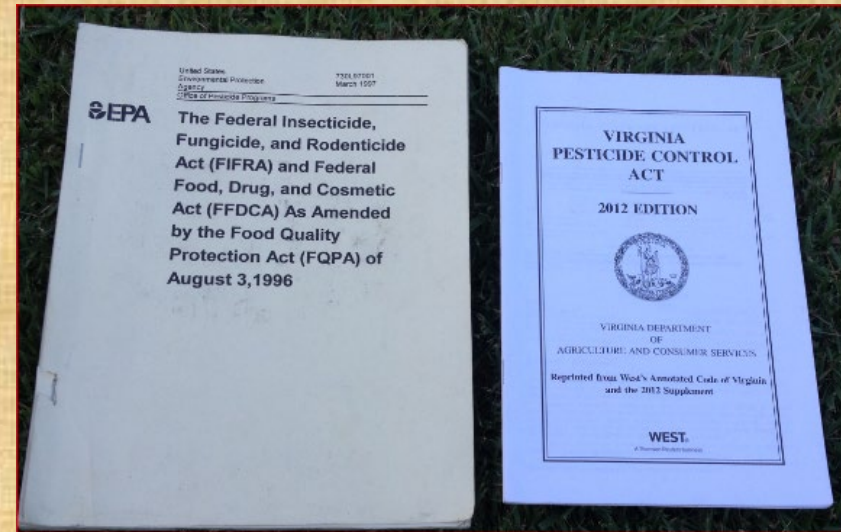
Pesticide Regulation in Virginia

- (Co)Regulated by the US Environmental Protection Agency and Virginia Department of Agriculture and Consumer Services (VDACS)
- VDACS' Office of Pesticide Services (OPS) administers the pesticide program and supports the Virginia Department of Agriculture and Consumer Services (VDACS) and the Board of Agriculture and Consumer Services (Board) that
 - Protect consumers and the environment; and
 - Ensure the safe and effective control of pests that adversely affect crops, structures, health, and domestic animals.
- OPS authority is derived from the Virginia Pesticide Control Act (Act) and the Regulations Pursuant to the Act (Regulations).
- Staff also has federal credentials to enforce provisions of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).



Regulatory Authority

- Federal Law – *Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)*
- State Law – *Virginia Pesticide Control Act (Act)*
 - Regulations Pursuant to the Act
 - Pesticide Product Registration, Handling, Storage, and Disposal
 - Pesticide Fees Charged
 - Licensing of Pesticide Businesses
 - Pesticide Applicator Certification
 - Pesticide Containers and Containment

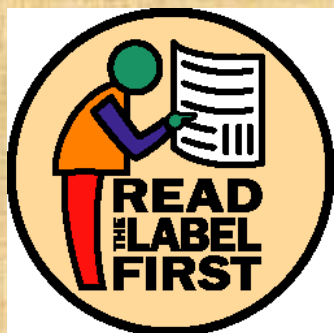


VIRGINIA PESTICIDE LAWS & REGULATIONS

Virginia Pesticide Laws & Regulations

- [Virginia Pesticide Control Act](#)
- [Chapter 670 Regulations Governing Pesticide Product Registration, Handling, Storage and Disposal under Authority of the Virginia Pesticide Control Act](#)
- [Chapter 675 Rules and Regulations Governing the Pesticide Fees Charged by the Department of Agriculture and Consumer Services under the Virginia Pesticide Control Act](#)
- [Chapter 680 Regulations Governing Licensing of Pesticide Businesses Operating under Authority of the Virginia Pesticide Control Act](#)
- [Chapter 685 Regulations Governing Pesticide Applicator Certification under Authority of Virginia Pesticide Control Act](#)
- [Chapter 690 Regulations for Pesticide Containers and Containment under Authority of the Virginia Pesticide Control Act](#)

Ensuring Proper Use of Pesticides



All OPS activities work to ensure pesticides are used in accordance with the law and regulations.

- ✓ Certifying pesticide applicators to ensure they have the minimum competencies necessary to apply pesticides.
- ✓ Registering pesticide products to ensure only those pesticides that meet the federal requirements for registration, with limited exceptions, are used.
- ✓ Licensing businesses to ensure they have knowledge of pesticides and evidence of financial responsibility.
- ✓ Conducting inspections and investigations to ensure pesticides are used properly and all other provisions of the Act & Regulations are met.
- ✓ Reviewing and approving recertification courses to ensure pesticide applicators receive the information required to maintain their certification.
- ✓ Coordinating recycling and collection programs to ensure to assist with the final disposition of containers and unwanted pesticides.

Inspections & Investigations



- OPS conducts routine inspections and investigations to determine compliance with all applicable laws & regulations;
- Standard inspection/investigation procedures may include:
 - Conducting interviews
 - Visiting site
 - Observing an application
 - Taking photographs
 - Collecting samples (residue/formulation)
 - Collecting weather data
 - Reviewing pesticide label and application records
- Totality of evidence collected will be reviewed in a two stage independent review process to determine if the application was made in compliance with all applicable laws and regulations;
- Respondents will be notified of any alleged violations prior to any final enforcement action is taken; and
- Should there be an enforcement action, for example, a monetary penalty, the respondent will have the right to appeal in keeping with the Administrative Process Act.

Violations Enforcement Actions

VDACS can take enforcement action against any person, business or agency that violates any provision of the Virginia Pesticide Control Act, Regulations, or the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).

Types of Enforcement Actions

- Letter of Caution
- Civil Penalties per violation
 - Up to \$1,000 for a non-serious first time violation
 - Up to \$20,000 for knowing or repeat violations
 - Up to \$100,000 additional in the event of death or serious physical harm to any person.
- Suspension, modification, revocation or denial of business license and/or applicator certification
- Filing of criminal charges
- Refer to U.S. Environmental Protection Agency for federal action

FY21 Violations & Enforcement Actions

Top 5 Violations

- #1: Sale or Use of Unregistered Product
- #2: Not Certified
- #3: Misuse Including Negligence
- #4: No Business License
- #5: Recordkeeping

Actions for Non-Compliance

- 109 Unique Cases
 - Civil Penalties = \$23,790
 - Stop Sale = 37
 - Other Actions = 18
 - Letter of Caution
 - Advisory Letter

1 July 2020 - 30 June 2021

§ 3.2-3930. All applicators must be certified as a commercial applicator or a registered technician when making a pesticide application in exchange for compensation of any kind.

§ 3.2-3914. All pesticide sold, offered for sale, used, or offered for use in VA must be registered by paying an annual fee.

2VAC5-685-210. Commercial applicators not-for hire and registered technicians not-for-hire must maintain a record of every pesticide applied. The record must contain the 9 requirements listed.

§ 3.2-3932. In order to lawfully use or supervise the use of a RUP on any property, an applicator must be certified as a private applicator.

Read, Understand and Follow the Act and Regulations!

§ 3.2-3939. It is a violation to use or cause someone else to use a product in a manner that is inconsistent with the label or the regulations.

§ 3.2-3940(B)(3). It is a violation for a certified applicator to apply any pesticide in a negligent manner.

