Laws and Licenses

Florida Department of Agriculture
and Consumer Services

Tamara James
Environmental Manager
Pesticide Certification Section
Laws

In Florida, Pesticide Regulations fall under two Statutes:

• **Chapter 487**, Florida Statutes – Florida Pesticide Law, and the associated Rules, 5E-2 and 5E-9, Florida Administrative Code.

• **Chapter 482**, Florida Statutes - Structural Pest Control Act, and the associated Rules, 5E-14, Florida Administrative Code.
Chapter 487, F.S.
Florida Pesticide Law, and the associated Rules, 5E-2 and 5E-9, Florida Administrative Code

- 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 vs. 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-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 keeping for all Pesticide Use Applications

- RUP Records must be kept for 2 years
# Suggested FDACS-WPS Pesticide Recordkeeping Form

**Sections 487.051(2), 487.061(6)(c), and 487.160, F.S.; Rules 5E-2.039 and 5E-9.032, F.A.C.**

**Licensed Applicator (R) _____________________________ License No. (R) _____________________________ Property Owner Authorizing Application (R) _____________________________

<table>
<thead>
<tr>
<th>Date</th>
<th>Actual applicator if different from above (include license no. if licensed) (R)</th>
<th>1. Location/Description of Treatment Site (R/W)</th>
<th>2. Target Site or Crop (R)</th>
<th>Total Size of Treatment Area (R)</th>
<th>1. Pesticide Brand Name (R/W)</th>
<th>2. EPA Reg. No. (R/W)</th>
<th>3. Active Ingredients (W)</th>
<th>Total Amt. of Pesticide Applied (R)</th>
<th>Application Method (R)</th>
<th>Restricted Entry Interval (W)</th>
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(R) = For Restricted Use Pesticides  (W) = For Worker Protection Standard Requirements  (Vea dorso para definición de términos en español)
Rule 5E-9

5E-9.034 Direct Supervision

- Allows a licensed applicator to supervise non-licensed applicators under their license.
  - Supervise no more than 15 people at one time
  - Must provide training BEFORE applications are made
  - 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
*New Options for Licensing*

- Online payments are now accepted for all types of Ch. 487 license *renewals*.

- Online payments are now accepted for Public, Private, and Commercial *new* licenses.
  - Dealers coming soon!

- Web based examinations are now available in select counties.
  - Taken at County Extension Office
Obtaining a New License

- Take paper 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](http://www.flaes.org) two weeks after the exam.
New! Web-Based Examinations

- Currently Palm Beach, Hendry, and Duval counties are setup for web-based testing.
- Exams are taken on a computer at the extension office.
- Results are immediate.
- Approval letters are emailed to examinee.
New! Web-Based Examinations

Division Licensing Website
https://aesecomm.freshfromflorida.com/

- New users will need to sign up.
See Dr. Fred Fishel’s tutorial here:
[pested.ifas.ufl.edu/review/web_exams_license_applicants/player.html](pested.ifas.ufl.edu/review/web_exams_license_applicants/player.html)
Using the voucher number from FDACS, go to the IFAS Exam Site [https://pesticideexam.ifas.ufl.edu/](https://pesticideexam.ifas.ufl.edu/) to schedule the exam(s).

- Take the exam(s) at designated center and time. FDACS is immediately notified of results.
Once You’ve Gotten Your Scores

Via paper or web-based exams...

- If you failed the exams:
  - Schedule to retake with your local County Extension Office.

- If you passed all required exams:
  - An Application will be mailed to you or emailed if you took the exams online.
Two Options of Payment for New Licenses

1) Pay online with a credit card
   - [https://aesescomm.freshfromflorida.com/](https://aesescomm.freshfromflorida.com/)
   - Quick turnaround, 1-2 weeks at this time.
   - *Payments can be made online for new licenses even if the exams were not taken online.*

2) Mail in a check
   - 4-8 weeks for processing
Once You’ve Gotten Your Scores

Option 1: Pay Online

The DTN is on your application in the top right corner.
Once You’ve Gotten Your Scores

**Option 2: Mail Payment**

- Mail application with the license fee in yellow envelope provided to the address on the top right hand corner of application. Make sure it is signed.

- Mailed applications go directly to Finance & Accounting – it can take up to 2 weeks for us to receive your paperwork.
Adding Categories

What if I want to add a category to my license after it has been issued?

- Take the exam. On your Notification of Exam Results (NER), 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

- Renewal notices are mailed approximately 60 days before license expiration.

