



**House
Legislative
Analysis
Section**

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COMMERCIAL PESTICIDE SALES

House Bill 4489

Sponsor: Rep. David M. Gubow

**Committee: Conservation, Recreation
& Environment**

Complete to 5-2-91

A SUMMARY OF HOUSE BILL 4489 AS INTRODUCED 3-6-91

House Bill 4489 would amend the Pesticide Control Act to impose certain notification requirements on persons in the business of applying or supervising the use of "restricted use pesticides". Under the bill, a commercial applicator would be required to enter into a contract with a property owner, and obtain oral or written approval before applying a pesticide to the property owner's ground, trees, or shrubs. The contract would specify all of the following:

- the approximate date, number, and cost of the pesticide applications;
- a list of the pesticides to be applied, including brand and generic names of active ingredients;
- label warnings that were pertinent to the protection of humans, animals, and the environment; and
- the commercial applicator's name, address, telephone number and available I.D. numbers, as well as the certified applicator who was responsible for the pesticide application.

The commercial applicator would be required to maintain copies of all contracts and to make copies available during normal business hours upon request of the director of the Department of Agriculture, and to give a property owner oral or written notice of an alternative date if he or she was unable to apply the pesticide on the date specified in the contract. In addition, he or she would place markers within or along the perimeter of property where a pesticide was scheduled to be applied, in compliance with the following requirements:

- markers would be clearly visible from outside the perimeter of the property;
- markers would be at least twelve inches above the ground and at least four inches by five inches in size;
- markers would be in place on the day that a pesticide was applied; and,
- markers would instruct people, in boldly printed 3/8" letters, not to enter the property or remove the signs for period of at least 24 hours after the application.

The requirements of the bill would not apply to a commercial applicator who was either applying a pesticide on a golf course or turf farm, or who was applying a pesticide around or near the foundation of a building or structure in order to control pests within the building or structure.

MCL 286.551 et al