

Child Care Facilities Regulations

Appendix D:

*Pesticide Application Log Example and
NRS and NAC 555-relevant sections*

*Serving Boulder City, Clark County, Henderson,
Las Vegas, Mesquite and North Las Vegas*



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INSTRUCTIONS FOR PESTICIDE APPLICATION LOG USE:

- Column 1:** List date that pesticides were applied at the child care facility (child care center, family care home, or group care home). **USE A NEW ROW OF THE PESTICIDE APPLICATION LOG FOR EVERY NEW DATE THAT TREATMENT WAS APPLIED.**
- Column 2:** List date that notifications were sent home to parents or legal guardians notifying them that pesticides are going to be used at the child care facility. **ATTACH A COPY OF THE NOTIFICATION SENT TO PARENTS AND GUARDIANS TO THIS LOG.**
- Column 3:** List sites, areas, or items within the child care facility that required pesticide treatment. **FOR EXAMPLE:** The outside playground turf, Classrooms number 1 through 10, the kitchen and dining room, the entrance to the child care facility, the building perimeter, etc. **USE ONE ROW OF THE PESTICIDE APPLICATION LOG PER MAJOR AREA TREATED.**
- Column 4:** List the brand name and type of pesticide used. If controlled use pesticides were applied, make sure that the pest control company provides you with this information. Especially important is documentation of the **ACTIVE INGREDIENT** and concentration used. **IF MORE THAN ONE TYPE OF PESTICIDE IS USED IN A GIVEN AREA, NOTE IT ON A NEW ROW OF THE LOG.**
- Column 5:** Give the name, address, and contact information for the professional pest control operator/company that was hired to provide pest control. Please list the name of the Licensed Applicator (the individual person) who provided the service.
- Column 6:** Document the target pest (the pest that requires elimination) and reason for pesticide use. Under the *SNHD Regulations Governing the Sanitation and Safety of Child Care Facilities*, the facility is required to exhaust all other available Integrated Pest Management (IPM) strategies prior to resorting to the application of chemical pesticides. List any IPM strategies used/tried, and if possible, why they did not work prior to applying pesticides. Information on Integrated Pest Management can be found at the Environmental Protection Agency's website at <http://www.epa.gov/opp00001/factsheets/ipm.htm> and <http://www.epa.gov/pesticides/ipm/index.htm>

Relevant State of Nevada Laws and Regulations Regarding Pesticide Use and Licensing of Pesticide Companies and Certified Applicators

Nevada Revised Statutes Chapter 555 - Control Of Insects, Pests And Noxious Weeds <http://www.leg.state.nv.us/NRS/NRS-555.html>

NRS 555.2618 “Certified applicator” defined. “Certified applicator” means any person who is certified by the Director as qualified to use or to supervise the use of any restricted-use pesticide. (Added to NRS by 1975, 593; A 1977, 311; 1993, 1714; 1999, 3646)

NRS 555.2619 “Commercial applicator” defined. “Commercial applicator” means a certified applicator who applies or supervises the application of any restricted-use pesticide and does not qualify as a private applicator under NRS 555.2681. (Added to NRS by 1975, 593)

NRS 555.2665 “Pest” defined. “Pest” includes, but is not limited to, any insect, fungus, rodent, nematode, snail, slug and weed and any form of plant or animal life or virus, except any virus on or in a living human or other animal, which is normally considered to be a pest or which the Director declares to be a pest. (Added to NRS by 1971, 1253; A 1993, 1714; 1999, 3646)

NRS 555.2667 “Pest control” defined. “Pest control” means the business of engaging in, advertising or soliciting for:

1. The use for hire of pesticides or mechanical devices for the extermination, control or prevention of infestations of pests.
2. The inspection for hire of households or other structures and the submission of reports of inspection, estimates or bids, written or oral, for the inspection, extermination, control or prevention of wood-destroying pests. (Added to NRS by 1973, 1506; A 1981, 610)

NRS 555.267 “Pesticide” defined. “Pesticide” means:

1. Any substance or mixture of substances, including any living organisms or any product derived therefrom or any fungicide, herbicide, insecticide, nematocide or rodenticide, intended to prevent, destroy, control, repel, attract or mitigate any insect, rodent, nematode, snail, slug, fungus and weed and any other form of plant or animal life or virus, except virus on or in a living human or other animal, which is normally considered to be a pest or which the Director declares to be a pest.
2. Any substance or mixture of substances intended to be used as a plant regulator, defoliant or desiccant, and any other substances intended for that use as are named by the Director by regulation. (Added to NRS by 1971, 1253; A 1981, 610; 1993, 1715; 1999, 3646)