§ 3.2-3924. A business must have a pesticide business license in order to sell, distribute or store any pesticide unless the business meets one of the exemptions. If a person wants to apply or recommend for use any pesticide commercially, they must obtain a pesticide business license and employ a certified commercial applicator.

2VAC5-680-65. All licensed pesticide businesses must keep a record of every pesticide applied. The record must contain the 9 requirements listed.

Appeal Process: *If You Don't Agree*

Informal Fact Finding

- Officer appointed by the Program Manager (Office of Pesticide Services)
- Opportunity for respondent to offer additional information, ask questions
- Officer is authorized to affirm, raise, lower, abate or negotiate a settlement
- Decision can be appealed to Formal Hearing

Formal Hearing

- Officer is Court appointed Attorney
- Hears all relevant information and considers facts of all violations in the case
- Makes recommendation to Board to affirm, raise, lower, abate or may recommend another outcome

The Label is the Law

ALWAYS READ AND FOLLOW PESTICIDE PRODUCT LABELING

*It is a violation of Federal and state law to **use** any pesticide product in a manner inconsistent with its labeling...*

- In Virginia, "**pesticide use**" is defined as the application or supervision of an application of a pesticide.
- This includes **all of the routine activities** that are part of a normal pesticide application:
 - mixing,
 - loading,
 - applying,
 - handling a pesticide after the container seal is broken,
 - clean up, and
 - storage and disposal of excess product & empty containers.




DIRECTIONS FOR USE


It is a violation of Federal law to use this product in any manner inconsistent with its labeling. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

The Label...

- Is a legal agreement between the registrant, the EPA, the end-user and the State Lead Agency for pesticide regulation.
- Mitigates the risk of the use of the pesticide to an acceptable level
 - Human Health
 - Environmental Health
- Includes risk mitigation measures that may be implemented throughout label, for example: use rate; use site; PPE; weather conditions; buffer zones; storage; disposal, etc...
- Prescribes proper use which ensures continued use and availability of pesticide.

PROTECTION OF POLLINATORS
APPLICATION RESTRICTIONS EXIST FOR THIS PRODUCT BECAUSE OF RISK TO BEES AND OTHER INSECT POLLINATORS. FOLLOW APPLICATION RESTRICTIONS FOUND IN THE DIRECTIONS FOR USE TO PROTECT POLLINATORS



 Look for the bee hazard icon in the Directions for Use for each application site for specific use restrictions and instructions to protect bees and other insect pollinators.

This product can kill bees and other insect pollinators.

Bees and other insect pollinators will forage on plants when they flower, shed pollen or produce nectar. Bees and other insect pollinators can be exposed to this pesticide from:

- Direct contact during foliar applications, or contact with residues on plant surfaces after foliar applications.
- Ingestion of residues in nectar and pollen when the pesticide is applied as a seed treatment, soil, tree injection, as well as foliar applications.

When using this product take steps to:

- Minimize exposure of this product to bees and other insect pollinators when they are foraging on pollinator attractive plants around the application site.
- Minimize drift of this product onto beehives or to off-site pollinator attractive habitat. Drift of this product onto beehives or off-site to pollinator attractive habitat can result in bee kills. Information on protecting bees and other insect pollinators may be found at the Pesticide Environmental Stewardship website at: <http://pesticidestewardship.org/pollinatorprotection/Pages/default.aspx>.

Pesticide incidents (for example, bee kills) should immediately be reported to the State/Tribal lead agency. For contact information for your State/Tribe, go to: www.aapco.org/officials.html. Pesticide incidents can also be reported to the National Pesticide Information Center at: www.npic.orst.edu or directly to EPA at: beekill@epa.gov

your State or Tribe, consult the agency responsible for pesticide regulation.

BEE HAZARD

See individual crops for specific pollinator protection application restrictions. If none exist under the specific crop, for foliar applications, follow these application directions for crops that are contracted to have pollinator services or for food/feed that are attractive to pollinators:

FOR CROPS UNDER CONTRACTED POLLINATION SERVICES

Do not apply this product while bees are foraging. Do not apply this product until flowering is complete and all petals have fallen unless the following condition has been met.

If an application must be made when managed bees are at the treatment site, the beekeeper providing the pollination services must be notified no less than 48-hours prior to the time of the planned application so that the bees can be removed, covered or otherwise protected prior to spraying.

Bees must be removed, covered or otherwise protected for 5 days following application.

FOR FOOD CROPS AND COMMERCIALY GROWN ORNAMENTALS NOT UNDER CONTRACT FOR POLLINATION SERVICES BUT ARE ATTRACTIVE TO POLLINATORS

This product is toxic to bees exposed to treatment for more than 5 days following treatment.

Do not apply this product to blooming, pollen-shedding or nectar-producing parts of plants if bees may forage on the plants during this time period.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries and greenhouses and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification and

Implications of label PROVISION “To be used By Certified Applicators only”

RESTRICTED USE PESTICIDE

To be used by certified applicators only; NOT to be used by uncertified persons working under the supervision of a certified applicator

- While some restricted use pesticides allow uncertified persons to work under the supervision of a certified applicator, **pesticides that contain the above statement may only be applied by certified (commercial and private) applicators** (i.e.: Dicamba and Paraquat); and
- Virginia’s Certified Registered Technicians do **not** meet the federal definition of a certified applicator thus are prohibited from making applications of any pesticide with the above statement (40 CFR Part 171).

RESTRICTED USE PESTICIDE
DUE TO ACUTE TOXICITY
FOR RETAIL SALE TO AND USE ONLY BY CERTIFIED APPLICATORS - **NOT TO BE USED BY**
UNCERTIFIED PERSONS WORKING UNDER THE SUPERVISION OF A CERTIFIED APPLICATOR.

Why read the label each and every time you use the product?

- *Because...*
 - Labels change...all the time.
 - The legal application of any pesticide is determined by the label on the container containing the pesticide that is used during a given application.
 - Product use limitations (for example, frequency of application, rate, and use sites) are specific to a product and may differ for other products containing the same active ingredient.



Pesticide Use on Hemp

- All pesticides used on hemp must be registered federally by EPA or exempted
- All pesticides used on hemp must be registered in Virginia including FIFRA 25(b) exempt products.
- The labels must either list “hemp” as a use site, or the label language must be sufficiently broad to include hemp while not specifically prohibiting its use on hemp.
- Additionally, for food uses-
 - the active ingredient must be exempt from the requirements for a tolerance on all food crops, and;
 - have directions for use on unspecified food crops.



Storage

- Store pesticides in original container in a well-ventilated area and away from food, pet food, feed, seed, fertilizers, and veterinary supplies.
- Avoid cross-contamination with other pesticides. Keep container closed to prevent spills and contamination
- **NEVER** store pesticides, for even a short time, in a food or drink container.

JUST SAY NO!



