WEST VIRGINIA CODE: §19-16A-14

§19-16A-14. Exemptions.

(a) *Veterinarian exemption*. — The provisions of §19-16A-7 of this code relating to licenses and requirements for their issuance do not apply to a doctor of veterinary medicine applying pesticides to animals during the normal course of his or her veterinary practice: *Provided*, That he or she is not regularly engaged in the business of applying pesticides for hire amounting to a principal or regular occupation and does not publicly hold himself or herself out as a pesticide applicator.

(b) *Farmer exemption*. — The provisions of §19-16A-7 of this code article relating to licenses and requirements for their issuance do not apply to any farmer applying pesticides for himself or herself or with ground equipment or manually for his or her farmer neighbors: *Provided*, That he or she:

(1) Operated farm property and operates and maintains pesticide application equipment primarily for his or her own use;

(2) Is not regularly engaged in the business of applying pesticides for hire amounting to a principal or regular occupation and that he or she does not publicly hold himself or herself out as a pesticide applicator; and

(3) Operates his or her pesticide application equipment only in the vicinity of his or her own property and for the accommodation of his or her neighbors.

(c) *Experimental research exemption*. — The provisions of §19-16A-7 of this code relating to licenses and requirements for their issuance do not apply to research personnel applying pesticides only to bona fide experimental plots.

(d) *Products generally available exemption*. — The provisions of §19-16A-7 of this code relating to licenses and requirements for their issuance do not apply to the use, application, or administration, by unlicensed persons whether for compensation or not, of lawn care products or pest control products that are generally available through retail sale at groceries, drug stores, and other stores offering a broad variety of consumer products.

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