

02 NCAC 09L .1102 DEFINITIONS

The following definitions apply in this Section.

- (1) "Certified applicator" means any individual who is certified to use or supervise the use of any restricted use pesticide.
- (2) "Noncertified applicator" means any person who is not certified in accordance with G.S. 143-440(b) to use or supervise the use of restricted use pesticides, but who has met the requirements set forth in 40 C.F.R. 171.201(c), and who is using a restricted use pesticide under the direct supervision of a certified applicator in accordance with 40 C.F.R. 171.201.
- (3) "Private pesticide applicator" means a person who uses or supervises the use of any restricted use pesticide under the following conditions:
 - (a) for the purpose of producing any agricultural commodity on property owned or rented by the person or the person's employer; or
 - (b) if the pesticide is applied without compensation other than the trading of personal services between producers of agricultural commodities on the property of another person.
- (4) "Private pesticide applicator certification standards review" means a training session designed by the North Carolina State University Pesticide Safety Extension Specialist to advance a private pesticide applicator's practical knowledge in areas such as:
 - (a) the pest problems and pest control practices associated with agricultural operations;
 - (b) storage, use, handling, and disposal of pesticides and their containers;
 - (c) labels and labeling information;
 - (d) local environmental situations to consider during application to avoid contamination;
 - (e) recognition of poisoning symptoms and procedures to follow in case of a pesticide accident;
 - (f) protective clothing, equipment, and other worker protection standards;
 - (g) federal and state pesticide laws, rules, and regulations and the applicator's related legal responsibility;
 - (h) current agricultural production-related pesticide technology; and
 - (i) sources of advice and guidance necessary for the safe and proper use of each pesticide related to his or her certification including EPA guidance, extension publications and court decisions.

These training sessions shall be taught by Cooperative Extension Service pesticide training agents or other individuals approved by the Pesticide Board on a case-by-case basis, based upon the individual's education, experience, and knowledge of Sub-items (4)(a) through (i) of this Rule.

- (5) "Continuing certification credit" means one hour of continuing certification training. Such training may be offered during grower meetings, seminars, short courses, or other presentations taught by Cooperative Extension Service pesticide training agents, or other privately or publicly sponsored training organizations. Private applicators may also earn continuing certification credits by attending training sessions for which credit has been assigned in the following commercial categories and subcategories as set forth in Rule 02 NCAC 09L .0505(b):
 - (a) agricultural pest control;
 - (i) crop pest control;
 - (ii) livestock pest control;
 - (b) forest pest control;
 - (c) ornamental and turf pest control;
 - (d) aquatic pest control;
 - (e) seed treatment;
 - (f) soil and growing media fumigation pest control; and
 - (g) aerial pest control.

*History Note: Authority G.S. 143-440; 143-453;
Eff. December 1, 1976;
Amended Eff. June 1, 2016; October 1, 2002; November 1, 1988; July 1, 1987; February 5, 1978;
April 20, 1977;
Readopted Eff. August 1, 2020;
Amended Eff. November 1, 2024.*

