

**VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
DIVISION OF CONSUMER PROTECTION
OFFICE OF PESTICIDE SERVICES
CERTIFICATION, LICENSING, REGISTRATION & TRAINING SECTION**

Guidance Document Number: 5037

Subject: Training and Supervision of Registered Technicians Who are Government Employees or Not-for-Hire Individuals

Issue Date: Revised 12/18/2018

Expiration Date: In effect until otherwise rescinded

PURPOSE: Provides guidance on the training and supervision of registered technicians who are Government Employees or Not-for-hire applicators. The guidance also clarifies the responsibilities of a registered tech even in the absence of a commercial applicator.

GUIDANCE:

1. Registered Technicians are, by definition in the Pesticide Control Act, certified to apply general use pesticides. They are also certified “to apply restricted use pesticides while under the direct supervision of a certified commercial applicator” (§ 3.2-3900) unless prohibited by a pesticide label.
2. In the process of preparing to become a Registered Technician, an applicant must receive on-the-job training under the direct on-site supervision of a certified commercial applicator for at least 20 hours. (2 VAC 5-685-50. A.1.) This hands-on training is in addition to the required 20 hours of study of the information in the Core Manual. This 40 hours of training is documented on the Registered Technician application by certification of the commercial applicator who provided the required training.
3. In § 3.2-3924.B., relating to the Pesticide Business License, it states “No person may apply or recommend for use any pesticide commercially without a pesticide business license and the employment of a certified commercial applicator responsible for: (i) the safe application of the pesticides; and (ii) providing recommendations for the use of pesticides.” This is our basis for holding commercial applicators responsible for the actions of Registered Technicians in their employ, within a pesticide business.
4. The Virginia Pesticide Control Act does not require supervision of Registered Technicians by a commercial applicator when a pesticide business license is not required and only general use pesticides are used. Example: A government-employee or not-for-hire Registered Technician applying a general use pesticide in the performance of normal job duties is not required to be supervised by a certified commercial applicator.
5. As certified applicators, Registered Technicians can be held legally responsible for their own actions when applying general use pesticides.

Therefore, the requirements of the Pesticide Control Act are as follows:

While a registered technician must receive supervised on-the-job training from a certified commercial applicator in order to qualify to take the registered technician exam, once that person is certified, he or she no longer requires supervision by a certified commercial applicator in order to use general use pesticides on the job in a governmental or other not-for-hire situation.

Authority: 2 VAC 5-685-50.A.1.