

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

**PROPOSED AMENDMENT**

**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.** The department is amending the rule title and sections (1) through (4).

*PURPOSE: This amendment updates pesticide technician stipulations and requirements.*

(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** [*submit in writing, by regular mail, pesticide technician training programs to the director for approval.*T]training program[s] [*must be submitted*] 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. [*Approved pesticide technician training programs shall be valid for one (1) year from the date of approval.*]

[(B)] *In order to receive reapproval of pesticide technician training programs, certified commercial applicators or their employers shall submit written requests to the director by regular mail. Reapproval requests shall be in accordance with guidelines provided by the director.*

[(C)] (B) Certified commercial applicators or their employers shall notify the director in writing[, *by regular mail,*] within ten (10) working 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.

[(D)] (C) Certified commercial applicators or their employers must submit to the director a Notice of Training form provided by the director. [*This form shall contain the name and signature of the pesticide technician trainee, dates of training, title and approval code of the training program used, the name(s), signature(s), and license number(s) of the person(s) providing training.*]

[(E)] (D) Certified commercial applicators or their employers shall keep and maintain [*records of required training*] **a copy of the Notice of Training form** for a period of three (3) years from the date training was completed. [*These records*] **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[(s)] of and time spent on each standard of competence, the dates of training, and signatures of the trainer(s) and the pesticide technician trainee.

[(F)] (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 [*by regular mail*] upon [*written*] request. Forms may be requested from the Bureau of Pesticide Control, Missouri Department of Agriculture[, P.O. Box 630, Jefferson City, MO 65102].

(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. [*The photograph shall be at least two and one-half inches (2 1/2") square.*]

(D) [*The director shall keep all documents filed in support of an application until they are replaced, except that*] **Applications are valid for one (1) year from the date received.**

[*1. If a license is not issued within one (1) year of employment as a pesticide technician trainee, all documents pertaining to that application may be destroyed; or*]

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

[(E)](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. [*Physical description*] **Direct supervisor name;**

5. [*Home*] **Residential address (no P.O. 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 three (3) references;*]

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

[*11.*]**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

[*12.*]**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 [*a minimum of forty (40) hours in length, consisting of at least ten (10) hours of classroom-type training and at least thirty (30) hours of on-the-job, practical training*] **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 [*upon written request by regular mail*].

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.

*[(C) Individuals continuously employed in the capacity of a pesticide technician for the one (1)-year period prior to the date of application for a pesticide technician license may be exempt from the on-the-job, practical training requirement. Evidence of continuous employment shall be submitted to the director in the form of a signed, notarized statement from each employer of the applicant. The statement(s) shall include the applicant's name and Social Security number, the business name(s), address(es) and telephone number(s) of the employer(s), the dates of employment and the category(ies) and subcategory(ies) in which the applicant used pesticides.]*

(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) *Additional training of pesticide technicians shall be required every three (3) years. Training shall pertain to maintaining competence and meeting the needs of changing technology in the safe and proper use of pesticides.*]

[(E)] **(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 noncertified RUP applicator license, for the same business location, the pesticide technician license will be cancelled.**

*AUTHORITY: section 281.038, RSMo Supp. 1990. \* Original rule filed Aug. 14, 1989, effective July 1, 1990.*

*\*Original authority: 281.035, RSMo 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.*