

## ■ LOUISIANA PESTICIDE LAW

### TERMS:

**Private Applicator Certification** — It is illegal for an agricultural producer to apply restricted pesticides on the farmer's own crops without being certified by the state as a private applicator. Certification may be issued only after the applicant satisfactorily demonstrates knowledge of the laws, regulations and safety practices applicable to restricted pesticides. In addition to their own use of such products, certified private applicators are authorized to supervise the application of restricted pesticides by competent uncertified individuals.

**Commercial Applicator Certification** — It is unlawful for anyone, for pay or profit, to apply any restricted pesticide on someone else's land unless the individual is certified as a commercial applicator. Among other requirements, commercial applicators must pass an examination demonstrating knowledge and competency in the safe use and application of restricted products. Certified commercial applicators may supervise the ground application of restricted pesticides by competent uncertified individuals but may not supervise the application of any pesticide from the air by any uncertified person.

**Owner-Operator Licensing** — Apart from certification requirements, anyone who owns or operates a commercial pesticide application business must obtain a license. Prior to obtaining a license, each owner-operator must post a bond or obtain liability insurance in an amount ranging from \$25,000 to \$50,000, depending on the nature of the operation.

**Prohibited Acts** — Among numerous other offenses specified in the law, it is illegal for anyone involved in the application or use of pesticides in Louisiana (1) to knowingly operate faulty or unsafe equipment, (2) to operate in a faulty or careless manner, (3) to fail to keep required records, (4) to apply a restricted pesticide without the proper certification or without required supervision, (5) to allow the application of a restricted pesticide by an uncertified person without the presence of a certified applicator, when such presence is required, and (6) to apply any pesticide in a manner contrary to instructions on the product's label.

**ENFORCEMENT:** *Pesticide and Environmental Programs Division, Louisiana Department of Agriculture and Forestry, Baton Rouge, Louisiana 70806 (225-922-1234; toll-free 866-927-2476).* A person who has suffered damages as a result of a pesticide application may file a damage complaint with the Department, within 15 days of the alleged occurrence or the discovery of the damage, whichever occurs later.

As an alternative, a person who suffers damages caused by a pesticide business may sue on the owner-operator's bond or insurance, using a private attorney or public legal services program.