



# Subcontracting Pesticide Applications - Agriculture

Requirements for posting warning signs, keeping records, and providing information to customers

When a business is hired to make agricultural pesticide applications, the business is responsible for keeping an application record, providing customer information, and other requirements. These same requirements apply even if the business is subcontracting the applications to another business. It is important to remember that the contracting business is the subcontractor's customer and the farmer receiving the agricultural application is the contractor's customer, meaning the farmer is directly paying the contracting business for the pesticide application service.

(Note: If a business refers a farmer to another business and does not collect a payment from the farmer for a service, this is not a "contracting" relationship. The business simply provided a "customer referral" to another business.)

With any contracting situation the following requirements apply:

- Licensing and Certification ([ATCP 29.20](#), [ATCP 29.25](#), and [ATCP 29.26](#))
  - Both businesses must obtain a pesticide business license.
  - Subcontractor must use certified and licensed applicators to make the application.
- Pesticide Application Record ([ATCP 29.21](#) and [ATCP 29.33](#))
  - Completed by subcontractor's applicator and lists applicator's name and license number.
  - Copy retained by subcontractor and copy immediately sent to contractor.
  - Both companies must retain a copy for two years (three years for an atrazine application).
- Post-Application Information to Customer ([ATCP 29.22](#))
  - Must be sent to ALL customers within 30 days or sooner, if required by pesticide label.
  - Subcontractor sends information to contractor, who sends information to farmer.
    - The contractor could have the subcontractor send the information to the farmer.
    - If the contractor provides the information to the farmer, the contractor can use their own letterhead, as long as the subcontractor's applicator information is present.
- Worker Protection Standard (WPS) and Advanced Notice ([ATCP 29.61](#) and [ATCP 29.51\(1, 2 &5\)](#))
  - WPS: The subcontractor informs the contractor about what pesticides will be applied. The contractor notifies the farmer unless the subcontractor agreed to notify the farmer.
  - Bees: Unless agreed to by the contractor or subcontractor, the farmer is responsible for informing beekeepers who requested advance notice.
  - Aerial Application: Unless agreed to by the contractor or subcontractor, the farmer is responsible for informing adjacent landowners who requested advance notice.
- Warning Signs ([ATCP 29.62](#), [ATCP 29.52\(1, 2, and 4\)](#))

Unless otherwise agreed to:

  - WPS: The farmer posts the signs, if required.
  - Dual Notice Pesticides: The farmer or the subcontractor posts the signs.
  - Chemigation: The Subcontractor posts the signs.