




**Florida Department of Agriculture & Consumer Services**  
**CHARLES H. BRONSON, Commissioner**  
**The Capitol • Tallahassee, FL 32399-0800**

Please Respond to:  
Bureau of Entomology and Pest Control  
1203 Governors Square Blvd., Suite 300  
Tallahassee, FL 32301-2961  
(850) 921-4177 (850) 410-0724 FAX  
<http://www.floridatermitchelp.org>

MEMORANDUM 797

DATE: July 1, 2006

TO: All Structural Pest Control Licensees, All Limited Commercial Landscape Maintenance certificate holders, Applicants for Certification for Commercial Landscape Maintenance examination and other interested parties

FROM: Michael J. Page, Chief   
Bureau of Entomology and Pest Control

SUBJECT: Recent amendments to Section 482.156, Florida Statutes

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The Legislature recently amended Section 482.156, Florida Statutes. Effective July 1, 2006, qualification criteria for this certification were modified. An applicant must now submit an application (DACS Form 13604); proof of attending 6 hours of approved plant bed and ornamental continuing education training; a photograph; and the application fee.

Applicants will no longer be required to provide proof of 3 years of business operation experience.

Although applicants are not required to submit proof of insurance (DACS Form 13654) at the time of application, certificates for applicants passing the exam will not be issued until a certificate of insurance meeting the minimum financial responsibility for bodily injury and property damage as required by Section 482.071(4), F.S., is submitted. To avoid delay, you may still submit this documentation with your application for examination.

The changes also allow for Limited Commercial Landscape Maintenance certificate holders to make applications of herbicides, insecticides and fungicides having the signal word "caution" to plant beds and ornamental plants. Certificate holders are still restricted to portable, handheld 3 gallon compressed air sprayers or backpack sprayers having no more than a 5 gallon capacity. Certificate holders may not use power application equipment; may not operate a pest control business; and may not apply any pesticide (insecticide, herbicide or fungicide, including weed-n-feed products) to the lawn or turf.

A copy of the amendments are attached. Please contact this office for any additional information.



See Reverse.....

Section 4. Subsections (1), (2), and (3) of section 482.156, Florida Statutes, are amended to read:

**482.156** Limited certification for commercial landscape maintenance personnel.--

(1) The department shall establish a limited certification category for individual commercial landscape maintenance personnel to authorize them to apply herbicides for controlling weeds in plant beds and to perform integrated pest management on ornamental plants using ~~the following materials:~~ insecticides and fungicides having the signal word "caution" but not having the word "warning" or "danger" on the label, ~~insecticidal soaps, horticultural oils, and bacillus thuringiensis formulations.~~ The application equipment that may be used by a person certified pursuant to this section is limited to portable, handheld 3-gallon compressed air sprayers or backpack sprayers having no more than a 5-gallon capacity and does not include power equipment.

(2)(a) A person seeking limited certification under this section must pass an examination given by the department. Each application for examination must be accompanied by an examination fee set by rule of the department, in an amount of not more than \$150 or less than \$50; ~~however, until a rule setting this fee is adopted by the department, the examination fee is \$50. Prior to the department's issuing a limited certification under this section, each person applying making application for the certification under this section must~~ furnish proof of having a certificate of insurance which states that the employer meets the requirements for minimum financial responsibility for bodily injury and property damage required by s. 482.071(4).

(b) To be eligible to take the examination, an applicant must have completed 6 & classroom hours of plant bed and ornamental continuing education training approved by the department and provide sufficient proof, according to criteria established by department rule, ~~that the applicant has been in the landscape maintenance business for at least 3 years.~~

~~(b)~~ The department shall provide the appropriate reference materials for the examination and make the examination readily accessible and available to applicants at least quarterly or as necessary in each county.

(3) An application for recertification under this section must be made annually and be accompanied by a recertification fee set by rule of the department, in an amount of not more than \$75 or less than \$25; ~~however, until a rule setting this fee is adopted by the department, the fee for recertification is \$25.~~ The application must also be accompanied by proof of having completed 4 classroom hours of acceptable continuing education and the same proof of having a certificate of insurance as is required for issuance of this initial certification. After a grace period not exceeding 30 calendar days following the annual date that recertification is due, a late renewal charge of \$50 shall be assessed and must be paid in addition to the renewal fee. Unless timely recertified, a certificate automatically expires 180 calendar days after the anniversary recertification date. Subsequent to such expiration, a certificate may be issued only upon successful reexamination and upon payment of the examination fees due.