

**WDATCP PESTICIDE USE POLICY STATEMENT**

**COMPROMISED PESTICIDE APPLICATOR CERTIFICATION EXAMS (rev.11/20/2000)**

Private and Commercial pesticide certification exams are designed to be used as a method for evaluating an individual's ability to competently use pesticides in a safe and legal manner. Therefore, applicants are expected to work independently to complete the exam. When applicants apply for certification they are stating that the information and answers they provide on their examination are a true and accurate representation of their own effort. Assistance from other test takers or any other individual not authorized by WDATCP to proctor or administer the exam is not permitted.

Any indication of assistance provided by or received by an individual during the exam shall be the cause for invalidation of the examinations of all involved parties. Persons who attempt to misrepresent themselves or attempt to use, or offer others, unauthorized assistance during a pesticide applicator certification exam will not be certified and shall be denied the privilege of taking any other applicator examinations for a minimum of one year. The applicant will also not be eligible for a Temporary Commercial Applicator Trainee Registration.

The commercial applicator examinations shall be closed-book in style. The individual taking the exam shall not consult notes, training materials, books, or any other materials or devices while taking the examination.

An individual taking a private applicator examination is allowed to use the UWEX's Training Manual for the Private Applicator, while completing the examination. The individual taking the exam however, shall not consult notes, any other books, or any other materials or devices while taking the exam.

An electronic calculator may be used during an exam or evaluation as long as it does not have the capability to store or display information or perform any other function which could compromise the exam.

**Policy approved:** [This policy was approved and signed by the parties identified below on 11/22/2000.]

\_\_\_\_\_ Date: \_\_\_\_\_

Dave Fredrickson, Section Chief  
Investigation and Compliance

\_\_\_\_\_ Date: \_\_\_\_\_

Ned Zuelsdorff, Director  
Bureau of Agrichemical Management

Appendix to: DATCP PESTICIDE USE POLICY STATEMENT  
COMPROMISED CERTIFICATION EXAMS (rev. 11/16/2000)

Authority cited:

94.70 Pesticides; prohibited acts. (3) No person may: (i) ...falsify any records or reports or any application filed with the department.

And any certification held by the individual may be terminated or suspended pursuant to 94.705 Pesticides; certification requirements and standards.(1) (b) ...Certifications shall be valid for a period of five years from the date of issuance or renewal, unless terminated or suspended by the department for failure to comply with the terms and conditions of its issuance or for violation of ss. 94.67 to 94.71 or rules or orders issued under ss.94.67 to 94.71.

**94.71 Pesticides; penalties; enforcement. (1) PENALTIES.** (a) 1. Any person who violates ss. 94.67 to 94.71 or any rules or orders issued under ss. 94.67 to 94.71 shall forfeit not less than \$100 nor more than \$500 for the first violation and not less than \$200 nor more than \$1,000 for any subsequent violation within 5 years.

2. Any commercial applicator, dealer or distributor who knowingly violates any provision of ss. 94.67 to 94.71 or any rules or orders issued under ss. 94.67 to 94.71 may be fined not more than \$5,000 or imprisoned not more than one year in the county jail or both. Other persons, including private applicators who knowingly violate ss. 94.67 to 94.71 or any rules or orders issued under ss. 94.67 to 94.71 may be fined not more than \$1,000 or imprisoned not more than 30 days or both.

93.06 Department powers. The department may:

93.06(7)

(7) Deny, suspend or revoke licenses. Deny, suspend or revoke any permit, certificate, registration or license if the applicant therefor or holder thereof is not fit, qualified or equipped or has violated or failed to obey any applicable law, order or regulation, or has misrepresented or intentionally failed to disclose a material fact in making the application. In determining whether any person is fit, qualified or equipped, the department shall consider, among other things, character and conduct, including past compliance or noncompliance with law. The department may follow the procedure provided for special orders in s. 93.18, or the applicant or permit holder, certificate holder, registrant or licensee may, within 10 days after notice of denial, suspension or revocation, demand such procedure. Rehearing and judicial review shall be as provided in ch. 227.