Pesticide Collection Program

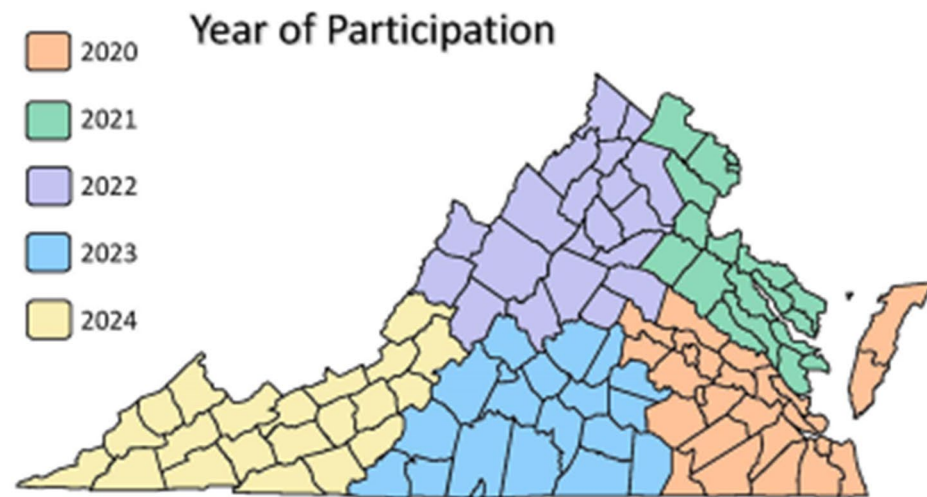
- The disposal of canceled, banned or unwanted pesticides poses a significant challenge to agricultural producers and other pesticide users due to its high cost.
- Program Status
 - FY2021 program collected a total of 61,703 lbs..
 - Since it's inception, a total of over 1.6 million lbs. has been collected

For more information:

<http://www.vdacs.virginia.gov/pesticide-collection.shtml>



2020-2024 Pesticide Collection Program



Plastic Pesticide Container Recycling



- Provide agricultural producers, pesticide dealers and pest control firms with option for the disposal of properly rinsed pesticide containers.
- Program Status
 - FY2021 program recycled a total of 167,298 lbs..
 - Since its inception, a total of more than 2.4 million lbs.. has been collected.

For more information:

<http://www.vdacs.virginia.gov/pesticide-container-recycling.shtml>

REMINDER: Credit For Recertification Course

- For all in-person courses, signatures are required on both the roster(s) and the Application for Recertification Credit. When a signature is requested, it is not optional for credit. The signatures should not be significantly different.
- Course sponsors/speakers seeking credit for attending their own course are required, like all attendees, to participate in the entire program and all sessions and complete all required forms as proof of attendance.
- Course sponsors can not self recertify rather the course must include presenters others than the course sponsor.
- To renew by attending a recertification training program requires completion of one recertification course every two years and submission of the renewal application and appropriate fees.*



September 13, 2021 Page 1 of 12

VDACS
SCHEDULE OF COMMERCIAL APPLICATOR
RECERTIFICATION TRAINING COURSES
APPROVED FOR RECERTIFICATION IN VIRGINIA

Meeting Location/Contact	Dates	
ALL STAR CE TRAINING RECERTIFICATION COURSES HTTPS://ALLSTARCE.COM/ CONTACT JOHN Q MASON (817) 384-1136	JAN 01 2021	DEC 31 2021
7-A (07) GENERAL PEST CONTROL		
7-B (13) WOOD DESTROYING PEST CONTROL		
7-C (15) FUMIGATION (NON-AGRICULTURAL)		
8 (08) PUBLIC HEALTH PEST CONTROL		
12 (12) WOOD PRESERVATION & TREATMENT		
60 (60) REGISTERED TECHNICIAN		
CONTINUING EDUCATION UNIVERSITY ONLINE PESTICIDE RECERTIFICATION WWW.CEUSCHOOL.ORG CONTACT AARON M MACKIE (251) 583-5972	JAN 01 2021	DEC 31 2021
1-A (01) AGRI PLANT PEST CONTROL		
1-B (17) AGRI ANIMAL PEST CONTROL		
3-A (23) ORNAMENTAL CONTROL		
3-B (24) TURF PEST CONTROL		
4 (04) SEED TREATMENT		
5-A (05) AQUATIC PEST CONTROL-GENERAL		
6 (06) RIGHT-OF-WAY PEST CONTROL		
7-A (07) GENERAL PEST CONTROL		
7-B (13) WOOD DESTROYING PEST CONTROL		
7-C (15) FUMIGATION (NON-AGRICULTURAL)		
7-D (14) VERTEBRATE PEST CONTROL		
7-E (22) SEWER ROOT PEST CONTROL		
8 (08) PUBLIC HEALTH PEST CONTROL		
11 (11) AERIAL PESTICIDE APPLICATION		
12 (12) WOOD PRESERVATION & TREATMENT		
60 (60) REGISTERED TECHNICIAN		

web_recert_courses2.pdf

**Exception – Government employees and Private Applicators are exempt from renewal application and fees however must complete the recertification course requirement.*

Reporting Requirements: Accidents and Incidents*



- Certified commercial or private applicators or registered technicians shall report any pesticide accident or incident in which they are involved that constitutes a threat to any person, to public health or safety, or to the environment, as a result of the use or presence of any pesticide.
- Includes both general use and restricted use pesticides.
- No minimum amount.
- Pesticide accidents/incidents should be reported to VDACS within 48 hours by phone and within 10 days in writing.
- Reports include:
 - Name of individuals involved in accident or incident;
 - Name of pesticide involved;
 - Quantity of pesticide spilled and containment procedures;
 - Time, date, and location of accident or incident;
 - Mitigating actions taken; and
 - Name, or description if unnamed, and location of bodies of water nearby where contamination of such bodies of water could reasonably be expected to occur due to natural or manmade actions.

****There may be other reporting requirements outside of the Act & Regulations...***

Pesticide Product Registration



All Pesticides

- § 3.2-3914 of the Virginia Pesticide Control Act requires...Every *pesticide manufactured, distributed, sold, offered for sale, used, or offered for use shall be registered ...*
- Pesticides classified by EPA as 25(b) Exempt products are not exempt from state registration.
- To check the state registration status of a pesticide or to find a registered pesticide for a specific pest visit the Pesticide Product Registration page of our website.

<http://www.vdacs.virginia.gov/pesticide-product-registration.shtml>

Restricted Use Products (RUP)

- For use only by certified (private or commercial) applicators or by certified registered technicians under the direct supervision of certified (private or commercial) applicators.
- Restricted use products are designated as restricted use based on risk, for example:
 - Acute toxicity threat to humans & wildlife.
 - Ground water contamination concern.
 - Threat to aquatic organisms.

Ecommerce – Buyer Beware

PESTICIDE PRODUCT REGISTRATION

The **Virginia Pesticide Control Act** requires each brand or grade of a pesticide manufactured, distributed, sold or used in Virginia to be registered annually with the Virginia Department of Agriculture and Consumer Services. Each year, more than 14,000 pesticide products are registered for use in Virginia.

Check Registration Status

Use the databases below to check the state registration status of a pesticide or to find a registered pesticide for a specific pest.

