



Pesticide Applicator Certification and Business Licensing Requirements

A pesticide is defined as any substance used to control, prevent, destroy, repel, or mitigate any pest. Pests include insects, weeds, plant diseases, nematodes, fungi, birds, rodents, snails, and slugs. Herbicides, insecticides, fungicides, miticides, growth regulators, desiccants, and rodenticides are a few of the materials categorized as pesticides. Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), administered by the United States Environmental Protection Agency (EPA), pesticides must be registered with EPA prior to their sale or distribution. As part of the registration process, pesticides are classified for either general use or restricted use. EPA bases this classification on the pesticide's potential for harm, its formulation, method of use, and site of application. A pesticide that is not likely to harm humans or the environment when used according to label directions is classified as a general use pesticide. If there is reason to believe that a pesticide may harm humans or the environment, even when used according to label directions, it will be classified as a restricted use pesticide. Restricted use pesticides can only be applied by or under the direct supervision of certified pesticide applicators.

The Maryland Department of Agriculture (MDA) is responsible for regulating the sale, use, storage, and disposal of pesticides and for enforcing the Maryland Pesticide Applicators Law. MDA is responsible for establishing guidelines and requirements for the application of pesticides, the certification of pesticide applicators and the licensing of businesses to ensure that pesticides are applied properly by competent individuals.

There are several different types of pesticide applicator certificates and licenses issued by MDA, including: private applicator certificates, pesticide business licenses, pest control applicator certificates, pest control consultant licenses, pest control consultant certificates, public agency permits, public agency applicator certificates, and "not-for-hire" business licenses and pesticide applicator certificates.

Private Applicator

A private applicator is a person who uses a restricted use pesticide in the production of an agricultural commodity on their own or leased property, such as dairy farms, orchards, nurseries, turf farms and greenhouses. In order to become certified as a private applicator, the individual must be at least 16 years of age and pass a written closed book certification examination administered by MDA with a score of 70% or higher. The examination consists of multiple choice questions on core, regulations and label interpretation. Subject matter contained in the examination is based on the Core training manual that is available from the county offices of the University of Maryland Extension (UME). The examination dates are scheduled by the county offices of the UME. The UME provides pesticide education to Maryland applicators. The county extension educators offer optional training sessions to assist applicators in preparing for the examination. Upon completion of the certification exam, the person will be notified, in 2 to 3 weeks, of the test results and after passing the exam, the person will be instructed to submit \$7 to MDA for the certificate. The private applicator certificate runs from January 1 through December 31 and is valid for three years.

In order for a private applicator to renew their certificate, they are required to attend an MDA-approved recertification training session during the last year of the current certification period. Recertification

training provides applicators with new information on pest control, health and environmental safety, pest management technology, and changes in pesticide laws and regulations to help the applicator continue to use pesticides safely and effectively. The training must consist of a minimum of 4 credits (1 credit is equal to ½ hour of training), that is the equivalent of two hours of pest or pesticide related topics as determined by MDA and UME. Attendance at initial certification training will not satisfy the requirements for recertification training. The required topics that must be covered in each recertification session changes as the need arises and a listing of these topics along with optional topics is available from MDA. The sponsor of a recertification session must submit a copy of the meeting agenda to MDA for approval at least two weeks prior to the recertification session. The sponsor is also responsible for providing MDA with verification of attendance for each individual seeking recertification credit. The verification form must include the participants printed name, address and certificate number. Upon receiving the verification of attendance, MDA will update each private applicator's training records. Renewal forms are issued in late November to applicators that have satisfied the training requirements and whose private applicator certificates are about to expire.

Commercial Pest Control

A pesticide business is any business that is **offering pest control services or is applying general or restricted use pesticides for hire as part of a service or contract agreement**. Pest control means engaging in, or offering to engage in, recommending, advertising, soliciting the use of, supervising the use of, or using, a pesticide or device for the identification, control, eradication, mitigation, detection, inspection, or prevention of a pest in, on, or around any house, building, water, air, land, plant, structure, or animal. This includes lawn care companies using weed and feed or organic pesticides, landscapers using Roundup or animal repellents, and firms providing structural pest control, including the use of devices using heat or freezing. A pesticide business license is required in order to provide these services.

