



# OLR RESEARCH REPORT

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## **PESTICIDE APPLICATION AT DAY CARE CENTERS**

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This report summarizes Connecticut's laws regarding pesticide application at day care centers.

### **SUMMARY**

State law requires pesticide application in a day care center to be done by a certified pesticide applicator except in an emergency to remove a human health threat. Similarly, lawn care pesticide application is prohibited on day care center grounds unless there is a human health threat requiring an emergency application. A day care center licensee or its designee must notify parents and guardians of enrolled children at least 24 hours before a pesticide application on the center's grounds and as soon as practical for an emergency application. Pesticide application records must be kept for five years.

### **DEFINITIONS**

For purposes of applying pesticide at a day care center, a "pesticide" is a fungicide used on plants, an insecticide, an herbicide, or a rodenticide, but not a sanitizer, disinfectant, antimicrobial agent, or pesticide bait. A "lawn care pesticide" is a pesticide registered by the U.S. Environmental Protection Agency (EPA) and labeled pursuant to the federal Insecticide, Fungicide and Rodenticide Act for use in lawn, garden, and ornamental sites or areas ([CGS § 19a-79a](#)).

A “day care center” is a licensed child day care center, group day care home, or family day care home that provides child day care services. By law, “child day care services” includes a child day care center, which provides care to more than 12 children; a group day care home, which provides care to between seven and 12 children or would otherwise be a family day care home but is located in a facility other than a private home; and a family day care home, which provides care to six or fewer children in a private home ([CGS § 19a-77](#)).

## **DAY CARE CENTER APPLICATION**

### ***Application Requirements***

By law, only a certified pesticide applicator can apply pesticide inside a day care center unless an emergency application is needed ([CGS § 19a-79a\(b\)](#)). Any person can make an emergency application to eliminate an immediate threat to human health, such as eliminating mosquitoes, ticks, or stinging insects. Before making the emergency application, the day care center licensee or its designee must determine (1) the application is necessary and (2) that obtaining a certified pesticide applicator is impractical. The emergency application also must not involve a restricted use pesticide. A restricted use pesticide is any pesticide classified as such by the EPA or Connecticut’s Department of Energy and Environmental Protection ([CGS § 22a-47\(cc\)](#)).

Lawn care pesticide application is generally prohibited. But any person can make an emergency application of lawn care pesticide to a day care center’s grounds to eliminate an immediate human health threat if (1) the day care center licensee or its designee determines the application is necessary and (2) the application does not involve a restricted use pesticide. A family day care home is not subject to this prohibition if its grounds are not owned or under the control of the licensee ([CGS § 19a-79a\(c\)](#)).

The law also prohibits a day care center licensee or its designee from allowing enrolled children to enter a pesticide application area until it is safe according to the pesticide’s label ([CGS § 19a-79a\(d\)](#)).

### ***Notice and Record Keeping***

A day care center licensee or its designee must notify the parents or guardians of each enrolled child at least 24 hours before applying pesticide on its grounds or as soon as practicable for emergency applications. Notice must include the (1) name of the pesticide's active ingredient, (2) application date, (3) location of the application, and (4) target pest. A copy of each pesticide application record must be kept at the day care center for five years ([CGS § 19a-79a\(e\)](#)).

### **RELATED OLR REPORTS**

For further information about pesticide application laws, including requirements for applying pesticide at schools and general pesticide application notification requirements under the Connecticut Pesticide Control Act ([CGS § 22a-46 et seq.](#)), see OLR reports [2010-R-0371](#), Roundup and Pesticide Notification Requirements, and [2012-R-0376](#), Pesticide Application at Schools.

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