

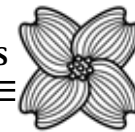


RULES OF
Department of Agriculture
Division 70—Plant Industries
Chapter 25—Pesticides

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TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 70 – Plant Industries
Chapter 25 – Pesticides

2 CSR 70-25.005 Certification Allowances and Effective Date of New Categories

PURPOSE: This rule details the certification allowances and effective date of new categories in Chapter 25.

(1) Any certified applicator with a valid license and certification as of December 31, 2024, may continue to renew their license, if applicable, and operate pursuant to their license and certification allowances until such time that their certification expires, except that only licensed noncertified restricted use pesticide (RUP) applicators can use or determine the need for the use of RUPs under the direct supervision of a certified applicator. Upon expiration of their certification held on December 31, 2024, the certified applicator will be required to obtain the appropriate license and certification required by the Missouri Pesticide Use Act.

AUTHORITY: section 281.025, RSMo Supp. 2024. Original rule filed May 15, 2024, effective Jan. 1, 2025.*

**Original authority: 281.025, RSMo 1974, amended 1977, 1988, 1993, 1995, 2021.*

2 CSR 70-25.010 Definitions

PURPOSE: This rule defines certain terms in Chapter 281, RSMo 1986, and defines terms in these rules.

(1) Act – the Missouri Pesticide Use Act.

(2) Agricultural commodity – any plant, fungus, or algae, or part thereof, or any animal or animal product produced or being produced by a person primarily for sale, consumption, propagation, or other use by man or animals. Producers of an agricultural commodity include farmers, ranchers, vineyardists, plant propagators, Christmas tree growers, aquaculturists, floriculturists, orchardists, foresters, sod producers, or other comparable persons.

(3) Direct supervision or supervise the use of – a process by which –

(A) A noncertified applicator uses or determines the need for the use of a pesticide while acting under the control of a certified commercial applicator; or

(B) A noncertified restricted use pesticide (RUP) applicator uses a restricted use pesticide while acting under the control of a certified noncommercial applicator or certified public operator;

(C) Process requires, at a minimum, that –

1. The certified applicator must be certified in the category of use and is responsible for the actions of the noncertified applicator even though the certified applicator is not present during the process;

2. The certified applicator and noncertified applicator must work from the same physical location and be employed by the same entity;

3. While applying pesticides, the noncertified applicator shall have in their possession either a work order, job ticket, invoice, or similar document for that pesticide application. Each document shall include, at a minimum –

A. The name and license number of the certified applicator;

B. The name and, if applicable, license number of the noncertified applicator; and

C. The name of the person requesting the pesticide application, the address or a brief description of the pesticide application location, and the application date;

4. The certified applicator must provide the noncertified applicator with a complete copy of the label and labeling for each pesticide to be used. The label and labeling must be in the possession of the noncertified applicator while using pesticides. The noncertified applicator shall follow all label and labeling directions;

5. When the label of a pesticide product requires that personal protective equipment be worn for mixing, loading, transferring, applying, or any other use activities, the certified applicator must ensure that the noncertified applicator has clean, label-required personal protective equipment in proper operating condition, and that the personal protective equipment is worn and used correctly for its intended purpose;

6. Before each day of use, the certified applicator must ensure equipment used by the noncertified applicator for mixing, loading, transferring, or applying pesticides is in proper operating condition as intended by the manufacturer, and can be used without risk of reasonably foreseeable adverse effects on the applicator, other persons, or the environment;

7. The certified applicator shall be available by phone and, when needed, respond in person when the noncertified applicator is using pesticides; and

8. The certified applicator shall be at the pesticide use site when required by the pesticide label.

(4) End user of a pesticide – that individual who uses a pesticide.

(5) Forest – a concentration of trees and related vegetation in nonurban areas sparsely inhabited by and infrequently used by humans and characterized by natural terrain and drainage patterns.

(6) Fumigant – a restricted use pesticide used in fumigation.

(7) In the business of using pesticides – using, supervising the use of, determining the need for the use of, or supervising the determination of the need for the use of any pesticide on the lands of another as a service to the public in exchange for a fee or compensation.

(8) Label – the written, printed, or graphic matter on, or attached to, the pesticide or device or any of its containers or wrappers.

(9) Labeling – all labels and other written, printed, or graphic matter accompanying the pesticide or device at any time or to which reference is made on the label or in literature accompanying the pesticide or device. Official publications of the Environmental Protection Agency, the United States Departments of Agriculture, Interior, and Health, Education and Welfare, state experiment stations, state agricultural colleges, and other similar federal or state institutions or agencies authorized by law to conduct research in the field of pesticides are not to be considered labeling.

(10) Legal age – eighteen (18) years. Individuals who are sixteen (16) or seventeen (17) years of age and an immediate family



member of a certified private applicator are eligible to obtain certification as a certified provisional private applicator.

(11) Limited rodent fumigation – the use of calcium cyanide dust for rodent control, in accordance with the label or labeling, by applicators certified in the category of General Structural Pest Control, at a distance greater than ten feet (10') from any building or dwelling for the control of rodents associated with, or likely to be associated with, the building or dwelling.

(12) Mishap – an event that adversely affects man or the environment and that is related to the use of or presence of a pesticide, whether the event was unexpected or intentional.

(13) Noncertified applicator – any applicator not holding a valid license as a certified applicator, including pesticide technician trainees, pesticide technicians, or noncertified RUP applicators.

(14) Non-cropland – any land on which agricultural crops have not been planted and will not be planted during the current growing year.

(15) Ornamentals – trees, shrubs, and other plantings intended primarily for aesthetic purposes in and around habitations, including residences, parks, streets, retail outlets, industrial buildings, and institutional buildings.

(16) Outlet – that site, location, place, vehicle, or personage (in the case of an individual who travels from place to place in the business of selling restricted use pesticides) at, or in which, or by whom, restricted use pesticides are sold at retail or otherwise made available to the end user. An outlet shall not necessarily be a site, location, place, or vehicle where restricted use pesticides are merely stored or where the purchaser takes physical possession of the restricted use pesticide after it has been purchased.

(17) Personal protective equipment – devices and apparel that are worn to protect the body from contact with pesticides or pesticide residues, including but not limited to coveralls, chemical-resistant suits, chemical-resistant gloves, chemical-resistant footwear, respirators, chemical-resistant aprons, chemical-resistant headgear, and protective eyewear.

(18) Physical location – principal structure where a certified applicator conducts business that involves the use of pesticides.

(19) Practical knowledge – the possession of pertinent facts and comprehension sufficient to properly perform functions associated with use of pesticides, including properly responding to reasonably foreseeable problems and situations.

(20) Regulated pest – a specific organism determined by state or federal law to be a pest requiring regulatory restrictions, regulations, or control procedures in order to protect the host, man, or the environment.

(21) Standards of competence – the level of knowledge needed for the safe and proper use of pesticides to be demonstrated by the applicator or operator as a basis for certification or licensing.

(22) Structure – any edifice or building including the contents, any patio or terrace attached, and the land on which situated,

plus any portion of land within the given proprietorship or any adjacent proprietorships which might constitute a potential harborage for pests which could affect the edifice or building or its contents, any portion of land upon which work has begun for the erection of an edifice or building, any wharf, dock, ship, boat, railroad siding, or refuse area, and any vehicle used as a common carrier.

AUTHORITY: section 281.025, RSMo Supp. 2024. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Sept. 6, 1977, effective Dec. 11, 1977. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed May 15, 2024, effective Jan. 1, 2025.*

**Original authority: 281.025, RSMo 1974, amended 1977, 1988, 1993, 1995, 2021.*

2 CSR 70-25.020 To Whom Licenses Are Issued

PURPOSE: This rule explains who shall be licensed under Chapter 281, RSMo 1986. The reason for this rule is to clarify that in all cases an individual rather than the business entity will be licensed. Chapter 281, RSMo requires all holding licenses to have proven competence through examination or training courses. Only an individual is capable of meeting these requirements.

(1) Licenses issued under the Missouri Pesticide Use Act (the Act) are issued to the individual and not to business entities. Licenses issued under the Act are valid anywhere in Missouri, provided that the licensee notifies the director in writing within ten (10) days of any change of name, business name, address, or any other information affecting licenses issued under sections 281.010 – 281.115, RSMo.

(2) No license shall be issued to any individual not of legal age.

(3) Nonresident licenses shall be issued in accordance with the provisions for resident licenses, except as provided for in section 281.075, RSMo.

(4) Licenses are not transferable to any individual or business.

AUTHORITY: section 281.030, RSMo Supp. 2024. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed May 15, 2024, effective Jan. 1, 2025.*

**Original authority: 281.030, RSMo 1974, amended 1977, 1981, 1988, 1995, 2021.*

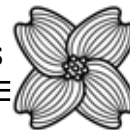
2 CSR 70-25.030 Classification of Licenses

PURPOSE: This rule classifies licenses that will be issued under the authority of Chapter 281, RSMo 1986. The reason for this rule is to clarify the type of licenses needed by persons whose occupations require them using or selling certain pesticides.

(1) Certified Applicator Licenses.

(A) Certified Commercial Applicator License. Certified commercial applicator licenses shall be obtained by individuals who use, supervise the use of, supervise the determination of the need for the use of, or determine the need for the use of any pesticide on the lands of another as a service to the public in exchange for a fee or compensation.

(B) Certified Noncommercial Applicator License. A certified noncommercial applicator license shall be obtained by those



individuals, whether or not they are private applicators with respect to some uses, who use or supervise the use of restricted use pesticides only on lands owned or rented by them or their employers.

(C) Certified Private Applicator License. A certified private applicator license shall be obtained by those individuals who use restricted use pesticides (RUP) as a private applicator as defined in section 281.020(2)d., RSMo.

(D) Certified Provisional Private Applicator. A certified provisional private applicator license shall be obtained by individuals who use restricted use pesticides as a provisional private applicator as defined in section 281.020(2)(e).

(E) Certified Public Operator License. A certified public operator license shall be obtained by individuals who use or supervise the use of restricted use pesticides as employees of federal, state, county, or local governmental agencies. A public operator license is valid only when the licensee is functioning as an employee of the agency.

(2) Pesticide Technician License. Individuals under direct supervision of certified commercial applicators, using or determining the need for the use of general use or minimal risk pesticides in the category of ornamental and turf pest control, the subcategory of general structural pest control, or the subcategory termite pest control shall obtain a pesticide technician license. The certified commercial applicator must be certified in the same pest control category(ies).

(3) Noncertified RUP Applicator License. A noncertified RUP applicator license shall be obtained by individuals under the direct supervision of certified commercial applicators when using or determining the need for the use of restricted use pesticides. A noncertified RUP applicator license shall be obtained by individuals under the direct supervision of certified noncommercial applicators or certified public operators when using restricted use pesticides.

(4) Pesticide Dealer License. A pesticide dealer license shall be obtained by those individuals who sell or otherwise make available to the end user any restricted use pesticide.

AUTHORITY: section 281.030, RSMo Supp. 2024. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Sept. 6, 1977, effective Dec. 11, 1977. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed May 15, 2024, effective Jan. 1, 2025.*

**Original authority: 281.030, RSMo 1974, amended 1977, 1981, 1988, 1995, 2021.*

2 CSR 70-25.050 Review of Certification or License

PURPOSE: This rule provides for review of licenses by the director as provided for in section 281.110, RSMo 1986. The reason for this rule is to allow the director to determine whether or not denial or revocation procedures should be invoked on an individual whose license has been denied or revoked or who has been convicted in criminal or civil action in another state or by the federal government for misuse of pesticides. This rule is needed to keep unscrupulous pesticide applicators and dealers from continuing business by seeking harborage in another state.

(1) The director may investigate the need for hearings to deny, suspend, revoke, or modify a license or certification. These investigations may extend to license qualifications and possible violations of the Missouri Pesticide Use Act.