- **National Pesticide Information Retrieval System (NPIRS)**
- **Kelly Solutions**

- Due diligence is required when purchasing pesticides via the internet.
- Remember, **all** pesticides must be registered in Virginia...this includes those that are bought on the internet.
- **All** pesticide businesses are required to have a license to sell pesticides in Virginia...this includes businesses that sell pesticides on the internet.
 - *There are limited exceptions to the business license requirements for businesses*
- To check if a pesticide business is licensed to sell pesticides in Virginia:

<http://www.vdacs.virginia.gov/pdf/reports-businesses.pdf>

Virginia Regulatory Activities

2VAC5-675 Regulations Governing Pesticide Fees

- Current fees became effective July 11, 2019:
 - Product registration fee \$225 initial and annually thereafter;
 - Pesticide business license fee \$150 initial and annually thereafter;
 - Certification fee:
 - Commercial applicators \$100 initial and biennially thereafter; and
 - Registered technicians \$50 initial and biennially thereafter.
- On July 20, 2021, Board of Agriculture and Consumer Services directed staff to begin the regulatory process to eliminate the fee for pesticide applicator renewals
 - Applicators will still be required to maintain their certification by attending a recertification course once every two years; and
 - Applicators that do not renew by August 29 of a given year will be required to submit an application **with fee** to take the certification exam.

Stay Tuned....

In other Virginia news

- Applicator certification, business licensing and product registration is going online!
- Slotted to **Go Live** in Fall 2021.
- This is an option, not required.
- Online submission of payments.
- LOAs, certificates, licenses and registration will be sent electronically and can be downloaded and printed.
- Expected to reduce the overall time from start to finish.



Protecting Pollinators

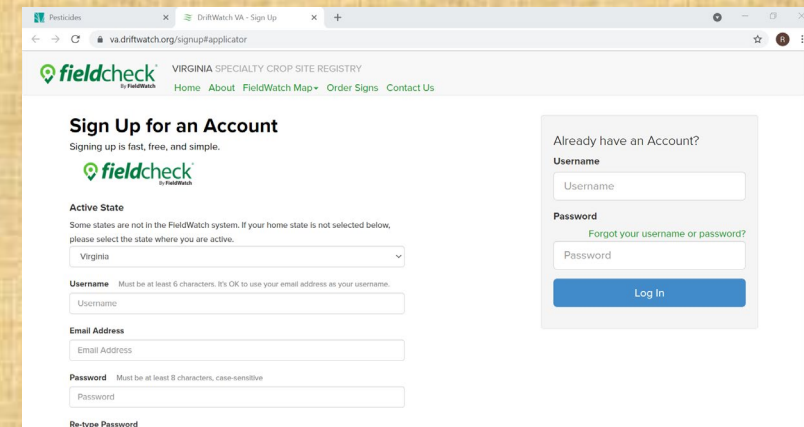
Voluntary Plan to Mitigate the Risk of Pesticides to Managed Pollinators

- Voluntary, proactive approach which focuses on **enhanced communication and coordination between pesticide applicators and beekeepers.**
 - Beekeepers providing information regarding the location of their hives; and
 - Pesticide applicators providing advance notice of applications that have the potential to impact managed pollinators.
- To facilitate the communication, VDACS has acquired an online mapping tool:
 - **Agricultural producers and pesticide applicators can register with *FieldCheck*[®]** to view the locations of hives in the application area and notify beekeepers of planned applications.
 - **Beekeepers can use *BeeCheck*[™]** to map the location of their hives.



FieldCheck[®] for Applicators

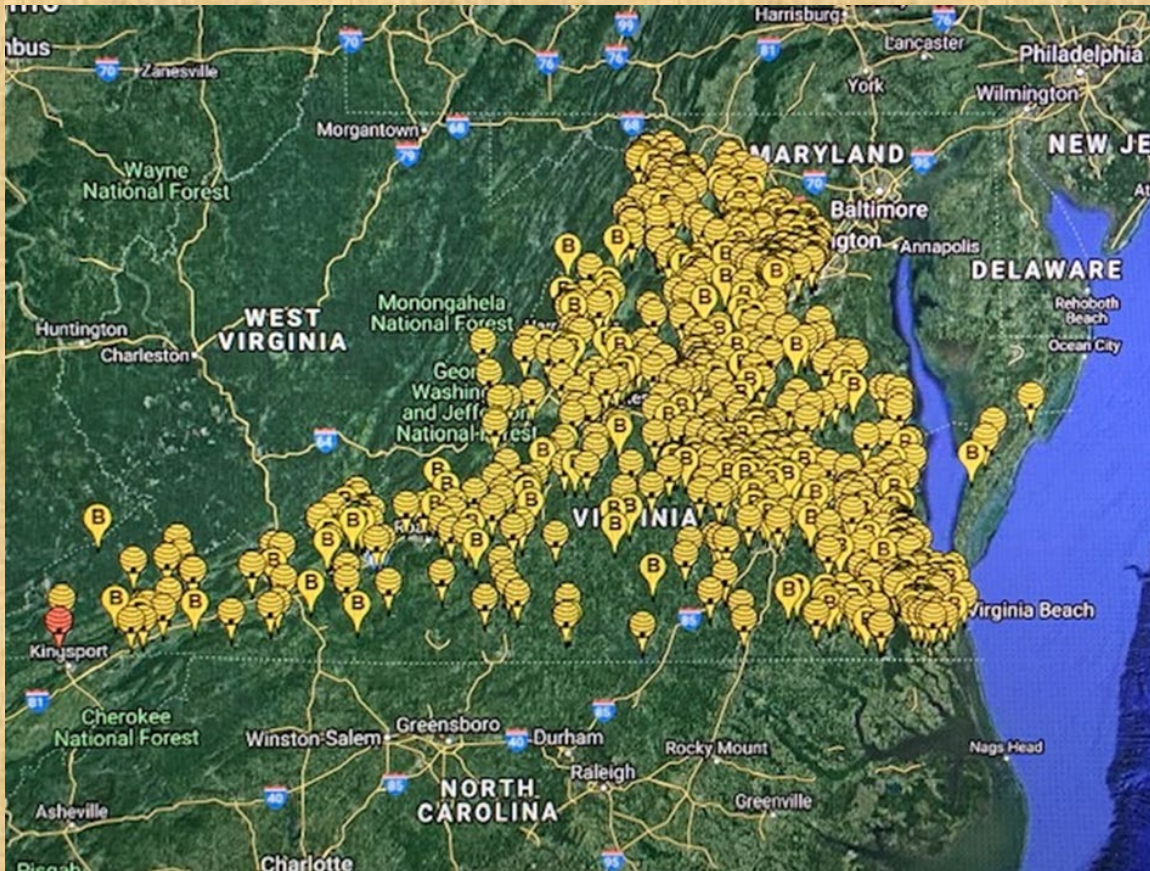
- FieldCheck is the online and mobile portal for applicators
- FieldCheck is **free** to register for pesticide applicators
- FieldCheck data may be streamed to Precision Ag platforms
- FieldCheck provides location and contact information to promote communications between specialty crop growers, beekeepers, and applicators
- FieldCheck may be used by applicators spraying lawns, mosquito abatement, right of way, and vegetation management
- Pesticide applicators should register in FieldCheck to maximize benefits



The screenshot shows a web browser window with the URL va.driftwatch.org/signup#applicator. The page is titled "Sign Up for an Account" and includes the FieldCheck logo. The registration form contains the following fields and options:

- Active State:** A dropdown menu currently set to "Virginia".
- Username:** A text input field with a note: "Must be at least 6 characters. It's OK to use your email address as your username."
- Email Address:** A text input field.
- Password:** A text input field with a note: "Must be at least 8 characters, case-sensitive".
- Re-type Password:** A text input field.
- Already have an Account?:** A section with a "Username" field, a "Password" field, and a "Log In" button.

