

Environmental Protection Agency

§ 171.2

171.11 Federal certification of pesticide applicators in States or on Indian Reservations where there is no approved State or Tribal certification plan in effect.

AUTHORITY: 7 U.S.C. 136b and 136w.

SOURCE: 39 FR 36449, Oct. 9, 1974, unless otherwise noted.

§ 171.1 General.

This section deals with the certification of applicators of restricted use pesticides.

§ 171.2 Definitions.

(a) *General.* Terms used in this subpart shall have the meanings set forth for such terms in the Act. In addition, the following definitions are applicable to all aspects of the certification of pesticide applicator program in this part:

(1) The term *accident* means an unexpected, undesirable event, caused by the use or presence of a pesticide, that adversely affects man or the environment.

(2) The term *Act* means the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (86 Stat. 973), and other legislation supplementary thereto and amendatory thereof.

(3) The term *Administrator* means the Administrator of the Environmental Protection Agency, or any office or employee of the Agency to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(4) The term *Agency*, unless otherwise specified, means the United States Environmental Protection Agency.

(5) The term *agricultural commodity* means any plant, or part thereof, or animal, or animal product, produced by a person (including farmers, ranchers, vineyardists, plant propagators, Christmas tree growers, aquaculturists, floriculturists, orchardists, foresters, or other comparable persons) primarily for sale, consumption, propagation, or other use by man or animals.

(6) The term *calibration of equipment* means measurement of dispersal or output of application equipment and adjustment of such equipment to control the rate of dispersal, and droplet or particle size of a pesticide dispersed by the equipment.

(7) The term *certification* means the recognition by a certifying agency that a person is competent and thus authorized to use or supervise the use of restricted use pesticides.

(8) The term *certified applicator* means any individual who is certified to use or supervise the use of any restricted use pesticides covered by his certification.

(9) The term *commercial applicator* means a certified applicator (whether or not he is a private applicator with respect to some uses) who uses or supervises the use of any pesticide which is classified for restricted use for any purpose or on any property other than as provided by the definition of "private applicator."

(10) The term *compatibility* means that property of a pesticide which permits its use with other chemicals without undesirable results being caused by the combination.

(11) The term *competent* means properly qualified to perform functions associated with pesticide application, the degree of capability required being directly related to the nature of the activity and the associated responsibility.

(12) The term *common exposure route* means a likely way (oral, dermal, respiratory) by which a pesticide may reach and/or enter an organism.

(13) The term *environment* means water, air, land, and all plants and man and other animals living therein, and the interrelationships which exist among them.

(14) The term *forest* means a concentration of trees and related vegetation in non-urban areas sparsely inhabited by and infrequently used by humans; characterized by natural terrain and drainage patterns.

(15) The term *hazard* means a probability that a given pesticide will have an adverse effect on man or the environment in a given situation, the relative likelihood of danger or ill effect being dependent on a number of interrelated factors present at any given time.

(16) The term *host* means any plant or animal on or in which another lives for nourishment, development, or protection.