- Provide the 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.
Two Options for Renewal

- **Online**
  - [https://aesecomm.freshfromflorida.com/](https://aesecomm.freshfromflorida.com/)
  - Pay by credit card
  - Upload, Fax, Email or Mail CEUs
  - Paperless transaction
  - Quicker turnaround time, about 2-4 weeks at this time.

- **By Mail**
  - 6-8 weeks turnaround
Renewing Your License – CEUs

Option 1: By Mail

- 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

Option 1: By Mail

- 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.
eCommerce Licensing Site

Option 2: Online (CEUs or Exams)
Renewing Online

Option 2: Online (CEUs or Exams)
Renewing Online

Please choose the License Category:
- Persons
- Companies

Please Select Persons for:
- Certified Operator Certificates (JF)
- Special Identification Card Holders (JD)
- Private Restricted Use Pesticide Applicator License (PV)
- Public Restricted Use Pesticide Applicator License (PB)
- Commercial Restricted Use Pesticide Applicator License (CM)

Please Select Companies for:
- Restricted Pesticide Dealers License (DL)

Please enter the following Details:
- Last Name:
- First Name:
- Middle Name:
- Date of Birth:
- License Number:
- DTN:

- This page validates that you are in our licensing system.
- Please enter your name EXACTLY as it appears on your Renewal Notice.
- Please enter your Date of Birth in mm/dd/yyyy format. If you do not have your date of birth in our licensing system, you will receive an error. If that occurs, you will need to contact your licensing program office. They will enter it into the licensing system.
- Please enter your license number printed on your Renewal Notice.
- Please enter your DTN number printed on your Renewal Notice.

If you need help with this page, please contact us. If your license starts with JD, JF, please call: (850)617-7973. If your license starts with DL, PV, PB, CM, please call: (850)617-7870. Currently we do not support other license types not listed above.
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. No “rollover CEUs”

- 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.

- You **may not** make any pesticide applications if your license is expired, even temporarily.

- $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.
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.
<table>
<thead>
<tr>
<th>Category</th>
<th>Number of CEUs</th>
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<tbody>
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<td>Core</td>
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<tr>
<td>Aquatic</td>
<td>16</td>
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<tr>
<td>Forestry/ Right of Way</td>
<td>8</td>
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<tr>
<td>O&amp;T</td>
<td>12</td>
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<tr>
<td>Natural Areas</td>
<td>16</td>
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</table>

**NOTE:** CEUs are *category specific*. 
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.

APAs must be renewed when the applicator license is renewed.
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.
<table>
<thead>
<tr>
<th>LICENSE TYPE</th>
<th>CATEGORY</th>
<th>ALABAMA</th>
<th>GEORGIA</th>
<th>NORTH CAROLINA</th>
<th>SOUTH CAROLINA</th>
<th>MISSISSIPPI</th>
<th>INDIANA</th>
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<tbody>
<tr>
<td>Commercial or Public RUP* License (Chapter 487)</td>
<td>Aerial</td>
<td>yes</td>
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<td>Ag Plant / Ag Row Crop</td>
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<td>Ornamental &amp; Turf</td>
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<td>Seed Treatment</td>
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<td>Soil &amp; Greenhouse Fumigation</td>
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<td>Wood Treatment</td>
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<td>Private RUP* License (Chapter 487)</td>
<td>Private Applicator Agriculture</td>
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<td>Public Health Pest Control License (Chapter 388)</td>
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<td>Public Health Pest Control License/Aerial (Chapter 388)</td>
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<td>yes</td>
<td>no</td>
<td>no</td>
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* RUP = restricted use pesticide

NOTE: Reciprocal Certification with other states and categories may be allowed for RUP licensing on a case-by-case basis.
Obtaining A Reciprocal License

- To obtain a Reciprocal license you must complete a Reciprocal Request.

- 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 via email.

- 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
Public Searches

Public Database Searches

Searches for Licensed Applicators, Dealers, Pest Control Companies, Available and Completed CEU Classes, Earned CEUs, and Exam Scores.
Click on the appropriate button below to access the database.

- Applicators
- Completed CEU Classes
- Dealers
- Earned CEUs
- Companies
- Exam Search
- Available CEU Classes

http://app1.flaes.org/ceu/
Contact Information

Tamara James
Environmental Manager
Pesticide Certification Section
3125 Conner Blvd., Bldg. 8
Tallahassee, Florida 32399-1650
(850) 617-7876, Fax (850) 617-7895
E-mail: tamara.james@freshfromflorida.com