

**Oregon Department of Agriculture  
Pesticide Demonstration and Research Category  
Responsibilities of Experimental Use of Pesticides  
FAQ for 2010**

**What is the difference between the Demonstration and Research endorsement and the Demonstration and Research category?**

In 2009 and previous years, licensed Pesticide Consultants could apply for the Demonstration and Research Endorsement without additional testing. The endorsement allowed the consultant to apply pesticides in demonstration plots or to conduct pesticide research. In 2010 the endorsement will change to a certification category. Thus, all newly licensed consultants will need to take a separate certification examination to qualify for the Demonstration and Research Category. The new category will cover the same activities as the old endorsement.

**How do I change my Demonstration and Research endorsement to a category?**

ODA is allowing a window of opportunity for you to change your Demonstration and Research endorsement to a category without taking a certification examination. You must understand the new responsibilities associated with use of this category and sign and return the enclosed form to ODA by **September 30, 2009**. ODA will then change your endorsement to a category without testing. Consultants with certification expiring 12/31/2009 who are planning to recertify by testing should schedule their consultant test as soon as possible if they wish to be “grandfathered” in. **After December 31, 2009, it will be necessary to take the Demonstration and Research examination to have this category on your Pesticide Consultant license.**

**What are the responsibilities of the Demonstration and Research category?**

- Ability to have Demonstration and Research category on Consultant, Public and Commercial applicator licenses.
- Public or Commercial applicators with Demonstration and Research category may supervise appropriately licensed trainees. Consultants are NOT allowed to supervise trainees.
- Researcher must have “control” of the site on which experimental pesticides are used.
- Summary reports of experimental pesticide applications must be submitted to ODA within 30 days of the expiration of an Experimental Use Permit (EUP).
- Researchers must report any adverse environmental, human, or animal health effects resulting from pesticides used for experimental or research purposes to ODA.
- Recordkeeping requirements of pesticides applied for demonstration and/or research.

**What has changed with the Experimental Use Permit (EUP) process?**

The administrative rules governing experimental use permits changed in 2009.

- **Pesticide researchers now have two Experimental Use Permit (EUP) options** to better fit the research they are conducting. The two processes provide researchers the ability to:
  - Apply for a “Collective Experimental Use Permit” that expires December 31<sup>st</sup> of each year. This “Collective” permit covers experimental pesticide use that does not exceed a total of one acre per pesticide and is limited to agricultural or forest sites.
  - Apply for a “Site-Specific Experimental Use Permit” that expires 12 months after issuance by the department. This permit is for experimental pesticide use on specific sites other than agriculture or forest or that exceed one acre but cannot exceed ten

- acres in size. Researchers conducting experiments that exceed ten acres per pesticide must also have a Federal Experimental Use Permit issued by the U.S. Environmental Protection Agency (EPA). All EUP holders must notify ODA at least 72 hours before the intended pesticide application.
- Applications for EUPs must be submitted to the department 30 days prior to making the first experimental pesticide application.

### **Are federal or state agency employees still exempt from obtaining an EUP?**

Yes, federal or state agency researchers, including Oregon State University researchers are covered by a specific exemption from the requirement to obtain a State Experimental Use Permit. However, these researchers are not exempt from complying with pesticide applicator or consultant licensing, specific pesticide application records, federal EUP requirements, or crop destruct requirements. Experimental use of pesticides on more than ten acres of land or one acre of water requires an EUP from EPA.

### **What about licensing for “maintenance” applications?**

In many cases, research requires treatment for pests other than the objective of the research trial. For example, the research might be a fungicide trial to control blight, but in the course of growing the crop, currently registered herbicides might be sprayed to control weeds. In this case, the Consultant License with the Demonstration and Research category only addressed the research applications and does not cover the maintenance applications. The Demonstration and Research category is now available for Public and Commercial pesticide applicators to allow one license to cover all types of applications a researcher may need. Licensed Pesticide Consultants are NOT allowed to make pesticide applications for any other purpose than demonstration and/or research.

