

CO Exam Study Material

Chapter 482, Florida Statutes

Definitions

- "Agriculture area" –
 - Crops, trees, plants grown for commercial purposes
 - Golf course, park, nursery, or cemetery
 - Farming performed and livestock raised
- "Department" – Department of Agriculture and Consumer Services
- "Infestation" – presence of living pest in a structure, lawn or ornamental
- "Integrated Pest Management" - the selection, integration, and implementation of multiple pest control techniques based on predictable economic, ecological, and sociological consequences, making maximum use of naturally occurring pest controls, such as weather, disease agents, and parasitoids, using various biological, physical, chemical, and habitat modification methods of control, and using artificial controls only as required to keep particular pests from surpassing intolerable population levels predetermined from an accurate assessment of the pest damage potential and the ecological, sociological, and economic cost of other control measures.
- "Pest" means an arthropod, wood-destroying organism, rodent, or other obnoxious or undesirable living plant or animal organism.
- "Pest Control" includes: use of any method or device or the application of any substance to prevent, destroy, repel, or mitigate, curb, control, or eradicate a pest in, on or under a structure, lawn or ornamental, the identification of or inspection for infestations in these areas, the use of any pesticide or mechanical device for preventing, controlling, identifying, insects, vermin, rodents, pest birds, bats in these areas, all phases of fumigation, the advertisement of , solicitation of, or acceptance of any remuneration for such work.
- "Structure" means:
 - (a) Any type of edifice or building, including; the land under, the contents, and any patio or terrace
 - (b) land upon which work has commenced for the erection of an edifice or building; or
 - (c) A railway car, motor vehicle, trailer, barge, boat, ship, aircraft, wharf, dock, warehouse, or common carrier.
- "Wood-destroying organism" – arthropod or plant life which damages and can reinfest seasoned wood in a structure, namely termites, powder-post beetles, oldhouse borers, and wood-decaying fungi

Enforcement

- It is the duty of every state attorney, sheriff, police officer, and other appropriate county or municipal officer to enforce, or to assist agent of the department

Rules

- All pesticides used in accordance with labels and labeling or as directed by the United States Environmental Protection Agency or the department.

- Vehicles and trailers permanently marked with the licensee's name
- Vehicles that perform only sales may have temporary or removable markers.
- Must notify, in writing, the department inspector having jurisdiction over the location where the fumigation is to be performed, at least 24 hours in advance of the fumigation
- Authentic and verifiable emergency, when 24 hours' advance notification is not possible, advance telephone or telegraph notice may be given; but such notice must be immediately followed by written confirmation.
- Pretreat pesticides applied in the amount, concentration, and treatment area in accordance with the label
 - Label carried in a vehicle at the site where the pesticide is being applied
 - Maintain record of each preconstruction treatment for 3 years

Licenses

- Pest Control License renews on the anniversary of the license
 - \$50 late fee after 30 days
 - Expires 60 days after the anniversary if not renewed
- License automatically expires when a licensee changes its business location address or its business name
- Licensee must be displayed at the business location
- Each business location must be licensed.
- Licensee must have insurance
 - \$500,000 in the aggregate and \$500,000 combined single-limit coverage..

New Construction Permits

- Must have permit to do pretreats
 - Renews with the license
 - Displayed at business location

ID Cards

- The licensee and the certified operator in charge are jointly responsible for obtaining identification cards.
 - Applied for within 30 days of hiring
 - \$10
- Must be carried on the person when selling or performing pest control
- Must have signature and picture
- Must receive 5 days of field training under the supervision of a Certified Operator
- Automatically expires when the holder ceases to be an employee
 - Licensee or CO obtains and destroys the expired card.
- ID Card expires:
 - On the anniversary of the Licensee
 - At transfer of business ownership, change of business name or change of business address.
- Does not need ID Card

- Secretaries, bookkeepers, clerks
- People that do trenching, digging, raking, putting up or taking down tents, clamping, or carrying away debris
- Cannot have more than 1 ID Card
 - Except a CO for the purpose of obtaining experience to qualify for examination in a category which they are not certified and seeks certification.
- Can be temporarily assigned to another business location
- 4 hours of classroom training in pesticide safety, integrated pest management, and applicable federal and state laws and rules within 6 months after issuance of the card
- 2 hours of continuing training in pesticide safety, integrated pest management, and laws each year.
 - COs exempt.

