

Office of Regulatory Management  
Economic Review Form

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| <b>Agency name</b>   | Board of Agriculture and Consumer Services   |
| <b>Virginia Administrative Code (VAC) Chapter citation(s)</b>      | 2VAC 5-685   |
| <b>VAC Chapter title(s)</b>  | Regulations Governing Pesticide Applicator Certification under Authority of Virginia Pesticide Control Act |
| <b>Action title</b>  | Periodic Review of 2 VAC 5-685   |
| <b>Date this document prepared</b>                                 | September 19, 2025   |
| <b>Regulatory Stage (including Issuance of Guidance Documents)</b> | Periodic Review  |

### **Cost Benefit Analysis**

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

**Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)**

Omitted pursuant to ORM Regulatory Economic Analysis Manual

**Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)**

Omitted pursuant to ORM Regulatory Economic Analysis Manual

**Table 1c: Costs and Benefits under Alternative Approach(es)**

Omitted pursuant to ORM Regulatory Economic Analysis Manual

**Impact on Local Partners**

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

**Table 2: Impact on Local Partners**

|  |   |                            |
|--|---|----------------------------|
| (1) Direct & Indirect Costs & Benefits (Monetized) | Localities that employ certified commercial applicators may be affected by this regulation. While they are exempt from the fee for certification, they would be responsible for complying with the other provisions of the regulations, such as training and examinations, which may have associated indirect costs. VDACS is not able to estimate the cost impact but anticipates costs related to compliance with the regulations to be minimal.<br><br>This regulation has no monetized direct or indirect benefit for local partners. |                            |
| (2) Present Monetized Values                       | Direct & Indirect Costs   | Direct & Indirect Benefits |
|  | (a) Minimal   | (b) N/A                    |
| (3) Other Costs & Benefits (Non-Monetized)         | N/A   |                            |
| (4) Assistance                                     | N/A   |                            |
| (5) Information Sources                            | N/A   |                            |

**Impacts on Families**

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

**Table 3: Impact on Families**

|  |   |                            |
|--|---|----------------------------|
| (1) Direct & Indirect Costs & Benefits (Monetized) | This regulation has no monetized direct or indirect cost or benefit for families. |                            |
| (2) Present Monetized Values                       | Direct & Indirect Costs   | Direct & Indirect Benefits |
|  | (a) N/A   | (b) N/A                    |
| (3) Other Costs & Benefits (Non-Monetized)         | N/A   |                            |
| (4) Information Sources                            |   |                            |

**Impacts on Small Businesses**

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

**Table 4: Impact on Small Businesses**

|  |  |
|--|--|
| (1) Direct & Indirect Costs & Benefits (Monetized) | <p>Direct Costs: The regulation establishes requirements for the certification of an individual who commercially applies pesticides or applies restricted-use pesticides while producing an agricultural commodity on property owned or rented by him. Certified applicators are required to complete Board-approved training and demonstrate practical knowledge of principles and practices of pest control and the safe use of pesticides. Given the inherent safety considerations associated with the application of pesticides, it is imperative that individuals applying pesticides meet the requirements established in the regulation. There are approximately 3,000 licensed pesticide businesses and 22,600 certified pesticide applicators, including commercial applicators, registered technicians, and private applicators in Virginia. In order to comply with the provisions of the regulation, there are costs associated with training, testing, and recordkeeping that are in addition to the fee paid to VDACS to obtain a license. Private applicators, such as farmers, do not pay a fee but must comply with the other provisions of the regulations.</p> <p>This regulation has no monetized indirect cost or direct cost or benefit for small businesses.</p> |
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|  |  |                            |
|--|--|----------------------------|
| (2) Present Monetized Values               | Direct & Indirect Costs  | Direct & Indirect Benefits |
|  | (a) VDACS received approximately \$300,000 in revenue in fiscal year 2025 from fees related to pesticide applicator certification. | (b) N/A                    |
| (3) Other Costs & Benefits (Non-Monetized) | N/A  |                            |
| (4) Alternatives                           | N/A  |                            |
| (5) Information Sources                    | N/A  |                            |

**Changes to Number of Regulatory Requirements**

**Table 5: Regulatory Reduction**

For each individual action, please fill out the appropriate chart to reflect any change in regulatory requirements, costs, regulatory stringency, or the overall length of any guidance documents.

*Change in Regulatory Requirements*

| VAC Section(s) Involved* | Authority of Change | Initial Count | Additions | Subtractions                                   | Total Net Change in Requirements |
|--------------------------|---------------------|---------------|-----------|--|----------------------------------|
| 2 VAC 5-685              | (M/A):              | 0             | N/A       | N/A  | N/A                              |
|                          | (D/A):              | 1             | N/A       | N/A  | N/A                              |
|                          | (M/R):              | 0             | N/A       | N/A  | N/A                              |
|                          | (D/R):              | 58            | N/A       | N/A  | N/A                              |
|                          |                     |               |           | <b>Grand Total of Changes in Requirements:</b> | (M/A): N/A                       |
|                          |                     |               |           |  | (D/A): N/A                       |
|                          |                     |               |           |  | (M/R): N/A                       |
|                          |                     |               |           |  | (D/R): N/A                       |

**Key:**

*Please use the following coding if change is mandatory or discretionary and whether it affects externally regulated parties or only the agency itself:*

**(M/A):** Mandatory requirements mandated by federal and/or state statute affecting the agency itself

**(D/A):** Discretionary requirements affecting agency itself

**(M/R):** Mandatory requirements mandated by federal and/or state statute affecting external parties, including other agencies

**(D/R):** Discretionary requirements affecting external parties, including other agencies

*Cost Reductions or Increases (if applicable)*

| VAC Section(s) Involved* | Description of Regulatory Requirement | Initial Cost | New Cost | Overall Cost Savings/Increases |
|--------------------------|---------------------------------------|--------------|----------|--------------------------------|
| N/A                      | N/A                                   | N/A          | N/A      | N/A                            |
|                          |                                       |              |          |                                |

*Other Decreases or Increases in Regulatory Stringency (if applicable)*

| VAC Section(s) Involved* | Description of Regulatory Change | Overview of How It Reduces or Increases Regulatory Burden |
|--------------------------|----------------------------------|---|
| N/A                      | N/A                              | N/A   |
|                          |                                  |   |

*Length of Guidance Documents (only applicable if guidance document is being revised)*

| <b>Title of Guidance Document</b> | <b>Original Word Count</b> | <b>New Word Count</b> | <b>Net Change in Word Count</b> |
|-----------------------------------|----------------------------|-----------------------|---------------------------------|
| N/A                               | N/A                        | N/A                   | N/A                             |
|                                   |                            |                       |                                 |

\*If the agency is modifying a guidance document that has regulatory requirements, it should report any change in requirements in the appropriate chart(s).