Licensing - In order to obtain a pesticide business license, a firm must complete an application obtained from MDA, designate at least one person certified as a pest control applicator in the categories in which they are providing pest control services, pay a \$150 annual business license fee, and provide proof of general liability insurance as follows:

- Bodily Injury - \$100,000 each person and \$300,000 each occurrence
- Property Damage - \$15,000 each occurrence and \$30,000 annual aggregate provision

An original copy of the current Certificate of Insurance (COI) must be kept on file with MDA. The licensing period runs from July 1 through June 30. All COI's must have MDA, Pesticide Regulations, 50 Harry S Truman Parkway, Room 500, Annapolis MD 21401 listed as a certificate holder. This insures that if a company's insurance gets cancelled MDA's Enforcement Section will be notified.

Certification - In order to become certified as a pest control applicator, an individual must be at least 18 years of age and have at least one year of practical pesticide application experience as a registered employee in the category(ies) in which they want to become certified. A degree in a biological field such as biology, botany, horticulture, entomology, agronomy, etc. may qualify in lieu of experience. Certain approved courses (See "Approved Initial Certification Courses" document) will also be accepted in lieu of experience or a degree. The individual must pass examinations administered by MDA.

In order to qualify for the examinations, an applicant must submit an application for certification obtained from MDA at least one month prior to the examination. Experience or education

documentation such as the Verification of Experience Forms or college transcripts must be attached. Applications are available on MDA's web site as a PDF file at www.mda.maryland.gov. A listing of the manuals and suppliers used in preparation for taking the examinations is attached as part of the application form. Upon approval of the application, MDA will mail an approval letter with further information on the examination process. A notification will be mailed to the applicant's home address approximately two weeks prior to the examination listing the dates and locations. MDA offers the commercial examinations every other month in Annapolis, Salisbury and Frederick.

Examinations are multiple-choice and closed book. Each applicant must pass the Core examination which covers basic pesticide information and laws and at least one specific category examination with a score of 70% or higher. Please note, that the Core is not considered a Category of Pest Control. The last page of this document provides a listing of the pest control categories and subcategories.

An individual may retake the exams as many times as is necessary. However, there is a \$10 retake fee paid at the time of reexamination for each examination that is retaken. Upon passing the exams, a \$75 annual certification fee must be paid for the initial category, and a \$25 fee for each additional main category (numeric designation) of certification. The fees are only assessed for a category, not for subcategories (letter designation). There are no additional fees for certification in multiple subcategories under one category. Regulations prohibit an individual from maintaining certification for more than one place of business at a time. In addition, a certificate cannot be transferred to another person, and MDA must be notified immediately when a certified applicator is no longer employed by a licensee or permittee.

Recertification - Maryland requires **all** certified applicators (including out-of-state applicators who were certified based on reciprocity - refer to the section on reciprocity) to attend recertification training **each year** in order to renew their certificate.

The training does not have to be held in Maryland. In order for a meeting to qualify for recertification credit, a copy must be submitted to MDA for approval. (**Note:** *Before a meeting can be advertised for recertification credit in Maryland it must be submitted to MDA at least 2 weeks prior to the meeting and be approved*). If the meeting has not been submitted by the meeting sponsor for recertification credit in Maryland, a copy of the meeting agenda needs to be submitted by the applicator to MDA for approval. In order for an individual to become recertified, they must obtain the following credits on an annual basis: Categories 1, 3, 7, 8, 9, 10 and 13 must receive eight credits; Categories 2, 5 and 6 must receive six credits; Categories 4 and 11 must receive 4 credits once every three years; Category 10 and 12 must attend recertification training that pertains to the area of their work. All other categories are determined on a case by case basis (1 credit is equal to ½ hour of training).

In order for a meeting to receive recertification credit it **must** cover new laws, regulations or policies along with new technology. Integrated Pest Management (IPM) principles and methodologies should be incorporated into the program along with a combination of the following topics: pesticide safety; environmental concerns; pest biology; control techniques; storage; and disposal. Sponsors of the recertification sessions must ensure that individuals needing recertification credit attend the appropriate sessions and submit documentation to MDA that each individual has satisfied the training requirements. Documentation includes each participant's name and certificate number. If the meeting was not submitted by the sponsor, documentation of attendance must be supplied to MDA by the applicator. Certificates of completion or similar documentation can be used.

