

## PESTICIDE LICENSING REQUIREMENTS AND RESTRICTED USE PESTICIDE LIST

This chapter is intended to provide clear information about the pesticide licensing requirements in Illinois. It also includes a comprehensive list of restricted use pesticides (RUPs) and information about the associated record-keeping requirements. For more information about pesticide safety and the other pesticide, worker, and environmental laws in Illinois, contact your local University of Illinois Extension office. Extension's publication, *Pesticide Applicator Training Manual: General Standards*, is a valuable resource that addresses pesticide laws and safety issues in detail.

### ILLINOIS PESTICIDE ACT LICENSING REQUIREMENTS

A pesticide license is required of everyone who purchases or applies RUPs. The words "Restricted Use Pesticide" are prominently displayed on every RUP label. Also, anyone applying any restricted or general use pesticides in the course of employment must have a license. However, a person using a general use pesticide on his or her own or rented property is exempt.

The Illinois Department of Agriculture certifies and licenses those individuals who use pesticides in outdoor environments and in the production of agricultural commodities. University of Illinois Extension provides training and study materials for those seeking licenses. This chapter provides licensing information for these uses.

The Illinois Department of Public Health certifies and licenses individuals using pesticides in and on manufactured structures. Such uses include nuisance bird control, rodent control, wood treatment, and insect control. This chapter does not cover licensing for structural pest control.

### TYPES OF LICENSES

**Private Applicator License.** This license is required for people applying restricted use pesticides to produce an agricultural commodity on property they own or control. In addition, private applicators must pass the Grain Fumigation certification exam in order to fumigate their own grain bins. For information concerning private applicator and grain fumigation training and testing, contact your local University of Illinois Extension office. The current fee is \$20 for a 3-year license, with or without Grain Fumigation certification.

**Pesticide Dealer License.** An individual selling restricted use pesticides must be licensed. Also, an individual selling nonrestricted use (general use) pesticides for the production of an agricultural commodity in containers with capacities equal to or greater than 2½ gallons or 10 pounds must be licensed. A test, license, and fee are required for certification. Also, pesticide dealers are required to keep records of RUP sales for 2 years. Commercial Applicators and Structural Pest Control Operators are exempt from the test and fee, but they must register as dealers. The current fee is \$100 for a 1-year license; however, the certification exam is valid for a period of 3 years if no lapse in licensure occurs.

**Commercial Applicator and Operator Licenses.** These licenses are required for individuals who use or supervise the use of general or restricted use pesticides for hire. The current fee is \$60 for a 1-year applicator's license or \$40 for a 1-year operator's license; however, the certification exam is valid for a period of 3 years if no lapse in licensure occurs.

**Public Applicator and Operator Licenses.** These licenses are required for individuals who use or

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*The information in this chapter is provided for educational purposes only. Product trade names have been used for clarity, but reference to trade names does not imply endorsement by the University of Illinois; discrimination is not intended against any product. The reader is urged to exercise caution in making purchases or evaluating product information.*

*Label registrations can change at any time. Thus the recommendations in this chapter may become invalid. The user must read carefully the entire, most recent label and follow all directions and restrictions. Purchase only enough pesticide for the current growing season.*

supervise the use of pesticides classified for general or restricted use as an employee of a state agency, municipality, or other duly constituted governmental agency or unit. There is no license fee, and the certification exam is valid for a period of 3 years if no lapse in licensure occurs.

**Commercial Not-for-Hire Applicator and Operator Licenses.** These licenses are required for individuals who use or supervise the use of pesticides classified for general or restricted use for any purpose on property of an employer when such activity is a requirement of the terms of employment and the application is limited to property under the employer's sole control. There is no license fee, and the certification exam is valid for a period of 3 years if no lapse in licensure occurs.

#### APPLICATOR VS. OPERATOR LICENSE

**Applicators.** An applicator (Commercial, Public, or Commercial Not-for-Hire) is the person in an organization who has the responsibility for all pesticide purchasing, storage, handling, and use. Each organization must have at least one person licensed as an applicator at each facility location. The categories included on the applicator's license dictate the areas where a company may legally apply pesticides. An applicator is usually an owner, a supervisor, or a foreman. An applicator may use pesticides or supervise the use of pesticides by licensed operators.

The following are requirements for obtaining an applicator license:

- *Pass a General Standards exam.* An applicant must pass either the General Standards or the Aerial General Standards exam; each exam has 100 questions.
- *Pass one or more category exams.* The category exams are 50-question tests on specialized topics. Category selection depends on the sites where the company uses pesticides.
- *Complete the license application.* After you pass your exam(s), an application will be sent to you. Submit the completed application to the Illinois Department of Agriculture within 90 days. If 90 days elapse, you must retest.
- *Provide a certificate of insurance.* In addition to paying the license fee, commercial applicators must provide a certificate of insurance with proper coverage. The insurance requirements will be sent to you along with your application.

