

Incidental Use Situation Fact Sheet

"This fact sheet must be distributed to all city, county, and state employees who apply general use pesticides and do not have a Texas Department of Agriculture ornamental plant and turf license or a Structural Pest Control Service noncommercial applicator's or technician license. The fact sheet and instruction must be provided upon initial employment and thereafter must be available as needed. These general use pesticides include insecticides, herbicides, fungicides and rodenticides and involve applications made both inside and outside of structures. Incidental Use is not intended for long terms or extensive pest control measures. Where long-term pest control is required, a trained, licensed person is to make the applications.

Incidental Use is defined as "A pesticide application on an occasional, isolated, site-specific basis that is incidental to the primary duties of an employee and involves the use of general use pesticides after instruction as provided by rules adopted by the Structural Pest Control Service".

Examples of Incidental Use Situations are treating fire ants in a transformer box, or treating of ants by a janitor or clerical employee in a break area. Incidental is defined as site-specific and incidental to the employee's primary duties. If it is a part of the employee's primary duty to make applications of pesticides, that employee is required, by law, to obtain either a Structural Pest Control Service license or Texas Department of Agriculture ornamental plant and turf license, depending on the location and type of application.

In all cases of incidental use, the employee should use the least hazardous, effective method of controlling pests. If chemicals are to be utilized, they must be applied in strict accordance with manufacturer labels of "General Use" products being used. Applications made inconsistent with the label requirements of the general use product may result in penalties being assessed against the individual and/or the certified noncommercial applicator or technician responsible.

"Incidental Use Situation" applications of pesticides are regulated by the Texas Department of Agriculture, Structural Pest Control Service. If you have any questions or comments, contact SPCS at 866-918-4481; written inquiries may be addressed to the Structural Pest Control Service, P.O. Box 12847, Austin, Texas 78711-2847.