

■ ARIZONA PESTICIDE CONTROL LAW

TERMS:

Agricultural Permits — Commercial growers of agricultural crops in Arizona who apply pesticides or who hire anyone to apply pesticides on their crops, must obtain a valid permit issued by the state to do so.

Applicator Licensing — No one may apply pesticides for hire without being licensed by the state. Among other conditions, issuance of a license requires successful completion of an examination on the laws and rules relating to the use of pesticides, pesticide safety, adjustment of equipment, and actual use of application equipment. Pesticide application businesses must have prescribed insurance.

Applicator Certification — Apart from testing and insurance requirements, every applicator for hire must also be certified as a commercial applicator (or have someone employed who is a certified commercial applicator), which involves an examination on such matters as pesticide labeling, pesticide safety, protective equipment and clothing, poisoning symptoms, and first aid. Likewise, agricultural producers who intend to apply restricted pesticides to their crops must pass a similar examination and meet other requirements for certification as private applicators.

Licensing of Equipment — Equipment used in the commercial application of pesticides must be licensed before it is used for that purpose. The license must be displayed in plain sight on the equipment and must be removed any time the license of the applicator in control of the equipment is suspended, revoked or not renewed.

Use Restrictions — No one may dump, store or leave unattended any pesticide or pesticide container, at any place or under any condition, where it presents a hazard to persons, animals or property. Likewise, it is illegal for anyone to use or apply a pesticide contrary to instructions and warnings on the product's label. Growers are generally forbidden to allow any worker not wearing protective clothing required by a pesticide label, to enter any field treated with the product until the safe re-entry period prescribed for the product has passed. Before applying pesticides, growers must ensure that all persons and livestock under their supervision or control have been removed from the area to be treated.

ENFORCEMENT: *Environmental Services Division, Arizona Department of Agriculture, Phoenix, Arizona 85007 (602-542-3578).*

No sooner than 60 days after first filing a complaint with the Department of Agriculture, anyone who is negatively affected by a violation of the pesticide control law may file a lawsuit against the violator in civil court, using a private attorney or a public legal service program.