

INSURANCE REQUIREMENTS

Pesticide Business Insurance Requirements

Applicants for a Pesticide Business License in Ohio must provide proof of financial responsibility before a license can be issued. Provisions of Ohio's Administrative Code 901:5-11-06 specifying the insurance requirements are detailed below and include:

(A) Every Pesticide Business issued a pesticide business license shall have in force, for the term of the license, a comprehensive general liability insurance policy and, either a separate professional liability insurance policy or an endorsement, covering liability arising from the application of pesticides in each of the specific user categories in which pesticide applicators employed by the business are licensed. The policy and endorsements shall be issued by a company authorized to do business in Ohio. The policy shall provide coverage for bodily injury, property damage, products and completed operations and shall contain the following minimum limits of insurance:

- (1) three hundred thousand dollars policy general aggregate;
- (2) three hundred thousand dollars per occurrence limit; and,
- (3) three hundred thousand dollars products and completed operations aggregate.

The insurance policy shall also contain a clause which states in the same or similar language: "In the event of cancellation for non-payment of premium the insurer agrees to advise the Ohio Department of Agriculture, Pesticide Regulation Section, 8995 East Main Street, Reynoldsburg, Ohio 43068, by written notice ten days prior to the effective date of cancellation. If the policy is, for any other reason, cancelled, not renewed, or there is a material change the insurer agrees to give the Ohio Department of Agriculture thirty days written notice."

(B) Every Pesticide Business issued a pesticide business license which is also licensed in the category of wood-destroying insect diagnostic inspection shall obtain either a specific liability policy, or an endorsement on an existing comprehensive general liability policy, issued by a company authorized to do business in Ohio, in the amount of fifty thousand dollars per occurrence with an aggregate limit of at least one hundred thousand dollars covering claims which arise from errors or omissions in the performance of wood-destroying insect diagnostic inspections.

(C) Every person applying for a pesticide business license shall submit with their license application either a certificate of insurance or a binder verifying that they meet the requirements of paragraph (A) of this rule; and, if they are licensed in the category of wood-destroying insect diagnostic inspection, verifying that they meet the requirements of paragraph (B) of this rule. The certificate of insurance or binder shall contain:

- (1) the name and address of the issuing company;
- (2) the name and address of the insured;
- (3) the effective date and expiration date of the insurance policy;
- (4) the policy number;
- (5) a statement verifying that the policy covers liability arising from the application of pesticides, and if applicable, liability arising from the performance of wood-destroying insect diagnostic inspections; and,
- (6) the limits of insurance.

(D) Exclusions and Exemptions: the above requirements shall apply to all pesticide businesses, except pesticide businesses whose activities are limited to:

- (1) Application of boat antifoulants
- (2) Seed Treatment
- (3) Those performed as a pesticide solicitor

Additionally, aerial pest control applicators shall have in force a minimum limit of insurance:

- one hundred thousand dollars property damage per occurrence
- one hundred thousand dollars bodily injury coverage for each person
- three hundred thousand dollars bodily injury per occurrence