

Georgia Department of Agriculture

Agricultural Inputs – Pesticide Section 19 M.L.K. Jr. Dr. S.W., Room 410 • Atlanta, GA 30334 (404)-656-4958 Fax: (404)-657-8378

CONTRACTOR LICENSE INFORMATION SHEET

The Georgia Pesticide Use and Application Act of 1976 requires that any person engaged in the business of applying pesticides to the lands of another within the State of Georgia must first be issued a pesticide contractor's license by the Commissioner of Agriculture.

DEFINITION OF PESTICIDE CONTRACTOR

The term "pesticide" is defined as any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest or pests. This definition includes <u>herbicides</u>, insecticides, fungicides, plant growth regulators, defoliants, etc. If you apply, as part of your business, or your company applies any type of pesticide to someone else's property and a fee is assessed for these applications, or if you perform applications as part of a maintenance contract, you are subject to this requirement.

EXAMPLES

Lawn Care/Maintenance CompanyAerial ApplicatorLandscape ContractorRight-of-Way ContractorTree SurgeonForester/Land Management CompanySwimming Pool Maintenance CompanyCustom ApplicatorJanitorial Service ContractorMosquito Control Contractor

REQUIREMENTS

- At least one (1) full-time certified commercial applicator in employment licensed in category(ies) of operation.
- Satisfying financial responsibility requirements.
- Completing an application and submitting a \$55.00 annual fee.

PENALTY

If your company is engaged in the application of pesticides to the property of another person and collecting a fee for this service without the proper license, an injunction may be sought against your company. A maximum fine of \$1,000.00 per violation may also be levied against your company. Each pesticide application performed without the required pesticide contractor license may be viewed as a separate violation, and fines assessed accordingly.

For more information, visit our website and click on the Pesticide Contractor link at: http://www.agr.georgia.gov/pesticides.aspx



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PHONE: 404-656-4958

FAX: 404-657-8378 (Type or Print) GEORGIA PESTICIDE CONTRACTOR LICENSE APPLICATION Date of Application Check One Official Use Only This is the first time this company has applied for a Georgia Pesticide Contractor's License. Month Date: Amount \$ Day Year This is a renewal application. Check No. BUSINESS Business Name Email Address: _____ **↓** Mailing **↓** ↓ Location (Street/Route) ↓ City _____ Zip ___ County TYPE OF BUSINESS Company or Corporation Individual Partnership Note: If individual or partnership, furnish name and address of owners. If company or corporation, give name and title of officers. Name Name Address _____ Address ____ City Company / Corporation Office Office Office Title COMMERCIAL PESTICIDE APPLICATORS Provide name and license number of all certified commercial pesticide applicators in your full time employment. Attach an additional sheet, if needed. Name License # Name License # COMMERCIAL CATEGORIES Check only the categories in which you actually operate and in which you have in full time employment at least one certified commercial applicator. 21 Plant Agricultural Pest Control 27 Right of Way Pest Control 38 Ag Commodity Fumigation 22 Animal Agricultural Pest Control 39 Antifouling Paint 34 Aerial Equipment 23 Forest Pest Control 36 Wood Treatment 41 Mosquito Control 24 Ornamental and Turf Pest Control 37 Anti-microbial 26 Aquatic Pest Control **EQUIPMENT USED** List all equipment used except hand pumps on reverse side of this form. F.A.A. Company Operating Certificate # (Aerial only) LICENSE FEE This application must be accompanied by a \$55.00 license fee (Check or money order made payable to The Georgia Department of Agriculture) LIABILITY COVERAGE / FINANCIAL RESPONSIBILITY This application form shall serve as the certificate of liability insurance. By signing below, the applicant certifies that this pesticide contractor maintains financial responsibility at this and all times throughout the pesticide contractor license period as required and in the minimum amount specified by section 2-7-103 of the Georgia Pesticide Use and Application Act and section 40-21-8 of the rules of the Georgia Pesticide Use and Application Act. Failure to maintain financial responsibility will result in cancellation of your pesticide contractor license and may result in enforcement action against your company. Have you entered a guilty plea or been found guilty after January 1, 1984 of any violation of the Georgia Controlled Substance Act, which violation Applicant Signature Printed Name Title involved the use of an aircraft?

RULES OF

GEORGIA DEPARTMENT OF AGRICULTURE PESTICIDE USE AND APPLICATION

CHAPTER 40-21-8 FINANCIAL RESPONSIBILITY

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40-21-8-.01 Persons Subject to Regulations. Amended.

40-21-8-.03

Insurance

Any individual, company, corporation or other business entity desiring to engage in the business of applying pesticides to the lands of another within this State shall secure a Pesticide Contractor's License. Granting of such license shall be conditioned on satisfactory proof of financial responsibility by all applicants other than those who are applying crop protection products to agricultural crops and who are requesting a Pesticide Contractor's License in only the Agricultural Plant Pest Category, with or without licensing in Aerial Methods.

Authority Ga. L. 1976, p. 369; O.C.G.A. Sec. 2-7-99. **Administrative History.** Original Rule entitled "Persons Subject to Regulations" was filed on June 24, 1974 as 40-21-1-.01; effective July 14, 1974. **Amended:** Rule repealed and a new Rule of same title adopted. Filed July 5, 1977; effective July 25, 1977. **Amended:** Rule renumbered as 40-21-8-.01. Filed July 10, 1978; effective July 30, 1978. **Repealed:** New Rule of same title adopted. F. Aug. 27, 1990; eff. Sept. 16, 1990.

