

1.1 **Department of Agriculture**

1.2 **Proposed Repeal of Obsolete Rules: Pesticides**

1.3 **1505.0980 PRIVATE APPLICATOR CERTIFICATION; PROHIBITIONS;**
1.4 **RESTRICTIONS.**

1.5 Subpart 1. **Certification requirements.** A private applicator is considered certified
1.6 if the private applicator has, within the past three years, completed one or more of the
1.7 following state-approved certification programs:

1.8 ~~A. a home study course;~~

1.9 ~~B. A. a pesticide training session; or~~

1.10 ~~C. a personal interview by the commissioner; or~~

1.11 ~~D. B. a written or oral examination.~~

1.12 Subp. 2. **Prohibition on purchasing or making restricted use pesticides available**
1.13 **to uncertified persons.** A person must not purchase a restricted use pesticide for or make
1.14 a restricted use pesticide available for use by a person who is not licensed or certified.

1.15 As used in this subpart, "purchase" means to buy or obtain a restricted use pesticide in
1.16 exchange for money or something else of value. A purchase has not been completed under
1.17 this part unless the restricted use pesticide is picked up by or delivered to a person.

1.18 Subp. 3. **Restrictions on taking possession of restricted use pesticides by uncertified**
1.19 **persons.** A person who is uncertified may take possession of a restricted use pesticide from
1.20 a pesticide dealer by pick up, delivery, or similar activity for use by a licensed or certified
1.21 person if:

1.22 A. the licensed or certified person to whom the restricted use pesticide is being
1.23 made available has a valid license or certification as verified by providing the original or
1.24 facsimile of the licensed or certified person's applicator card to the pesticide dealer, or by

2.1 providing the licensed or certified person's license or certification number with the expiration
2.2 date to the pesticide dealer; and

2.3 B. the uncertified person discloses the person's name and address to the pesticide
2.4 dealer.

2.5 **REPEALER.** Minnesota Rules, part 1505.1080, is repealed.