(2) Additional training or reexamination of certified commercial applicators, certified noncommercial applicators, and certified public operators is required within three (3) years from initial certification and within each subsequent three- (3-) year period. Additional training and reexamination shall pertain to maintaining competence and meeting the needs of changing technology in the safe and proper use of pesticides through one (1) of the following options:

(A) Certified commercial applicators, certified noncommercial applicators, and certified public operators must attend a recertification training program approved by the department that meets the general standards of competency and category specific standards of competency for each category of certification; or

(B) Certified commercial applicators, certified noncommercial applicators, and certified public operators must pass the general standards of competence exam (CORE) and each category exam for which the applicator is certified.

(3) Additional training of pesticide technicians is required within three (3) years from initial licensing and within each subsequent three- (3-) year period. Pesticide technicians may attend a recertification training program approved by the department that meets the general standards of competency and the category specific standards of competency for each category in which the technician is licensed or by completing the approved technician classroom training program for each category. Additional training shall pertain to maintaining competence and meeting the needs of changing technology in the safe and proper use of pesticides.

(4) Additional training or reexamination of certified private applicators is required within five (5) years from initial certification and within each subsequent five- (5-) year period. This additional training and reexamination shall pertain to maintaining competence and meeting the needs of changing technology in the safe and proper use of agricultural pesticides through one (1) of the following options:

(A) Certified private applicators must attend a department-approved University of Missouri Extension private applicator in-person or online certification training program that meets the general standards of competency and the category specific standards of competency for each category of certification; or

(B) Certified private applicators must pass the examination for each category of certification: 20–General Agricultural Pest Control, 21–Soil Fumigation Pest Control, 22–Non-Soil Fumigation Pest Control, or 23–Aerial Pest Control.

(5) If successful completion of the additional training or reexamination requirement is not met prior to the CORE, training, or category(ies) expiration date, the CORE or category(ies) becomes invalid. Licensed applicators will be given sixty (60) days from the expiration date to properly comply with the additional training or reexamination requirement.

(A) Use of an invalid license or category during the sixty- (60-) day period following expiration will be in violation of the Act.

(6) Noncertified restricted use pesticide (RUP) applicator (NRUP) licenses will be cancelled if the NRUP training or the CORE examination requirement is not successfully completed within sixty (60) days of the CORE/Training expiration date.

(7) Certified Commercial Applicator, Certified Noncommercial Applicator, and Certified Public Operator licenses will be canceled if the CORE additional training or reexamination



requirement is not successfully completed within sixty (60) days of the CORE expiration date.

(A) Categories will be canceled if the additional training or reexamination requirement is not successfully completed within sixty (60) days of the category expiration date. If all categories are canceled, the license will be canceled.

(8) Pesticide Technician categories will be canceled if the retraining requirement is not successfully completed within sixty (60) days of the category expiration date. If all categories are canceled, the license will be canceled, and the individual shall be required to satisfy all the requirements of licensure as if such individual was never licensed.

(9) Certified Private Applicator licenses will be canceled if the additional training or reexamination requirement for Category 20–General Agricultural Pest Control is not successfully completed within sixty (60) days of the expiration date.

(A) Additional categories will be canceled if the additional training or reexamination requirement is not successfully completed within sixty (60) days of the category expiration date.

AUTHORITY: section 281.110, RSMo 2016. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Sept. 6, 1977, effective Dec. 11, 1977. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. ** Amended: Filed May 15, 2024, effective Jan. 1, 2025.*

**Original authority: 281.110, RSMo 1974.*

***Pursuant to Executive Order 21-07, 2 CSR 70-25.050, section (2) was suspended from March 26, 2020 through April 23, 2021.*

2 CSR 70-25.060 Applications for a Certified Commercial Applicator License, Certified Noncommercial Applicator License, Certified Public Operator License, Certified Private Applicator License, Certified Provisional Private Applicator License, Pesticide Dealer License, or Noncertified Restricted Use Pesticide (RUP) Applicator License

PURPOSE: This rule determines what personal and professional information will be required of an applicant for a commercial applicator's license. This rule is necessary to provide the information needed by the state to administer an effective regulatory program as required by Chapter 281, RSMo 1986, and still protect the privacy of the individual applicant.

(1) Applications for a certified commercial applicator license, certified noncommercial applicator license, certified public operator license, certified private applicator license, certified provisional private applicator license, noncertified RUP applicator license, or pesticide dealer license will be furnished by the Bureau of Pesticide Control, Missouri Department of Agriculture.

(2) Applications shall be either typed or clearly printed in ink.

(3) A clear full-face, head and shoulder photograph of the applicant, taken within the preceding twelve (12) months of the date of application shall be attached to the application.

(4) Applications are valid for eighteen (18) months from the date received by the director. If a license is not issued within eighteen (18) months from the date received by the director, all documents pertaining to that application may be destroyed.

(5) If a license expires for more than one (1) year, all documents pertaining to that license may be destroyed.

(6) Applications may contain the following:

(A) Name, including any other names under which the applicant has been known;

(B) Last four (4) digits of Social Security number;

(C) Date of birth;

(D) Name and private applicator license number of immediate family member if requesting a certified provisional private applicator license;

(E) Residential address (no PO Box accepted);

(F) Business/farm name and business/farm address from which pesticides will be used;

(G) Business/farm mailing address;

(H) Categories in which the applicant requests a license;

(I) List of present and past employers for the three (3) years prior to application;

(J) List of all present and past pesticide licenses, permits, certifications, and registrations;

(K) Explanation of any violation of the statutes of Missouri, any state or protectorate of the United States, or of the federal government which resulted in the denial, suspension, revocation, or modification of a pesticide license, permit, certification, or registration, or issuance of a civil penalty;

(L) Explanation of any criminal prosecution, whether or not sentence was imposed, in which the applicant was found guilty, entered a plea of guilty or *nolo contendere*, or is subject to criminal prosecution under the laws of any state or of the United States, for the following:

1. Offenses reasonably related to the qualifications, functions, or duties of professions regulated under this chapter;

2. Offenses an essential element of which is fraud, dishonesty, or an act of violence; and

3. Offenses involving moral turpitude; and

(M) Private applicators must attest they are a producer of agricultural commodities as defined in the Act.

(7) Any applicant who willfully makes a false statement in an application may be subject to the provisions of section 281.060, RSMo.

AUTHORITY: section 281.035, RSMo Supp. 2024. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Sept. 6, 1977, effective Dec. 11, 1977. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed May 15, 2024, effective Jan. 1, 2025.*

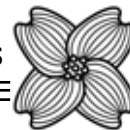
**Original authority: 281.035, RSMo 1974, amended 1977, 1988, 2019, 2021.*

2 CSR 70-25.065 Acceptable Insurance and Bond Forms for Commercial Applicators

PURPOSE: This rule identifies those insurance and bond forms which are acceptable to the Missouri Department of Agriculture as evidence of financial responsibility protecting persons who may suffer legal damages as a result of the operations of a commercial pesticide applicator.

(1) Commercial applicators must use one (1) of the following methods for providing evidence of financial responsibility:

(A) Insurance or bond forms provided by the director. These forms must be completed and signed by an insurance company representative or a bonding agent. Acceptable bonds must have power of attorney, or authority to bind surety, attached;



(B) Certificates of insurance provided by insurance companies. These forms must include the following information for the commercial pesticide business:

1. Business name and business address;
2. Policy number;
3. Effective and expiration dates;
4. Limits of liability; and
5. Insurance company representative's signature; or

(C) Complete insurance policies which meet the requirements of section 281.065, RSMo.

(2) Before the completion of an inspection, the commercial pesticide business establishment or certified commercial applicator must make available for inspection by the director a valid form of financial responsibility that has an effective date of coverage prior to or on the date of inspection and a future expiration date.

(3) If a valid form of financial responsibility is not made available to the director for inspection before the completion of the inspection, the commercial pesticide business establishment will receive a Notice of Warning for being in violation of section 281.065, RSMo. All commercial use of pesticides, supervision of the use of pesticides, and determining the need for the use of pesticides by licensed certified applicators, licensed technicians, and noncertified applicators working from the commercial pesticide business establishment must immediately cease upon receipt of the Notice of Warning.

(4) If the Jefferson City office of the Bureau of Pesticide Control does not receive an acceptable form of financial responsibility within sixty (60) days of the issuance of a Notice of Warning, the director will issue a Notice of Cancellation in accordance with section 281.065(3), RSMo, cancelling all certified commercial applicator licenses at the commercial pesticide business establishment.

(5) Employers of certified commercial applicators must notify the director within ten (10) working days of the discontinued employment of a certified commercial applicator or when the company's liability insurance or surety bond no longer provides coverage for a certified commercial applicator. Notification shall include: the employer's business name and address; the certified commercial applicator's name and license number; and the date of discontinued employment or discontinued liability coverage.

*AUTHORITY: section 281.065, RSMo Supp. 2015. * Original rule filed July 8, 1977, effective Oct. 14, 1977. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed March 8, 2012, effective Sept. 30, 2012. Amended: Filed Dec. 15, 2015, effective June 30, 2016.*

**Original authority: 281.065, RSMo 1974, amended 1977, 1988, 2015.*

2 CSR 70-25.070 Requirements for Certified Commercial Applicators in Structural Pest Control

PURPOSE: This rule sets forth the qualifications required for those persons who wish to be certified as commercial applicators or public operators in the category of structural pest control. This category is described in 2 CSR 70-25.100(5)(G). The rule sets forth training and experience requirements for those individuals to be certified in this category.

(1) Applicants for certified commercial applicator licenses in structural pest control shall meet at least one (1) of the following requirements:

(A) Applicants shall have a minimum of an associate's degree in agriculture, biology, chemistry, or entomology, or twenty (20) credit hours in agriculture, biology, chemistry, or entomology, from an accredited college or university. Evidence of this education shall be in the form of a copy of the degree or official transcript;

(B) Applicants shall have at least one (1) year of experience applying pesticides in accordance with the Missouri Pesticide Use Act (the Act). Experience gained as an inspector or salesperson will not qualify in place of experience gained in applying pesticides. This experience shall be –

1. Gained within the three (3) years prior to the date of application;

2. As an applicator in accordance with the laws of any state or protectorate of the United States in the subcategory of structural pest control that relates to the area of expertise in which the applicant will use pesticides; and

3. Evidenced in a statement containing the name, address, and telephone number of the employer, name and license number of the certified commercial applicator(s), certified noncommercial applicator(s), or certified public operator(s) providing direct supervision, and dates of employment; or

(C) Applicants shall have a combination of education and pesticide application experience as follows:

1. Successful completion of a department-approved correspondence course in pest control within three (3) years prior to application for licensure or addition of categories to an existing license;

2. At least six (6) months experience in accordance with the Act within the three (3) years prior to the date of application, as an applicator in accordance with the laws of any state or protectorate of the United States in the subcategory of structural pest control that relates to the area of expertise in which the applicant will use pesticides; and

3. Evidence of the approved correspondence course and pesticide application experience shall include –

A. A copy of the certificate from the approved correspondence course; and

B. A statement containing the name, address, and telephone number of the employer, name and license number of the certified commercial applicator(s), certified noncommercial applicator(s), or certified public operator(s) providing direct supervision, and dates of employment.

*AUTHORITY: section 281.025, RSMo Supp. 2024. * Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed July 8, 1977, effective Oct. 14, 1977. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed May 15, 2024, effective Jan. 1, 2025.*

**Original authority: 281.025, RSMo 1974, amended 1977, 1988, 1993, 1995, 2021.*

2 CSR 70-25.080 Stipulations for a Certified Commercial Applicator License, Certified Noncommercial Applicator License, Certified Public Operator License, Certified Private Applicator License, Certified Provisional Private Applicator License, Noncertified Restricted Use Pesticide (RUP) Applicator License, Pesticide Technician License, and Pesticide Dealer License

PURPOSE: This rule sets stipulations on certified commercial applicators, certified noncommercial applicators and certified



public operators.

(1) No certified applicator, licensed noncertified RUP applicator, licensed pesticide technician, or pesticide dealer shall use their license as authority to represent more than one (1) business or employer.