NRS 555.2683 “Restricted-use pesticide” defined. “Restricted-use pesticide” means any pesticide, including any highly toxic pesticide, which:

1. The Director has found and determined, after a hearing, to be:
 - (a) Injurious to persons, pollinating insects, bees, animals, crops or land, other than pests or vegetation it is intended to prevent, destroy, control or mitigate; or
 - (b) Detrimental to:
 - (1) Vegetation, except weeds;
 - (2) Wildlife; or
 - (3) Public health and safety; or
2. Has been classified for restricted use by or under the supervision of a certified applicator in accordance with the Federal Environmental Pesticide Control Act, 7 U.S.C. §§ 136 et seq. (Added to NRS by 1975, 593; A 1993, 1715; 1999, 3646)

Nevada Administrative Code Chapter 555 - Control Of Insects, Pests And Noxious Weeds <http://www.leg.state.nv.us/NAC/NAC-555.html>

NAC 555.2503 “Bait station” defined. (NRS 555.400) “Bait station” means a box or other receptacle that:

1. Contains a rodenticide in a liquid or solid form;
2. Protects the rodenticide from moisture and dust; and
3. Provides a place for rodents or other vertebrate pests to feed on the rodenticide. (Added to NAC by Dep’t of Agriculture by R033-01, eff. 5-1-2002)

NAC 555.25085 “Dosage” defined. (NRS 555.400) “Dosage” means:

1. If a pesticide applied to a given area is not diluted, the total undiluted amount of the pesticide that was applied to the given area; or
2. If a pesticide applied to a given area is diluted:
 - (a) The total diluted amount of the pesticide that was applied to the given area; and
 - (b) The concentration of the pesticide that was applied to the given area. (Added to NAC by Dep’t of Agriculture by R033-01, eff. 5-1-2002)

NAC 555.2509 “Dwelling unit” defined. (NRS 555.400) “Dwelling unit” has the meaning ascribed to it in NRS 118A.080. (Added to NAC by Dep’t of Agriculture by R033-01, eff. 5-1-2002)

NAC 555.251 “Fumigation” defined. (NRS 555.400)

1. “Fumigation” means the destruction of plant or animal life within an enclosed area by using:
 - (a) A substance which has a vapor pressure of more than 5 millimeters of mercury at 25° centigrade; or
 - (b) Any other substance that the Director determines is a fumigant, including, without limitation:
 - (1) Chloropicrin;
 - (2) Methyl bromide;
 - (3) Sulfur dioxide;
 - (4) Propylene oxide;
 - (5) Sulfuryl fluoride;
 - (6) Aluminum phosphide;
 - (7) Magnesium phosphide; and
 - (8) Dichloropropene.
2. The term may include any of the following substances if the intended use of the substance is to destroy plant or animal life within an enclosed area:
 - (a) Liquid nitrogen;
 - (b) Carbon dioxide; or
 - (c) Metam sodium. [Dep’t of Agriculture, part No. 55.30, eff. 6-1-59; A 7-1-69; 8-1-74; 1-17-77]—(NAC A 2-5-82; R033-01, 5-1-2002)

NAC 555.252 “Immediate supervision” defined. (NRS 555.400) “Immediate supervision” means supervision by a licensed applicator who is present and responsible for a person applying a pesticide for pest control. [Dept of Agriculture, part No. 55.30, eff. 6-1-59; A 7-1-69; 8-1-74; 1-17-77]—(NAC A 2-5-82)

NAC 555.253 “Industrial complex” defined. (NRS 555.400) “Industrial complex” means any area or site, other than an institutional complex or dwelling unit, where a business activity occurs. [Dep’t of Agriculture, part No. 55.30, eff. 6-1-59; A 7-1-69; 8-1-74; 1-17-77]—(NAC A 2-5-82; R033-01, 5-1-2002)

NAC 555.2535 “Industrial or institutional pest” defined. (NRS 555.400) “Industrial or institutional pest” means a pest, including, without limitation, an insect or vertebrate pest, that invades an industrial complex, institutional complex, dwelling unit or any other structure. The term does not include a wood-destroying pest. (Added to NAC by Dep’t of Agriculture by R033-01, eff. 5-1-2002)

NAC 555.254 “Institutional complex” defined. (NRS 555.400) “Institutional complex” means any organization which has a social or educational purpose such as a nursing home, hospital or school. [Dep’t of Agriculture, part No. 55.30, eff. 6-1-59; A 7-1-69; 8-1-74; 1-17-77]—(NAC A 2-5-82)