Applicator Access – Three Ways



- **Public Map (FREE)**
 - All crop sites
 - Most beehives
- **Register with FieldCheck (FREE)**
 - All beehives
 - Email notifications of new sites
- **Member Data Subscription**
 - All sites
 - Downloadable or live stream through software provider

For information; <https://va.driftwatch.org/>

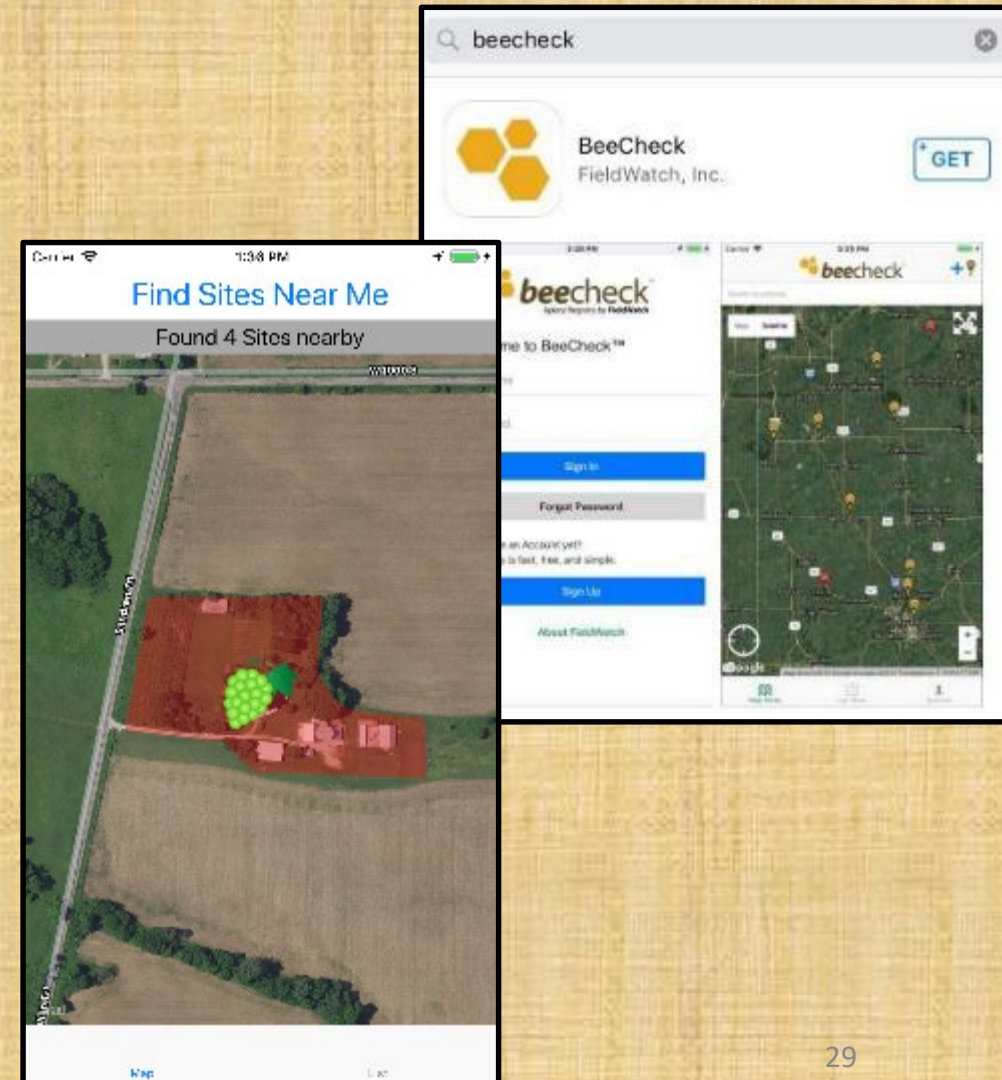
New for Users – Mobile Apps!

✓ FieldCheck for Applicators

- Map: Detailed Site, Contact View, Find Sites Near Me
- Options on defined “Alert Area”
- Notification when sites added or removed
- Increased functionality and visibility
- API design to communicate with other technology platforms
- Available for FREE on Apple/Android systems

✓ BeeCheck for Beekeepers

- Increased functionality; ease of moving hives with GPS
- Same security functions (allows for privacy)
- Available for FREE on Apple/Android systems



Certification

Whose Responsibility Is It Anyway?

- For certified applicators including commercial applicators, registered technicians, and private applicators, it is **YOUR** responsibility to **maintain your certification including being sure...**
 - OPS has **your** current mailing address
 - Must complete a “Change of Information Form” to process any changes;
 - Know when **your** certification expires and renew **your** certification before it expires;
 - Attend a recertification course prior to the expiration date of **your** certification;
 - Sign **your** name on the course roster and complete and sign **your** recertification application form; and
 - Complete and sign **your** renewal application form and submit it along with fees.

THANKS!!!



**Virginia
Cooperative
Extension**

Virginia Tech • Virginia State University

COMMERCIAL APPLICATORS & REGISTERED TECHNICIANS

**Required additional information for all recertification
courses for Commercial Applicator and Registered
Technicians.**

REMINDER: Commercial Applicators & Registered Technicians

It is YOUR Responsibility to Maintain Your Certification

- Maintaining your pesticide applicator certification is a **two-step process** and includes both attending a recertification course approved for the category(s) of applications you are certified to make and renewing your pesticide applicator certificate.
 - Recertification – Currently certified applicators are required to attend an approved category specific recertification course for each category they hold every 2 years before their certificates expires; and
 - Renewal – Currently certified applicators are required to submit completed renewal applications plus the renewal fees* by June 30 as reflected in the expiration date on their certificates. Applicators will either renew in and odd or even year cycle per their listed expiration date. (*Government employees are exempt from renewal application and fees however must complete the recertification course requirement)
- If an applicator does not renew by June 30, the applicator is not allowed by law to apply pesticides.
- After August 29, an applicator can no longer renew an expired certificate and will have to reinstate it by examination.



MAINTAINING CERTIFICATION AS A PESTICIDE APPLICATOR

Maintaining your pesticide applicator certification is a two-step process and includes both attending a recertification course approved for the category(s) of applications you are certified to make and renewing your pesticide applicator certificate.

For Commercial Applicators and Registered Technicians:

- **Recertification** – Currently certified applicators are required to attend an approved category specific recertification course for each category they hold every 2 years before their certificates expires; and
- **Renewal** – Currently certified applicators are required to submit completed renewal applications plus the renewal fees* by June 30 as reflected in the expiration date on their certificates. Applicators will either renew in and odd or even year cycle per their listed expiration date. (*Government employees are exempt from renewal application and fees however must complete the recertification course requirement)
 - If an applicator does not renew by June 30, the applicator is not allowed by law to apply pesticides.
 - After August 29, an applicator can no longer renew an expired certificate and will have to reinstate it by examination.

