

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

Guidance Document Number: 5025

Subject: Applicator recertification-documents policies that apply to applicator recertification, specifically, reexamination in lieu of attending recertification courses and the approval of recertification courses.

Issue Date: Revised 12/18/2018

Expiration Date: In effect until otherwise rescinded

PURPOSE: Sections 3.2-3930 and 3.2-3932 of the Virginia Pest Control Act require that all certified applicators renew their certification biennially through reexamination or the completion of a Board-approved recertification course. 2 VAC5-685-130, Renewal of Certification, further states: "All applicators must first attend board-approved recertification course(s) and submit proof of attendance at such courses, or be reexamined in basic pesticide safety and the categories desired for recertification."

GUIDANCE:

1. Recertification by examination – Commercial applicators and registered technicians who choose to recertify by examination must submit an application to retest and retest fee in addition to the renewal application and renewal fee to do so. The Commercial applicators must pass both the Core Examination and the appropriate category exam(s). Registered Technicians must pass the Registered Technician exam.
2. Requirements for courses submitted for recertification approval:
 - A. Course submission requirements – Courses should be submitted 30 days prior to the course date. Courses submitted less than 14 days before the course date will be accepted for evaluation only if the office workload allows time for evaluation, and preparation and mailing of approval paperwork. Course submissions should include a course agenda, brief descriptions or outlines of the session contents, the date(s) and location(s) for the course, and the name, address, and phone (and fax) numbers of the course sponsor. The course sponsor must agree to carry out all administrative responsibilities related to recertification. If insufficient course information is received and the course sponsor does not promptly reply to inquiries from this office, the course will not be approved for recertification credit.
 - B. Evaluation of course content – Courses submitted for approval for recertification will be evaluated for the minimum content requirements of 2 VAC5-685-130 (see checklist in paragraph 4 below). Content must be appropriate and specific for the category(s) being addressed. Courses are expected to last a minimum of six hours

in order to adequately cover the required contents. Courses covering multiple categories may be required to be longer, in order to cover a wider variety of topics.

- C. Legal Aspects Coverage – Required Virginia legal information must be provided at each approved recertification course. It may be provided by a representative of the Office of Pesticide Services, or a representative of Virginia Cooperative Extension at their discretion. If no one is available to provide this information, a copy of the legal update presentation will be provided to the sponsor to present in its entirety. Course sponsors must check with the VDACS or VTPP presenter in advance to confirm their availability and to make sure that sufficient time is provided for the legal update. When planning, sponsors should plan a minimum of 45 minutes for the legal aspects presentation. The sponsor should contact the presenter in advance of the meeting to determine whether more time is needed.
- D. Course Approval or Denial – All sponsors who have submitted a course or meeting for recertification will receive written notice as to whether the course has been approved or denied.
- E. Course Sponsor Responsibilities – The course sponsor must agree to fulfill the following responsibilities: conduct the course in accordance with the approved agenda submitted to OPS, with a minimum of substitutions or variances; allow sufficient time for presentation of the VDACS legal update; monitor the attendance of all applicators through the use of a Virginia Recertification Roster (or a pre-approved alternative method); provide applicators who complete the course with a Virginia Application for Recertification, along with instructions for completing it; collect all completed Applications, reconcile them with the Recertification Roster for the course, and submit all original paperwork to OPS for processing within 30 days after the course is held. Course sponsors are expected to make and retain copies of all paperwork submitted to OPS on behalf of applicators.

Course sponsors may not advertise or represent a course as being approved by Virginia for recertification until they have received a letter of approval from OPS. If requested to do so, the recertification coordinator may give a verbal or fax approval for a course, after the evaluation is complete and prior to the paperwork being processed.

- 3. Failure of Course Sponsor to Fulfill Responsibilities - If a course sponsor fails to fulfill the following responsibilities described in paragraph E, the following actions may be taken by VDACS:
 - A. If a course sponsor does not provide sufficient time to present the legal aspects presentation, the VDACS or VTPP presenter may decline presenting and credit may be denied for the course. VDACS and VTPP staff cannot provide a partial presentation and credits will not be issued unless a complete legal aspects presentation is provided. If the course sponsor cannot make time for the

complete legal aspects presentation during the course, the sponsor, not VDACS, will be responsible for providing an alternate means for their attendees to receive the full legal aspects presentation.

- B. Denial of course credit or the ability to sponsor courses may occur if a course sponsor does not return the original copies of the completed Applications for Recertification and Recertification Roster within the timeframe requested in the course approval letter (30 days). If 15 days past due, VDACS may send one warning letter before taking further action. If not received within 90 days following the course, credits will be denied to all attendees.
4. **Minimum Required Content:** The Board of Agriculture and Consumer Services has established the minimum requirements, which must be met by any program approved for the recertification of commercial applicators in Virginia. The content of the essential material has been divided into two sections: Legal Aspects and Category Related Information. A checklist of the Minimum Training Information Required for Commercial Applicator Certification in Virginia is reprinted below.

Legal Aspects:

- L-1 Reminder to FOLLOW LABEL DIRECTIONS, including those on use, storage, disposal and transportation.
- L-2 Review possible consequences of violating the law.
- L-3 Reminder that restricted-use pesticides purchased under an applicator's certificate number must be for use by that applicator.
- L-4 Review a certified applicator's responsibilities in supervising the use of restricted-use pesticides by non-certified applicators.
- L-5 Review record-keeping responsibilities of commercial applicators for restricted-use pesticide applications.

Category-Related Training:

- T-1 Review general safety for the applicator, co-workers, and the public.
- T-2 Review the environmental aspects of pesticide use, including impact on non-target organisms, wildlife, domestic animals, groundwater, etc.
- T-3 Review application techniques, including equipment, calibration, and maintenance.
- T-4 Review hazards (both personal safety and environmental) unique to that specific category.
- T-5 Review pertinent information re: new chemistry/new formulations available that would be of use to applicators certified in the category.
- T-6 Review Integrated Pest Management (IPM) Programs applicable to the category.
- T-7 Review of pests specific to category; include in-depth training on identification and control of selected specific pests. This section may be tailored to local needs/problems.

A certified private applicator must complete a board-approved recertification course that, at a minimum, addresses the following topics:

1. General safety;

2. Legal update; and

3. Pest management and application technology including:

a. A review of category-specific pest management and pesticide use patterns;
and

b. A review of category-specific pesticide application and handling technology.

With the exception of the Legal Aspects presentation, the content material listed above may be communicated by a variety of methods, including live presentations, audiovisual programs, handouts, lobby displays, hands-on activities/practice sessions for participants, and demonstrations. For in-state commercial recertification courses, the area OPS investigator must be invited by the course sponsor to present the legal aspects portion of the program. For out of state courses or when VDACS staff is not available for an in-state course, a copy of the legal aspects presentation will be provided to the course sponsor to present.

Registered Technicians may recertify by attending a commercial course approved for the category corresponding to the type of pesticide use performed.

OPS expects all recertification programs to emphasize safe pesticide use and new developments in the field.

Authority:

Code of Virginia: § 3.2-3930. Application and Certification of commercial applicators and § 3.2-3932. Application and certification of private applicators.

Virginia Administrative Code: 2VAC5-675-30. Commercial Applicator Certificate Fee; 2VAC5-675-40. Registered Technician Certificate Fee; 2 VAC 5-685-130, Renewal of Certification;