(2) No certified private applicator, certified provisional private applicator, certified public operator, certified noncommercial applicator, or licensed noncertified RUP applicator working under the direct supervision of a certified public operator or certified noncommercial applicator shall use their license to solicit business from the public.

(3) Certified applicators, licensed pesticide technicians, and licensed noncertified RUP applicators must display their licenses at all times in a prominent place at the address which shall be printed on the license.

(4) Only certified commercial applicators, certified noncommercial applicators, certified public operators, licensed pesticide dealers, and certified private applicators may purchase restricted use pesticides. Certified commercial applicators, certified noncommercial applicators, certified public operators, and certified private applicators must be certified in the proper categories of certification to purchase and use the RUP.

(5) Certified commercial applicators, certified noncommercial applicators, and certified public operators may convert their existing valid license to a new license classification after meeting the licensing requirements for the new license.

(6) Licenses are invalid upon license expiration.

*AUTHORITY: section 281.025, RSMo Supp. 2024. * Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Sept. 6, 1977, effective Dec. 11, 1977. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed May 15, 2024, effective Jan. 1, 2025.*

**Original authority: 281.025, RSMo 1974, amended 1977, 1988, 1993, 1995, 2021.*

2 CSR 70-25.090 Examinations for Certified Commercial Applicators, Certified Noncommercial Applicators, Certified Public Operators, Certified Private Applicators, Certified Provisional Private Applicators, Noncertified Restricted Use Pesticide (RUP) Applicators, and Pesticide Dealers

PURPOSE: This rule sets forth the type of examination to be taken (written, oral or practical); provides for hardship cases; provides that the director may determine the specific content of the examination; provides for rules of conduct during examinations; and provides for examination.

(1) Applicants for a certified commercial applicator license, certified noncommercial applicator license, or certified public operator license shall take written examinations based on the general standards of competence and category specific standards of competence provided in 2 CSR 70-25.110. Applicants for a certified private applicator license or certified provisional private applicator license may take a written examination for each requested category defined in 2 CSR 70-25.140 based on the standards of competence provided in 2 CSR 70-25.150. Applicants for a noncertified RUP applicator license may

take a written examination based on the general standards of competence provided in 2 CSR 70-25.110(3). Applicants for a pesticide dealer license shall take a written examination based on the laws and regulations governing the use and sale of pesticides. Applicants may be required to conduct a practical demonstration of competence, in addition to written examinations.

(2) Examinations shall cover material judged by the director to be pertinent to the request contained in the application.

(3) Applicants must present at the time of examination a valid, government-issued photo identification or other form of similarly reliable identification authorized by the director as proof of identity and age to be eligible for certification.

(4) Any applicant who gives or receives unauthorized assistance during an examination shall be dismissed from the examination and the applicant's examination shall be voided.

(5) Only persons authorized by the director may be in the examination room during the examination.

(6) Only director-approved reference material provided by the examination proctor may be used during the examination. All reference material will be collected and examined by the examination proctor to ensure no portion of the reference material has been removed, altered, or destroyed. No portion of any examination or reference material may be copied, photographed, or retained by any person other than a proctor authorized by the director. Examination results shall be voided for any applicant found to have copied, photographed, retained, removed, altered, or destroyed any portion of the examination or reference material.

(7) Any applicant who fails to attain a passing score of at least seventy percent (70%) on any examination may request to retake the examination through the normal registration process.

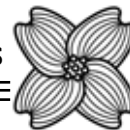
(8) All examination results are valid for eighteen (18) months and shall be retained by the department for at least eighteen (18) months from the examination date. Following the eighteen- (18-) month period of retention, the examination results will be invalid. Individuals who do not apply for a license during that eighteen- (18-) month period must reexamine. Applicants may use valid examinations to apply for additional licenses.

*AUTHORITY: section 281.035, RSMo Supp. 2024. * Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Sept. 6, 1977, effective Dec. 11, 1977. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed May 15, 2024, effective Jan. 1, 2025.*

**Original authority: 281.035, RSMo 1974, amended 1977, 1988, 2019, 2021.*

2 CSR 70-25.100 Certification Categories for Certified Commercial Applicators, Certified Noncommercial Applicators, and Certified Public Operators

PURPOSE: This rule is necessary in order to provide categories for the certification of applicators and operators due to the wide diversity of areas of knowledge which has evolved within the pest control industry. These categories are necessary in that no individual



should be expected to demonstrate a practical knowledge of all facets of the pest control industry, nor is this demonstration necessary. This rule contains information regarding the number of categories in which applicators or operators may be certified, a special stipulation regarding the category of demonstration pest control, the necessity of certification by examination and a description of the activities of those individuals required to be certified in the various categories.

(1) To qualify for a certified commercial applicator license, certified noncommercial applicator license, or certified public operator license, individuals shall be certified in one (1) or more of the following pesticide applicator categories: Category 1–Agricultural Pest Control, Subcategory a–Agricultural Plant Pest Control, Subcategory b–Agricultural Animal Pest Control; Category 2–Forest Pest Control; Category 3–Ornamental and Turf Pest Control; Category 4–Seed Treatment; Category 5–Aquatic Pest Control, Subcategory b–Sewer Root Pest Control; Category 6–Right-of-Way Pest Control; Category 7–Structural Pest Control, Subcategory a–General Structural Pest Control, Subcategory b–Termite Pest Control, Subcategory c–Fumigation Pest Control; Category 8–Public Health Pest Control; Category 9–Regulatory Pest Control; Category 10–Demonstration and Research Pest Control; Category 11–Wood Products Pest Control; Category 12–Soil Fumigation Pest Control; and Category 13–Aerial Pest Control.

(2) Those individuals who wish to obtain a certified commercial applicator license, certified noncommercial applicator license, or certified public operator license as authority to conduct demonstrations involving pesticides and devices must be certified in Category 10–Demonstration and Research Pest Control. In addition, those individuals must be certified in the categories that relate to the area of expertise in which they wish to conduct these demonstrations.

(3) Those individuals who wish to obtain a certified commercial applicator license, certified noncommercial applicator license, or certified public operator license as authority to use any pesticide with any manned or unmanned aircraft, either fixed wing or rotary wing, must be certified in Category 13–Aerial Pest Control, as well as the proper category(ies) of use.

(4) Description of Commercial Applicator, Noncommercial Applicator, and Public Operator Certification Categories.

(A) Category 1–Agricultural Pest Control.

1. Subcategory a–Agricultural Plant Pest Control. This category is provided for pesticide use relating to agricultural commodities, including but not limited to tobacco, peanuts, cotton, corn, cereal grain, feed grains, soybeans, forages and forage crops, vegetables, small fruits, tree fruits and nuts, grassland and noncrop agricultural lands, greenhouse products, Christmas tree plantings, sod nurseries, plant nurseries, and forested areas to be converted to agricultural lands.

2. Subcategory b–Agricultural Animal Pest Control. This category is provided for pesticide use relating to animals, including but not limited to cattle, swine, sheep, furbearing animals, horses, goats, poultry, honey bees, other livestock, wild or exotic animals in captivity, and places where animals are confined with the exception of aquatic harborages. This includes those agricultural animals used as work or draft animals and those used as pleasure animals.

(B) Category 2–Forest Pest Control. This category is provided for pesticide use relating to forests, forest nurseries, and forest

seed producing areas for the purpose of the propagation and maintenance of those forests, forest nurseries, and forest seed producing areas.

(C) Category 3–Ornamental and Turf Pest Control. This category is provided for pesticide use, excluding fumigants, relating to the control of pests in the care and maintenance of ornamental trees, shrubs, flowers, and turf.

(D) Category 4–Seed Treatment. This category is provided for pesticide use relating to seeds.

(E) Category 5–Aquatic Pest Control. This category is provided for pesticide use relating to standing or running water for the control of aquatic pests with the exception of health-related pests.

1. Subcategory b–Sewer Root Pest Control. This subcategory is provided for pesticide use relating to the control of roots within sewer systems.

(F) Category 6–Right-of-Way Pest Control. This category is provided for pesticide use relating to the maintenance of public roads, electric power lines, pipelines, industrial sites, electric and gas substations, cell phone towers, riprap along banks and shorelines, parking lots, trails, railroad rights-of-way, or similar areas.

(G) Category 7–Structural Pest Control. This category is provided for pesticide use in, on, or around any structure.

1. Subcategory a–General Structural Pest Control. This subcategory is provided for pesticide use relating to the control of general structural pests with the exception of wood-destroying organisms.

2. Subcategory b–Termite Pest Control. This subcategory is provided for pesticide use relating to the control of wood-destroying organisms, including but not limited to termites, carpenter ants, and powderpost beetles.

3. Subcategory c–Fumigation Pest Control. This subcategory is provided for the use of fumigants for structural pest control and mole control.

(H) Category 8–Public Health Pest Control. This category is provided for pesticide use in public health programs relating to the management and control of pests having medical and public health importance.

(I) Category 9–Regulatory Pest Control. This category is provided for pesticide use relating to the control of regulated pests.

(J) Category 10–Demonstration and Research Pest Control. This category is provided for individuals who demonstrate to the public the proper use of restricted use pesticides or supervise the demonstration. It is also provided for individuals who conduct field research with pesticides and, in doing so, use or supervise the use of restricted use pesticides. The applicant must also be certified in the proper category(ies) of use.

(K) Category 11–Wood Products Pest Control. This category is provided for pesticide use relating to the control or prevention of wood-degrading organisms, including but not limited to insects and the fungi or bacteria causing surface molding, surface staining, sap staining, brown rot, white rot, dry rot, and soft rot.

(L) Category 12–Soil Fumigation Pest Control. This category is provided for the use of fumigants to soil for the control of pests (excluding moles) found in or on labeled sites.

(M) Category 13–Aerial Pest Control. This category is provided for the use of pesticides applied by any manned or unmanned aircraft, either fixed or rotary wing. The applicant must also be certified in the proper category(ies) of use.

AUTHORITY: sections 281.035 and 281.045, RSMo Supp. 2024. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended:*



Filed Sept. 6, 1977, effective Dec. 11, 1977. Amended: Filed March 13, 1978, effective June 11, 1978. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed May 15, 2024, effective Jan. 1, 2025.

*Original authority: 281.035, RSMo 1974, amended 1977, 1988, 2019, 2021, and 281.045, RSMo 1974, amended 1977, 1988, 2021.

2 CSR 70-25.110 Standards of Competence for the Certification of Commercial Applicators, Noncommercial Applicators, Public Operators, and Noncertified Restricted Use Pesticide (RUP) Applicators

PURPOSE: This rule contains the general standards of competence for applicators and operators on which the contents of examinations will be based. It also contains the category specific standards of competence on which the category examinations will be based. This rule is necessary in order to convey to the applicant a knowledge of the standards for which s/he will be required to demonstrate an acceptable level of competence.

(1) Commercial applicators, noncommercial applicators, and public operators shall pass an examination to demonstrate competence in the use of pesticides based on the general standards of competence and shall pass an examination based on the specific standards of competence for at least one (1) of the certification categories listed in 2 CSR 70-25.100.

(2) Noncertified RUP applicators may pass an examination to demonstrate competence in the use of restricted use pesticides based on the general standards of competence found in section (3) of this rule.

