



# **2018-2019 Pesticide Regulatory Update**

**Virginia Department of Agriculture and Consumer Services  
Office of Pesticide Services**



# Today's Update

- Regulatory Authority
- Common Violations & Enforcement Actions
- *Label is the Law*
- Storage, Disposal & Recycling
- Supervision
- Recordkeeping
- Incident Reporting
- Pesticide Product Registration
- Federal and State Regulatory Activities
- Pollinator Protection Plan – Implementing *FieldWatch*<sup>®</sup>



# Office of Pesticide Services (OPS)

- OPS activities provide support to 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).
- OPS conducts both Inspections and Investigations to ensure compliance with the Act and the 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

# Ensuring Proper Use of Pesticides

- OPS conduct 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



# FY18 Violations & Enforcement Actions

1 July 2017 - 30 June 2018

## Top 5 Violations

- #1: Sale of Unregistered Products
- #2: Not Certified
- #3: No Business License
- #4: Negligence
- #5: Tie – Misuse & Recordkeeping

## Actions for Non-Compliance

- Civil Penalties = 79 (\$23,830)
- Stop Sale = 35
- Letter of Caution = 5
- Advisory Letter = 6



# Read, Understand & Follow the Law and Regulations

§ 3.2-3914. Registration required... *Every pesticide.. sold, offered for sale, used, or offered for use shall be registered...*

§ 3.2-3930. Application and certification of commercial applicators... *No person shall use ... or supervise the use of any pesticide in exchange for compensation of any kind ....without first obtaining certification....*

§ 3.2-3924. Annual business license required... *No pesticide business may sell, distribute, or store...without a pesticide business license*

§ 3.2-3940. Administrative Violations....*Applied any pesticide in a negligent manner...*

§ 3.2-3939. Violations generally... *to use or cause to be used any pesticide in a manner inconsistent with its labeling*

2VAC-5-680 Pesticide businesses shall maintain a record of each pesticide...

2VAC-5-685 Commercial applicators shall maintain records....



# Appeal Process: *If You Don't Agree*

## Informal Fact Finding

- Officer appointed by the Commissioner
- 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



# *Responding To A Neighbor Or Homeowner Asking About A Pesticide Application*

- Your neighbors or homeowners do not know as much as you do about pesticides and pesticide laws and regulations...so they ask questions:
  - *What are you applying?*
  - *Is it safe?*
- What should you do?  
**ANSWER THEIR QUESTIONS!!!**
  - Many complaints are the result of an applicator not providing the requested information.
  - If you are doing everything right, why wouldn't you tell them?
  - You might avoid a visit from us!
- Tell them...
  - *I am a certified applicator...*
  - *The product is registered with the EPA and VDACS and can be used this way...*
  - *Here is the EPA registration number or the Brand Name...*
  - *I follow all the label directions when I apply the product...*
- Don't tell them...
  - Its so safe you can drink it...
  - The pesticide I use is a secret (while you are not required to provide the information to your neighbor or homeowner, you are required to provide it to us if there is a complaint)



# 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...*

# *The Label...*

- Is a legal agreement between registrant, 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.



# ***The Label is the Law – “Pesticide Use”***

- 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.

# ***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.



# ***The Label is the Law...It Is Not A Suggestion***

## ***As An Example, Dicamba***

- *Spray at the appropriate boom height based on nozzle selection and nozzle spacing, but DO NOT exceed a boom height of 24 inches above the target pest or crop canopy. **Yes, that is the law...***
- *Maintain a 110 foot buffer when applying this product from the downwind outer edges of the field... **This too...***
- *Apply...at winds speeds between 3 and 10 mph. **Even this...***
- *All mixers, loaders, applicator and other handlers must wear... **Yep...***



# Storage

- Store pesticides in original container in a well-ventilated 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.
- 150,000 calls to poison centers involve pesticides and disinfectants.
- Majority involve children 5 years of age and under.
- Pesticides held in soft drink bottles, fruit jars, milk containers, or drinking glasses are a common cause of accidental poisonings.
- The second-highest group of accidents are unintentional poisonings of animal feed.



# Cases of Fatal Accidental Paraquat Ingestion\*

- In 2000, a 15-month-old boy ingested paraquat that had been transferred into a **sports-drink bottle** and stored inappropriately. He survived in the hospital for 13 days while receiving aggressive treatment but later died.
- In 2008, an 8-year-old boy drank paraquat that was in a **soft-drink bottle** that he found on a window sill in the garage. He died in the hospital 16 days later. His older brother had gotten it from a *certified applicator*, used it on weeds around the house, and then put it in the bottle in the garage.
- In 2013, a 70-year-old female unknowingly ingested some paraquat from an **iced tea bottle**. She went to the hospital awake and alert with persistent vomiting. Over 16 days in the hospital, her condition evolved into the classic picture of paraquat ingestion, leading to death.

