

Pesticide Control

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Presentation

- Pesticide License Review
- Worker Protection Update



What is a pesticide?

- New Hampshire Law Definition (RSA 430:29, XXVI):
 - (a) Any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest



What is a pesticide?

New Hampshire Pesticide Rule Definition (Pes 101.21):

(a) Any chemical or biological agent used to control a pest



Do I need a pesticide license?

- If you're applying pesticides on someone else's property (property of another), other than your own, you need to be working under a pesticide license



- If you're using Restricted Use Pesticides, you need to be working under a pesticide license



Do I need a pesticide license?

“Permit”

- If you’re applying pesticides to raise a commodity for sale or distribution.



What kind of license do I need?

- Commercial
- Or
- Private



What kind of license do I need?

- 22 commercial categories based on use site
- e.g. “G2” is turf, “G1” is shade and ornamental



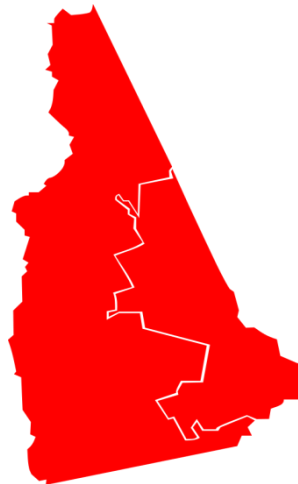
- 10 private categories based on commodity
- e.g. “NS” is nursery, “GH” is greenhouse

Commercial Pesticide License

1. Commercial For Hire (property of another)



2. Commercial Not For Hire (property of employer)



Private Permit

- General Use Permit
- Restricted Use Permit
(Worker Protection Standard)



Commercial Supervisory License

- Each commercial business needs at least one supervisory level licensed individual.

“SUPERVISOR”



Supervisory “Commercial For Hire” Exam Eligibility -

Experienced (or experience plus education)

Based: “3-Year” Requirement (Restricted Use Pesticides and General Use Pesticides)

- *OR* -



***General Use Only* (B, C1, F8, G1, G2) Based:**

Core 8 hours + Category 8 hours (General Use Pesticides Only)

Supervisory Registration Certificate-General Use (Commercial License)



- General Use Pesticides Only (general use not restricted use)
 - Right-of-Way & Commercial Weed & Brush Control (B)
 - Shade & Ornamental Pest Control (G1)
 - Turf Pest Control (G2)
 - Forest Pest Control & Timber Treatment (C1)
 - Microbial Pest Control (F8)

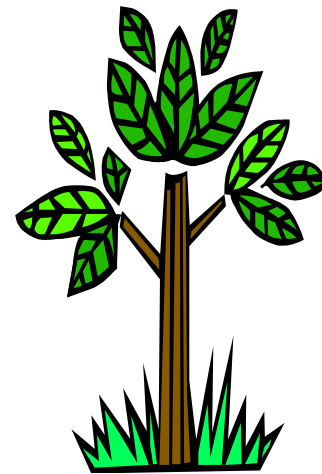
Training required for those seeking a **Commercial-For-Hire** pesticide license to use general use pesticides only that do not satisfy the experience eligibility requirements

C1, B, F8, G2 and G1



General Use Supervisory Requirement

- 8 contact hours of general instruction
- 8 contact hours of category
- What is your category?
- Know your category:
 - Pests
 - Control Methods
 - Pesticides



General Instruction – 8 hours



- Label interpretation
- Safety
- Proper use of personal protective equipment
- Calibration
- Rules and regulations
- Environmental considerations
- Other info re: safe use of pesticides



Specific Category Instruction – 8 hours

- Turf Pest Control (G2)
- Shade and Ornamental Pest Control (G1)
- Right of Way and Commercial Weed and Brush Control (B)
- Forest Pest Control (C1)
- Microbial Pest Control (F8)

How do I apply for a Commercial for hire Supervisory license?

- **Commercial for Hire Pesticide License:**
 - Submit Resume Form to qualify for exam
- If qualification is met, submit:
 - Commercial Pesticide Applicator Application
 - Exam Form (schedule written exam)



The Oral Exam

Commercial For Hire Supervisory

Interview Format

- ☐ must pass the written to qualify for the oral
- ☐ Division schedules oral exam
- ☐ core, regulations and category knowledge
- ☐ pass/fail grade
- ☐ can reschedule if needed



How do I apply for a Commercial for hire Operational license?

- **Commercial for Hire Operational Pesticide License:**
- **Submit:**
 - Commercial Pesticide Applicator Application
 - MUST WORK FOR A SUPERVISOR
 - Exam Form (schedule written exam)



How do I apply for a **Commercial-not-for-Hire** license?