(3) General Standards of Competence for the CORE Examination. The applicant shall demonstrate a practical knowledge of –

(A) Pesticide labels and labeling, including –

1. The format and terminology of pesticide labels and labeling, and an understanding of instructions, warnings, terms, symbols, and other information commonly appearing on pesticide labels;

2. The classification of pesticides as to general or restricted use and that a pesticide may be unclassified;

3. Understanding labeling requirements relating to supervising noncertified applicators who are working under the direct supervision of a certified applicator;

4. Understanding label requirements that a certified applicator must be physically present at the site of the application;

5. Recognizing and understanding the difference between mandatory and advisory labeling language; and

6. Understanding that they must comply with all use restrictions and directions for use found on the label and labeling, including being certified in the certification category appropriate to the type and site of application and that it is a violation of state and federal law to use any registered pesticide in a manner inconsistent with its labeling;

(B) Applicator pesticide safety, including –

1. Pesticide toxicity, hazards to man, and common exposure routes;

2. The types and causes of pesticide accidents and the precautions necessary to guard against injury to applicators and other individuals in or near treated areas;

3. Understanding the different natures of the risks of acute toxicity, as well as the long-term effects of pesticides;

4. The need for, and the use of, protective clothing and equipment;

5. Symptoms of pesticide poisoning;

6. First aid and other procedures to be followed in case of pesticide accidents; and

7. Proper identification, storage, transport, handling, mixing procedures, and disposal methods for pesticides and used pesticide containers including precautions to be taken to prevent children from having access to pesticides and pesticide containers;

(C) Environment, including –

1. Potential environmental consequences of the use, and the misuse, of pesticides as may be influenced by such factors as weather and other climatic conditions; types of terrain, soil, and other substrate; the presence of fish, wildlife, and other nontarget organisms; and drainage patterns;

(D) Pests and pest recognition, including –

1. The common features of pest organisms and the characteristics of pest damage as a means of pest recognition;

2. Pest development, including the biology and habits of pests, as may be relevant to problem identification in pest control; and

3. Correctly selecting the proper pesticide product(s) for effective pest control and verifying the labeling does not prohibit the use of the product for the control of the target pest(s) or use site;

(E) Pesticides, including –

1. Types of pesticides, types of pesticide formulations, compatibility, synergism, persistence, and the toxicity of various pesticides and pesticide formulations to animals and plants;

2. The hazards and residues associated with pesticide use;

3. Factors which influence pesticide effectiveness or lead to such problems as resistance to pesticides; and

4. Dilution procedures;

(F) Pesticide equipment, including –

1. The types of equipment and the advantages and limitations of each type;

2. The use, maintenance, and calibration of pesticide equipment; and

3. Drift prevention and pesticide loss into the environment;

(G) Application techniques, including –

1. Methods and procedures used to apply various formulations of pesticides and the application technique to use in a given situation;

2. Understanding how selection of application method and use of a pesticide may result in proper use, unnecessary or ineffective use, and misuse;

3. The prevention of pesticide drift and of pesticide loss into the environment; and

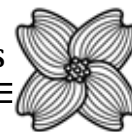
4. Which application method to use in a given situation and that use of a fumigant or aerial application requires additional certification;

(H) State and federal pesticide laws and regulations;

(I) Responsibility of certified applicators supervising noncertified applicators, including –

1. Understanding and complying with all regulations for certified applicators who supervise noncertified applicators using general use and restricted use pesticides and the regulatory requirements for recordkeeping for noncertified applicators who have demonstrated competency in the safe use of all pesticides;

2. Providing use-specific instructions to noncertified applicators prior to using general use and restricted use pesticides under the direct supervision of a certified applicator;



and

3. Pertinent state and federal pesticide laws and regulations for explanation to noncertified applicators who use general use and restricted use pesticides under the direct supervision of certified applicators; and

(J) Professionalism, including –

1. Understanding of the importance for maintaining chemical security for all pesticides and how to communicate information about pesticide exposure and risks with the public; and

2. Pesticide product stewardship.

(4) Specific Standards of Competence for Certification of Commercial Applicator, Noncommercial Applicator, and Public Operator Categories. The applicant shall demonstrate a practical knowledge of at least one (1) of the following categories:

(A) Category 1 – Agricultural Pest Control, including –

1. Subcategory a – Agricultural Plant Pest Control, including –

A. The crops to which pesticides will be applied;

B. The specific pests of those crops; and

C. Potential soil and water problems, preharvest intervals, reentry intervals, phytotoxicity due to a wide variety of plants to be protected, drift, persistence beyond the intended period of pest control, potential for environmental contamination, potential for injury to nontarget plants and animals, and potential for causing community problems resulting from the use of pesticides in agricultural areas;

2. Subcategory b – Agricultural Animal Pest Control, including –

A. Animals or the harborages of animals to which the pesticides are applied and their associated pests;

B. Specific pesticide toxicity to animals and the potential for illegal pesticide residues when these animals are to be used for human or animal food; and

C. Hazards associated with pesticide formulations and application techniques as they apply to animals of various ages, animals under various types of stress, and the extent of treatment;

(B) Category 2 – Forest Pest Control, including –

1. The types of forest, forest nurseries, seed production, and the pests involved;

2. The cyclic occurrence of certain pests;

3. Specific population dynamics as a basis for programming pesticide applications;

4. Nontarget plants and animals and their vulnerability to pesticides;

5. Control methods which will minimize the possibility of secondary problems such as the unintended effects on wildlife and which will minimize problems of pollution;

6. Specialized equipment, especially as it relates to meteorological factors and adjacent land use;

7. Relevant organisms causing harm and their vulnerability to the pesticides to be applied;

8. How to determine when pesticide use is proper;

9. The selection of application method; and

10. Potential for phytotoxicity due to a wide variety of plants to be protected, drift, and persistence beyond the intended period of pest control;

(C) Category 3 – Ornamental and Turf Pest Control, including –

1. Pesticide problems associated with the production and maintenance of ornamental trees, shrubs, plantings, and the production and maintenance of turf;

2. Potential phytotoxicity (chemical burn of plant tissue) due to a wide variety of plant material involved;

3. Pesticide drift;

4. The persistence of pesticides beyond the intended period of pest control;

5. Application methods which will minimize or prevent hazards to humans, pets, and other domestic animals; and

6. Nontarget exposures;

(D) Category 4 – Seed Treatment, including –

1. The types of seeds which require chemical protection against pests;

2. Factors such as seed coloration, pesticide carriers, and surface active agents which influence pesticide binding and may affect germination;

3. The hazards associated with the handling, sorting, and mixing of treated seed;

4. The problems regarding the misuse of seed treated with pesticides, such as the introduction of treated seed into food and feed channels;

5. The proper disposal of unused treated seed; and

6. The importance of proper application techniques to avoid harm to nontarget organisms;

(E) Category 5 – Aquatic Pest Control, including –

1. The secondary effects which can be caused by improper application rates, incorrect formulations, and the faulty application of those pesticides used in this category;

2. Various water use situations and the potential for downstream adverse effects;

3. The potential adverse effects of pesticides on nontarget plants, fish, birds, beneficial insects, and other organisms which may be present in aquatic environments; and

4. The principles of limited area applications;

(F) Subcategory 5b – Sewer Root Pest Control, including –

1. Pesticide labels and labeling including metam-sodium pesticide products used for sewer root pest control;

2. Pesticide safety and the need for the use of personal protective equipment, including problems and mistakes leading to exposure and the signs and symptoms of human and environmental exposure;

3. Equipment used to perform sewer root pest control applications; and

4. Proper storage, handling, transport, spills, cleanup, and disposal including the disposal of excess material, waste, and containers;

(G) Category 6 – Right-of-Way Pest Control, including –

1. The wide variety of environments involved in right-of-way pest control;

2. Techniques to minimize nontarget exposure, pesticide run off, pesticide drift, and excess foliage destruction;

3. The recognition of target pest organisms involved in right-of-way pest control;

4. Herbicides and the need for containing these pesticides within the right-of-way area;

5. The impact of pesticides on adjacent areas and communities;

6. Potential for phytotoxicity due to a wide variety of plants and pests to be controlled; and

7. Persistence beyond the intended period of pest control;

(H) Category 7 – Structural Pest Control, including –

1. Subcategory a – General Structural Pest Control, including –

A. A wide variety of structural pests, including signs of their presence, life cycles, biology, and behavior as it may be relevant to problem identification and control;

B. The types of formulations appropriate for the control



of these pests;

C. The application of pesticides in a manner to avoid damage to the structure, contamination of food, contamination of the structure and surrounding area, and exposure of people and pets;

D. The specific factors which may lead to a hazardous condition, including continuous exposure in the various situations encountered in this category; and

E. Environmental conditions relating to outdoor applications of pesticides used in this category;

2. Subcategory b – Termite Pest Control, including –

A. Termites, including their life cycle and habits and a practical knowledge of termite damage;

B. Various associated wood-destroying organisms, including but not limited to powderpost beetles, carpenter ants, and other wood-destroying insects;

C. The use of pesticides in a manner to avoid exposure to humans, domestic pets, and other nontarget organisms;

D. Potential contamination of the environment and associated problems; and

E. Types of formulations appropriate for control; and

3. Subcategory c – Fumigation Pest Control, including –

A. Label and labeling comprehension. Familiarity with the pesticide labels and labeling for products used to perform non-soil fumigation, including labeling requirements specific to non-soil fumigants;

B. Safety. Measures to minimize adverse health effects, including all of the following:

(I) Understanding how certified applicators, non-certified applicators, and bystanders can become exposed to fumigants;

(II) Common problems and mistakes that can result in direct exposure to fumigants;

(III) Signs and symptoms of human exposure to fumigants;

(IV) Air concentrations of a fumigant that require applicators to wear respirators or to exit the work area entirely;

(V) Steps to take if a fumigant applicator experiences sensory irritation;

(VI) Understanding air monitoring, when it is required, and where and when to take samples;

(VII) Buffer zones, including procedures for buffer zone monitoring and who is allowed to be in a buffer zone;

(VIII) First-aid measures to take in the event of exposure to a fumigant; and

(IX) Labeling requirements for transportation, storage, spill clean up, and emergency response for non-soil fumigants, including safe disposal of containers and contaminated materials, and management of empty containers;

C. Non-soil fumigant chemical characteristics. Characteristics of non-soil fumigants including all of the following:

(I) Chemical characteristics of non-soil fumigants;

(II) Specific human exposure concerns for non-soil fumigants;

(III) How fumigants change from a liquid or solid to a gas;

(IV) How fumigants disperse in the application zone; and

(V) Compatibility concerns for tanks, hoses, tubing, and other equipment;

D. Application. Selecting appropriate application methods and timing, including all of the following:

(I) Application methods and equipment commonly used for non-soil fumigation;

(II) Site characteristics that influence fumigant expo-

sure;

(III) Conditions that could impact timing of non-soil fumigant application, such as air stability, air temperature, humidity, and wind currents, and labeling statements limiting applications under specific conditions;

(IV) Conducting pre-application inspection of application equipment and the site to be fumigated;

(V) Understanding the purpose and methods of sealing the area to be fumigated, including the factors that determine which sealing method to use;

(VI) Calculating the amount of product required for a specific treatment area;

(VII) Understanding the basic techniques for calibrating non-soil fumigant application equipment; and

(VIII) Understanding when and how to conduct air monitoring and when it is required;

E. Pest factors. Pest factors that influence fumigant activity, including all of the following:

(I) Influence of pest factors on fumigant volatility;

(II) Factors that influence gaseous movement through the area being fumigated and into the air;

(III) Identifying pests causing the damage and verifying they can be controlled with fumigation;

(IV) Understanding the relationship between pest density and application rate; and

(V) The importance of proper application rate and timing;

F. Personal protective equipment. Understanding what personal protective equipment is necessary and how to use it properly, including all of the following:

(I) Following label directions for required personal protective equipment;

(II) Selecting, inspecting, using, caring for, replacing, and disposing of personal protective equipment;

(III) Understanding the types of respirators required when using specific non-soil fumigants and how to use them properly, including medical evaluation, fit testing, and required replacement of cartridges and canisters; and

(IV) Labeling requirements and other laws applicable to medical evaluation for respirator use, fit tests, training, and recordkeeping;

G. Fumigant management plans and post-application summaries. Information about fumigant management plans and when they are required, including all of the following:

(I) When a fumigant management plan must be in effect, how long it must be kept on file, where it must be kept during the application, and who must have access to it;

(II) The elements of a fumigant management plan and resources available to assist the applicator in preparing a fumigant management plan;

(III) The person responsible for verifying that a fumigant management plan is accurate; and

(IV) The elements, purpose, and content of a post-application summary, who must prepare it, and when it must be completed; and

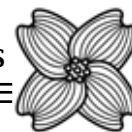
H. Posting requirements. Understanding posting requirements, including all of the following:

(I) Understanding who is allowed in an area being fumigated or after fumigation and who is prohibited from being in such areas;

