

Colorado Department of Agriculture, DPI

Title 35 Article 10

Pesticide Applicators' Act
and its

Associated Rules and Regulations



Colorado Dept. of Ag.

- What the CDA, Division of Plant Industry, Pesticide Section does
- Business licensure requirements
- Business requirements
- Licensure categories



Licensure Requirements

- The Colorado Pesticide Applicators' Act requires any person or company that applies pesticides for hire, whether they are applying to a structure, lawn, or agricultural area, to be licensed as a commercial applicator.
- The business and at least one employee must be licensed with the Colorado Department of Agriculture. 1 QS – 15 tech ratio coming soon.



Qualified Supervisors

- The qualified supervisor(s) employed by a licensee shall be responsible for the complete supervision of all pest control recommendations, soliciting, mixing, loading, and application of pesticides for the licensee.
- Every licensed applicator in Colorado has to meet strict testing requirements to verify that the applicator has the necessary training, expertise and experience to apply these chemicals.

Examination for a QS License

- Successfully complete the general exam plus exams in all categories applicable to the pesticide applications which they will be performing;
- Possess the experience and qualifications (applies to the qualified supervisor's license only) required by the rules and regulations; and
 - For Forest Pest Control – 8 months field experience
 - For Ornamental Pest Control – 8 months field experience
- **Submit the \$100.00 license fee with the application.**
- The license is good for 3 years.

An applicant for a commercial applicator's license must:

- Employ, or secure the services by documented agreement, at least one qualified supervisor who is licensed in the category(s) (i.e.: Agricultural Weed Control) or subcategory(s) of application being performed;
- Provide proof of required insurance; (only applies to commercial applicators)



An applicant for a commercial applicator's license must:

- Submit a Certificate of Good Standing from the Secretary of State if applicant is a corporation, a limited liability partnership, or a limited liability company; (only applies to commercial applicators)
- If an aerial applicator, provide a copy of certification issued by the FAA under 14 CFR, Part 137 and;



An applicant for a commercial applicator's license must:

- Submit the \$350.00 license fee or a \$50.00 registration fee for limited commercial or public applicators with the application. This license is an annual license and must be renewed by December 31 of each year.




Commercial Applicator Business Requirements

- Recordkeeping
- Technician Training
 - Agriculture – 36 hours
 - Ornamental – 40 hours
- Equipment Identification
- Notification
 - Written (Pre and post)
 - Flagging (Ornamental)
 - Pesticide Sensitive (Ornamental)
- Storage Requirements



What Categories Do I Need To Be Licensed In?

- Agricultural Weed Control: the application of pesticides to agricultural lands, including pastures, croplands and non-crop agricultural lands, to control weeds.
 - Ornamental Pest Control: the application of pesticides to ornamental trees, shrubs, beds, flowers and other ornamental plants, except turf or indoor ornamental plants, to control invertebrate pests, including insects, mites, slugs, snails and nematodes, or to control plant diseases.
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- Limited Commercial or Public Applicators do not need to be registered if not using restricted use pesticides.