\*Source of incident information: <http://www.epa.gov/pesticide-worker-safety/paraquat-dichloride-one-sip-can-kill>



# *In addition to state enforcement actions, what else can happen if a pesticide is misused?*

- Example, Paraquat\*
  - Currently undergoing registration review (15-year cycle)
  - EPA published its “*Paraquat Human Health Mitigation Decision*” in December 2016.
  - In it, EPA stated: “...*there is a disproportionately high number of deaths resulting from the accidental ingestion of paraquat compared to similar pesticides. The accidental ingestion incidents often result from paraquat being stored in beverage containers, contrary to clear label language prohibiting transfer into other containers* [emphasis added].”
    - 17 deaths since 2000
    - 3 were children
- **Violation** – *use in a manner inconsistent with the label* (storage)
- **Result:**
  - Label changes & supplemental warning materials
  - Targeted training materials for paraquat users
  - Restricting the use of all paraquat products to certified applicators only (i.e., prohibiting use by uncertified persons working under the supervision of a certified applicator)
  - Closed-system packaging for all non-bulk (< 120- gallon) end-use product containers

*\*Source: Paraquat Dichloride Human Health Mitigation Decision, December 15, 2016*



# REMINDER:

## Commercial Applicators and Registered Technicians

It is **YOUR** Responsibility to Maintain Your Certification

- Recertification:

- Continuing education required every 2 years, before your certificate expires
- One class in your category is good for 2 years credit
- Fall Status Reports mailed out by OPS
- Check your status anytime

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

- Renewal:

- April Renewal Application and 2-year fee due back to OPS by JUNE 30.
- If you don't renew by June 30, you are not allowed by law to apply pesticides.
- After August 29, the only way to renew your certificate is by examination.

# REMINDER:

## Credit For Recertification Course

- Individuals must attend the entire course to receive recertification credit and complete all required forms as proof of attendance.
- 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.
- 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.\*

*\*Exception – Government are exempt from renewal application and fees however must complete the recertification course.*

# REMINDER:

## Commercial Applicators and 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.**



# REMINDER:

## Private Applicator Certification

It is **YOUR** Responsibility to Maintain Your Certification

- Recertification:
    - Continuing education required every 2 years, before your certificate expires
    - One class in your category is good for 2 years credit
    - Fall Status Reports mailed out by OPS
    - Check your status anytime
- <http://www.vdacs.virginia.gov/pesticide-applicator-certification.shtml>
- Certificate expires December 31
  - 60 days after certificate expiration (March 1) to recertify



# Initial Certification on a Reciprocal Basis (2VAC5-685-180 (A))

A person who is currently certified by another state or by a federal agency may make written application to the commissioner, or his duly authorized agent, for issuance of a certificate on a reciprocal basis without examination...Along with his written application, an applicant shall...**present an original certificate issued by the state of origin or issued by a federal agency...Reciprocal certification shall not be granted based on reciprocal certification issued in another state.**

# Reciprocal Recertification (2VAC5-685-190)

**Reciprocal recertification** shall be granted to out-of-state applicators if they:

- (i) maintain certification in their home state;
- (ii) provide proof of current certification to the commissioner prior to the date of Virginia certification expiration;
- (iii) are currently certified in a state that grants reciprocal recertification to Virginia applicators in like categories; and
- (iv) have met all other Virginia requirements for recertification.

## RECIPROCAL RECERTIFICATION CREDIT:

Applies to fewer states\* than initial reciprocity, since it requires an agreement between the states:

- West Virginia only allows initial reciprocity, not for recertification

Others who refuse: AZ, WV

- North Carolina permits this

Others: GA, IN, NJ, PA, SC, UT

\*Will need to contact states not listed

**If certificate lapses, cannot “re-reciprocate” without taking exams in VA.  
(same part of law that applies to all Virginia applicators)**

# 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 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 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.
- Fees are transaction specific, thus, fees paid for one credential, for example, a prospective applicator, cannot be applied to a second prospective applicator.
- Refunds, if due, are transaction specific. Refunds due cannot be applied to offset another fee.

# 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
  - 2016 program collected a total of 61,782 lbs.
  - Since it's inception, a total of 1,510,961 lbs.

**For more information:**

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



# 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
  - 2016 program recycled a total of 147,936 lbs.
  - Since it's inception, a total of 1,809,350 lbs. has been collected.