(II) Distinguishing fumigant labeling-required posting and treated area posting, including the pre-application and post-application posting time frames for each; and

(III) Proper choice and placement of warning signs;

(I) Category 8 – Public Health Pest Control, including –



1. Vector-disease transmission as it relates to, and influences, pesticide application problems;
 2. Pests commonly involved in public health pest control, including the life histories and habits of these pests;
 3. Environments and sites commonly found in public health pest control, which range from streams to those conditions found in buildings;
 4. The importance of, and employment of, such nonchemical control methods as sanitation, waste disposal, and drainage;
 5. How to minimize damage to and contamination of areas treated;
 6. Acute and chronic exposure of people and pets; and
 7. Nontarget exposures;
- (J) Category 9 – Regulatory Pest Control, including –
1. Regulated pests, applicable laws pertaining to pest quarantine and other forms of pest regulation, and the potential impact on the environment of pesticides used in suppression and eradication programs; and
 2. Factors influencing introduction, spread, and population dynamics of relevant pests;
- (K) Category 10 – Demonstration and Research Pest Control, including –
1. Comprehensive standards reflecting a broad spectrum of pesticide uses;
 2. Problems, pests, and population levels occurring in each demonstration or research situation;
 3. An understanding of pesticide-organism interactions and the importance of integrating pesticide use with other control methods;
 4. Effects of restricted use pesticides on target and nontarget organisms; and
 5. The applicant shall demonstrate competence in the category of Demonstration and Research Pest Control and must also be certified in the proper category(ies) of use;
- (L) Category 11 – Wood Products Pest Control, including –
1. Wood degradation and a general knowledge of pesticides used to prevent or control the degradation; and
 2. An understanding of the pesticides used to preserve wood, including a knowledge of solution formulations, application techniques, hazards to man, domestic animals, and the environment, and the safe and proper means of container storage and disposal;
- (M) Category 12 – Soil Fumigation Pest Control, including –
1. Label and labeling comprehension. Familiarity with the pesticide labels and labeling for products used to perform soil fumigation, including all of the following:
 - A. Labeling requirements specific to soil fumigants;
 - B. Requirements for certified applicators of fumigants, fumigant handlers, and fumigant handler activities, and the safety information that certified applicators must provide to noncertified restricted use pesticide applicators using fumigants under their direct supervision;
 - C. Entry-restricted periods for tarped and untarped field application scenarios;
 - D. Recordkeeping requirements; and
 - E. Labeling provisions unique to fumigant products containing certain active ingredients;
 2. Safety. Measures to minimize adverse health effects, including all of the following:
 - A. Understanding how certified applicators, noncertified RUP applicators using fumigants under direct supervision of certified applicators, field workers, and bystanders can become exposed to fumigants;
 - B. Common problems and mistakes that can result in direct exposures to fumigants;
 - C. Signs and symptoms of human exposure to fumigants;
 - D. Air concentrations of a fumigant that require that applicators wear respirators or exit the work area entirely;
 - E. Steps to take if a fumigant applicator experiences sensory irritation;
 - F. Understanding air monitoring, when it is required, and where and when to take samples;
 - G. Buffer zones, including procedures for buffer zone monitoring and determining who is allowed to be in the buffer zone;
 - H. First-aid measures to take in the event of exposure to a soil fumigant; and
 - I. Labeling requirements for transportation, storage, spill cleanup, and emergency response for soil fumigants, including safe disposal of containers and contaminated soil, and management of empty containers;
 3. Soil fumigant chemical characteristics. Characteristics of soil fumigants including all of the following:
 - A. Chemical characteristics of soil fumigants;
 - B. Specific human exposure concerns for soil fumigants;
 - C. How soil fumigants change from a liquid or solid to a gas;
 - D. How soil fumigants disperse in the application zone; and
 - E. Compatibility concerns for tanks, hoses, tubing, and other equipment;
 4. Application. Selecting appropriate application methods and timing, including all of the following:
 - A. Application methods, including but not limited to water-run and non-water-run applications, and equipment commonly used for each soil fumigant;
 - B. Site characteristics that influence fumigant exposure;
 - C. Understanding temperature inversions and their impact on soil fumigant application;
 - D. Weather conditions that could impact timing of soil fumigant application, such as air stability, air temperature, humidity, and wind currents, and labeling statements limiting applications during specific weather conditions;
 - E. Conducting pre-application inspection of application equipment;
 - F. Understanding the purpose and methods of soil sealing, including the factors that determine which soil sealing method to use;
 - G. Understanding the use of tarps, including the range of tarps available, how to seal tarps, and labeling requirements for tarp removal, perforation, and repair;
 - H. Calculating the amount of product required for a specific treatment area; and
 - I. Understanding the basic techniques for calibrating soil fumigant application equipment;
 5. Soil and pest factors. Soil and pest factors that influence fumigant activity, including all of the following:
 - A. Influence of soil factors on fumigant volatility and movement within the soil profile;
 - B. Factors that influence gaseous movement through the soil profile and into the air;
 - C. Soil characteristics, including how soil characteristics affect the success of a soil fumigant application, assessing soil moisture, and correcting for soil characteristics that could hinder a successful soil fumigant application;
 - D. Identifying pests causing the damage and verifying they can be controlled with soil fumigation;
 - E. Understanding the relationship between pest density and application rate; and



F. The importance of proper application depth and timing;

6. Personal protective equipment. Understanding what personal protective equipment is necessary and how to use it properly, including all of the following:

A. Following labeling directions for required personal protective equipment;

B. Selecting, inspecting, using, caring for, replacing, and disposing of personal protective equipment;

C. Understanding the types of respirators required when using specific soil fumigants and how to use them properly, including medical evaluation, fit testing, and required replacement of cartridges and canisters; and

D. Labeling requirements and other laws applicable to medical evaluation for respirator use, fit tests, training, and recordkeeping;

7. Fumigant management plans and post-application summaries. Information about fumigant management plans, including all of the following:

A. When a fumigant management plan must be in effect, how long it must be kept on file, where it must be kept during the application, and who must have access to it;

B. The elements of a fumigant management plan and resources available to assist the applicator in preparing a fumigant management plan;

C. The person responsible for verifying that a fumigant management plan is accurate; and

D. The elements, purpose, and content of a post-application summary, who must prepare it, and when it must be completed; and

8. Buffer zones and posting requirements. Understanding buffer zones and posting requirements, including all of the following:

A. Buffer zones and the buffer zone period;

B. Identifying who is allowed in the buffer zone during the buffer zone period and who is prohibited from being in a buffer zone during the buffer zone period;

C. Using the buffer zone table from the labeling to determine the size of the buffer zone;

D. Factors that determine the buffer zone credits for application scenarios and calculating buffer zones using credits;

E. Distinguishing buffer zone posting and treated area posting, including the pre-application and post-application posting time frames for each; and

F. Proper choice and placement of warning signs; and

(N) Category 13 – Aerial Pest Control, including –

1. Labeling. Labeling requirements and restrictions specific to aerial application of pesticides including –

A. Spray volumes;

B. Buffers and no-spray zones; and

C. Weather conditions specific to wind and inversions;

2. Application equipment. Understand how to choose and maintain manned and unmanned aircraft equipment, either fixed or rotary wing, for aerial application, including all of the following:

A. The importance of inspecting aerial application equipment to ensure it is in proper operating condition prior to beginning an application;

B. Selecting proper nozzles to ensure it is in proper operating condition prior to beginning an application;

C. Knowledge of components of an aerial pesticide application system, including pesticide hoppers, tanks, pumps, and types of nozzles;

D. Interpreting a nozzle flow chart;

E. Determining the number of nozzles for intended pesticide output using nozzle flow rate chart, aircraft speed, and swath width;

F. How to ensure nozzles are placed to compensate for uneven dispersal due to uneven airflow from wingtip vortices, helicopter rotor turbulence, and aircraft propeller turbulence;

G. Where to place nozzles to produce the appropriate droplet size;

H. How to maintain the application system in good repair, including pressure gauge accuracy, filter cleaning according to schedule, and checking nozzles for excessive wear;

I. How to calculate required and actual flow rate;

J. How to verify flow rate using fixed timing, open timing, known distance, or a flow meter; and

K. When to adjust and calibrate application equipment;

3. Application considerations. The applicator must demonstrate knowledge of factors to consider before and during application, including all of the following:

A. Weather conditions that could impact application by affecting aircraft engine power, take-off distance, and climb rate, or by promoting spray droplet evaporation;

B. How to determine wind velocity, direction, and air density at the application site; and

C. The potential impact of thermals and temperature inversions on aerial pesticide application;

4. Minimizing drift. The applicator must demonstrate knowledge of methods to minimize off-target pesticide movement, including all of the following:

A. How to determine drift potential of a product using a smoke generator;

B. How to evaluate vertical and horizontal smoke plumes to assess wind direction, speed, and concentration;

C. Selecting techniques that minimize pesticide movement out of the area to be treated; and

D. Documenting special equipment configurations or flight patterns used to reduce off-target pesticide drift;

5. Performing aerial application. The applicator must demonstrate competency in performing an aerial pesticide application, including all of the following:

A. Selecting a flight altitude that minimizes streaking and off-target pesticide drift;

B. Choosing a flight pattern that ensures applicator and bystander safety and proper application;

C. The importance of engaging and disengaging spray precisely when entering and exiting a predetermined swath pattern;

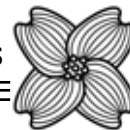
D. Tools available to mark swaths, such as global positioning systems and flags; and

E. Recordkeeping requirements for aerial pesticide applications including application conditions if applicable; and

6. The applicant shall not only demonstrate competence in the category of Aerial Pest Control, but must also be certified in the proper category(ies) of use.

AUTHORITY: section 281.025, RSMo Supp. 2024. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Sept. 6, 1977, effective Dec. 11, 1977. Amended: Filed March 13, 1978, effective June 11, 1978. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed May 15, 2024, effective Jan. 1, 2025.*

**Original authority: 281.025, RSMo 1974, amended 1977, 1988, 1993, 1995, 2021.*



2 CSR 70-25.120 Contents of Records Maintained by Certified Commercial Applicators, Certified Noncommercial Applicators, and Certified Public Operators

PURPOSE: This rule sets forth the contents of records to be maintained by certified commercial applicators, noncommercial applicators, and public operators. This rule is necessary to provide all the necessary information on particular pesticide treatments in the event a commercial applicator, noncommercial applicator, or public operator is charged with misuse of a pesticide or possible other charges, either by the director, other regulatory agencies, or by a client.

(1) Certified commercial applicators or their employers shall keep and maintain records for the use of all pesticides. These records shall be completed within three (3) business days from the date of use and be kept for three (3) years in a neat and legible condition.

(2) Certified noncommercial applicators and certified public operators or their employers shall keep and maintain records for the use of restricted use pesticides (RUP). These records shall be completed within three (3) business days from the date of use and be kept for a period of three (3) years in a neat and legible condition.

(3) These records shall be available for inspection by the director during regular business hours at the physical location from which certified applicators use or supervise the use of pesticides or, upon request in writing, the director shall be furnished a copy of these records within ten (10) days of receipt of request.

(4) These records shall contain the following for each application:

(A) Name and license number of the certified applicator using or supervising the use of pesticides;

(B) Name of the noncertified applicator, name and license number of the noncertified RUP applicator, name of the pesticide technician trainee, or the name and license number of the pesticide technician using the pesticide(s), if applicable;

(C) Application date, start time, and end time;

(D) Name and address of the person requesting the pesticide use;

(E) Address or brief description of the application site;

(F) Size of the area treated (such as square feet, linear feet, acres, etc.) excluding indoor spot and crack and crevice applications;

(G) The site, crop and variety name, commodity, or stored product to which pesticide was applied, if applicable;

(H) Target pest(s);

(I) Complete trade (manufacturer's brand) name(s) from the label(s) of the pesticide(s) used;

(J) The United States Environmental Protection Agency (EPA) registration number(s) from the label(s) of the pesticide(s) used and the special local need registration number, if applicable. In lieu of recording the United States EPA registration number(s) for each pesticide use, documentation shall be maintained that provides incontrovertible correlation between each pesticide use and the United States EPA registration number(s) of the pesticide(s) used;

(K) The pesticide(s) mixture rate, the total amount of mixture used, and the rate of application expressed in reasonable and understandable terms, if applicable;

(L) For pre-mixed, ready-to-use pesticide products, a reasonable estimate of the amount of pesticide used and

the actual rate of application expressed in reasonable and understandable terms, if applicable;

(M) The air temperature, measured wind speed, and wind direction at the site of outdoor pesticide applications, excluding applications of pesticides in general structural pest control and termite pest control within ten feet (10') of a building; and

(N) A written, signed, and dated request from the agricultural producer requesting the use of a lesser concentration of pesticide than is provided on the pesticide label, if applicable.