- No resume form or oral exam required:
 - Submit Commercial Pesticide Applicator Application
 - Operational license holder must identify supervisory license holder
 - Exam Form (schedule exam)



How do I apply for a **Private Permit?**

- Restricted Use Permit:
 - Submit Private Pesticide Applicator Application
 - Exam Form (schedule exam)(no oral exam)
- General Use Permit:
 - Submit Private Pesticide Applicator Application (no exam requirement)



Licensing Scheme

1. Commercial

a. Commercial for Hire

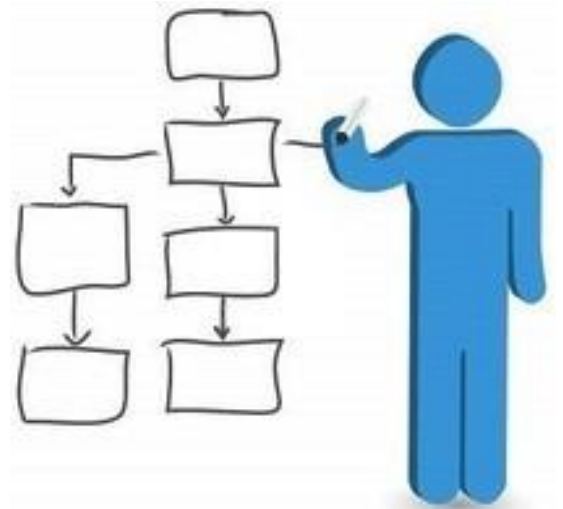
- Full License
- Supervisory Registration Certificate General Use Only

b. Commercial not for hire

2. Private

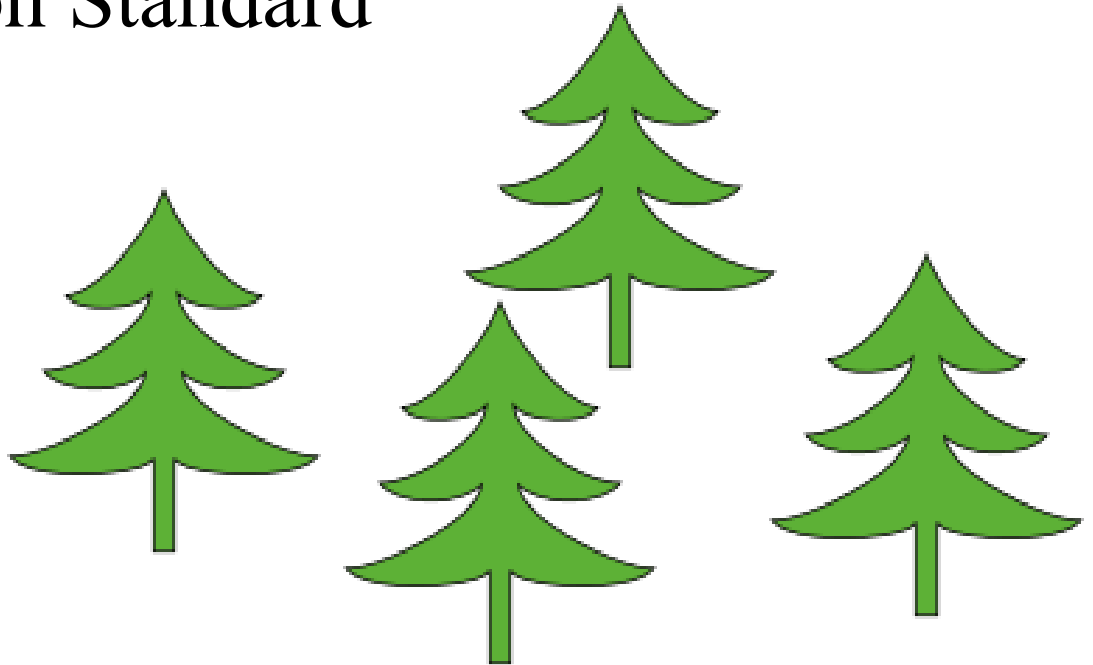
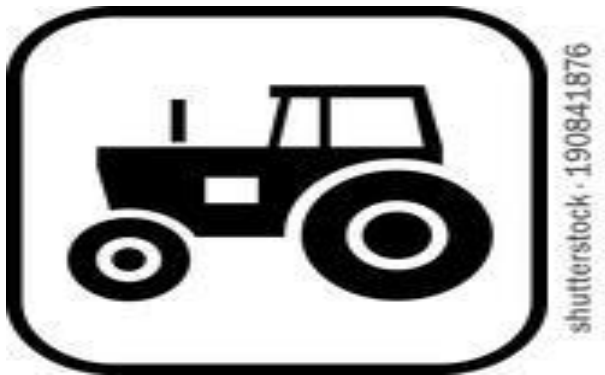
a. General Use Permit

b. Restricted Use Permit



Worker Protection Update

Worker Protection Standard: Applies to all agricultural employers and handler employers using pesticides whose label incorporates the “Worker Protection Standard”



Worker Protection Standard

Intended to reduce the risks of illness or injury to workers and handlers resulting from occupational exposure to pesticides



What triggers WPS requirements?

