

206.31 Application of pesticides for structural pest control.

1. *Definitions.* Notwithstanding section 206.2, as used in this chapter with regard to the application of pesticides used for structural pest control:

a. “*Commercial applicator*” means a person, or employee of a person, who enters into a contract or an agreement for the sake of monetary payment and agrees to perform a service by applying a pesticide or servicing a device but shall not include a farmer trading work with another.

b. “*Public applicator*” means an individual who applies pesticides as an employee of a state agency, county, municipal corporation, or other governmental agency.

c. “*Structural pest control*” means controlling any pests in, on, or around food handling establishments; human dwellings; institutions such as schools and hospitals; industrial establishments, including warehouses and grain elevators; and any other structures in adjacent areas.

2. *Additional certification requirements.*

a. A person shall not apply a restricted use pesticide used for structural pest control without first complying with the certification requirements of this chapter and other restrictions as determined by the secretary.

b. The secretary shall require applicants for certification as commercial or public applicators of pesticides applied for structural pest control to take and pass a written test.

3. *Examination for commercial applicator license.* The secretary of agriculture shall not issue a commercial applicator license for applying pesticides for structural pest control until the individual engaged in or managing the pesticide application business or employed by the business is certified by passing an examination to demonstrate to the secretary the individual’s knowledge of how to apply pesticides under the classifications the individual has applied for, and the individual’s knowledge of the nature and effect of pesticides the individual may apply under such classifications.

4. *Renewal of applicant’s license.* The secretary of agriculture shall renew an applicant’s license for applying pesticides for structural pest control under the classifications for which the applicant is licensed, provided that all of the applicant’s personnel who apply pesticides for structural pest control have also been certified.

5. *Rules and fee.* The secretary shall adopt by rule, pursuant to chapter 17A, requirements for the examination and certification of the applicants and set a fee of not more than five dollars for certification.

87 Acts, ch 177, §4; 88 Acts, ch 1118, §4; 88 Acts, ch 1197, §3; 2009 Acts, ch 41, §263