For Private Applicators:

- **Recertification** – Currently certified applicators are required to attend approved category specific recertification courses for each category they hold every 2 years before their certificates expire; and
- **Renewal** – If an applicator has the required recertification credit, their certificate will be automatically renewed.
 - If an applicator does not renew December 31, they are not allowed by law to apply pesticides.
 - Applicators are granted 60 days after December 31 to obtain recert credit to renew their expired certificate, otherwise they will have to be reexamined.
 - After the 60 day grace period, the only way to renew their certificate is by examination.

Recertification Course Information and Requirements

- [Recertification Course Requirements \(pdf\)](#)
- [Approved Commercial/Registered Technician Recertification Training Courses \(pdf\)](#)
- [Planned or Pending Commercial Recertification Training Courses \(pdf\)](#)
- [Categories for Commercial Applicator Certification \(pdf\)](#)
- [Private Applicator Recertification Courses](#)
- [Recertification Legal Update \(ppt\)](#)

Reciprocal recertification may be granted to out-of-state commercial or private applicators who were granted certificates via reciprocity if they:

- Maintain certification in their home state;
- Provide proof of current certification to the Office of Pesticide Services prior to the date of Virginia Certification expiration;
- Are currently certified in a state that grants reciprocal recertification to Virginia applicators in like categories; and,
- Have met all other Virginia requirements for recertification.

Applicators who were issued a commercial or private applicator certificate that do not renew their certificate will have to be tested should they make a request to reinstate it.

Contact

[Click here](#) for Office of Pesticide Services contact information.

REMINDER: Commercial Applicators & Registered Technicians

If you opt to test in lieu of attending a recertification course:

- YOU MUST SUBMIT YOUR RENEWAL APPLICATION AND APPROPRIATE FEE; **AND**
- YOU MUST SUBMIT A TESTING APPLICATION AND APPROPRIATE FEE.

Two separate applications and two separate fees are required.

VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
OFFICE OF PESTICIDE SERVICES
P. O. Box 526 • Richmond, VA 23218
Phone: (804) 371-1152 • Fax: (804) 786-9143 • www.vdacs.virginia.gov

**COMMERCIAL PESTICIDE APPLICATOR
REQUEST FOR REEXAMINATION APPLICATION** **CA-B**
(Do not use this form for initial certification or certificate renewal)

In accordance with the Virginia Pesticide Control Act and regulations adopted thereunder, application is hereby made to take one or more written examinations for Commercial Pesticide Applicator. (SEE PAGE 2 AND 3 FOR DEFINITIONS AND CATEGORIES)

Check **ONLY ONE** reason for requesting examination:
 Not Yet Certified: Retesting for failed exams or expired authorization. \$100.00 application fee.
 Currently Certified Applicator testing for one or more additional pest control categories. \$35.00 application fee.
 Reinstating an expired certificate. \$100.00 application fee.
 Currently Certified Applicator testing in lieu of attending a recertification course. \$100.00 application fee.

This application fee is non-refundable. Please make check payable to: Treasurer of Virginia. Mail the application and check to the above address. Federal, State, and Local Government employees are exempt from application fees. All certificates must be renewed by June 30th of the year provided on the certificate.

CERTIFICATE CLASS DESIRED (Please check **only one** of the following four classes of certification listed below):
 COMMERCIAL FOR-HIRE (C) GOVERNMENT EMPLOYEE (G)
 NOT-FOR-HIRE COMMERCIAL (N) INACTIVE (Not Currently Employed) (I)

Please type or print the following information: EMAIL ADDRESS: _____
SOCIAL SECURITY # (REQUIRED): _____ CERTIFICATE # _____

NAME OF APPLICANT: (L, M) (F, M) (M, L) DOB: / /
MAILING ADDRESS: (Street or RFD) COUNTY: _____
CITY: _____ STATE: _____ ZIP CODE: _____

EMPLOYED BY (Company or agency you work for): _____
VA PESTICIDE BUSINESS LICENSE NO.: _____ BUSINESS PHONE NO.: _____
BUSINESS ADDRESS: (Street or RFD) COUNTY: _____
CITY: _____ STATE: _____ ZIP CODE: _____

I request to be examined in the following categories (please refer to the description of certification categories listed on page 2):
(1) CATEGORY NO. _____ CATEGORY TITLE _____ (3) CATEGORY NO. _____ CATEGORY TITLE _____
(2) _____ (4) _____

(Please note: If you are retaking exams and have not yet passed the Core Exam, or if you are reinstating an expired certification, you are required to take and pass the Core Exam in addition to any category specific exams you may have listed above.)

I certify by signing below that I am the person applying for certification and I have the necessary experience, training and/or education to properly apply pesticides in the performance of my job, and I agree to abide by all laws and regulations governing pesticide usage in Virginia. In addition, I certify that I am over the age of 18, and eligible for pesticide certification in the Commonwealth of Virginia.

Signature of Applicant: _____ Date: _____

FOR DEPARTMENT USE ONLY:	
Certificate No.:	APPLICATION FEE: \$100.00
Date Issued:	ADDING A CATEGORY ONLY: \$35.00
Keyed By:	VDACS ACCT. 796-09-02956
	VDACS-07218 0479

(SEE PAGES 2 AND 3 FOR INSTRUCTIONS, DEFINITIONS AND CATEGORIES)



Supervision Requirements: Registered Technicians

- Only certified Commercial Applicators may supervise certified Registered Technicians (RT)
- Certified Registered Technicians must have direct supervision by a certified Commercial Applicator to use Restricted Use Pesticides (RUPs)
- Certified Commercial Applicators
 - Must provide instructions on safe use
 - Must be accessible within telephone or radio contact, or on site
 - Is responsible for actions of the RT
- Certified Registered Technicians may use General Use Pesticides without supervision

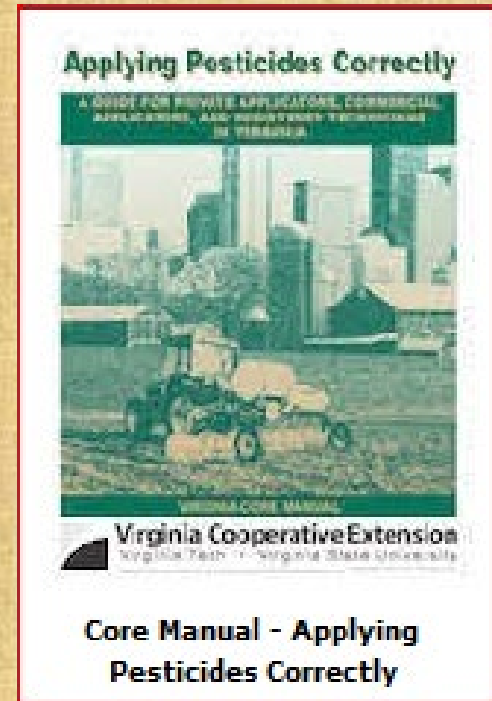
II. Supervision of Registered Technicians by Commercial Applicators

Certified Commercial Applicators must provide on-the-job training, instruction and supervision of Registered Technicians employed by them or assigned to them by their employer. Registered Technicians may use restricted-use pesticides only under the supervision of a Commercial Applicator. The supervising Commercial Applicator must either be physically present or be where the Registered Technician may contact the applicator by telephone or radio. Certified commercial applicators are responsible for the work of Registered Technicians under their supervision, and must provide the Registered Technicians with clear, specific instructions on all aspects of pesticide use. A Registered Technician may apply general use pesticides unsupervised.