- When WPS-labeled pesticide products are used on agricultural establishments in the production of agricultural plants.
- **“AGRICULTURAL USE REQUIREMENTS”**



worker

Generally those who perform hand-labor tasks in pesticide-treated crops, such as harvesting, thinning and pruning



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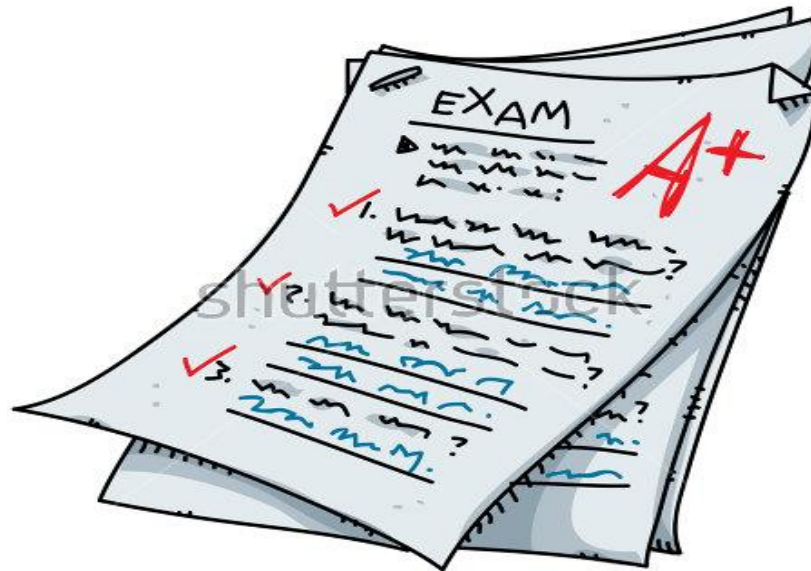
handler

Usually those that are in direct contact with pesticides such as mixing, loading or applying pesticides.



New Hampshire Rules

- Require Worker Protection exam for trainers





New Hampshire Rule Update

- No longer require “Training Verification Certificate” - All references to certificate removed
- Maintain records for two years from the date of training
- Records maintained must be made available upon request
- Record must identify EPA approved training materials used

FEDERAL CHANGES

40 CFR 170

CFR

- **Annual** mandatory **training** to inform workers and handlers about the required protections afforded them



- Expanded training that includes instructions to **reduce take-home exposure** from pesticides on work clothing and other safety topics



- Anyone under **18 years old** is prohibited from being a pesticide handler or doing early-entry work during a restricted-entry interval (REI)

FEDERAL CHANGES

- Expanded mandatory **posting** of no-entry signs for outdoor production (e.g., farms, forests and nurseries) if the **REI** is **greater than 48 hours**
- New **application exclusion zones (AEZ)** up to 100 feet surrounding pesticide application equipment intended to protect workers and others from pesticide exposure during pesticide applications



FEDERAL CHANGES

- Providing more than one way for workers and handlers to gain **access to** pesticide application **information** and safety data sheets – centrally-posted or by requesting records themselves, through medical personnel or through a designated representative

[illegible]

FEDERAL CHANGES

- If a **respirator** is required by the labeling, the employer must provide the handler with a medical evaluation, fit testing, and respirator training in compliance with the **Occupational Safety and Health Administration's (OSHA's) Respiratory Protection Standard**





FEDERAL CHANGES



- Mandatory **record-keeping** to improve states' ability to follow up on pesticide violations and enforce compliance. Records of application-specific pesticide information, **safety data sheets (SDS)**, worker/handler pesticide **safety training** and **respirator** medical evaluations, fit testing and respirator training must be kept for **2 years**.

FEDERAL CHANGES

- **Anti-retaliation** provisions that are comparable to the U.S. Department of Labor
- If protective eyewear is required by the labeling, the employer must provide water for emergency **eye flushing** for handlers at pesticide mixing/loading sites
- Expanded definition of immediate family and criteria for agricultural establishments that are eligible for the exemption for owners and their immediate families



FEDERAL CHANGES

- Replaced the term “greenhouse” with “enclosed space production”, which includes greenhouses, mushroom houses, hoop houses, high tunnels, and grow houses



OUTREACH INFORMATION

- PERC: Pesticide Educational Resources Collaborative
- <http://www.pesticideresources.org/>



Thank you!

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