Certificates

- Apply for certificate within 60 days of written notification of passing exam
 - \$50 late fee after 60 days to the 90th day
 - If not applied for within 90 days, must re-test
- Certificates issued:
 - Termite/WDO, Fumigation, GHP, Lawn and Ornamental
- Renew due June 1st
 - \$50 late fee after 30 days
 - Expires 180 days if not renewed
 - Must show 2 hrs CEUs for each category and 2 hrs Core
- Certificate must be displayed at business location
- Each location must have CO in category to sell or perform
- Can only be a DCO at one location
- Temporary absence of CO – Another CO can be designated to be in charge
- Emergency Certificates
 - Issued for 30 days
 - \$50 each
 - Only 12 in any 3 year period
 - No Emergency Certificate for Fume
- Renewal fee and CEU requirements waived for individuals on active duty in military

Qualifications for Exam

- 3 years employment in category
- Employed last year prior to exam
- Can have degree plus last year employed for PC company

Exams

- No refunds for missed tests

Duties of CO

- Primary occupation with Licensee
- Full time employee
- Principle duty includes personal supervision

Limited certification for governmental pesticide applicators or private applicators

- Limited certification for:
 - Persons who apply pesticides only as governmental employees.
 - Persons who apply pesticides only to their own private property
 - Employees who apply pesticides to private property owned by their employers. Includes public buildings, schools, hospitals, nursing homes, grocery stores, restaurants, apartments, and common areas of condominiums
- No limited certification for fumigation
- Limited cert for landscape maintenance – can only apply “caution” products, application equipt limited to hand-held or portable 3-gallon compressed air or backpack sprayers and no power equipment. 6 CEU’s of plant bed and ornamental training approved by Dept. required to take exam. Recertification requires 4 CEUs and same proof of Cert of Insurance as above.
- Limited Cert for Commercial Fertilizer application – Beginning Jan 1, 2014 any person applying commercial fertilizer must be certified under this section. Cert. will expire 4 years after issuance.

Disciplinary Actions: The Department can issue a written warning or, can impose:

- 2 years probation
- 3 years revocation
 - 3 years after a revocation, can apply for reinstatement
- Reprimand publicly or privately
- Up to \$5000 fine for violating any provisions in this Chapter
- Violation of 482 or any rule of the Dept – 2nd degree misdemeanor

Limitations:

The Department cannot charge a person with a violation of this chapter or any of the Rules more than 3 years following the violation.

Exemptions:

Yard workers are exempt if they use the residential customer-purchased materials and equipment supplied by the customer provided the yard worker does not advertise or solicit pest control. Customer supplied equipment is limited to handheld equipment.

Wood Destroying Organism Report

- Inspection report kept for 3 years
- Notice of Inspections must be posted immediately adjacent to the attic or crawl access or

other readily accessible area of the property inspected, must be at least 3x5 inches and last at least 3 years, as does a notice of treatment for wood-destroying organisms. Only the property owner can remove the sticker. The contract for treatment and/or an Inspection Report must note the sticker location.

- Minimum financial responsibility
 - Liability insurance –
 - \$500,000 in the aggregate
 - \$250,000 per occurrence

Registry of Chemically-Sensitive People –

- A physician must be board certified by the American Board of Medical Specialists in allergy, toxicology or occupational medicine who deems a person “Chemically Sensitive”
- No pest control company can apply any materials without “prior notice” near the residence of the chemically sensitive person – distance being adjacent or contiguous, or up to no greater than ½ mile radius of the boundaries of the person’s primary residence if prescribed by board certified doctor above.
- Notification must be made at least 24 hours prior to treatment
- Notification can be made by telephone, mail, in person, or hand-delivered
- Notification includes location of where pesticide will be applied and “type” of pesticide

Pesticide Enforcement Advisory Council – Advises Commissioner and governmental agencies about pest control issues and enforcement of Chapter 482

- 11 members
- 4-year term for members
- Appointed by Commissioner of Agriculture

