

**Title 2—DEPARTMENT OF
AGRICULTURE
Division 70—Plant Industries
Chapter 25—Pesticides**

PROPOSED AMENDMENT

2 CSR 70-25.060 Applications for a Certified Commercial Applicator License, [a] Certified Noncommercial Applicator License, [or a] Certified Public Operator License, Certified Private Applicator License, Certified Provisional Private Applicator License, Pesticide Dealer License, or Noncertified RUP Applicator License. The department is amending the rule title, amending sections (1), (3), (4), (6), and (7), and adding section (5).

PURPOSE: This amendment clarifies the application provisions for pesticide applicators.

(1) [A form for making a] **Applications for a certified commercial applicator license, [a] certified noncommercial applicator license, [or a] 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 [regular mail upon written request to:] **the Bureau of Pesticide Control, Missouri Department of Agriculture**[, P.O. Box 630, Jefferson City, MO 65102].

(3) A clear full-face, head and shoulder photograph of the applicant, taken within the preceding twelve (12) months of the date of application [, and not less than two and one-half inches (2 1/2") square,] shall be attached to the application.

(4) [The director shall keep all documents filed in support of an application until such time as the documents are replaced, except that—] **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.**

[A] *If a license is not issued within one (1) year of passing required examinations, all documents pertaining to that application may be destroyed; or]*

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

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

[(5)] **(6) [The applicant shall furnish the director with the following] 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) [Physical description:] **Name and private applicator license number of immediate family member if requesting a certified provisional private applicator license;**

- (E) [*Home*] **Residential** address (**no P.O. Box accepted**);
- (F) Business/**farm** name and **business/farm** address from which pesticides will be used;
- (G) Business/farm mailing address;**
- [(G)] **(H)** Categories in which the applicant requests a license;
- [(H)] **(I)** List of present and past employers for the three (3) years prior to application;
- [(I) *List of three (3) references;*]
- (J) List of all present and past pesticide licenses, permits, certifications, [*or*] **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; [*and*]
- (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.**

[(6)] **(7)** Any applicant who willfully makes a false statement in an application may be subject to the provisions of section 281.060, RSMo [(1986)].

*AUTHORITY: section 281.035, RSMo Supp. 1989. * 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.*

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

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for 10:00 a.m., July 22, 2024, Missouri Department of Agriculture, Third Floor Boardroom, 1616 Missouri Boulevard, Jefferson City, MO, 65109.*