AUTHORITY: sections 281.035 and 281.045, RSMo Supp. 2024. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Sept. 6, 1977, effective Dec. 11, 1977. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed May 15, 2024, effective Jan. 1, 2025.*

**Original authority: 281.035, RSMo 1974, amended 1977, 1988, 2019, 2021, and 281.045, RSMo 1974, amended 1977, 1988, 2021.*

2 CSR 70-25.130 Requirements for a Certified Private Applicator License or Certified Provisional Private Applicator License

PURPOSE: This rule sets forth the requirements for a certified private applicator license.

(1) Applicants for a certified private applicator license or certified provisional private applicator license shall –

(A) Be of legal age;

(B) Be a producer of agricultural commodities as defined in 2 CSR 70-25.010;

(C) Present a valid, government-issued photo identification, or other form of similarly reliable identification approved by the director, as proof of identity and age at the time of the training program or examination to be eligible for certification or recertification;

(D) Obtain certification in Category 20–General Agricultural Pest Control:

1. Applicants for a Certified Private Applicator license shall also obtain certification in the following categories when required by the Act: Category 21–Soil Fumigation Pest Control, Category 22–Non-Soil Fumigation Pest Control, and Category 23–Aerial Pest Control.

2. Applicants for a Certified Provisional Private Applicator license are only eligible for certification in Category 20–General Agricultural Pest Control; and

(E) Meet one (1) of the following three (3) options for each required category:

1. Attend a private applicator certification training program approved by the director as required by section 281.040, RSMo, and provided and presented by the University of Missouri Extension. The individual's attendance of an approved private applicator certification training program and successful demonstration of competency in comprehending pesticide label and labeling directions for use shall be verified by the signature of the University of Missouri Extension instructor and the signature of the individual on a verification document provided by the director. The signed document shall be immediately forwarded to the Missouri Department of Agriculture as proof of attendance and evidence of successful demonstration of competency in comprehending pesticide label and labeling directions for use;

2. Complete a private applicator online certification training program approved by the director as required by section 281.040, RSMo, and provided and presented by the



University of Missouri Extension. Immediately following the completion of an online private applicator certification training program, the University of Missouri Extension shall forward verification of the individual’s successful completion of the training program, including evidence of the individual’s demonstration of competency in comprehending pesticide label and labeling directions for use; or

3. Pass the required private applicator category certification examination(s) based on the standards of competence for Category 20–General Agricultural Pest Control, Category 21–Soil Fumigation Pest Control, Category 22–Non-Soil Fumigation Pest Control, and Category 23–Aerial Pest Control. Passing scores require at least seventy percent (70%).

AUTHORITY: section 281.040, RSMo Supp. 2024. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed May 15, 2024, effective Jan. 1, 2025.*

**Original authority: 281.040, RSMo 1974, amended 1977, 1988, 2005, 2021.*

2 CSR 70-25.140 Certification Categories for Private Applicators and Certified Provisional Private Applicators

PURPOSE: This rule details the certification categories for private applicators.

(1) Category 20–General Agricultural Pest Control. This category is provided for private applicators who are required to obtain private applicator certification to use restricted use pesticides for the purpose of producing any agricultural commodity, excluding soil and non-soil fumigants and the aerial application of restricted use pesticides.

(2) Category 21–Soil Fumigation Pest Control. This category is provided for certified private applicators certified in Category 20 who are required to obtain proper category certification for the use of soil fumigants classified as restricted use pesticides for the control of pests found in or on soil during the production of any agricultural commodity.

(3) Category 22–Non-Soil Fumigation Pest Control. This category is provided for certified private applicators certified in Category 20 who are required to obtain proper certification for the use of non-soil fumigants classified as restricted use pesticides for the control of pests in the production and storage of any agricultural commodity.

(4) Category 23–Aerial Pest Control. This category is provided for certified private applicators certified in Category 20 who are required to obtain proper category certification to apply restricted use pesticides with manned or unmanned aircraft, either fixed wing or rotary wing, in the production of any agricultural commodity.

AUTHORITY: section 281.040, RSMo Supp. 2024. Original rule filed May 15, 2024, effective Jan. 1, 2025.*

**Original authority: 281.040, RSMo 1974, amended 1977, 1988, 2005, 2021.*

2 CSR 70-25.150 Standards of Competence for the Certification of Private Applicators

PURPOSE: This rule is necessary to set forth the contents of any

course of instruction for the private applicator which is to be approved by the director. The approval is provided for in section 281.040, RSMo 1986. This rule sets forth the contents of any course of instruction, plus the standards of competence to be covered during the course of instruction. A method for the verification of private applicator training is set forth in this rule also.

(1) To qualify for private applicator certification or provisional private applicator certification, private applicators are required to read and demonstrate competency in the understanding of pesticide labels and labeling and shall –

(A) Attend a University of Missouri Extension private applicator Category 20–General Agricultural Pest Control certification training program;

(B) Complete a University of Missouri Extension private applicator Category 20–General Agricultural Pest Control online certification training program; or

(C) Pass the department’s private applicator Category 20–General Agricultural Pest Control certification examination.

(2) Private applicators must obtain certification in Category 20–General Agricultural Pest Control prior to becoming certified in one (1) of the additional private applicator certification categories. Private applicators that use restricted use pesticides to fumigate soil must also obtain certification in Category 21–Soil Fumigation Pest Control. Private applicators that use restricted use pesticides to fumigate non-soil commodities or non-soil sites must also obtain certification in Category 22–Non-Soil Fumigation Pest Control. Private applicators that apply restricted use pesticides through aerial application must also obtain certification in Category 23–Aerial Pest Control. The certification training programs, online certification training programs, and certification examinations provided for Categories 20, 21, 22, and 23 shall encompass the standards of competence as provided in sections (3), (4), (5), and (6) of this rule.

(3) Category 20–General Agricultural Pest Control Standards of Competence. The applicant shall demonstrate practical knowledge of –

(A) The recognition of common agricultural pests, damage caused by these pests, the importance of selecting proper pesticide products for effective control, and the importance of verifying that the label does not prohibit the use of the product to control the target pest(s) or use site;

(B) Reading and understanding the label and labeling information, including general format and terminology, the common name of the pesticide, the pest to be controlled, timing and methods of application of the pesticide, signal words, symbols, safety precautions, pre-harvest intervals, reentry intervals, and disposal procedures for pesticides and pesticide containers;

(C) All use restrictions and directions for use found on the label and labeling, certification requirements in the appropriate category to use restricted use pesticides, and state and federal pesticide laws requiring the use of any registered pesticide in a manner consistent with its labeling;

(D) The meaning of product classification, the difference between mandatory and advisory labeling language, and understanding and complying with product-specific notification requirements;

(E) The application of pesticides in accordance with label and labeling instructions and warnings, including the ability to prepare the proper concentration of the pesticides to be used under particular circumstances, taking into account factors



such as the area to be covered, speed in which application equipment will be driven, and the quantity to dispense in a given period of operation;

(F) The characteristics of pesticides, including types of pesticides, types of formulations, compatibility, synergism, persistence, animal and plant toxicity, hazards and residues associated with use, factors influencing effectiveness or leading to problems such as pesticide resistance, and dilution procedures;

(G) The recognition of local environmental situations that must be considered during application to avoid contamination and potential environmental consequences of the use and misuse of pesticides, including weather and other climatic conditions, types of terrain, soil, or other substrate, presence of fish, wildlife, and nontarget organisms, and drainage patterns;

(H) Measures to avoid or minimize adverse health effects, common types and causes of pesticide mishaps, needs for and proper use of personal protective clothing and equipment, and precautions to prevent injury to applicators and other individuals in or near treated areas;

(I) Likely ways pesticide exposure may occur, symptoms of pesticide poisoning, the difference between acute toxicity and chronic toxicity and their long-term effects, understanding that a pesticide's risk is a function of exposure and the pesticide's toxicity, and first aid and other procedures to be followed in case of a pesticide mishap;

(J) Proper identification, storage, transport, handling, mixing procedures, and disposal methods for pesticides and used pesticide containers, including precautions to be taken to prevent children from having access to pesticides and pesticide containers;

(K) Application equipment, including types of equipment and the advantages and limitations of each, uses, maintenance, and calibration procedures;

(L) Selecting appropriate application methods including methods used to apply various forms and formulations of pesticides, which application method to use in a given situation, that use of a fumigant or aerial application requires additional certification, and how the selection of application method and use of a pesticide may result in unnecessary, ineffective use and misuse;

(M) The prevention of pesticide drift and pesticide loss into the environment;

(N) The state and federal pesticide laws and regulations, including the Worker Protection Standard in 40 CFR Part 170;

(O) The importance of maintaining secure storage for pesticides and other chemicals and how to communicate information about pesticide exposures and risks with agricultural workers and handlers and other persons;

(P) Agricultural pest control, including specific pests of relevant agricultural commodities and the control of such pests with pesticides, how to avoid contamination of ground and surface waters, understanding pre-harvest and restricted entry intervals and entry-restricted periods and areas, and understanding specific pesticide toxicity and residue potential when pesticides are applied to animal or animal product agricultural commodities; and

(Q) Hazards associated with using pesticides on animals or places in which animals are confined based on formulation, application technique, age of animal, stress, and extent of treatment.

(4) Category 21–Soil Fumigation Pest Control Standards of Competence. The applicant shall demonstrate practical knowledge of –

(A) Fumigant label and labeling comprehension, including labeling requirements specific to soil fumigation, labeling requirements for certified applicators and handlers of fumigants, permitted fumigant handler activities, and the safety information that certified applicators must possess while using fumigants;

(B) Entry-restricted period for different tarped and untarped field applications, recordkeeping requirements imposed by labels and labeling, and labeling provisions unique to products containing certain active ingredients;

(C) Labeling requirements for fumigation management plans, such as when a fumigant management plan must be in effect, how long it must be kept on file, where it must be kept during application, and who must have access to it;

(D) The elements of a fumigation plan and resources for preparing a plan, responsibility for verifying that the fumigant management plan is accurate, and the elements, purpose, and content of a post-application summary, who must prepare it, and when it must be completed;

(E) Measures to minimize adverse effects, including understanding how certified applicators, field workers, and bystanders can become exposed to fumigants;

(F) How common problems and mistakes can result in direct exposure to fumigants, the signs and symptoms of human exposure to fumigants, air concentrations, and requirements for respirators;

(G) The steps to take if a fumigant applicator experiences sensory irritation, air monitoring, when required and when to sample the air, buffer zones, first-aid measures, and the labeling requirements for transportation, storage, spill cleanup, and emergency response for soil fumigants, including safe disposal of containers and contaminated soil;

(H) Characteristics of soil fumigants, including specific human exposure concerns, how soil fumigants change from liquid or solid to a gas, how soil fumigants disperse in the application zone, and compatibility concerns for tanks, hoses, tubing, and other equipment;

(I) Selecting appropriate application methods and timing, including application methods for water-run and non-water-run applications, equipment used for each soil fumigant, and site characteristics that influence fumigant exposure;

(J) Temperature inversions and their impact on soil fumigant applications, weather conditions that could impact timing of soil fumigation application, pre-application inspection of application equipment, the purpose and methods of soil sealing, and which methods to use;