**Operators.** An operator (Commercial, Public, or Commercial Not-for-Hire) is a person who uses pesticides at the job site. The operator's license is tied directly to a specific applicator's license. An individual cannot be licensed as an operator unless he or she works with a properly licensed applicator. Further-

more, an operator may not legally apply pesticides for any other applicator. The operator can apply pesticides only under the direct supervision of the applicator and can apply pesticides only to areas covered by the applicator's license. Supervision and direction of operators by an applicator is interpreted to mean that the applicator must be in daily contact with the operators. If the applicator is out of town or not available, the operator may not legally apply pesticides.

The following are requirements for obtaining an operator's license:

- *Provide proof of employment by a licensed applicator.* Operators must be employed and supervised by a currently licensed applicator.
- *Pass a General Standards exam.* An applicant must pass either the General Standards exam or the Aerial General Standards exam; each exam has 100 questions.
- *Complete the license application.* After you pass your exam, an application will be sent to you. Submit the application to the Illinois Department of Agriculture within 90 days. If 90 days elapse, you must retest.

#### TECHNICAL CATEGORIES OF LICENSURE

Each technical category is designed to cover pesticide use requiring specific professional knowledge. An applicator's license must include all categories necessary to cover a company's entire range of pesticide use. Many applicators need multiple categories on licenses.

- *Aquatic pest control.* Pesticide use for weed control in standing or running water.
- *Demonstration and Research.* Pesticide use during research or during the teaching of proper pesticide and equipment use.
- *Field Crop pest control.* Pesticide use in corn, soybeans, small grains, forages, grasslands, etc.
- *Forest pest control.* Pesticide use in forests, forest nurseries, and forest seed-producing areas.
- *Fruit Crop pest control.* Pesticide use in fruit and nut crops.
- *Grain Facility pest control.* Noncommercial pesticide use in and around grain elevators or similar grain-holding facilities, conveyances, and transportation facilities.
- *Grain Fumigation pest control.* Pesticide use by private applicators to treat stored grain on their own property.
- *Livestock pest control.* Pesticides applied to livestock or livestock barns.
- *Mosquito control.* Insecticides applied to control mosquitoes.
- *Ornamental pest control.* Pesticide use on trees, shrubs, and ornamental plantings.

- *Plant Management pest control.* Pesticide use on portable plants used for interior landscaping and environmental enhancement.
- *Regulatory pest control.* Pesticide use by government employees involved in the control of regulated pests.
- *Rights-of-Way pest control.* Chemical weed control on noncrop sites, such as on parking lots, along roads, in access rights-of-way, and in fence lines.
- *Sewer Line Root control.* Chemical control of roots in sewer lines.
- *Seed Treatment.* Pesticide use on seeds.
- *Soil Fumigation.* Pesticide use for soil fumigation.
- *Turf pest control.* Pesticide use on turf areas and sod farms.
- *Vegetable Crop pest control.* Pesticide use in vegetable crops.

#### IMPORTANT ADDRESSES AND PHONE NUMBERS

**Commercial Clinic Preregistration and Study Material Information.** The University of Illinois Extension Pesticide Applicator Training (PAT) Program is responsible for pesticide training as well as answering questions regarding training availability, schedules, clinic preregistration, and study materials. For information, contact

University of Illinois  
Pesticide Safety Education Program  
1201 S. Dorner Dr.  
Urbana, IL 61801  
Phone: (800)644-2123 or (217)244-2123  
Fax: (217)244-3469

**License Information.** The Illinois Department of Agriculture is responsible for pesticide testing and licensing, and agency representatives can answer questions regarding required exams, category requirements, and license availability. For information, contact

IDA/Bureau of Environmental Programs  
P.O. Box 19281  
State Fairgrounds  
Springfield, IL 62794-9281  
(217)785-2427(TDD)  
(800)641-3934

or

IDA/Bureau of Environmental Programs  
9511 Harrison St.  
Des Plaines, IL 60016  
(847)294-4343

**Structural Pest Control.** The Illinois Department of Public Health is responsible for training and testing in

category 7 (indoor, structural pest control). For information about this category of licensure, contact

IDPH/Division of Environmental Health  
525 W. Jefferson, 3rd Floor  
Springfield, IL 62761  
(217)782-4674

#### RESTRICTED USE PESTICIDES

In 1972, amendments to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) provided the legal mechanism for restricting the use of certain pesticides. The U.S. Environmental Protection Agency (USEPA), confronted with the enormous task of reviewing all registered pesticides, proposed to classify pesticides by their active ingredients, subdividing each active ingredient into its various formulations or uses. This classification system provided the USEPA with more flexibility to restrict some, but not all, products containing the same active ingredient. The process was called classification by regulation. When pesticides are restricted in this manner, the manufacturer is given 270 days to amend the label on all the affected products. This timetable has been of particular interest to pesticide dealers because once the restricted use label is applied to the container, it can be sold only to a certified applicator.