### **Is it possible to transfer my Demonstration and Research category to another license type?**

Once you have your Demonstration and Research category on your Pesticide Consultant license, you may apply for a Public or Commercial Pesticide Applicator license with the Demonstration and Research category without taking the category exam or the Laws and Safety exam.

### **Will my license fee change?**

The fee for the Pesticide Consultant is \$40.00 per year. The fee for the Public or Commercial Pesticide Applicator license is \$50.00 per year plus \$7.50 per major category.

### **Can someone with a Private Pesticide Applicator license make experimental pesticide applications?**

NO. Private applicators do not have the authority to make experimental pesticide applications.

### **What else do I need to know about the requirements for experimental use of pesticides?**

The Oregon law addressing experimental use is found in Oregon Revised Statutes Chapter 634. Oregon Administrative Rules (OAR) 603-057-0160 contains the documents outlining the requirements for experimental use of pesticides. The utilization of the Demonstration & Research category for Public and Commercial pesticide applicators is in OAR 603-057-0110 and OAR 603-057-0145. You may find all related documents at <http://www.oregon.gov/ODA/PEST/>

Additional questions may be forwarded to Janet Fults at [jfults@oda.state.or.us](mailto:jfults@oda.state.or.us) (503) 986-4652 or Laurie Gordon at [lgordon@oda.state.or.us](mailto:lgordon@oda.state.or.us) (503) 986-4789.

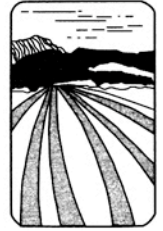


# Oregon

Theodore R. Kulongoski, Governor

Department of Agriculture

635 Capitol Street NE  
Salem, OR 97301-2532



TO: Licensed Pesticide Consultants  
FROM: Janet Fults, Certification & Licensing Program Manager  
DATE: September 1, 2009  
RE: New Demonstration and Research Category

This year, a major change was made regarding the use of the pesticide Demonstration and Research endorsement and the associated responsibilities. The demonstration and research endorsement is being changed to a full certification category. In addition to Pesticide Consultants, this category will now be available for Public and Commercial pesticide applicators as well.

At this time, the department is providing an opportunity for all licensed pesticide consultants to maintain their ability to conduct pesticide demonstration and research trials **without** taking the new Demonstration and Research examination **IF** you document your understanding of the following:

- New requirements associated with conducting experimental use of pesticides including the two options now available for Experimental Use Permits (EUPs).
- Recordkeeping requirements for pesticides applied for demonstration and research.
- Change in licensing options to allow the Demonstration and Research category to be utilized by Public Pesticide Applicators and Commercial Pesticide Applicators.
- Experimental use of pesticides by persons working for public agencies are required to comply with state licensing, recordkeeping and other state and/or federal requirements such as crop destruct documentation, trial size limitations, etc.
- Other requirements of demonstration and research use of pesticides as outlined in the Oregon Revised Statutes Chapter 634 and Oregon Administrative Rules 604-057-0160.

Please read the enclosed fact sheet and associated administrative rules of your responsibilities associated with the use of pesticides for demonstration and/or research. **If you qualify for a 2010 license and you would like to keep your demonstration and research category, sign and return this form by November 4, 2009.** If the Department does NOT receive this form by November 4, 2009, your 2010 pesticide consultant license renewal will NOT have the demonstration and research category on it. **After December 31, 2009, you will be required to take and pass the Demonstration and Research certification examination to have this category reinstated on your license.**

Take advantage of this opportunity to keep your category without taking an exam.

**SIGN AND RETURN THIS CERTIFICATION FORM BY NOVEMBER 4, 2009**

***THIS IS THE ONLY NOTICE YOU WILL RECEIVE***

Printed Name \_\_\_\_\_ Consultant License #AG-L \_\_\_\_\_ PC \_\_\_\_\_

I certify that I fully understand the requirements for using and maintaining the category of Demonstration and Research on my Pesticide Consultant License.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Questions? Contact 503-986-4635 or [jfults@oda.state.or.us](mailto:jfults@oda.state.or.us). Administrative Rules: [oregon.gov/ODA/PEST/](http://oregon.gov/ODA/PEST/)