(K) The use of tarps, how to seal tarps, labeling requirements for tarp removal, perforation, and repair, calculating the amount of fumigant required for a specific treatment area, and understanding the basic techniques for calibrating soil fumigation equipment;

(L) Soil and pest factors that influence fumigant activity, including influence of soil factors on fumigant volatility and movement within the soil and factors that influence gaseous movement through soil and air;

(M) Soil characteristics, including how they affect the success of a soil fumigant application, assessing soil moisture, correcting for soil characteristics that could hinder a successful soil fumigation, pest(s) identification and verification that the soil fumigant will control pest(s), the relationship between pest density and application rate, and proper application depth and timing;

(N) Personal protective equipment (PPE), including following all label directions requiring PPE use and selecting, inspecting, using, caring for, and replacing PPE;



(O) The types of respirators required when using specific soil fumigants and how to use respirators properly (medical evaluation, fit testing, and required replacement of cartridges and canisters), labeling requirements and other laws applicable to medical evaluation for respirator use, fit test, training, and recordkeeping;

(P) Fumigant management plans and post-application summaries, including when a fumigation management plan must be in effect, how long it must be kept on file, where it must be kept during a fumigant application, and who must have access to it;

(Q) The elements of a fumigant management plan and resources available for preparing a plan, the person responsible for verifying that a fumigation management plan is accurate, and the elements, purpose, and content of a post-application summary, who must prepare it, and when it must be completed;

(R) Buffer zones and posting requirements, including buffer zones and buffer zone periods, identifying those who can be in the buffer zone and those who cannot be in the buffer zone during the buffer zone period;

(S) How to use the buffer zone table from the labeling to determine the size of the buffer zone, factors that determine the buffer zone credits for application scenarios, and calculating buffer zones using credits; and

(T) Distinguishing buffer zone posting and treated area posting, including the pre-application and post-application posting time frames for each and the proper choice and placement of warning signs.

(5) Category 22–Non-Soil Fumigation Pest Control Standards of Competence. The applicant shall demonstrate a practical knowledge of –

(A) The use of fumigants on sites other than soil, including label and labeling comprehension of products used to perform non-soil fumigations and labeling requirements specific to non-soil fumigants;

(B) Safety measures to minimize adverse health effects, including understanding how applicators and bystanders can become exposed to fumigants, common problems and mistakes that can result in direct exposure to fumigants, and the signs and symptoms of human exposure to fumigants;

(C) When air concentrations trigger applicators, handlers, and workers to wear respirators or to exit the application site, the steps to take if an applicator using a fumigant experiences exposure, and first-aid measures to take in the event of exposure to a fumigant;

(D) When to monitor and sample air, monitoring buffer zones and who is permitted to be in the buffer zone, labeling requirements for transportation, storage, spill clean up, and emergency response to non-soil fumigants, the safe disposal of containers and contaminated materials, and management of empty containers;

(E) Non-soil fumigant chemical characteristics, specific human exposure concerns for non-soil fumigants, how fumigants change from a liquid or solid to a gas, and how fumigants disperse in the application zone;

(F) Compatibility concerns for tanks, hoses, tubing, and other equipment;

(G) Appropriate application methods and timing, including application methods and equipment commonly used for non-soil fumigation, site characteristics that influence fumigant exposure, and conditions that could impact timing of non-soil fumigations, such as air stability, air temperature, humidity, and wind currents, and labeling restrictions limiting applications when specific conditions are present;

(H) Conducting pre-application inspections of equipment and the site to be fumigated, the purpose and methods of sealing the area to be fumigated, and the factors that determine when and which sealing methods to use;

(I) Calculating the amount of fumigant required to treat the site, basic techniques for calibrating non-soil fumigant application equipment, and understanding when and how to conduct air monitoring and when it is required;

(J) Pest factors that influence fumigant activity, including influence of pest factors on fumigant volatility, factors that influence gaseous movement through the area being fumigated and into the air, and identifying pests causing the damage and verifying they can be controlled with fumigation;

(K) The relationship between pest density and application rate and the importance of proper application rate and timing;

(L) Personal protective equipment, including how to use it properly, following labeling directions for required personal protective equipment, and selecting, inspecting, using, caring for, replacing, and disposing of personal protective equipment;

(M) The different types of respirators required when using non-soil fumigants and how to use them properly, including when to replace cartridges and canisters;

(N) Labeling requirements and other laws applicable to medical evaluations and fit testing for respirator use and applicable training and recordkeeping;

(O) When fumigation management plans and post-application summaries are required, including when a fumigation management plan must be in effect, how long it must be kept on file, where it must be kept during the application, and who must have access to it;

(P) The elements found in a fumigation management plan and resources available to assist the applicator in preparing the fumigant management plan, who is responsible for verifying the plan is accurate, and the elements, purpose, and content of a post-application summary, who must prepare it, and when it must be completed; and

(Q) Posting requirements, including understanding who is allowed in an area being fumigated or after fumigation and who is prohibited from being in such area, distinguishing fumigant labeling-required posting and treated area posting, including the pre-application and post-application posting time frames for each, and the proper choice and placement of warning signs.

(6) Category 23–Aerial Pest Control Standards of Competence. The applicant shall demonstrate a practical knowledge of –

(A) The pest problems and pest control practices associated with performing aerial applications;

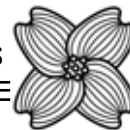
(B) Labeling requirements and restrictions specific to aerial application of pesticides, spray volumes, buffer and no-spray zones, and weather conditions specific to wind and inversions;

(C) Label-mandated recordkeeping requirements for aerial pesticide applications including application conditions;

(D) Application equipment, including how to choose and maintain manned and unmanned aircraft equipment, either fixed or rotary wing, for aerial application, to ensure it is in proper operating condition prior to beginning an application, selecting proper nozzles to ensure appropriate pesticide dispersal and to minimize drift;

(E) The components of an aerial pesticide application system (pesticide hoppers, tanks, pumps, and types of nozzles) and nozzle flow charts;

(F) Determining the number of nozzles for intended pesticide output using a nozzle flow rate chart, aircraft speed, and swath width;



(G) How nozzles are placed to compensate for uneven dispersal due to uneven airflow from wingtip vortices, helicopter rotor turbulence, and aircraft propeller turbulence and where to place nozzles to produce the appropriate droplet size;

(H) How to maintain the application system in good repair, including pressure gauge accuracy, filter cleaning according to schedule, and checking nozzles for excessive wear;

(I) How to calculate required and actual flow rates, how to verify flow rate using fixed timing, open timing, known distance, or a flow meter, and when to adjust and calibrate application equipment;

(J) Application factors to consider before and during the application, including weather conditions that could impact application by affecting aircraft engine power, take-off distance, climb rate, and spray droplet evaporation;

(K) How to determine wind velocity, direction, and air density at the application site and potential impact of thermals and temperature inversions on aerial pesticide application;

(L) Methods to minimize off-target pesticide movement, including determining drift potential of a product by use of a smoke generator and how to evaluate vertical and horizontal smoke plumes to assess wind direction, speed, and concentration;

(M) Selecting techniques that minimize pesticide movement out of the treated area and how to document special equipment configurations or flight patterns used to reduce off-target pesticide drift;

(N) Performing an aerial pesticide application, including selecting a flight altitude that minimizes streaking and off-target pesticide drift and choosing a flight pattern that ensures applicator and bystander safety and proper application; and

(O) The importance of engaging and disengaging spray precisely when entering a predetermined swath pattern at the application site and the tools used to mark swath patterns, such as global positioning systems and flags.

AUTHORITY: section 281.040, RSMo Supp. 2024. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed May 15, 2024, effective Jan. 1, 2025.*

**Original authority: 281.040, RSMo 1974, amended 1977, 1988, 2005, 2021.*

2 CSR 70-25.153 Stipulations and Training Requirements for Noncertified Restricted Use Pesticide (RUP) Applicators

PURPOSE: This rule details stipulations and training requirements for noncertified RUP applicators.

(1) Applicants for a noncertified RUP applicator license shall complete one (1) of the following options:

(A) Pass a written examination (CORE) based on the general standards of competence provided in 2 CSR 70-25.110(3). Passing the CORE examination provides a three- (3-) year retraining period; or

(B) Complete an approved noncertified RUP applicator training program. Completing an approved program provides a one- (1-) year retraining period.

1. Prior to training an individual as a noncertified RUP applicator, certified applicators or their employers must have an approved training program. Approved training programs shall be valid until revoked.

2. Noncertified RUP applicator training must be presented to applicants and noncertified RUP applicators either orally

from written materials or audiovisually. The information must be presented live, whether in-person or virtual, in a manner that the applicants and noncertified RUP applicators can understand.

3. Individuals conducting training must be certified applicators of restricted use pesticides or designated by the department as educators with an institution of higher education or a professional association. The individuals conducting training must also be present during the entire training program and must respond to the noncertified applicators' questions.

4. The noncertified RUP applicator training materials must include the information that applicants and noncertified RUP applicators need in order to protect themselves, other people, and the environment before, during, and after making a restricted use pesticide application. The noncertified RUP applicator training materials must include, at a minimum, information regarding the following:

A. Potential hazards from toxicity and exposure that pesticides present to noncertified RUP applicators and their families, including acute and chronic effects, delayed effects, and sensitization;

B. Routes through which pesticides can enter the body;

C. Signs and symptoms of common types of pesticide poisoning;

D. Emergency first aid for pesticide injuries or poisonings;

E. Routine and emergency decontamination procedures, including emergency eye-flushing techniques. Noncertified RUP applicators must be instructed that if pesticides are spilled or sprayed on the body, to immediately wash or to rinse off in the nearest clean water. Noncertified RUP applicators must also be instructed to wash or shower with soap and water, shampoo hair, and change into clean clothes as soon as possible;

F. How and when to obtain emergency medical care;

G. After working with pesticides, wash hands before eating, drinking, using chewing gum or tobacco, or using the toilet;

H. Wash or shower with soap and water, shampoo hair, and change into clean clothes as soon as possible after working with pesticides;

I. Potential hazards from pesticide residues on clothing;

J. Wash work clothes before wearing them again and wash them separately from other clothes;

K. Do not take pesticides or pesticide containers used at work to your home;

L. Potential hazards to children and pregnant women from pesticide exposure;

M. After working with pesticides, remove work boots or shoes before entering your home, and remove work clothes and wash or shower before physical contact with children or family members;

N. How to report suspected pesticide use violations to the appropriate state or tribal agency responsible for pesticide enforcement;

O. Format and meaning of information contained on pesticide labels and in labeling applicable to the safe use of the pesticide, including the location and meaning of the restricted use product statement, how to identify when the labeling requires the certified applicator to be physically present during the use of the pesticide, and information on personal protective equipment;

P. Need for, and appropriate use and removal of, personal protective equipment;

Q. How to recognize, prevent, and provide first-aid treatment for heat-related illness;



R. Safety requirements for handling, transporting, storing, and disposing of pesticides, including general procedures for spill cleanup;

S. Environmental concerns such as drift, runoff, and wildlife hazards;

T. Restricted use pesticides may be used only by a certified applicator or by a noncertified RUP applicator working under the direct supervision of a certified commercial applicator, certified noncommercial applicator, or certified public operator;

U. The certified applicator's responsibility to provide each noncertified RUP applicator instructions specific to the site and pesticide used. These instructions must include labeling directions, precautions, and requirements applicable to the specific use and site, and how the characteristics of the use site (e.g., surface and ground water, endangered species, local population, and risks) and the conditions of application (e.g., equipment, method of application, formulation, and risks) might increase or decrease the risk of adverse effects. The certified applicator must provide these instructions in a manner the noncertified RUP applicator can understand;

V. The certified applicator's responsibility to ensure that each noncertified RUP applicator has access to the applicable product labeling at all times during its use;

W. The certified applicator's responsibility to ensure that when the labeling of a pesticide product requires that personal protective equipment be worn for mixing, loading, application, or any other use activities, each noncertified RUP applicator has clean, labeling-required personal protective equipment in proper operating condition, and that the personal protective equipment is worn and used correctly for its intended purpose;

X. The certified applicator's responsibility to ensure that before each day of use, equipment used for mixing, loading, transferring, or applying pesticides is in proper operating condition as intended by the manufacturer, and can be used without risk of reasonably foreseeable adverse effects to the noncertified RUP applicator, other persons, or the environment;

Y. The certified applicator's responsibility to ensure that a means to immediately communicate with the certified applicator is available to each noncertified RUP applicator using restricted use pesticides under the certified applicator's direct supervision.

