Certification and Licensing Programs for the Worker Protection Standard (WPS) Crop Advisor Exemption

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This document explains how the federal Environmental Protection Agency in 1996 modified the 1992 Worker Protection Standard (WPS) for Agricultural Pesticides to exempt certified or licensed crop advisors and persons performing crop-advising tasks under their direct supervision from some requirements of the standard.

Background

The U.S. Environmental Protection Agency (EPA) amended its 1992 Worker Protection Standard for Agricultural Pesticides (WPS) to exempt certified or licensed crop advisors and persons performing crop-advising tasks under their direct supervision from some requirements of the standard. The 1992 WPS covers pesticides used in the production of agricultural plants on farms, forests, nurseries, and greenhouses. The WPS requires employers to take steps to reduce the risk of pesticide-related illness and injury if they use such pesticides and employ workers or pesticide handlers who are exposed to such pesticides. The WPS contains requirements for pesticide safety training, notification of pesticide applications, use of personal protective equipment (PPE), restricted-entry intervals following pesticide application, and emergency medical assistance.

Under the 1992 WPS, crop advisors are defined by the tasks performed. Specifically, a crop advisor is a person who assesses pest numbers or damage, pesticide distribution, or the status or requirements of agricultural plants. The term does not include anyone performing hand labor tasks defined by WPS as including planting, weeding, harvesting, etc. Crop consultants, pest control advisors, foresters, scouts, and crop advisors while performing crop-advising tasks on farms, nurseries, greenhouses and forests are included in the definition of crop advisor in the WPS.

EPA included crop advisors in the definition of handlers due to concerns expressed about limiting the access of crop consultants and integrated pest management scouts to treated areas during and immediately following pesticide applications. Thus, persons performing crop advisor tasks during pesticide application and any restricted-entry interval (REI) could enter treated areas as handlers.

Employees of farms, nurseries, greenhouses, and forests performing crop-advising tasks in a treated area within 30 days of the expiration of an REI are considered workers under the WPS. Employees of commercial pesticide handling establishments performing crop advisor tasks in a treated area after the expiration of an REI are not included in the WPS.
The Crop Advisor Exemption

In response to requests and petitions, EPA exempted certified/licensed crop advisors and persons under their direct supervision, when performing crop-advising tasks, from certain handler requirements during the REI and from certain worker requirements during the 30-day period after the expiration of the REI.

The crop advisors must be certified/licensed by a program approved by EPA or a state pesticide enforcement agency. (This exemption was published May 3, 1995, and became effective May 1, 1996.)

Certified/licensed crop advisors and persons under their direct supervision, when performing crop-advising tasks, are exempted from the following WPS provisions, provided certain conditions are met and that they have knowledge of:

- all labeling requirements related to safe use of the pesticide;
- the specific location and description of areas on the agricultural establishment treated with a pesticide (or that are under a REI) while the crop advisor is on the establishment and the restrictions on entering those treated areas.
- personal protective equipment (PPE);
- decontamination requirements; and
- emergency assistance requirements.

The conditions that must be met in order for the crop advisor to be exempted from these WPS requirements include the following:

1. The exemption applies only when performing crop-advising tasks in a treated area.

2. No entry is permitted in the treated area until the pesticide application is completed. (Crop advisors may enter the treated area during an application if they follow the WPS requirements for pesticide handlers.)

3. The certification and licensing program for the crop advisor requires pesticide safety training that includes, at a minimum, all the information required for WPS handler training.

4. The crop advisor must determine the appropriate PPE and decontamination supplies needed for the tasks, and how to conduct the tasks safely. The crop advisor must convey this information to each person under his/her direct supervision in a language the person understands.

5. Before entering a treated area, the certified or licensed crop advisor must inform each person under his direct supervision of the pesticide product and active ingredient(s) applied, method of application, time of application, the restricted-entry interval, which tasks to undertake, and how to contact the crop advisor.

The information in item (4) above (with the exception of which tasks to undertake and how to contact the crop advisor) must be provided to independent/commercial crop advisors by the operators of agricultural establishments who hire them.

A person is considered to be under the direct supervision of the crop advisor when he/she exerts the controls listed in items (4) and (5) above. The crop advisor does not have to be physically present, but must be readily accessible to employees at all times.

Certification/Licensing of Crop Advisors

Programs recognized as appropriate by EPA or a state lead agency for pesticide enforcement may certify or license crop advisors for purposes of this exemption. Crop advisor certification programs must contain pesticide safety training that is at least equivalent to WPS handler training.

The following programs have been acknowledged by the EPA and the FDACS as appropriate:

1. The Florida Department of Agriculture and Consumer Services (FDACS) WPS Crop Advisor certification/licensing program.

2. The Certified Crop Advisor (CCA) program sponsored by the American Society of Agronomy.

3. The Certified Professional Crop Consultant (CPCC) program sponsored by the National Alliance of Independent Crop Consultants (NAICC).

FDACS Certification. FDACS has established a certification and licensing program for crop advisors who want to use the WPS crop advisor exemption and who do not certify under another approved program. The FDACS certification process involves documenting education and/or crop-advising experience and passing an examination. See details under FDACS Certification Procedures.
**CCA Certification.** The American Society of Agronomy has established a voluntary professional certification program in the area of crop production. The CCA certification process involves documenting education, crop-advising experience, and passing comprehensive national and state exams. The exams are offered twice each year. A state board administers the program in Florida. For more information on CCA, contact the Florida Fertilizer and Agrichemical Association (FFAA), Winter Haven, FL (863/686-4827).

