STATE SCHOOL PESTICIDE LAW

I. Restricted Spray Zones Around School Property

Overview

Pesticides move off the target site when they are sprayed, whether inside or outside. When sprayed outside pesticides drift on to nearby property resulting in off target residues. Buffer zones can eliminate exposure from spray drift on to school property. As a result, states require buffer zones around schools. In order to adequately protect against drift, buffer zones should, at a minimum, be established in a 2 mile radius around the school's property. Aerial applications should have a larger buffer zone, at least 3 miles encircling the school. Buffer zones should be in effect at all times of the day. It is especially important for spray restrictions to be in place during commuting times and while students and employees are on school grounds.

State Information

Florida does not have any statewide requirements for restricted spray zones around school property.

II. Posting Notification Signs for Indoor Pesticide Applications

Overview

States use different approaches in providing school pesticide use information to parents, students and staff. Some forms include the posting of notification signs and/or the distribution of notices directly to the affected population. Posted notification signs warn those in the school when and where pesticides have been or are being applied. This is a vehicle for basic right-to-know if the posting occurs in an area where it is easily seen by parents, students and staff. It is important to post signs for indoor pesticide applications because of the extensive period of time students and school employees spend at school. Signs posted prior to commencement of the pesticide application, not after, are more protective. The prior notification system effectively enables people to take precautionary action. Because of the residues left behind after an application, signs should remain posted for at least 72 hours. It takes time for pesticides to start breaking down and some pesticide residues can least for weeks. Signs should also be posted at all main entrances of the building and the specific area sprayed, on the main bulletin board, and, for more comprehensive notification, in the school newspaper or on the daily announcements. Posted signs should state when and where a pesticide is applied, the name of the pesticide applied and how to get further information, such as a copy of the material safety data sheet (MSDS) and the product(s) label.

State Information

Florida does not have any statewide requirements regarding posting notification signs for indoor school pesticide use.

III. Posting Notification Signs for Outdoor Pesticide Applications

Overview

For a wider range of protection, states should require posting pesticide notification signs for outdoor pesticide applications as well. Students who play sports or people continually on the lawns represent a high risk when applications occur on school property. Dermal exposure can occur when a football player gets tackled, a soccer player slides to make a block or a student sits on the grass to eat lunch or watch a game. Inhalation exposure can occur when a player breathes in kicked up dust and dirt and pesticide residues. Even spectators at a game or passersby face inhalation exposure to pesticides that volatilize or vaporize off the treated area.

State Information

Florida Statutes, chapter 482 section 2265, require licensed or certified applicators to post signs at the commencement of an application to a lawn. No amount of time for the sign to remain is specified in the statutes or administrative code.

IV. Prior Written Notification

UPDATES FROM THE DAILY NEWS BLOG

Nutrient Runoff, Aquatic Weed Killers, and Florida's Red Tide Collide in Public Debate
March 6, 2019

Take Action: Stop Antibiotic Use in Citrus Production, Leading to Life-Threatening Illness
January 10, 2019

Doctor in South Florida Sues to Block Hazardous Mosquito Spray
July 11, 2017

Infected Mosquito Trial Launched Against Zika and Other Mosquito-Borne Diseases
May 1, 2017

Health Canada Will Begin Pesticide Testing of Cannabis After Recalls and Consumer Exposure
February 9, 2017

North Miami Passes IPM Plan in Response to Local Activism
February 1, 2017

Miami-Dade Stops Aerial Spraying on Weekdays to Reduce Exposure to Students
August 25, 2016

Fighting Zika - Growing Concerns over Pesticide Resistance
August 5, 2016

Toxic Algae Bloom in Florida's Largest Lake Tied to Chemical-Intensive Agriculture
July 15, 2016

FDA Deliberating Release of GE Mosquitoes in Florida Keys
May 27, 2016

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people and does not qualify as true right-to-know because of its limited scope. Requiring that individuals place themselves on registries, sometimes only with a doctor's letter, afford only those who already know about toxic exposure the opportunity to be informed about pesticide use in the school. Prior notification should be 72 hours in advance to make sure the information has been received, to get further information regarding the pesticide and to make arrangements to avoid the exposure, if necessary. Notification should include the name of the pesticide(s), a summary of the adverse health effects listed on the Material Safety Data Sheet (MSDS) and label, the day and time, and area of the application and how to obtain a copy of the MSDS and label.

State Information

Florida has no statewide law requirements for providing prior written notification.

V. Prohibitions on Use

Overview

Limiting when and what pesticides are applied in and around schools is important to the reduction of pesticide exposure. Pesticides should never be applied when students or employees are in the area or may be in the area within 24 hours of the application. In reality, certain types of pesticides, such as carcinogens, endocrine disrupters, reproductive toxins, developmental toxins, neurotoxins, persistent compounds and substances, bioaccumulative compounds and substances, toxicity category 1 acutely toxic pesticides and ground water contaminants should not be used around children.

State Information

Florida has no state laws restricting school pesticide use.

VI. Integrated Pest Management

Overview

A good integrated pest management (IPM) program can eliminate the unnecessary application of synthetic, volatile pesticides in schools. The main elements of a good IPM program include: 1) monitoring to establish whether there is a pest problem, 2) identifying the causes of the pest problem, 3) addressing the cause by changing conditions to prevent problems, 4) utilizing pest suppression techniques, if necessary, that are based on mechanical and biological controls and 5) only after non-toxic alternatives have been tried and exhausted, use the least toxic pesticide. An IPM policy should include a written policy guide and a prohibited and acceptable materials list. Material that could be considered after using other methods include boric acid and disodium octoborate tetrahydrate, silica gels, diatomaceous earth, insect growth regulators, insect and rodent baits in tamper resistant containers or for crack and crevice placement only, microbe-based insecticides, botanical insecticides (not including synthetic pyrethriods) without toxic synergists, and biological (living) control agents.

State Information

The Florida State Board of Education Administrative Rules state, school boards should adopt policies and procedures for pest management programs that are in accordance with U.S. EPA, *Pest Control in the School Environment: Adopting Integrated Pest Management.*

COPY OF STATE SCHOOL PESTICIDE LAWS
482.2265 Consumer information; notice of application of pesticide.
Florida State Board of Education Administrative Rules Requiring IPM

Other Schools with IPM/Notification Policies:
Alachua County
Charlotee County
Columbia County
Dade County
Escambia County
Manatee County
Nassau County
Organge County
Pasco County
Pinellas County
Polk County
Santa Rosa County
Sarasota County
Union County
Volusia County

CONTACTS FOR LOCAL ORGANIZATIONS

Coral Springs, FL 33071
Phone: (954) 752-5214

Legal Environmental Assistance Foundation
1114 Thomasville Rd., Suite E
Tallahassee, FL 32303
Phone: (850) 681-2591
www.leaflaw.org

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For more contacts for local organizations, visit our Links to Local Organizations.

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