In addition to reviewing existing products, the USEPA is required to register products not previously marketed. Some of these new products have been classified for restricted use. This process is called classification by registration.

Pesticides classified for restricted use by registration and regulation are listed in Table 1. This list is based on Illinois Department of Agriculture (IDA) lists dated September 2006. Some active ingredients are restricted use only in higher concentrations and some formulations. Refer to the IDA Web site listed at the end of this chapter for details and updates.

#### RECORD-KEEPING REQUIREMENTS

All certified applicators are required to keep records of applications of federally restricted use pesticides (RUPs). These records are required under the Food, Agriculture, Conservation, and Trade Act of 1990, also known as the 1990 Farm Bill. Record keeping has been required of commercial applicators in Illinois since 1988 under the Illinois Pesticide Act. There is no required form for either regulation. Any form is acceptable as long as the required data are included.

**PRIVATE APPLICATORS**

The federal regulations require all certified private applicators (those who apply pesticides to their own land) to maintain records of RUP applications. Records must be recorded within 14 days of the RUP application and maintained for 2 years. Federal regulations require that records for RUP applications must include the following information:

- brand or product name and the EPA registration number
- total amount applied
- location of the application
- size of the area treated
- crop, commodity, stored product, or site to which a RUP was applied
- month, day, and year of the application
- name and certification number of the certified applicator who applied or who supervised the application of the RUP

Spot applications, where a RUP is applied to an area less than one-tenth of an acre, require less stringent

records. Only the product name and registration number, amount applied, location, and date must be recorded. Greenhouses and nurseries are excluded from using spot applications in their records.

**COMMERCIAL APPLICATORS**

All commercial applicators must continue to maintain the records they currently keep under Illinois regulations. In addition, the federal regulations require all commercial applicators to furnish a copy of either the state or federally required records to the customer within 30 days of the RUP application. Records must be maintained for 2 years from the date of application.

Requirements for records of RUP applications under the Illinois Pesticide Act include the following:

- brand or product name and the EPA registration number
- amount applied
- use site
- month, day, and year of the application

For more information, contact the Illinois Department of Agriculture at (217)785-2427 or your local Extension office.

**Table 1. Restricted use pesticides**

Active ingredient	Trade name	Type	Criteria for restricted use
abamectin	Agri-Mek, Zephyr	Insecticide	Toxic to mammals and aquatic organisms
acetochlor	Degree, Harness, Surpass, TopNotch	Herbicide	— <sup>a</sup>
acrolein	Magnacide H	Herbicide	Human inhalation hazard; avian and aquatic toxicity
alachlor	many	Herbicide	Oncogenicity
aldicarb	Temik	Insecticide–nematicide	Accident history
aluminum phosphide	Detia, Phostoxin, many others	Fumigant	Human inhalation hazard
arsenic acid	CCA	Herbicide, wood preservative	Fetotoxicity; mutagenicity; oncogenicity; reproductive effects
arsenic pentoxide	many	Wood preservative	Oncogenicity; mutagenicity; reproductive and fetotoxic effects
atrazine	many	Herbicide	Groundwater contamination; worker exposure