Uncertified persons may apply pesticides commercially while in training status to become Registered Technicians only when under the *direct on-site* supervision of a certified Commercial Applicator.

Supervision Requirements: Training Registered Technicians

- Only Certified Commercial Applicators may supervise the use of pesticides
- Prospective pesticide applicators (persons in training) must have **DIRECT ON-SITE** supervision to use any pesticide
- Certified Commercial Applicator
 - Must provide instructions on safe use
 - Must be on site
 - physically present on the property upon which the pesticide is being applied
 - in constant visual contact with the person applying the pesticide.
 - Is responsible for actions of uncertified person
- Training must be documented and submitted to VDACS



VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
OFFICE OF PESTICIDE SERVICES
P.O. Box 500 • Richmond, VA 23218
Phone: (804) 371-0873 • Fax: (804) 786-9145 • www.dacs.virginia.gov

PESTICIDE REGISTERED TECHNICIAN APPLICATION
(Do not use this form for retesting or renewing certification) **RT-A**

In accordance with the Virginia Pesticide Control Act, and regulations adopted thereunder, application is hereby made for CERTIFICATION as a REGISTERED TECHNICIAN. (SEE PAGE 2 FOR REQUIREMENTS AND INSTRUCTIONS)

The non-refundable application fee is \$50.00. Please make check payable to: Treasurer of Virginia. Mail application and check to the above address. Federal, State, and Local Government employees are exempt from the fee. All certificates must be renewed by June 30th of the year provided on certificate.

Please check the appropriate boxes: Government Employee Non-Government Employee
Please type or print the following information:

SOCIAL SECURITY NUMBER (REQUIRED): _____ DATE OF BIRTH: MM / DD / YYYY

FULL LEGAL NAME OF APPLICANT: _____

MAILING ADDRESS: _____ (Street or RFD) _____ COUNTY: _____ (M.I.)
CITY: _____ STATE: _____ ZIP CODE: _____

HOME PHONE: () - _____ EMAIL: _____

EMPLOYED BY (Company or agency you work for): _____

DATE OF HIRE OR TRANSFER (REQUIRED): _____

PESTICIDE BUSINESS LICENSE NO.: _____ BUSINESS PHONE NO.: () - _____

BUSINESS ADDRESS: _____ (Street or RFD) _____ COUNTY: _____
CITY: _____ STATE: _____ ZIP CODE: _____

NAME OF SUPERVISING CERTIFIED COMMERCIAL APPLICATOR TRAINER: _____ CERT. NUMBER: _____

I certify by signing below that I am the person applying for certification and that I have received at least 40 hours of training in the skills necessary to properly apply pesticides in the performance of my job, and I agree to abide by all the laws and regulations governing pesticide usage. In addition, I certify that I am over the age of 18 and eligible for pesticide certification in the Commonwealth of Virginia.

I certify by signing below that this applicant has successfully completed a training course, as outlined on the reverse of this application, specific to the pesticide application requirement of his/her job.



(Signature of Applicant-Required) _____ Date _____ (Signature of Commercial Applicator Trainer-Required) _____ Date _____

FOR DEPARTMENT USE ONLY:

Certificate No.:	APPLICATION FEE:	\$50.00
Date Issued:	AMOUNT TO REMIT	\$50.00
Keyed By:	VDACS ACCT.	756-09-02437
	VDACS #	07212-A
		05/19

Training Registered Technicians: Proof of Additional Category Specific Training

- Only Certified Commercial Applicators may supervise the use of pesticides
- The CCA trainer must submit a completed additional training form for the RT changing or adding categories.
- Training must be documented and submitted to VDACS within 10 calendar days of completion of such training.


VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES		
Expires 06/30/2021	PESTICIDE APPLICATOR CERTIFICATE REGISTERED TECH FOR BL#54321	Certificate Number 9999-T
J Q APPLICATOR RESOURCE GROUP INC 12345 PESTICIDE PL LEESBURG,VA 20175		
		Liza Fleeson Trossbach Authorized Representative
(Fold Here)		
VALID ONLY FOR CATEGORIES LISTED		
60	REGISTERED TECHNICIAN 06/30/2021	
TRAINED IN FOREST PEST CONTROL ORNAMENTAL CONTROL RIGHT-OF-WAY PEST CONTROL		
Sign Here _____		Pesticide Applicator

Cut and Keep in Your wallet.

For Questions /Concerns call:
Office of Pesticide Services
(804)786-3798


VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
P O BOX 1163, RICHMOND VA 23218-1163

PESTICIDE APPLICATOR CERTIFICATE

Issued 08/07/2019	REGISTERED TECH FOR BL# 54321	Fee Paid	Certificate Number 9999-T
Expires 06/30/2021			

Issued in accordance with application duly executed by the person shown below who has agreed to comply with all applicable laws, rules and regulations

J Q APPLICATOR
RESOURCE GROUP INC
12345 PESTICIDE PL
LEESBURG,VA 20175



REMINDER: Government Employees and Volunteers

- All Government employees who apply pesticides are required to be certified:
 - Commercial Not-for-Hire; or
 - Registered Technician
- Certification is valid only when applying or supervising application of pesticides used by such governmental agencies.
- Do not work for a “pesticide business” so are not required to have a certified commercial applicator on Staff, however, only certified commercial applicators can train registered technicians.



- *That means, Governmental agencies need to:*
 - Have a certified commercial applicator on Staff to train prospective registered technicians; or
 - Work with other Governmental agencies with a certified commercial applicator to train new prospective registered technicians; or
 - Hire or otherwise retain a certified commercial applicator to train prospective registered technicians.
- In all cases, the certified commercial applicator must be certified in the category in which the registered technician will be working!

These same requirements also apply to volunteers applying and using pesticides for a governmental organization - for example, state parks.

Business Licenses

Whose Responsibility Is It Anyway?

- For pesticide businesses including those that sell, distribute, or store any pesticide or apply or recommend for use any pesticide commercially, it is **the business owner/operator's** responsibility to maintain the pesticide business license including being sure...
 - OPS has the **business'** current mailing address
 - Must complete a "Change of Information Form" to process any changes;
 - Know when the **business'** license expires and renew the **business'** license before it expires;
 - The **business'** Certificate of Insurance is current and valid;
 - The **business** has, if applicable, a currently certified commercial applicator of record who is responsible for (i) the safe application of the pesticides; and (ii) providing recommendations for the use of pesticides; and
 - **Businesses** which sell restricted use pesticides, or distribute restricted use pesticides for purposes of selling, must employ a certified commercial applicator of record who is present and bears immediate responsibility for the correct and safe operation of the location or outlet..

VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
OFFICE OF PESTICIDE SERVICES
P. O. Box 526 • Richmond, VA 23218
102 Governor Street, Lower Level, Richmond, VA 23219
Phone: (804) 786-1025 • Fax: (804) 786-9140 • www.vdacs.virginia.gov

APPLICATION FOR VIRGINIA PESTICIDE BUSINESS LICENSE
to sell, distribute, store, apply, or recommend pesticides for use.

The annual business license fee is \$150.00. Please make check payable to: Treasurer of Virginia. (1) Mail application, (2) check, and (3) evidence of financial responsibility to the above address. If you have any questions, please contact Reba Gilliam by phone at 804-786-1025 or email at reba.gilliam@vdacs.virginia.gov. Licenses expire on March 31 each year. Licenses renewed after March 31 each year are subject to a 20 percent late fee. Please type or print the following information:

LEGAL NAME OF BUSINESS: _____
TRADING AS: _____
FEDERAL IDENTIFICATION NUMBER: _____
MAILING ADDRESS _____ CITY: _____
COUNTY: _____ STATE: _____ ZIP CODE: _____
NAME OF AUTHORIZED REPRESENTATIVE: _____
TITLE: _____ BUSINESS PHONE NO. _____

I certify that I understand my legal responsibilities for the use, supervision of use, sale, distribution, or storage of pesticides, and that if I sell pesticides, I will sell restricted use pesticides only to individuals who possess a valid pesticide applicators certificate, or to their representative.

SIGNATURE OF REPRESENTATIVE: _____ DATE: _____

This business will engage in the following (CHECK ALL THAT APPLY):
 SELLING GENERAL USE PESTICIDES DISTRIBUTION APPLYING PESTICIDES*
 STORAGE BULK STORAGE
 RECOMMENDING FOR USE ANY PESTICIDE* SELLING RESTRICTED USE PESTICIDES*

*Requires a certified commercial applicator to be employed; provide information below:
Name of Applicator: _____ Certificate Number: _____

ATTACH A COPY OF THE LIABILITY INSURANCE CERTIFICATE TO THE APPLICATION

BUSINESS PHYSICAL LOCATION ADDRESS:
STREET: _____ CITY: _____
COUNTY: _____ STATE: _____ ZIP CODE: _____

BUSINESS BILLING ADDRESS IF DIFFERENT FROM ABOVE:
STREET: _____ CITY: _____
COUNTY: _____ STATE: _____ ZIP CODE: _____

HOW DID YOU LEARN ABOUT THIS REQUIREMENT? (CHECK ALL THAT APPLY):
 CALL TO VDACS* EXTENSION PESTICIDE SUPPLIER
 VDACS* INVESTIGATOR RETAIL DISPLAY VDACS WEB PAGE
 OTHER

*VIRGINIA DEPT OF AGRICULTURE & CONSUMER SERVICES

FOR DEPARTMENT USE ONLY: Business License No.: _____ Date Keyed: _____ Keyed by: _____	AMOUNT TO REMIT: \$150.00 VDACS ACCT. 757-04-02438 VDACS-07209 05/19
--	--


REMINDER:

Pesticide Business Licenses

- All business licenses expire on March 31;
- If not renewed by March 31,
 - The business is not licensed and cannot conduct business until such time as the licensed is renewed, for example, sell or apply pesticides; and
 - The certificates of all pesticide applicators working for the business are inactive, therefore, applicators may not apply pesticide until the business license is renewed.
- Proof of insurance is required to maintain a business license. It is the business' responsibility to ensure that a current certificate of insurance is on file throughout the license year:
 - If the certificate of insurance expires at any time during the year, the pesticide business license is considered unlicensed and cannot conduct business; and
 - The certificates of all pesticide applicators working for the business are inactive, therefore, applicators may not apply pesticide until the business license is valid.


PESTICIDE BUSINESS LICENSE

A pesticide business license is required for any person or business operating in Virginia, which, in exchange for compensation, sells, stores, distributes, mixes, applies or recommends pesticides. A separate pesticide business license is required for each business location. This license is separate from and in addition to any other commercial business license.


 [How to Apply for a Pesticide Business License](#)

1. Complete an [Application for Virginia Pesticide Business License \(pdf\)](#).
2. Furnish a Certificate of Insurance showing a minimum of \$100,000 for property damage, \$100,000 for personal injury to or death of one person, and \$300,000 per occurrence.
3. Mail the application, certificate of insurance and license fee to the address on the application.
4. The applicant for a Pesticide Business License or his employee must also pass a written examination prior to being issued a business license. Request to take the [Virginia Pesticide Business License Examination](#). However, if the applicant or his employee is certified as a commercial applicator, the exam requirement is waived.

- [Complete Business License Packet \(pdf\)](#)

 [Annual License Renewals](#)


All pesticide business licenses expire on March 31 of each year and must be renewed. An application for renewal is sent annually to all licensed businesses.

 [Requirements of a Pesticide Business](#)

Licensed pesticide businesses in Virginia are required to:

1. Maintain for a period of two years written records of (a) any pesticide applied commercially and (b) any restricted use pesticide sold.
2. Maintain the required insurance coverage.
3. Employ a certified applicator who (a) is responsible for the safe application of the pesticide or (b) provides recommendations or the use of pesticides.
4. Notify VDACS of any changes in business name, address, insurance coverage, or change in commercial applicator(s) assigned to each business location.

- [Business Change of Information Form \(pdf\)](#)

 [Exemptions](#)

The following are exempt from having to obtain a pesticide business license:

1. Merchants of limited quantities of nonrestricted use pesticides (less than \$50,000 annually, per outlet) who sell pesticides primarily intended for limited household use.
2. Federal, state and local government agencies.
3. Certified applicators not for hire.
4. Providers of janitorial, cleaning or sanitizing services, if no pesticides other than sanitizer, disinfectants and germicides are used.

Contact
[Click here for Office of Pesticide Services contact information.](#)

Pesticide Fees: Non-Refundable and Non- Transferable

- Fees are assessed to offset the cost of processing applications for:
 - Certified applicators (commercial & registered technicians);
 - Business licenses; and
 - Product registration.
- Once applications are processed, regardless of if the credential is issued, fees will not be refunded.

**AVOID A 20% LATE FEE
BY RENEWING AND
PAYING ON TIME.**

- Fees are transaction specific (i.e. fees paid for one prospective applicator's credential cannot be used to pay for a second prospective applicator's credential).
- Refunds, if due, are transaction specific. Refunds cannot be applied to offset another fee.

If you don't know...ask us!

**Program Manager
804-371-6559**

**Environmental
Programs
804-371-6561**

**Certification, License
Registration, &
Training (CLRT)
804-786-3798**

**Enforcement & Field
Operations
804-371-6560**

**Compliance
804-371-8485**

<http://www.vdacs.virginia.gov/pesticides.shtml>

Email: opsclrt.vdacs@vdacs.virginia.gov

robert.christian@vdacs.virginia.gov

757-334-3966