

### Commercial Applicator Certification

Commercial applicator certification is valid for two years. Applicants must take a test to become initially certified, but can recertify by attending a class. Once certified, commercial applicators must obtain a license, which is also valid for two years. More than 6,000 commercial applicators are currently licensed.

### LICENSE AND CERTIFICATION FEES

Private applicator certification card	\$0
Commercial applicator license	\$25
Comm. Applicator recertification	\$30/\$40
RUP dealer license	\$50
Applicator and dealer license late fee	\$50
Bulk pesticide storage facilities permit	\$0
Operational area registration	\$0

**Applicator and dealer license must be renewed by March 1 or a \$50 late fee will be assessed.**

Government employees who apply pesticides must obtain an applicators license, but are exempt from the \$25 license fee.

### DEFINITIONS

**Pesticide** – A term which includes herbicides, insecticides, fungicides and rodenticides.

**Restricted Use Pesticide** – A pesticide whose use has been restricted for various reasons, such as environmental safety or health concerns.

**Private applicator** – A person who is certified to apply any pesticide on land the person or the person's employer owns, operates or rents for production of agricultural commodities amounting to greater than \$1000 or uses an RUP in production of agricultural commodities.

**Commercial applicator** – Any certified applicator that uses any pesticide on any property other than as a private applicator.

**Reciprocity** – Commercial applicators certified in adjoining states but doing business in South Dakota

must acquire a South Dakota license, but can receive credit for training they received in their home state. They must have tested in a state that adjoins the South Dakota border.

There is no reciprocity for private applicators certified in other states but applying pesticides in South Dakota. Private applicators applying pesticides in South Dakota must acquire a South Dakota private applicator license.

### PROJECT AREAS

**Groundwater Protection Program** – The SDDA and EPA have a joint environmental goal of managing the use of pesticides to protect South Dakota's groundwater resources.

**Worker Protection Program** – The SDDA and EPA carry out a worker protection program that ensures worker safety when dealing with pesticides. The program informs and protects users and workers exposed to pesticides.

**Endangered Species Protection Program**– Focuses on protecting species listed as endangered or threatened, while minimizing to the extent possible, impacts on pesticide users.



### FOR MORE INFORMATION

SD Department of Agriculture  
Division of Agricultural Services  
Office of Agronomy Services  
523 East Capitol Ave. – Foss Building  
Pierre, SD 57501-3182  
Phone: 605-773-4432  
FAX: 605-773-3481

Web: [sdda.sd.gov/Ag\\_Services/](http://sdda.sd.gov/Ag_Services/)

## South Dakota Department of Agriculture

### PESTICIDE PROGRAM

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**Office of Agronomy Services  
Division of Agricultural Services**

## GOAL

To assure the safe and effective storage, handling, distribution, use and disposal of pesticide products.

The South Dakota Department of Agriculture (SDDA), by agreement with the US Environmental Protection Agency (EPA) is responsible for enforcing the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). FIFRA relates directly to the manufacture, distribution, sale, use, and disposal of pesticide products.

The SDDA is also responsible for enforcing the state pesticide law, SDCL 38-20A, the agricultural pesticide application law, SDCL 38-21, and pesticide administrative rules ARSD 12:56.

## PRODUCT REGISTRATION

State law requires that all pesticide products distributed for use in South Dakota be registered with the SDDA. Product labels are reviewed for compliance with state and federal labeling requirements. Products with risks unique to South Dakota may be further evaluated.

The biennial cost for registering a pesticide is \$240 per product. Over 10,000 pesticide products are currently registered for use in the state for both agricultural and non-agricultural uses. Approximately 80% of the products registered are non-agricultural.

## PESTICIDE STORAGE, HANDLING AND DISPOSAL REQUIREMENTS

- Bulk pesticides must be stored within secondary containment, constructed in accordance with state law, to prevent contamination of the environment from spills.
- When pesticide handling occurs near water sources, or if certain thresholds are exceeded, containment is necessary.

- Chemical connections to potable water supplies must have backflow prevention.
- Applicators must have a written pesticide handling and discharge response plan.
- Empty containers must be triple or pressure rinsed. Properly rinsed containers may be offered for recycling.
- The SDDA holds container recycling collection points throughout the summer and also collects unusable pesticides each fall.
- Applicators and bulk facilities are required to report significant spills to the SDDA or Emergency Management.

**To report a pesticide or fertilizer spill contact:**  
Department of Public Safety, Office of Emergency Management (24 hours) **(605) 773-3231**

## RECORDKEEPING REQUIREMENTS

Commercial applicators must keep records of applications for a three year period of time. Records must be completed by the end of each day that applications were made. Records shall be made available to the SDDA upon request.

Licensed pesticide dealers must keep records of sales of restricted use pesticides for three years. Records shall be made available to the SDDA upon request.

The federal pesticide recordkeeping regulations require that private pesticide applicators keep records of federal restricted use pesticide applications. The information must be recorded within 14 days following the pesticide application. Records must be kept for two years from the date of the pesticide application.

## ENFORCEMENT

SDDA representatives inspect pesticide manufacturers, distributors, dealers and applicators to ensure compliance with state and federal laws.

Pesticide damage complaints filed with the SDDA are investigated for possible violations. More than 125 pesticide damage complaints and spills are investigated annually.

Violations of laws and rules may result in denial, revocation or suspension of a person's pesticide license or certification; prosecution as a Class 2 Misdemeanor; or civil penalties of up to \$5,000.

SDDA does not have the authority to seek compensation on the behalf of any complainant. The complainant may pursue damage compensation/reimbursement through the court system. If you have questions about your legal rights, you should contact an attorney.

**To file a pesticide damage complaint, call (605) 773-4432 or file online at the Regulatory Compliance & Enforcement page:**  
[sdda.sd.gov/Ag\\_Services/](http://sdda.sd.gov/Ag_Services/)

## CERTIFICATION/LICENSING

The SDDA is the lead agency administering the pesticide certification program required by FIFRA. SD Cooperative Extension Service (CES) provides training and administers certification examinations at local extension offices.

### Private Applicator Certification

Private Applicator Certification is required before an agricultural producer can purchase or use a restricted use pesticide (RUP). A producer who has the potential of producing more than \$1,000 of an agricultural commodity must be certified to use **any** pesticide. Private applicator certification is obtained by attending a certification meeting, completing a test provided by local county extension educators or passing an exam available on the internet at: [apps.sd.gov/doa/pwt/](http://apps.sd.gov/doa/pwt/)

There is no fee for a private applicator certification card, which is valid for five years. Approximately 16,000 private applicators currently hold valid certification.