**Table 1. Restricted use pesticides (cont.)**

Active ingredient	Trade name	Type	Criteria for restricted use
avitrol	Avitrol	Avicide	Hazard to fish and nontarget birds
bifenthrin	Brigade, Capture, Talstar	Insecticide	Toxicity to aquatic organisms
carbofuran	Furadan	Insecticide–nematicide	Acute inhalation toxicity; bird toxicity
chlorthoxyfos	Fortress	Insecticide	Human, bird, and aquatic invertebrate toxicity
chlorophacinone	Rozol Tracking Powder	Rodenticide	Human hazard; potential for food contamination
chloropicrin	many	Fumigant	Acute inhalation toxicity; hazard to nontarget organisms
chlorpyrifos	Cyren, Dursban, Lorsban, others	Insecticide	Avian and aquatic toxicity
chromic acid	CCA (Chromated Copper Arsenate), others	Wood preservative	Oncogenicity; mutagenicity; teratogenicity; fetotoxic effects
coumaphos	CO-RAL	Insecticide	Acute oral toxicity
creosote oil, coal tar creosote, coal tar	many	Wood preservative	Possible oncogenicity and mutagenicity
cuprous oxide	Hempel's Combic, Osmos ACC	Fungicide	— <sup>a</sup>
cyfluthrin	Aztec, Baythroid, Tempo	Insecticide	Toxicity to applicator; toxicity to fish and other aquatic organisms
cypermethrin	Ammo, others	Insecticide	Hazard to nontarget organisms; oncogenicity
deltamethrin	Decis, Deltagard	Insecticide	Toxicity to aquatic organisms
dichlobenil	Sanafoam, Vaperooter II, Sewerout	Herbicide	Conditional
dichloropropene	Telone, others	Fumigant	Possible oncogenicity; acute toxicity
diclofop methyl	Hoelon	Herbicide	Oncogenicity
dicrotophos	Mauget Inject-A-Cide B	Insecticide	Acute dermal toxicity; residue effects on birds
diflubenzuron	Dimilin	Insecticide	Hazard to wildlife
diphacinone	Ditrac	Rodenticide	Acute oral toxicity

**Table 1. Restricted use pesticides (cont.)**

Active ingredient	Trade name	Type	Criteria for restricted use
disulfoton	Di-Syston	Insecticide	Acute dermal and inhalation toxicity
emamectin benzoate	Proclaim	Insecticide-miticide	Fish toxicity
esfenvalerate	Asana, others	Insecticide	Possible adverse effects on aquatic organisms
ethoprop	Mocap	Insecticide	Acute dermal toxicity
fenamiphos	Nemacur	Nematicide	Acute toxicity; bird toxicity
fenpropathrin	Danitol, Tame	Insecticide	Toxicity to aquatic organisms
fipronil	Regent	Insecticide-miticide	Conditional
imidacloprid	Leverage	Insecticide	Toxicity to aquatic organisms
isoxaflutole	Balance	Herbicide	Phytotoxicity
lambda-cyhalothrin	Karate, Mustang, Scimitar, Warrior	Insecticide	Toxicity to fish and aquatic invertebrates
magnesium phosphide	Fumi-Cel	Fumigant	Inhalation hazard
methiocarb	Mesuroil	Molluscicide	Possible hazard to birds and aquatic organisms
methomyl	Lannate	Insecticide	Residue effects on mammals; accident history
methyl bromide	many	Fumigant	Accident history; acute toxicity
methyl isothiocyanate	MITC-Fume	Wood preservative	Exceeds classification criteria
nicotine	Nicotine	Insecticide	Acute inhalation toxicity; effects on aquatic organisms
oxamyl	Vydate	Insecticide, nematicide	Acute oral and inhalation toxicity; bird toxicity
paraquat	Cyclone, Gramoxone	Herbicide	Use and accident history; human toxicity
permethrin	Pounce, others	Insecticide	Toxicity to aquatic organisms; oncogenicity
phorate	Phorate, Thimet	Insecticide	Acute toxicity; effects on birds, mammals, and aquatic organisms
phosphine gas	EcoFume, Vaporphos	Fumigant	Acute inhalation toxicity
picloram	Grazon, Tordon	Herbicide	Hazard to nontarget organisms

**Table 1. Restricted use pesticides (cont.)**

Active ingredient	Trade name	Type	Criteria for restricted use
profenofos	Curacron	Insecticide, acaricide	Corrosive to eyes
resmethrin	many	Insecticide	Fish toxicity
rotenone	Prenfish	Fish control	Chronic eye and inhalation effects
starlicide	Gull-Toxicant	Bird repellent	Hazard to nontarget organisms
strychnine	many	Rodenticide	Acute oral toxicity; effects on nontarget organisms; accident history
sulfuryl fluoride	Vikane	Fumigant	Acute inhalation hazard; acute human toxicity
tefluthrin	Force	Insecticide	Toxicity to aquatic organisms
terbufos	Counter	Insecticide	Acute toxicity; bird toxicity
thiodicarb	Larvin	Insecticide	Hazard to nontarget organisms
zinc phosphide	many	Rodenticide	Acute oral and inhalation toxicity; hazard to nontarget organisms

<sup>a</sup>Information not available.

### RECOMMENDED WEB RESOURCES

<http://www.kellysolutions.com/IL/searchbyRup.asp>

The Illinois Department of Agriculture's pesticide registration Web site.

<http://www.pesticidesafety.uiuc.edu>

The University of Illinois's pesticide safety education Web site. This resource includes information on Worker Protection Standards.

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