Upon submission of proof of training, MDA will update the certified applicator's training records and a renewal form will be mailed to the applicator in April. If a certified applicator does not attend recertification training, or provide MDA with proof of attendance, the applicator must retake the certification examinations by June 30 in order to renew the certificate.

Business License / Permit and Applicator Renewal – Business license/permit holders are responsible for the renewal of their business license and the certificates of all employed applicators. Renewal information will be sent out to businesses / public agencies annually with a deadline of June 30th for application submission. The renewal application includes current employee information and an area to check/input individual applicator recertification credits obtained.

We are now utilizing an online system for renewals found at <https://egov.maryland.gov/mda/pesticides>. In order to log onto the site, you need your business license/permit number and a code found on the renewal information card. If you do not have access to an internet connection, you may call our office at (410) 841-5710 and request a paper application.

NOTE: A business license or certificate is not considered valid until all the requirements are satisfied and MDA receives the appropriate fees and renewal forms.

Pest Control Consultant

A pest control consultant license and certificate are required if a person is engaged in the business of offering or supplying technical advice or supervision, inspecting for or identifying pests, or recommending the use of specific pesticides for the purpose of controlling pests. The requirements and procedures for obtaining and maintaining a pest consultant business license and certificate are the same as that for a pesticide business license and pest control applicators certificate, except for the following differences: (1) The licensing and certification period runs from January 1 through December 31 of each year; (2) There are no insurance requirements for maintaining a consultant license; (3) A pest control consultant will be certified in Category 12 - Consulting, Note - Certification in this category is based on experience, or education, and passing the certification examinations in those categories of pest control that consulting services will be offered; (4) The annual pest control consultant license fee is \$150 and the pest control consultant certificate fee is \$75.

Those individuals certified as Consultants are required to attend recertification training each year between January 1 and December 31 in order to renew their certificate. The recertification training requirements will be based off of the categories of pest control that were originally taken for certification and in which consulting services are being offered.

Public Agency

An employee of a unit of federal, state, county, or local government that performs pest control using general or restricted use pesticides (e.g., highway maintenance, weed control, structural pest control, golf courses, etc.) is classified as a public agency applicator. Each agency performing pest control must obtain a public agency permit and have at least one individual certified in the categories in which it is making pesticide applications. All of the requirements for obtaining and maintaining a public agency permit and public agency applicator certificate are the same as that of the pesticide business and pest

control applicator, except there are no fees or insurance requirements associated with the public agency permit or certificate.

Not - For - Hire

A Not-For-Hire license is required of facilities where pest control services are performed by the owner or employees on the facility's property where the property is open to, or routinely used or enjoyed by members of the public. This applies to private golf courses, or country clubs, whose employees apply either a **general use and/or restricted use pesticide** in the maintenance of the golf course. In order to obtain a Not-For-Hire license the facility must employ at least one person certified as a pest control applicator. The requirements and procedures for obtaining and maintaining a Not-For-Hire license and applicator certificate are the same as that for a pesticide business license and pest control applicators certificate, except for the following difference: (1) there are no insurance requirements for maintaining a Not-For-Hire license. The annual Not-For-Hire license fee is \$150 and the certificate fee is \$75 with a \$25 fee for each additional main category of certification.

Other types of private firms, facilities or corporations (e.g., private hospitals, private schools, grain elevators, manufacturing or processing plants, apartment complexes, etc.) whose employees apply pesticides to the employers property are not required to maintain a Not-For-Hire license, or have someone certified, unless they are applying restricted use pesticides. If a restricted use pesticide is being used a Not-For-Hire license must be obtained along with having someone certified as a pesticide applicator. (However, if a corporation or business is serving as a contractor for pest control in this situation they are classified as a commercial business.)

