
40 C.F.R. § 171.103

Standards for certification of commercial applicators.

(a) *Determination of competency.* To be determined to have the necessary competency in the use and handling of restricted use pesticides by a State, Tribe, or Federal agency, a commercial applicator must receive a passing score on a written examination that meets the standards specified in paragraph (a)(2) of this section and any related performance testing that is required by the State, Tribe, or Federal agency. Examinations and any alternate methods employed by the certifying authority to determine applicator competency must include the core standards applicable to all categories (paragraph (c) of this section) and the standards applicable to each category in which an applicator seeks certification (paragraph (d) of this section). Certification processes must meet all of the following criteria:

(1) *Commercial applicator minimum age.* A commercial applicator must be at least 18 years old.

(2) *Examination standards.* The certifying authority must ensure that examinations conform to all of the following standards:

(i) The examination must be presented and answered in writing.

(ii) The examination must be proctored by an individual designated by the certifying authority and who is not seeking certification at any examination session that he or she is proctoring.

(iii) Each person seeking certification must present at the time of examination valid, government-issued photo identification or other form of similarly reliable identification authorized by the certifying authority as proof of identity and age to be eligible for certification.

(iv) Candidates must be monitored throughout the examination period.

(v) Candidates must be instructed in examination procedures before beginning the examination.

(vi) Examinations must be kept secure before, during, and after the examination period so that only the candidates have access to the examination, and candidates have access only in the presence of the proctor.

(vii) Candidates must not have verbal or non-verbal communication with anyone other than the proctor during the examination period.

(viii) No portion of the examination or any associated reference materials described in paragraph (a)(2)(ix) of this section may be copied or retained by any person other than a person authorized by the certifying authority to copy or retain the examination or any associated reference materials described in paragraph (a)(2)(ix) of this section.

(ix) The only reference materials used during the examination are those that are approved by the certifying authority and provided and collected by the proctor.

- (x) Reference materials provided to examinees are reviewed after the examination is complete to ensure that no portion of the reference material has been removed, altered, or destroyed.
- (xi) The proctor reports to the certifying authority any examination administration inconsistencies or irregularities, including but not limited to cheating, use of unauthorized materials, and attempts to copy or retain the examination.
- (xii) The examination must be conducted in accordance with any other requirements of the certifying authority related to examination administration.
- (xiii) The certifying authority must notify each candidate of the results of his or her examination.
 - (b) *Additional methods of determining competency.* In addition to written examination requirements for determining competency, a certifying authority may employ additional methods for determining applicator competency, such as performance testing. Any such additional methods must be specified in the certifying authority's Agency-approved certification plan and must comply with the applicable standards in paragraph (a) of this section.
 - (c) *Core standards for all categories of certified commercial applicators.* Persons seeking certification as commercial applicators must demonstrate practical knowledge of the principles and practices of pest control and proper and effective use of restricted use pesticides by passing a written examination. Written examinations for all commercial applicators must address all of the following areas of competency:
 - (1) *Label and labeling comprehension.* Familiarity with pesticide labels and labeling and their functions, including all of the following:
 - (i) The general format and terminology of pesticide labels and labeling.
 - (ii) Understanding instructions, warnings, terms, symbols, and other information commonly appearing on pesticide labels and labeling.
 - (iii) Understanding that it is a violation of Federal law to use any registered pesticide in a manner inconsistent with its labeling.
 - (iv) Understanding labeling requirements that a certified applicator must be physically present at the site of the application.
 - (v) Understanding labeling requirements for supervising noncertified applicators working under the direct supervision of a certified applicator.
 - (vi) Understanding that applicators must comply with all use restrictions and directions for use contained in pesticide labels and labeling, including being certified in the certification category appropriate to the type and site of the application.
 - (vii) Understanding the meaning of product classification as either general or restricted use and that a product may be unclassified.
 - (viii) Understanding and complying with product-specific notification requirements.
 - (ix) Recognizing and understanding the difference between mandatory and advisory labeling language.
 - (2) *Safety.* Measures to avoid or minimize adverse health effects, including all of the following:

- (i) Understanding the different natures of the risks of acute toxicity and chronic toxicity, as well as the long-term effects of pesticides.
- (ii) Understanding that a pesticide's risk is a function of exposure and the pesticide's toxicity.
- (iii) Recognition of likely ways in which dermal, inhalation, and oral exposure may occur.
- (iv) Common types and causes of pesticide mishaps.
- (v) Precautions to prevent injury to applicators and other individuals in or near treated areas.
- (vi) Need for, and proper use of, protective clothing and personal protective equipment.
- (vii) Symptoms of pesticide poisoning.
- (viii) First aid and other procedures to be followed in case of a pesticide mishap.
- (ix) Proper identification, storage, transport, handling, mixing procedures, and disposal methods for pesticides and used pesticide containers, including precautions to be taken to prevent children from having access to pesticides and pesticide containers.

(3) *Environment.* The potential environmental consequences of the use and misuse of pesticides, including the influence of all of the following:

- (i) Weather and other indoor and outdoor climatic conditions.
- (ii) Types of terrain, soil, or other substrate.
- (iii) Presence of fish, wildlife, and other non-target organisms.
- (iv) Drainage patterns.

(4) *Pests.* The proper identification and effective control of pests, including all of the following:

- (i) The importance of correctly identifying target pests and selecting the proper pesticide product(s) for effective pest control.

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