Laws and Licenses

Florida Department of Agriculture and Consumer Services

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Certification Section
In Florida, Pesticide Regulations fall under two Statutes:

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

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

- Florida Pesticide Law, and the associated Rules, Chapter 5E-2 and 5E-9, Florida Administrative Code

- What is in the Law and Rules?

- Where can I get a copy of the Laws and Rules?
Chapter 487 – Florida Pesticide Law

- The Statute gives the Florida Department of Agriculture the Authority to Regulate Pesticide distribution and use

- The Rules spell out how that Authority will be carried out
Chapter 487 – Florida Pesticide Law

- Defines:
  - Pesticide / Restricted Use Pesticide
  - Certified Applicator
  - License types
  - Identifies various pests
  - Label and labeling
  - Direct Supervision
Chapter 487 – Florida Pesticide Law

Lists:

- Prohibited Acts
- Requirements for Registering Pesticides
- Requirements for Licensing and Certification of Pesticide Applicators
- Renewals
- Fees
- Administrative Rules
Chapter 487 – Florida Pesticide Law

- Enforcement and Sampling
- Duties of Licensee
- Liability for damage or injury to property, animal or person
- Records
- Penalties; Administrative Fines
- Worker Protection
Rule 5E-2 (Pesticides)

5E-2.033 Organo-Auxin Herbicides

- Restrictions and Prohibitions
- Wind speed
- Records (Suggested record keeping form included)
Florida Department of Agriculture & Consumer Services  
Division of Agricultural Environmental Services  

SUGGESTED PESTICIDE RECORDKEEPING FORM  
for Organo-Auxin Herbicides  

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

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

Date_________________Time Began_________________Time Ended_________________

Licensed Applicator____________________________________________License No._________________

Person making application (if not licensed)_____________________________________________________

Property owner or person authorizing treatment_____________________________________________________

Location of treatment area: County_________________Field_________________

Site Address_____________________________________________________

Location of mixing/loading site_____________________________________________________

Crop or site treated_________________________________Acres treated_________________

Brand name of product applied_____________________________________________________

Amount of product applied per acre_________________Active Ingredient per acre_________________

Nozzle type_____________________________________________________

Gallons per minute_________________Angle of spray (if applicable)_________________

WIND SPEED AND DIRECTION - Record hourly during application  

Wind Speed (3 readings within 5 minutes)

<table>
<thead>
<tr>
<th>Time</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>Average</th>
<th>Wind Direction</th>
</tr>
</thead>
</table>
Rule 5E-9LicensedApplicators

- 5E-9.019 Pesticide Applicator Licenses
- 5E-9.021 Categories of Licensure
- 5E-9.023 General Certification Standards
- 5E-9.024 Category Certification Standards
Rule 5E-9

- 5E-9.026 Certification, Licensure and License Renewals
- 5E-9.028 License Fees
- 5E-9.029 Recertification
Rule 5E-9

5E-9.032 Application Records

- Must be kept for all Restricted Use Pesticide Applications
- Recommend to keep for all Pesticide Use Applications
- RUP Records must be kept for 2 years
## SUGGESTED FDACS-WPS PESTICIDE RECORDKEEPING FORM

**Florida Department of Agriculture and Consumer Services**  
**Division of Agricultural Environmental Services**

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

<table>
<thead>
<tr>
<th>1. Date</th>
<th>2. Start Time</th>
<th>3. End Time (All - R/W)</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>3. 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>4. Total Amt. of Pesticide Applied (R)</th>
<th>Application Method (R)</th>
<th>Restricted Entry Interval (W)</th>
</tr>
</thead>
</table>

**Notes:**
- **(R)** = For Restricted Use Pesticides
- **(W)** = For Worker Protection Standard Requirements
- *(Vea dorso para definición de términos en español)*

DACS-13940, Rev. 09/07  
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Rule 5E-9

5E-9.034 Direct Supervision

- Supervise no more than 15 people at one time
- Must provide training BEFORE application
- Be able to physically arrive on site for application if needed
- Be immediately available for verbal communication
- Responsible for all applications made under your license
Chapter 487 – Florida Pesticide Law

Where can I get a copy of the Statutes and Rules?