Non-affiliated Certificate ("Red Stamp")

The non-affiliated or "Red Stamp" certificate is offered as a means for an applicator to maintain their pesticide certification once they have left the employment of a licensed business or public agency. All certificates, other than the non-affiliated certificate, have to be associated with a pesticide business license or public agency permit. A pesticide applicator's certificate is only valid for one year and if the certificate is not renewed within a year, an individual must retake the certification examinations in order to reinstate their certificate. As a result, this type of certification is offered to an individual that does not want to retake the certification examinations. However, the ***non-affiliated certification does not allow an individual to offer pest control services or perform pesticide applications since it is not associated with a business license or permit.***

Besides not being able to offer pest control services, the requirements for the non-affiliated certificate are the same as those for the pesticide applicator certificate. The certificate runs from July 1 through June 30 and must be renewed each year. The renewal fees are also the same, \$75 for the certificate and \$25 for each additional main category of certification. A certificate renewal is mailed to the certified person's home address, normally in April. In addition, all of the recertification requirements, such as training and fee submission, must be fulfilled in order to renew the certificate.

Dealer Permit

A person or business selling, or distributing, restricted use pesticides must obtain a dealer permit from MDA. In order to obtain a permit, an application must be completed and submitted to MDA along with a

\$25 permit fee. The dealer permit runs from January 1 through December 31 and is renewed annually. Currently MDA does not have any state classified restricted use pesticides and the listing of restricted use pesticides would be based off of EPA's listing. A dealer may not sell or distribute a restricted use pesticide to any person other than a permitted dealer, a certified applicator or that person's authorized representative. Proof of authorization shall be provided before the sale or distribution of a restricted use pesticide.

Reciprocity

Reciprocity is a **one time** process for a **nonresident** of Maryland to obtain certification in Maryland based off of certification in their current state of residency. This certification is based on the applicant taking the certification examinations in their current state of residency. To become certified based on reciprocity; a copy of a current certificate from the applicant's current state of residency must be submitted along with a copy of their driver's license. Upon approval, the applicant will be notified concerning payment of the necessary fees. Once the applicator becomes certified in Maryland, they must comply with Maryland's laws, regulations and recertification training requirements. Please note: Maryland residents are not eligible for certification through reciprocity. Maryland residents must take the certification examinations.

Registered Employee

Each pesticide licensee or permittee is responsible for ensuring that each employee involved in pest control sales, service, or inspections completes a training program approved by MDA on pesticide use and safety. The purpose of the training is to instruct an individual in the principles of pest control and the proper use of pesticides to ensure they are competent to identify pest problems and to handle and apply pesticides in order to prevent harm to themselves, others, animals or the environment. An employee must receive and complete the training within 30 days of a business, or agency, obtaining a business license or permit, initial employment or changing job duties that will involve pest control sales, service or inspections. The training, at a minimum, must consist of the following topics and concepts:

- Pesticide laws and regulations;
- Pesticide label comprehension;
- Safety and emergency procedures;
- Pest identification and control recommendations;
- Pesticide application techniques;
- Environmental and health concerns; and
- Integrated pest management principles.

Licensees and Permittees are required to maintain written documentation verifying that each registered employee has completed the required training, including the date in which the training was completed. An employee who has not successfully completed the training requirements may not apply pesticides unless a certified applicator, or a registered employee, is physically present at the time and place the pesticide is applied. To register an employee, their name, social security number, driver's license number, date of employment and the date that they completed the training must be submitted to MDA on an I.D. Card Request Form along with a one inch by one inch color photograph with the employee's name printed on the back of the photograph and the \$30 initial registration fee for each new employee. Upon receipt of the I.D. card, a Registered Employee is required to carry the Maryland Department of

Agriculture I.D. and display it to any individual requesting to see their I.D. card. A written notice from the licensee or permittee must be provided to MDA within thirty days of a Registered Employee's termination or change in employment.

An employee's registration is required to be renewed annually by submitting the Registered Employee Renewal form and submitting the \$30 annual registration fee for each employee. An employee's registration is valid from July 1 through June 30. The ID card itself will not be reissued each year. Please note, public agencies and certified applicators are exempt from the registration fees. In addition, if an ID card is lost, stolen or damaged there will not be a fee associated with issuing a replacement I.D. card.