5. Employers or certified applicators must submit to the director a noncertified RUP applicator Notice of Training form provided by the director.

6. Employers or certified applicators shall keep and maintain a copy of the noncertified RUP applicator Notice of Training form and noncertified RUP applicator application for a period of two (2) years from the date the training was completed.

(2) Noncertified RUP applicators must pass the CORE exam or complete an approved training program prior to the expiration of their retraining date. Passing the CORE examination provides a three- (3-) year retraining period. Completing an approved training program provides a one- (1-) year retraining period.

(3) The CORE examination used to obtain a valid noncertified RUP applicator license may be used for eighteen (18) months from the examination date to meet the CORE examination requirement of a Certified Commercial Applicator, Certified Noncommercial Applicator, or Certified Public Operator license. The noncertified RUP applicator license will be canceled upon issuance of the Certified Commercial Applicator, Certified Noncommercial Applicator, or Certified Public Operator license.

AUTHORITY: section 281.025, RSMo Supp. 2024. Original rule filed May 15, 2024, effective Jan. 1, 2025.*

**Original authority: 281.025, RSMo 1974, amended 1977, 1988, 1993, 1995, 2021.*

2 CSR 70-25.155 Declaration of the Agricultural Pesticide Heptachlor as a Restricted Use Pesticide for Controlling Cutworms on Missouri Field Corn Acreage and Implementation of a Program of Restricted Use of Heptachlor for the Years 1978, 1979 and 1980

(Rescinded August 11, 1986)

AUTHORITY: sections 281.025 and 281.060, RSMo Supp. 1975. Emergency rule filed March 14, 1978, effective March 24, 1978, expired July 22, 1978. Original rule filed March 13, 1978, effective June 11, 1978. Rescinded: Filed May 13, 1986, effective Aug. 11, 1986.

2 CSR 70-25.156 Responsibilities of Certified Commercial Applicators or Their Employers; Application Requirements, Qualifications, and Stipulations for Pesticide Technician Trainees and Pesticide Technicians

PURPOSE: This rule defines the responsibilities, application requirements, qualifications and stipulations related to the pesticide technician license classification established under section 281.038, RSMo (Cum. Supp. 1990).

(1) Responsibilities of Certified Commercial Applicators or Their Employers for Pesticide Technicians and Pesticide Technician Trainees.

(A) Prior to employment of pesticide technician trainees, certified commercial applicators or their employers must have an approved training program for each category or subcategory in which pesticide technicians will use or determine the need for the use of pesticides and in accordance with guidelines provided by the director.

(B) Certified commercial applicators or their employers shall notify the director in writing within ten (10) days of the employment and of the discontinued employment of an individual as a pesticide technician or pesticide technician trainee. Notification shall include the applicant's name, last four (4) digits of their Social Security number, license number if applicable, business name and address, and the dates of employment and discontinued employment.

(C) Certified commercial applicators or their employers must submit to the director a Notice of Training form provided by the director.

(D) Certified commercial applicators or their employers shall keep and maintain a copy of the Notice of Training form for a period of three (3) years from the date training was completed. The form shall include the name and business address of the pesticide technician trainee, the name(s) and license number(s) of the person(s) providing training, the title of and time spent on each standard of competence, the dates of training, and signatures of the trainer(s) and the pesticide technician trainee.

(E) Certified commercial applicators or their employers shall keep and maintain a copy of the approved training course used for a period of three (3) years from the last date used.

(2) Application for a Pesticide Technician License.

(A) The director shall provide a pesticide technician license application form upon request. Forms may be requested from the Bureau of Pesticide Control, Missouri Department of



Agriculture.

(B) Applications shall be either typed or clearly printed in ink.

(C) The applicant shall attach to the application a clear, full-face, head-and-shoulder photograph of the applicant taken within twelve (12) months prior to the date of application.

(D) Applications are valid for one (1) year from the date received.

(E) If a license expires for more than one (1) year, all documents pertaining to that license may be destroyed.

(F) The applicant shall furnish the director with the following:

1. Name, including any other names under which the applicant has been known;

2. Last four (4) digits of Social Security number;

3. Date of birth;

4. Direct supervisor name;

5. Residential address (no PO Box accepted);

6. Business name and address from which pesticides will be used;

7. Categories in which the applicant requests a license;

8. A list of present and past employers for the three (3) years prior to application;

9. A list of all present and past pesticide licenses, permits, certifications, or registrations;

10. An explanation of any violation of the statutes of Missouri, any state or protectorate of the United States, or of the federal government which resulted in the denial, suspension, revocation, or modification of a pesticide license, permit, certification, or registration or issuance of a civil penalty; and

11. An explanation of any criminal prosecution, whether or not sentence was imposed, in which the applicant was found guilty, entered a plea of guilty or *nolo contendere*, or is subject to criminal prosecution under the laws of any state or of the United States for the following:

A. Offenses reasonably related to the qualifications, functions, or duties of professions regulated under this chapter;

B. Offenses an essential element of which is fraud, dishonesty, or an act of violence; or

C. Offenses involving moral turpitude.

(3) Qualification Requirements for a Pesticide Technician License.

(A) Applicants for a pesticide technician license shall successfully complete an approved program of verifiable training within one (1) year prior to issuance of a license. This training shall be in accordance with guidelines provided by the director. The on-the-job, practical training shall be in the physical presence and under the direct supervision of a commercial applicator certified in the category(ies) or subcategory(ies) in which the applicant is being trained. The training shall be specific to the following category(ies) or subcategory(ies), defined in 2 CSR 70-25.100, in which the applicant will use pesticides:

1. Category 3 – Ornamental and Turf Pest Control;

2. Category 7 – Structural Pest Control –

A. Subcategory a – General Structural Pest Control; and

B. Subcategory b – Termite Pest Control.

(B) Pesticide technician training programs must include the following information pertaining to the standards of competence for each category or subcategory of pest control in which the applicant will use pesticides. A pesticide technician training guideline shall be available from the director:

1. Pest identification – identifying pests, their habits and habitats through an understanding of life cycles, basic pest biology, identification of conditions which are favorable to pest

infestations, and the pesticide(s) used for pest control;

2. Equipment – the proper use and maintenance of equipment, including proper application techniques and equipment calibration;

3. Pesticides – a basic knowledge of pesticides, including formulations, concentrations, mixing instructions, application rates, manufacturers' brand names, target areas, pests controlled, and basic information about each pesticide used;

4. Alternative control methods – alternative methods to pest control, including sanitation, mechanical, cultural, and biological means, the possible combinations of those means used in effective pest control, and other alternatives to the application of pesticides;

5. Labels – comprehension of basic information found on pesticide labels, including the name and type of pesticide, ingredients, precautionary statements, directions for use, dilution, storage, disposal, and any information required for the use of pesticides;

6. Pesticide hazards and safety – potential hazards to the applicator, environment, or other individuals, including poisoning symptoms and prevention, first aid, use and maintenance of protective clothing and equipment, and special use precautions;

7. Pesticide spills – information regarding the prevention, reporting, and cleanup of pesticide spills; and

8. Pesticide laws – state and federal pesticide laws and regulations.

(4) Stipulations for a Pesticide Technician License.

(A) Pesticide technicians shall not use their licenses as authority to represent more than one (1) business or employer.

(B) Pesticide technicians shall not use their licenses to solicit business from the public, unless the solicitation is for the use or determination of the need for the use of pesticides under the direct supervision of a certified commercial applicator and in the category(ies) or subcategory(ies) in which the pesticide technician is licensed.

(C) Pesticide technicians must display their license in a prominent place at the address printed on the license.

(D) Persons shall not accrue more than forty-five (45) days of experience with the same employer as a pesticide technician trainee in any category or subcategory within a twelve- (12-) month period.

(E) If a pesticide technician is issued a certified commercial applicator license in the same category(ies), or issued a non-certified restricted use pesticide (RUP) applicator license, for the same business location, the pesticide technician license will be canceled.

AUTHORITY: section 281.038, RSMo Supp. 2024. Original rule filed Aug. 14, 1989, effective July 1, 1990. Amended: Filed May 15, 2024, effective Jan. 1, 2025.*

**Original authority: 281.035, RSMo 1974, amended 1977, 1988, 2019, 2021.*

2 CSR 70-25.160 Application for a Pesticide Dealer License
(Rescinded January 1, 2025)

AUTHORITY: section 281.050, RSMo Supp. 1990. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Rescinded: Filed May 15, 2024, effective Jan. 1, 2025.

**2 CSR 70-25.170 Stipulations for a Pesticide Dealer License**

PURPOSE: This rule sets stipulations on pesticide dealers' licenses. This rule is necessary to keep unlicensed persons from masquerading as pesticide dealers.

(1) A pesticide dealer must display their license at all times in a prominent place at the outlet from which they will sell restricted use pesticides, the address of which shall be printed on the license. In the case of pesticide dealers who sell restricted use pesticides by traveling on the road from place to place, the license shall be carried on the person of the licensee.

(2) Licensed pesticide dealers shall only sell, offer for sale, or distribute restricted use pesticides to licensed pesticide dealers or certified applicators who are eligible under 2 CSR 70-25.080(4) to purchase or acquire restricted use pesticides by holding valid certification in proper certification categories.

AUTHORITY: section 281.025, RSMo Supp. 2024. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed May 15, 2024, effective Jan. 1, 2025.*

**Original authority: 281.025, RSMo 1974, amended 1977, 1988, 1993, 1995, 2021.*

2 CSR 70-25.180 Contents of Records Maintained by Pesticide Dealers

PURPOSE: This rule outlines the contents of records to be maintained by pesticide dealers.

(1) Pesticide dealers must keep records relating to the sale or distribution of restricted use pesticides. All required information must be recorded within three (3) business days of the sale or distribution and kept for three (3) years.

(2) These records must be available for inspection by the director at reasonable times during regular business hours. Upon written request, the director shall be furnished a copy of records within ten (10) days of receipt of the request.

(3) Records shall contain the following information:

(A) Pesticide dealer's name and license number;

(B) The trade name, United States Environmental Protection Agency (EPA) registration number, the applicable state special local need (SLN) registration number(s), the amount of each restricted use pesticide made available at each transaction, and the date of the transaction; and

(C) Information related to the individual receiving the restricted use pesticide. This shall include –

1. The name, address, license number, certification category(ies), and license expiration date of the certified applicator to whom the restricted use pesticide was made available; or

2. The name, address, license number, and license expiration date of the pesticide dealer to whom the restricted use pesticide was made available; and

3. The state, tribe, or federal agency that issued the certification or dealer license if not issued by the director; and

4. If applicable, the name, address, and verified relationship of the noncertified, designated representative to whom the restricted use pesticide was made available. The relationship between the certified applicator or pesticide dealer and noncertified, designated representative may be verified

through one (1) of the following:

A. Actually seeing the certified applicator's or pesticide dealer's original license and an original identification document of the noncertified designated representative; or

B. Actually seeing a photocopy of the certified applicator's or pesticide dealer's license and a signed statement from the certified applicator authorizing the noncertified designated representative to take possession of the restricted use pesticide.

AUTHORITY: section 281.050, RSMo Supp. 2024. Original rule filed May 12, 1976, effective Oct. 21, 1976. Amended: Filed Sept. 6, 1977, effective Dec. 11, 1977. Amended: Filed Aug. 14, 1989, effective Jan. 1, 1990. Amended: Filed May 15, 2024, effective Jan. 1, 2025.*

**Original authority: 281.050, RSMo 1974, amended 1977, 1988, 2019, 2021.*