

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to certification requirements for persons
2 applying pesticides as part of an organic process.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2167

1 Section 1. Section 206.2, Code 2001, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 16A. "Organic process" means a process
4 that promotes and enhances ecological system health, including
5 biodiversity, biological cycles, and soil biological activity.
6 This is accomplished by using cultural, biological, and
7 mechanical methods, as opposed to using synthetic materials,
8 to fulfill any specific function within the ecological system.

9 Sec. 2. Section 206.5, subsection 3, paragraph b, Code
10 2001, is amended to read as follows:

11 b. Except as provided in paragraph "c", a commercial,
12 public, or private applicator must complete an educational
13 program in order to be certified. To be initially certified
14 as a commercial, public, or private applicator, a person must
15 complete an educational program which shall consist of an
16 examination required to be passed by the person. After
17 initial certification the commercial, public, or private
18 applicator must renew the certification by completing the
19 educational program which shall consist of either an
20 examination or continuing instructional courses. The
21 commercial, public, or private applicator must pass the
22 examination each third year following initial certification or
23 may elect to attend two hours of continuing instructional
24 courses each year.

25 c. A commercial, public, or private applicator is not
26 required to complete an educational program in order to be
27 certified to apply pesticides that are compatible with an
28 organic process as provided by rules which shall be adopted by
29 the department in consultation with the organic standards
30 board established pursuant to section 190C.2.

31 EXPLANATION

32 This bill amends Code section 206.5, providing for the
33 certification of pesticide applicators, including commercial,
34 public, and private applicators by the department of
35 agriculture and land stewardship.

1 Code section 206.2 defines "pesticide" as a substance used
2 for preventing, destroying, repelling, or mitigating insects,
3 rodents, nematodes, fungi, weeds, and other forms of plant or
4 animal life or viruses; or any substance used as a plant
5 growth regulator, defoliant, or desiccant.

6 According to Code section 206.5, to be initially certified
7 as a commercial, public, or private applicator, a person must
8 complete an educational program administered by the department
9 of agriculture and land stewardship that consists of passing
10 an examination. After initial certification, the commercial,
11 public, or private applicator must renew the certification by
12 again completing the educational program. For renewal, the
13 educational program consists of either an examination or
14 continuing instructional courses. The commercial, public, or
15 private applicator must pass the examination each third year
16 following initial certification or may elect to attend two
17 hours of continuing instructional courses each year.

18 The bill provides a commercial, public, or private
19 applicator is not required to complete an educational program
20 in order to be certified to apply pesticides that are
21 compatible with an organic process. The bill defines "organic
22 process" as a process that promotes and enhances ecological
23 system health, including biodiversity, biological cycles, and
24 soil biological activity. This definition is based on the
25 definition of "system of organic farming" as provided in Code
26 chapter 190C, regulating organic agricultural products by the
27 department and the organic standards board established in Code
28 section 190C.2. The bill requires the department to establish
29 rules in order to provide for the exemption in consultation
30 with the organic standards board.

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