

● PESTICIDE LAWS (*AERIAL APPLICATION*)

STATUTORY CITATION: Wis. Stat. §§ 94.67 – 94.71

RELATED REGULATIONS: Wis. Admin. Code § ATCP 29.53

GENERAL SUMMARY: In addition to general provisions governing ground applications of pesticides, the administrative rules established under the state pesticide laws also contain explicit standards regulating the aerial application of pesticides.

SPECIFIC TERMS AND CONDITIONS

CERTIFICATION — No one may apply a pesticide from the air unless certified as an aerial applicator. In addition to the requirements for general certification, an aerial operator must (1) provide proof that he or she is licensed and fully trained to operate and apply pesticides with each type of aircraft used for that purpose, and (2) demonstrate competency and practical knowledge of aerial pest control, the health and environmental hazards related to aerial applications, and the prevention of pesticide over-spray and drift.

AIRCRAFT REQUIREMENTS AND OPERATIONS — Aircraft used to apply pesticides must meet state and federal standards, and must be operated in accordance with state and federal operating procedures.

PRIOR NOTICE OF APPLICATIONS — At least 24 hours before the application of any pesticide by aircraft, the owner of the land to be treated is required to notify the operators of all migrant labor camps immediately adjacent to the targeted areas, and to notify the residents of any closely adjoining property who give written request for such notification. The notification may be oral or written, but must include the intended date and time of the application, the identity of the pesticide product to be applied, and the location of the application site.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *Bureau of Agrichemical Management, Division of Agricultural Resource Management, Wisconsin Department of Agriculture, Trade and Consumer Protection, Madison, Wisconsin 53708 (608-224-4545).* The Department is responsible for the testing, certification and licensing of aerial pesticide applicators in Wisconsin, and for assuring their compliance with the statutory and regulatory provisions applicable to aerial operations.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None.*