40-21-8-.02 Certification of Financial Responsibility. Amended.

Proof of financial responsibility by the applicant for a Pesticide Contractor's license must be evidenced and furnished to the Commissioner of Agriculture by certification of liability insurance, by copy of an appropriate surety bond, or by certificate of deposit for a cash deposit. Forms for certification of liability insurance and for surety bonds shall be specified and furnished by the Commissioner of Agriculture.

Authority Ga. L. 1976, p. 369. **Administrative History.** Original Rule entitled "Certification of Financial Responsibility" was filed on June 24, 1974 as 40-21-1-.02; effective July 14, 1974. **Amended:** Rule repealed and a new Rule of same title adopted. Filed July 5, 1977; effective July 25, 1977. **Amended:** Rule renumbered as 40-21-8-.02. Filed July 10, 1978; effective July 30, 1978.

40-21-8-.03 Insurance. Amended.

Liability Insurance policies may include pollution exclusions or other exclusions only to the extent that they are not inconsistent with O.C.G.A. <u>2-7-103</u>, and shall be in the following minimum limits, including coverage for legal damages arising from the use of chemicals, dusting powders and the like, employed by the insured in his regular business operations: (a) Aerial Contractors

Bodily Injury \$50,000 Any One Occurrence

Property Damage \$25,000 Any One Occurrence

\$100,000 Aggregate

Maximum Deductible \$1,000 Per Occurrence

(b) Ground Contractors

Bodily Injury \$25,000 Any One Occurrence

Property Damage \$10,000 Any One Occurrence

\$25,000 Aggregate

Maximum Deductible \$500 Per Occurrence

Authority Ga. L. 1976, p. 369. O.C.G.A. Secs. <u>2-7-90</u>, et seq. 2-7-103. **Administrative History.** Original Rule entitled "Insurance" was filed on June 24, 1974 as 40-21-1-.03; effective July 14, 1974. **Amended:** Rule repealed and a new Rule entitled "Insurance Policy" adopted. Filed July 5, 1977; effective July 25, 1977. **Amended:** Rule renumbered as 40-21-8-.03. Filed July 10, 1978; effective July 30, 1978. **Amended:** Filed May 17, 1984; effective June 6, 1984. **Repealed:** New Rule of same title adopted. F. Aug. 27, 1990; eff. Sept. 16 1990.

40-21-8-.04 Surety Bond. Amended.

Surety Bonds shall be in the following minimum amounts, to cover legal damages arising from the use of chemicals, dusting powders and the like, employed by the principal in his regular business operations:

(a) Aerial Contractors

Minimum Bond \$50,000

Maximum Deductible \$1,000

(b) Ground Contractors

Minimum Bond \$20,000

Maximum Deductible \$500

Authority Ga. L. 1976, p. 369. O.C.G.A. Sec. 2-7-90, et seq. **Administrative History.** Original Rule entitled "Surety Bonds" was filed on June 24, 1974 as 40-21-1-.04; effective June 14, 1974. **Amended:** Rule repealed and a new Rule entitled "Surety Bond" adopted. Filed July 5, 1977; effective July 25, 1977. **Amended:** Rule renumbered as 40-21-8-.04. Filed July 10, 1978; effective July 30, 1978. **Amended:** Filed May 17, 1984; effective June 6, 1984.

40-21-8-.05 Cash Deposit. Amended.

- (1) Cash deposits may be made in any bank of applicant's choice. Certificate of Deposit shall be made payable jointly to the depositor and the Georgia Commissioner of Agriculture; shall be endorsed by depositor and shall be maintained in the custody of the Commissioner of Agriculture during the period licensed and for 90 days thereafter. Deposits shall be in the following minimum amounts to cover legal damages arising from the use of chemicals, dusting powders and the like, employed by the depositor in his regular business operations:
- (a) Aerial Contractors \$50,000
- (b) Ground Contractors \$20,000
- (2) Cash deposits shall be subject to the same deductible amounts as the liability insurance and surety bonds, namely:
- (a) Aerial Contractors \$1,000
- (b) Ground Contractors \$500

Authority Ga. L. 1976, p. 369, O.C.G.A. Sec. <u>2-7-90</u>, et. seq. **Administrative History.** Original Rule entitled "Cash Deposits" was filed on June 24, 1974, as 40-21-1-.05; effective July 14, 1974. **Amended:** Rule repealed and a new Rule entitled "Cash Deposit" adopted. Filed July 5, 1977; effective July 25, 1977. **Amended:** Rule renumbered as 40-21-8-.05. Filed July 10, 1978; effective July 30, 1978. **Amended:** Filed May 17, 1984; effective June 6, 1984.

40-21-8-.06 Exclusion of Coverage. Amended.

Surety Bonds, liability insurance, and cash deposits shall not apply to damages or injury to agricultural crops, plants, or land being worked upon by the pesticide contractor. Authority Ga. L. 1976, p. 369. **Administrative History.** Original Rule entitled "Expiration of Insurance and Bonds" was filed on June 24, 1974 as 40-21-1-.06; effective July 14, 1974. **Amended:** Rule repealed and a new Rule entitled "Exclusions of Coverage" adopted. Filed July 5, 1977; effective July 25, 1977. **Amended:** Rule renumbered as 40-21-8-.06. Filed July 10, 1978; effective July 30, 1978.