- A copy is in this Manual
- Website: www.flaes.org
- Direct link: http://www.flaes.org/complimonitoring/databasesearch/pesticidecertlicensinglawsandrules.html
Chapter 487 – Florida Pesticide Law

Where can I get a copy of the Statutes and Rules?

- Email me: tamara.james@freshfromflorida.com
- Call me: (850) 617-7876
Obtaining and Renewing a Pesticide License
Obtaining a New License

- Take exams at your local county extension office.

- Exams are then sent to Tallahassee to be graded.

  - Exam results will be received by mail approximately three to four days after the exams have been taken.

  - Applicants may start checking for exam scores on our website, [www.flaes.org](http://www.flaes.org) two weeks after the exam.
Once You’ve Gotten Your Scores

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

- If you passed all exams:
  - An Application will be mailed to you
    - Fill out application completely
    - Be sure to sign the application
Once You’ve Gotten Your Scores

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

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

- From exam to license in the hand takes usually 6 – 8 weeks
Adding Categories

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

- Take the exam. On your Contact Information Sheet, check “Additional Category”
- We will send you a new license with the additional category 4 - 6 weeks after you pass the exam
- Your license expiration date DOES NOT CHANGE
- There is no additional cost to add a category
Renewing Your License

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

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

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

- Exams are only good for 1 year. The license must be issued before the year is up or you will need to re-take the exam.

- CEUs will only be accepted when earned during the licensure period

- CEUs are category specific
Renewing Your License

What if I don’t renew my license before it expires?

- You may still renew up to one year from your expiration date with CEUs.
- Your license expires on the date on your license
- $50.00 late fee if renewed more than 60 days after expiration
Renewing Your License

What if I have enough CEUs for my CORE and one or more of my categories, but not all of them?

- Go ahead and renew with what you have to avoid your license expiring or having to pay a late fee. You can earn CEUs for the missing categories and add them to your license up to one year from the original expiration.
Renewal Notices

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

- Provide Pesticide Certification Office with correct, current mailing address.

- Be sure to read the renewal notice and other documentation you receive with it.
  - Be sure to fill it out completely.
Continuing Education Units

- Make sure you have enough to meet requirements for your category(s).

- Be sure Record of Attendance forms are filled out and signed.

- All incomplete forms will be sent back to the applicant to complete.
### CEU Requirements for Renewal

<table>
<thead>
<tr>
<th>Category</th>
<th>Number of CEUs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Core</td>
<td>4</td>
</tr>
<tr>
<td>Aquatic</td>
<td>16</td>
</tr>
<tr>
<td>Forestry/ Right of Way</td>
<td>8</td>
</tr>
<tr>
<td>O&amp;T</td>
<td>12</td>
</tr>
<tr>
<td>Natural Areas</td>
<td>16</td>
</tr>
</tbody>
</table>

**NOTE:** CEUs are category specific
Designation of Authorized Purchasing Agent

- An Authorized Purchasing Agent is someone you designate to be able to purchase and pick up chemicals under your license.

- You may have as many or few as you like.
Duplicate Copies of Licenses

- You may obtain a duplicate copy of your license if yours has been lost or stolen or is unreadable.

- At this time there is no cost to obtain a duplicate license.
Obtaining A Reciprocal License

- Florida reciprocates with all states that require testing to obtain the RUP license.

- Can only reciprocate with an equivalent category.
Obtaining A Reciprocal License

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

- Provide a clear legible copy (FRONT and BACK) of your current RUP license that was obtained through examination
Obtaining A Reciprocal License

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

- www.sunbiz.org
License Fees

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