

02 NCAC 09L .0504 DEFINITIONS

The following definitions apply to pesticide applicators:

- (1) "Agricultural pest control" and its subcategories shall apply to the following:
 - (a) Crop pest control means pesticide applicators using or supervising the use of pesticides in the production of agricultural crops, including tobacco, peanuts, cotton, feed grains, soybeans and forage; vegetables; small fruits; tree fruits and nuts; grasslands and non-crop agricultural lands; and
 - (b) Livestock pest control means pesticide applicators using or supervising the use of pesticides on animals, and to places where animals are confined. Doctors of veterinary medicine engaged in the business of applying pesticides for hire, publicly holding themselves out as pesticide applicators, or engaged in large-scale use of pesticides are included in this category. The following subcategories are defined as follows:
 - (i) livestock: means the application of pesticides to domesticated animals being raised as an agricultural commodity or for the purpose of producing an ag commodity;
 - (ii) poultry: means the application of pesticides to domestic fowl and to the areas in which they are confined; and
 - (iii) small animal: means the application of pesticides to pets or the areas where they are confined.
- (2) "Forest pest control" means using or supervising the use of pesticides in forests, forest nurseries, and forest seed production.
- (3) "Ornamental and turf pest control" means using or supervising the use of pesticides to control pests in the maintenance and production of ornamental plants and turf.
- (4) "Aquatic pest control" means using or supervising the use of any pesticide applied to standing or running water, excluding applicators engaged in public health related activities included in Items (6) and (7) of this Rule.
- (5) "Right-of-way pest control" means using or supervising the use of pesticides in the maintenance of public roads, electric powerlines, pipelines, railway rights-of-way, or other similar areas.
- (6) "Public health pest control" means state, tribal, federal, or other governmental employees and contractors using or supervising the use of pesticides in government sponsored public health programs for the management and control of pests having medical and public health importance.
- (7) "Commercial Public Health pest control" means using or supervising the use of pesticides commercially for the management and control of pests having medical and public health importance.
- (8) "Regulatory pest control" means state, tribal, federal, or other governmental employees who use or supervise the use of pesticides in government-sponsored programs for the control of regulated pests.
- (9) "Demonstration and research pest control" means the following:
 - (a) persons who demonstrate to the public the use and techniques of application of pesticides, or supervise such demonstration, including extension specialists and county agents; commercial representatives demonstrating pesticide products; persons demonstrating methods used in public programs; and
 - (b) persons who use or supervise the use of pesticides while conducting field research with pesticides. This includes state, federal, commercial, and other persons conducting field research on or utilizing pesticides.
- (10) "Seed treatment" means using or supervising the use of pesticides on seeds in seed treatment facilities.
- (11) "Wood treatment" means applying pesticides to wood products such as crossties, poles, logs, shingles, posts or other wood products that are not part of a structure when treated, and are or will be exposed to insects, fungi, marine pests, or weather. This category does not include treatment for the control of termites and other wood destroying organisms in houses or in an area as pretreatment prior to the construction of a structure.
- (12) "Soil and growing media fumigation pest control" means using or supervising the use of any fumigant pesticide injected or applied to soils or growing media. Growing media is defined below in Item (14) of this Rule. This category excludes fumigation of raw agricultural commodities and all structural fumigation such as:

- (a) boxcars;
 - (b) warehouses;
 - (c) tractor trailers; and
 - (d) grain bins.
- (13) "Aerial pest control" means the category of commercial applicators who use or supervise the use of pesticides applied by fixed or rotary wing aircraft.
- (14) "Growing media" means a substance or substances through which roots grow and extract water and nutrients.
- (15) "Noncertified applicator" means any person who does not meet the requirements set forth in Rule 02 NCAC 09L .0503 to be a pesticide applicator, but who has met the requirements set forth in Rule 02 NCAC 09L .0503(d)(2), and who is using a pesticide under the direct supervision of a pesticide applicator in accordance with Rule 02 NCAC 09L .0503(c).

*History Note: Authority G.S. 143-437; 143-452(d); 143-460(29); 40 C.F.R. 171.3;
Eff. February 1, 1976;
Amended Eff. June 1, 2016; November 1, 1984; August 1, 1982; October 27, 1979;
Readopted Eff. August 1, 2020;
Amended Eff. November 1, 2024.*