



New Jersey Department of Environmental Protection
Water Resource Management
Division of Water Monitoring, Standards and Pesticide Control

**Stakeholder Meeting:
Pesticide Control Code
Wednesday, September 27, 2023 (1:00 pm – 3:00 pm)**

Background:

Pesticide Applicator Certification

In 2017, the Federal EPA amended its rules for pesticide applicator certification at 40 CFR Part 171. All States must at minimum comply with Federal rules, although States have the option to be more stringent than Federal rules. Key topics for proposed amendments to the State rules are increased standards for core knowledge for all pesticide license applicants (and current license-holders); the establishment of separate license categories for two areas of fumigation- “soil fumigation” and “non-soil fumigation”; and annual training for commercial pesticide operators (called “non-certified applicators” by the EPA) and who work under the supervision of a licensed applicator.

Neonicotinoid Legislation

In 2021, State legislation was passed (P.L.2021 c.386) restricting and limiting the use of Neonicotinoid pesticides. Agricultural uses are not affected, but other outdoor uses such as for pest control in lawns, landscapes, tree care and golf courses will be limited to use by licensed applicators in cases of an “environmental emergency” as determined by the Commissioner of the Department of Environmental Protection (Department). This also means homeowners will no longer legally be able to purchase or use neonicotinoid pesticides for lawn and landscape use. There are exemptions for indoor use, pet or veterinary products, and personal care. This law will become effective on October 31, 2023 (before rules are proposed) since this date was written into the legislation. The Department has received requests for exempting many insect pests from the restrictions of the law in the landscape, golf course and tree care industries. One goal after hearing from the interested public about this law will be to issue written guidance to interpret pests or situations that could qualify as an environmental emergency (or those that do not) and answer any other questions that will help guide pesticide applicators, distributors, manufacturers and the general public as the law becomes effective.

For background information on the changes to certification standards, please refer to this Federal EPA link about the 2017 rule: [Certification Standards for Pesticide Applicators | US EPA](#)

A copy of the New Jersey statute regulating Neonicotinoids is here:
<https://pub.njleg.state.nj.us/Bills/2020/PL21/386 .PDF>