

Requirements of Aerial Applicators in Florida¹

Frederick M. Fishel²

This guide explains the requirements for applying pesticides, fertilizer and seed with an aircraft in Florida.

Aircraft Registration

All aircraft used to apply or dispense any pesticide, fertilizer, or seed product in Florida must be registered annually with the Florida Department of Agriculture and Consumer Services (FDACS) using form DACS-13354, "Application for Aircraft Registration." This form is available from the Pesticide Certification Section at 850-716-7850 or on the Bureau's website www.flaes.org (click on *AERIAL SECURITY*, then *FORMS*). Completed forms should be submitted to the Pesticide Certification Section as directed on the form. No registration fee is required.

Agricultural Pesticides

Aircraft registrations require insurance or surety bond. The aircraft registration will be valid until the expiration of the insurance policy or surety bond, or up to one year from issue date. Registrations must not exceed one year.

Those who apply any type of pesticide with an aircraft are required to be certified and licensed in the category of aerial pest control. This category is available only to commercial and public applicators. Aerial applicators who make no ground applications and no pest management decisions may choose to be licensed only in this category. Aerial applicators who also make ground applications of restricted use pesticides must also be licensed in the appropriate ground categories for the sites to be treated (ag row crop, forestry, etc.). Aerial applicators who also make pest management and pesticide application determinations must be licensed in the aerial category and all other categories applicable to the treatment site(s). Pilots must provide a copy of their FAA pilot's license before being licensed by FDACS in the aerial category.

Public Health (Mosquito Control) Pesticides

Registrations for public health pesticides do not require insurance or surety bond. The expiration date will be June 30th. If the registration also includes agricultural pesticides, the registration will expire at the time the insurance policy or surety bond expires.

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2. Frederick M. Fishel, Associate Professor, Agronomy Department, and Director, Pesticide Information Office; Florida Cooperative Extension Service, Institute of Food and Agricultural Sciences, University of Florida, Gainesville, FL 32611.

Fertilizer and Seed Products

Registrations for fertilizer and/or seed products do not require insurance or surety bond. The expiration date will be one year from issue date. If the registration also includes public health pesticides, the expiration date will be June 30th. If the registration includes agricultural pesticides, the registration will expire at the same time the insurance policy or surety bond expires.

Proof of Insurance or Surety Bond

If agricultural pesticides are applied, proof of insurance or surety bond must be provided with the application for registration. This is not required if only fertilizer, seed, and/or public health pesticides are applied. The following are the requirements for insurance or surety bond for agricultural pesticide application:

1. Insurance. Insurance must be in the amount of \$100,000 (minimum) property damage coverage plus \$300,000 (minimum) bodily injury coverage per occurrence, insuring the registered aircraft against liability for damage, loss, or injury, including chemical drift or trespass, resulting from the aerial application of any pesticide made from the covered aircraft. A deductible clause of \$1,000 is acceptable.
2. Surety Bond. Surety bonds must be in the amount of \$100,000 minimum, executed by a corporate surety company authorized to conduct business in Florida.

Aircraft Security

All aircraft used to apply or dispense any pesticide, fertilizer, or seed must be secured when not in use. This means keeping the aircraft within a locked building, locked in place securely, or mechanically disabled from flying, or use of any other reasonable method which prevents or deters theft or unauthorized use.

Pesticide and Fertilizer Storage

All pesticides and fertilizers on the premises owned or controlled by any aerial applicator must be

stored and maintained so they are not accessible to unauthorized persons. Secured storage means:

- Fences with a minimum 6 feet height;
- Door locks;
- Valve locks;
- Electronic security systems;
- Disabling of mobile storage units;
- Blocking of access
- Ingress or egress; or
- Any other reasonable method to prevent or deter theft or unauthorized use.

Buildings used to store pesticides and/or fertilizers must be of rigid construction so unauthorized entry cannot be achieved without the use of heavy machinery or equipment. If a portable building is used, the building must be secured in place so it cannot be towed or otherwise removed by unauthorized persons.

Report of Aircraft Transactions

Any purchase, sale, rental, leasing, or transfer of ownership of an aircraft used or registered for application of pesticides, fertilizer, and/or seed must be reported to FDACS within 24 hours of the transaction. Both of the following must report:

- The person relinquishing ownership or control of the aircraft must report the transaction.
- The person obtaining ownership or control of the aircraft must also report the transaction of the aircraft will be used for aerial application of pesticides, fertilizer, and/or seed in Florida

Transaction reports should be transmitted to fax number 850-922-6961 or to the Pesticide Certification Section at 3125 Conner Blvd., Building 8 (L29), Tallahassee, Florida 32399, on one of the following forms:

Ownership Declaration and Sales and Use Tax Report on Aircraft – Florida Department of Revenue form DR-42A (available at

www.myflorida.com/dor/forms/2002/DR-42A.pdf)

Aircraft Bill of Sale – Federal Aviation Administration form AC 8050-2 (available at <http://registry.faa.gov/docs/8050-2.pdf>)

Report of Aircraft Transaction – FDACS form DACS-13355

Call FDACS at 850-488-3314 to obtain any of these 3 forms

Recordkeeping for Aerial Applications

During time of a declared emergency issued by the Florida Governor or the Commissioner of Agriculture, Florida law requires aerial applicators to keep records relating to the following:

- Aerial application of all pesticides;
- Aerial application of all fertilizers; and
- Aerial application of all seed.

Details of the information required for aerial application recordkeeping may be obtained from the following locations:

- Copies of the aerial application recordkeeping requirements may be downloaded from the website accessed through www.flaes.org (click on *AERIAL SECURITY*, then *RECORDKEEPING*).
- A printed copy may be obtained by calling the Pesticide Certification Section at 850-488-3314.

The above information must be maintained for a period of two (2) years from application in a manner that is accessible by the Department upon request.