**For more information:**

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

# 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

# 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



# Recordkeeping

- *Can someone look at this record and compare it to the label instructions?*
- *Can you use the record to **Cover Your Actions?***





- There are 9 required elements:
  - Name, address, and telephone number of customer and address or location, if different, of site of application;
  - Name and certification number (or certification number of the supervising certified applicator) of the person making the application;
  - Day, month and year of application;
  - Type of plants, crop, animals, or sites treated and principal pests to be controlled;
  - Acreage, area, or number of plants or animals treated;
  - Brand, trademark, or product name appearing on the product's label;
  - EPA registration number;
  - Amount of pesticide concentrate and amount of diluent used, by weight or volume, in mixture applied; and
  - Type of application equipment used.



# 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.

[www.vdacs.virginia.gov/pesticides.shtml](http://www.vdacs.virginia.gov/pesticides.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

- 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.
  - *Limited exception...*
- To check if a pesticide business is licensed to sell pesticides in Virginia:  
[www.vdacs.virginia.gov/pesticides.shtml](http://www.vdacs.virginia.gov/pesticides.shtml)

# Federal Pesticide Applicator Certification Rule

- The January 4, 2017 final rule became effective March 6, 2017.
- EPA has initiated a process to revise the minimum age requirements in the Certification of Pesticide Applicators rule. EPA expects to publish a Notice of Proposed Rulemaking to solicit public input on proposed revisions to the rule by the end of FY 2018.
- As a result of the amended rule, state certification programs will need to be changed and state certification plans will need to be revised by March 6, 2020.
  - Existing plans remain in effect until EPA approves or rejects the revised plan or March 4, 2022, whichever is earlier.
  - Timeframe for implementation/compliance with revised certification plan will be decided on a case-by-case basis as part of EPA's review and approval of each revised certification plan.

# **-Major Provisions-**

## **Federal Pesticide Applicator Certification Rule**

- Minimum age of 18 for all pesticide applicators seeking certification and for persons using RUPs under the direct supervision of certified applicators
  - Exception for a minimum age of 16 for noncertified applicators using RUPs on a farm under the supervision of a private applicator who is a member of their immediate family.
- Establish certification categories for certain application methods (soil fumigation, non-soil fumigation, aerial application) for private and commercial applicators.
- Require candidates for certification (exam and training) and recertification by exam to present government-issued identification or state-established equivalent.
- Require states to verify identity of candidates for recertification by training, continuing education, or workshop (not exam).

# Implications for Virginia

- Identifying what needs to be changed in certification and training program;
- Revising state certification plan; and
- Disseminating information regarding changes.
- Some things WILL NOT change, i.e., recertification courses will not become “hours” or CEUs.





# Federal Worker Protection Standard

- Due to input from stakeholders, EPA intends to publish a Notice of Proposed Rulemaking in CY2018 to solicit input on proposed revisions to the WPS requirements for minimum age, designated representative, and application exclusion zone.
- **At this time, all provisions of the Worker Protection Standard are in effect.**
- Related WPS resources, including the revised How to Comply Manual, are available online
  - EPA Worker Protection Standard webpage:  
<https://www.epa.gov/pesticide-worker-safety/agricultural-worker-protection-standard-wps>
  - Pesticide Educational Resources Collaborative (PERC)  
<http://pesticideresources.org//>



# Federal Dicamba Registration Decision

- Dicamba is an active ingredient found in certain herbicides which are registered for uses in agriculture, residential areas, and other sites to control broadleaf weeds and woody plants.
- “Old” Dicamba formulations allow use on cotton and soybeans for preplant and postharvest burndown applications only. The product labels for those herbicides specify that use restriction.
- “New” low –volatility Dicamba formulations allow *over-the-top* (post emergence/in crop) applications to Dicamba resistant soybeans and cotton.



# Ongoing Dicamba Issue

- USDA registered **Dicamba-tolerant seeds** for use during the **2016 growing season**.
- EPA registered a **new low-volatility Dicamba formulation** for use on Dicamba-tolerant seeds in the fall of 2016 for use during the **2017 growing season**.
- During the 2016 growing season, given the lack of the accompanying Dicamba formulation which was required to be used with the Dicamba resistant seeds,
  - Some growers used “old” Dicamba formulations which resulted in drift and volatilization and appears to have caused crop damage
  - Resulted in high number of investigations and enforcement actions
- Despite the availability of the new Dicamba formulations during the 2017 growing season, a large number of States continued to see widespread crop damage and additional investigations and enforcement actions with the use of the new formulation.
- As a result of the 2017 crop damage and large number of enforcement issues, the EPA put into place additional use restrictions for the 2018 growing season designed to further minimize the potential for drift to damage neighboring crops from the use of Dicamba formulations used to control weeds in genetically modified cotton and soybeans.