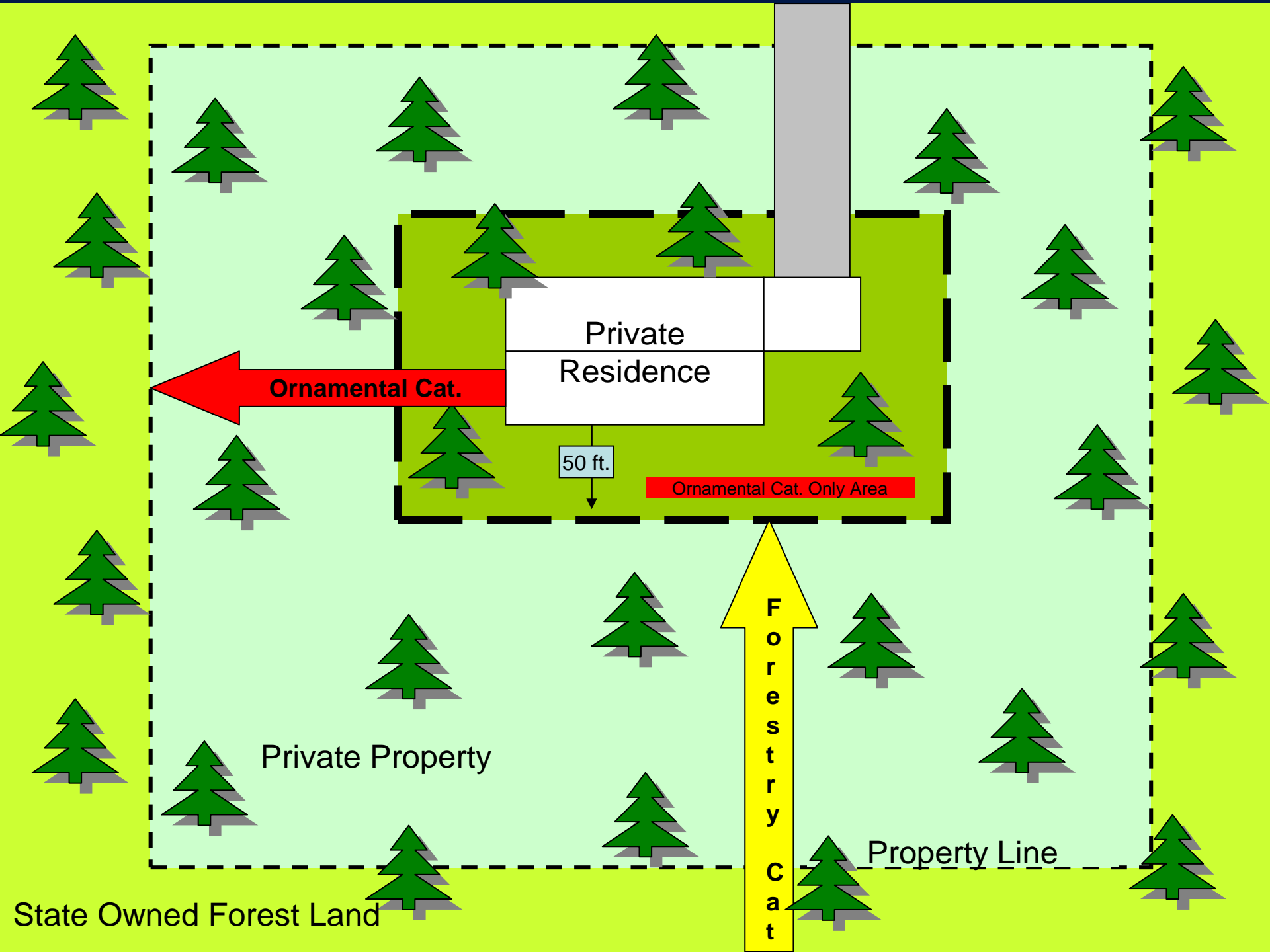
Limited use examples: private golf course and ditch irrigation companies. Public Applicator examples: state or local agency's-weed control districts, highway department and parks



What Categories Do I Need To Be Licensed In?

- Forest and Rangeland applications, coming within 50 ft. of a residential or commercial structure, will require the applicator to hold the Ornamental or Turf category and meet all posting and notification requirements required under 35-10-112 of the PAA





FY 2017 Enforcement Issues

- Unlicensed Applicators
 - Help CDA: License plate, customer invoice, name of customers
- Failure to keep required records
 - Technician and application



FY 2017 Enforcement Issues

- Label requirements –
 - Ag. Use Requirements – WPS may apply
 - Drift complaints (heard about month + after incidents)
 - People
 - Sensitive areas
 - DO NOT ALLOW PUBLIC USE OF TREATED AREAS DURING APPLICATIONS OR UNTIL SPRAYS HAVE DRIED



What Can Happen If You Violate The Law?

- Individuals who are caught acting as a commercial applicator or found not following the label directions, or any provision of the Act can receive a minimum fine of \$1,000 per violation
- \$2000 per violation for a second offense



What is CDA Doing in FY 2017

- Information blitz in April 08
 - Providing requirements brochure, lists of licensees, CDA contact information.
- Enforcement presence starting in May 08
- Commercial applicator inspections
- Investigations of misuse complaints



Help CDA!

- Hire only licensed applicators
- Help us find unlicensed applicators
 - City Managers
 - US and State Forest Services
 - Commercial applicators
 - Tree removal services
- Report pesticide misuse immediately



Thank You

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