NAC 555.255 “Operator” defined. (NRS 555.400) “Operator” means a person who:

1. Is licensed pursuant to NAC 555.360; and
2. Applies a pesticide without the immediate supervision of a principal.

[Dep’t of Agriculture, part No. 55.30, eff. 6-1-59, 7-1-69; 8-1-74; 1-17-77]—(NAC A 2-5-82; R033-01, 5-1-2002)

NAC 555.2567 “Serious violation” defined. (NRS 555.400) “Serious violation” means:

1. A violation of NRS 555.2605 to 555.460, inclusive, or any regulation adopted pursuant thereto, which results in actual damage to the health of persons, wildlife, property or the environment;
2. Conducting pest control without an appropriate license in violation of NRS 555.280;
3. Performing preconstruction treatment in violation of NAC 555.427; or
4. Failing to complete, affix, post or deliver a tag or duplicate tag in violation of NAC 555.428.

(Added to NAC by Div. of Agriculture, eff. 1-6-95; A by Dep’t of Agriculture by R081-99, 11-18-99; R033-01, 5-1-2002)

NAC 555.2575 “Tamper-resistant bait station” defined. (NRS 555.400) “Tamper-resistant bait station” means a bait station that is designed to protect children or pets or other domestic animals from the pesticide contained in the bait station to the extent that:

1. The child or pet or other domestic animal is unable to remove a toxic amount of the pesticide contained in the bait station; or
2. The child or pet or other domestic animal is able to remove a toxic amount of the pesticide contained in the bait station only if the child or pet or other domestic animal is able to destroy the bait station. (Added to NAC by Dep’t of Agriculture by R033-01, eff. 5-1-2002)

NAC 555.260 Miscellaneous exemptions. (NRS 555.400) NAC 555.250 to 555.530, inclusive, **do not apply to:**

- 1. Services for domestic or industrial sanitation, which use sanitizers and disinfectants;**
2. Services for the maintenance of swimming pools, which uses algicides, bactericides or fungicides;
3. Any person who uses preservatives in the treatment of fabrics;
4. Veterinarians or persons in pet salons who treat animals;
- 5. A person who controls vertebrate pests by means other than the use of chemicals; or**
6. A person who:
 - (a) Conducts inspections for; or
 - (b) Performs services for the control of,

☞ a mold or other fungus detrimental to human health. [Dep’t of Agriculture, No. 55.31, eff. 6-1-59; A 7-1-69; 8-1-74; 1-17-77]—(NAC A 10-17-86; R033-01, 5-1-2002)

NAC 555.420 Prohibited materials and uses of pesticides. (NRS 555.380, 555.400) Except for experimental purposes under the direction or supervision of qualified federal, state or county personnel or research workers employed by the manufacturer, where no charge is made to the grower or owner, a person engaged in the business of application of pesticides shall not use for pest control:

1. Any material not registered in this State as a pesticide.
2. Any registered pesticide for a purpose other than one for which it is registered. [Dep’t of Agriculture, part No. 55.37, eff. 8-1-74; A 1-17-77]

NAC 555.460 Protection of persons and animals. (NRS 555.380, 555.400) A licensee engaged in the application of pesticides known to be harmful to persons or animals other than bees, shall:

- 1. Give notice to the owner of any animals known to be on the property to be treated or on property where the material appears likely to drift in harmful amounts within a reasonable time before treatment to enable the owner to protect the animals.**
- 2. Exercise reasonable precautions to prevent access of animals to areas where harmful residues remain.**
3. In applying materials harmful to fish, exercise reasonable precautions to avoid contaminating the water containing the fish.
- 4. Place rodenticides in an area that is inaccessible to children or pets or other domestic animals or in a tamper-resistant bait station that is marked on the outside of the bait station with the following information:**
 - (a) The name, address and telephone number of the pest control business that performed the pest control;**
 - (b) The name of the rodenticide;**
 - (c) The registration number assigned to the rodenticide by the Environmental Protection Agency;**
 - (d) The name and percentage of the active ingredient of the rodenticide; and**
 - (e) The precautionary word and symbol for the rodenticide that is used by the manufacturer of the rodenticide on the label of the rodenticide.**
- 5. Upon termination of the services of the pest control business, remove any bait stations placed on the property by the pest control business.**

[Dep't of Agriculture, part No. 55.34, eff. 6-1-59; A 7-1-69; 5-22-72; + part No. 55.37, eff. 8-1-74; A 1-17-77]—(NAC A 2-5-82; R033-01, 5-1-2002)