# 2018 Federal Solutions

- October 13, 2017 - EPA reached an agreement with manufacturers for label changes that impose additional requirements (label amendments) for use of the new Dicamba formulations used to control weeds in genetically modified cotton and soybeans for the 2018 growing season:
  - XtendiMax® herbicide with VaporGrip® Technology (Monsanto)
  - DuPont® FeXapan® herbicide Plus VaporGrip® Technology
  - Engenia® Herbicide (BASF)
- Registrants agreed to develop a plan to relabel existing stocks in the channels of trade.
- New use requirements for the 2018 growing season included:
  - Restricted use product;
  - Additional training requirement prior to use;
  - Enhanced recordkeeping requirements;
  - Limiting applications to when maximum wind speeds are below 10 mph (down from 15 mph) to reduce potential spray drift;
  - Reducing the times during the day when applications can occur (may only be applied between sunrise and sunset);
  - Tank clean-out language to prevent cross contamination; and
  - Enhanced susceptible crop language designed to ensure awareness regarding surrounding.

# The Future of Dicamba is Unknown

- For the 2018 growing season, States continue to receive reports of crop damage and are experiencing a large number of enforcement issues related to Dicamba and the over-the-top (post emergence/in crop) applications to Dicamba resistant soybeans and cotton.
  - To date, VDACS has not received any tips/complaints/reports.
- Current pesticide registration expires in late 2018.
- EPA gathering information to determine if the pesticide registration will, or will not, be renewed for the 2019 growing season...and *if* it is renewed, will it be *with* or *without* additional restrictions.
- Expect a decision “soon” so growers and applicators can plan for the 2019 growing season.



# Virginia Regulatory Activities

- **PROPOSED** 2VAC5 675 – Pesticide Fees
  - Stage 2 of a 3 stage process
  - The Board & Governors Office approved proposed amendments:
    - Increase the annual product registration fee from \$160 per year to \$225 per year;
    - Increase the certification fee for commercial applicators from \$70 every two years to \$100 every two years;
    - Increase the certification fee for registered technicians from \$30 every two years to \$50 every two years; and
    - Increase the annual pesticide business license fee from \$50 per year to \$150 per year.
  - Public Comment Period through 9/21/2018
  - Final proposed amendments are anticipated to come before the Board at December Meeting with an effective date in 2019

For the Latest Information:

<http://www.townhall.virginia.gov/>

For the Current Version:

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



# Policy & Procedural Changes

- **POLICY CHANGE** - Discontinue policy allowing a second testing opportunity at no fee (free retake on examinations failed or not taken).
  - *2VAC5-685-20 All persons desiring certification as pesticide applicators must.... Pass required examination...Applicants requesting reexamination must resubmit a completed application ... and pay the nonrefundable applicator certification fee*
- **PROCEDURAL CHANGE** – Starting September 2017 the Office of Pesticide Services will only mail Certification Retraining Status Reports to applicators whose certificates expire on December 31 (private) of that year or June 30 (commercial, registered technicians and government) of the following year and who need to attend a recertification course by December 31 (private) or June 30 (commercial, registered technicians and government).
  - You can check your status anytime on our website at <http://www.vdacs.virginia.gov/pesticide-applicator-certification.shtml>
  - Information is updated weekly!



# Category 8: Public Health Pest Control

- 2VAC5-685-70. Categories for Commercial Applicator Certification
  - 8. Public Health Pest Control... *category is for commercial applicators who will be using or supervising the use of pesticides for the management and control of pests having medical and public health significance*
- Federal pesticide law requires EPA, in coordination with the United States Department of Health and Human Services and the United States Department of Agriculture, to identify pests of significant public health importance.
  - Mosquitoes are controlled to prevent the spread of mosquitoes bearing such diseases as malaria; Zika; St. Louis, Eastern, Western, West Nile and LaCrosse encephalitis; yellow fever and dengue fever
- Pesticide businesses making pesticide applications to control mosquitoes are required to have at least one certified Commercial Applicator certified in Category 8 who must train any certified Registered Technicians who are making these applications. Training must be documented.



# Virginia's Pollinator Protection Plan

## *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:
  - Beekeepers can use *BeeCheck™*, *Apiary Registry by FieldWatch®* to map the location of their hives;
  - Agricultural producers and pesticide applicators can register with *FieldWatch®* to view the locations of hives in the application area and notify beekeepers of planned applications.

[www.vdacs.virginia.gov/plant-industry-services-pollinator-protection-plan.shtml](http://www.vdacs.virginia.gov/plant-industry-services-pollinator-protection-plan.shtml)



# *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>