**CPCC Certification.** The National Alliance of Independent Crop Consultants has established a voluntary professional certification program that is not restricted to its members. The CPCC program requires, at a minimum, a bachelor’s degree in an agricultural discipline and six years of field experience. Five years of experience is required with a master’s and four years with a Ph.D. Passage of a licensing exam is also required. For more information on the CPCC program, contact the National Alliance of Independent Crop Consultants, Memphis, TN (901/861-0511).

**FDACS Certification Procedures**

**License Classification.** A certified WPS crop advisor may be certified and licensed as a private, public, or commercial applicator.

- A **private applicator** is a licensed applicator who applies restricted-use pesticides for the purpose of producing an agricultural commodity on land owned or rented by him/herself or employer.

- A **public applicator** is a licensed applicator employed by a public or governmental agency. A public applicator license is only valid when performing work for the public or governmental agency.

- A **commercial applicator** is a licensed applicator who is licensed to apply restricted-use pesticides on any property, provided they are certified in the category for which the applications are made. A commercial applicator is usually a contract applicator. It is anticipated that most WPS Crop Advisors will need a commercial license. Fees for a four-year license are $100 for a private or public applicator and $250 for a commercial applicator.

**Certification Requirements.** Requirements for a private WPS Crop Advisor certification include taking three examinations. They are

1. the **Private Applicator Agricultural Pest Control exam**, which tests general knowledge of pests, application equipment, WPS, and pesticide calculations;
2. the **WPS Crop Advisor exam**, which tests knowledge of the crop advisor exemption, pesticide exposure and safety; and
3. the **Core exam**, which tests general knowledge of proper pesticide use and safety.

Certification requirements for public and commercial WPS Crop Advisors include taking three exams:

1. The **general standards (Core) exam**, which tests general knowledge of proper pesticide use and safety;
2. A category-specific exam for one of the agricultural categories, including Agriculture Row Crop, Agriculture Tree Crop, Soil and Greenhouse Fumigation, Ornamental and Turf, or Forestry, which tests specific knowledge of pest control and pesticide use in these categories; and
3. The **WPS Crop Advisor exam**, which tests knowledge of the crop advisor exemption, pesticide exposure, and safety.

If you already have a public or commercial license that includes one of the agricultural categories, or if you have a private license, you may add the crop advisor exemption certification by successfully completing the WPS Crop Advisor exam.

In addition to the examination requirement, applicants must provide documentation to FDACS of appropriate experience (1,000 hours work experience as a crop advisor/consultant) or of appropriate education (a minimum of an Associate of Arts/Science degree from an accredited college/university with a major in agronomy, entomology, plant physiology, plant pathology, biology, horticulture, agricultural engineering, or pest control).

**Examination Locations.** Examinations are administered at UF/IFAS Extension county offices. The general standards (Core) exam can be taken by appointment at any Extension office. The category exams, including the WPS Crop Advisor exam, are offered in select counties. If your county Extension office does not administer category exams, they can help you locate the nearest county that does.
After the exams. The FDACS Certification and Licensing Office will notify you if you have passed or failed the exams. Failure necessitates re-applying and re-taking the failed exam(s). Note: Crop advisor exemption certification is not a category and will not be listed as a category on the license. When a license, including the crop advisor exemption certification, is issued, you will be mailed a notification from FDACS indicating that you have successfully passed the Crop Advisor Exemption exam. Retain the notification on file for your records in case you need to document your status.

Prepar ing for Examinations. Prior to taking exams, study the following training materials:

- **General Standards (Core) Exam.** All questions are based on information contained in *Applying Pesticides Correctly—A Guide for Pesticide Applicators* (IFAS Publication SM-1).

- **Agriculture Row Crop Exam, Agriculture Tree Crop Exam, Soil and Greenhouse Fumigation Exam, Ornamental and Turf Exam, Forestry Exam, and WPS Crop Advisor Exam.** All questions are based on information contained in
  - *Agricultural Row Crop Pest Control* (IFAS Publication SM-5),
  - *Agricultural Tree Crop Pest Control* (IFAS Publication SM-63),
  - *Soil Fumigation* (IFAS Publication SM-61),
  - *Ornamental and Turf Pest Control* (IFAS Publication SM-7),
  - *Forest Pest Control* (IFAS Publication SM-43), and
  - *WPS Crop Advisor* (IFAS Publication SM-54).

IFAS for-sale publications may be bought from:

IFAS Extension Bookstore
Building 440 Mowry Rd.
P.O. Box 110011
Gainesville, FL 32611
Phone: (800) 226-1764 or (352) 392-1764
Fax: (352) 392-2628
Email: pub@ifas.ufl.edu
Website: http://www.ifasbooks.ufl.edu

**Additional Information**

For answers to questions that your county Extension office cannot answer, contact the following parties:

*For license and license renewal information*

Florida Department of Agriculture & Consumer Services
Bureau of Licensing and Enforcement
Certification and Licensing Section
3125 Conner Drive, Bldg 8 L-29
Tallahassee, FL 32399-1650
Phone: (850) 617-7997
Fax: (850) 617-7892
E-mail: Tamara.James@freshfromflorida.com

*For WPS training materials:*

Alachua Regional Service Center
14101 NW HWY 441, Suite 200
Alachua, FL 32615
Phone: (386) 418-5523
FAX: (386) 418-5506
E-mail: Ricardo.Davalos@freshfromflorida.com