

217B.500 and Fumigation Definitions for KRS 217B.505 to 217B.585.

As used in KRS 217B.500 to 217B.585 unless the context requires otherwise:

- (1) "Applicant" means any person applying for a license;
- (2) "Applicator" means a licensed person who makes pesticide applications;
- (3) "Board" means the Structural Pest Management Advisory Board;
- (4) "Carpenter ants" means those ants that damage wooden structures and are classified within the genus *Camponotus*;
- (5) "Carpenter bees" means those bees that damage wooden structures and are classified in the genus *Xylocopa*;
- (6) "Commercial pesticide application" means a pesticide application made by a licensed person or trainee employed by a structural pest management company on the property of another for a fee;
- (7) "Department" means the Kentucky Department of Agriculture;
- (8) "Direct supervision" means the act or process whereby the application of a pesticide is made by a competent person acting under the instructions and control of a certified operator or certified applicator who is responsible for the actions of that person and who is available if and when needed, even though such certified operator or certified applicator is not physically present at the time and place the pesticide is applied;
- (9) "General pests" means any arthropods, mollusks, annelid worms, rodents, or other pestiferous vertebrate animals, vermin, or fungi, excluding those defined in subsections (4), (5), (13), (16), and (20) of this section;
- (10) "KPMA" means the Kentucky Pest Management Association, Inc;
- (11) "License" means an instrument issued by the department that certifies a person is competent to make pesticide applications in a structural pest management category;
- (12) "Noncommercial pesticide application" means pesticide applications made by an applicator, in the course of employment, on property owned, occupied, or managed by the applicator or his or her employer;
- (13) "Office" means any location where the application records or pesticide inventory of a structural pest management company are stored;
- (14) "Old house borer" means the cerambycid beetle *Hylotrupes bajalus* (L.);
- (15) "Operator" means a licensed person who manages a structural pest management company and makes pesticide applications or supervises applicators or trainees making pesticide applications;
- (16) "Powder post beetle" means the beetles that damage wooden structures and are classified within the families *Lyctidae*, *Bostrichidae*, or *Anobiidae*;
- (17) "Structural fumigation" means the use of poisonous gases for the control of general pests and wood destroying organisms in enclosed structures;
- (18) "Structural pest management" means the use of pesticides to prevent, control, repel, or eliminate wood destroying organisms or general pests in, around, or outside structures for the purpose of mitigating threats to structural integrity, the human

occupancy, or the contents of such structures;

- (19) "Structural pest management company" means any company that provides commercial structural pest management or commercial structural fumigation services for a fee;
- (20) "Termite" means the eastern subterranean termite, *Reticulotermes flavipes* (Kollar), the southeastern subterranean termite, *R. virginicus* Banks, or the light southeastern subterranean termite, *R. hageni* Banks;
- (21) "Trainee" means an unlicensed person employed by a structural pest management company to make pesticide applications; and
- (22) "Wood destroying organisms" means those organisms that cause damage to the wood used in the construction of structures including the insects defined under subsections (4), (5), (13), (16), and (20) of this section.

Effective: June 29, 2021

History: Repealed and reenacted 2021 Ky. Acts ch. 84, sec. 16, effective June 29, 2021. -- Amended 1980 Ky. Acts ch. 295, sec. 65, effective July 15, 1980. -- Created 1978 Ky. Acts ch. 81, sec. 1, effective June 17, 1978.