

(D) "CUSTOMER" MEANS A PERSON WHO HAS ENTERED INTO A CONTRACT WITH A LICENSEE FOR PEST CONTROL.

(E) "DEVICE" MEANS AN INSTRUMENT OR MECHANICAL CONTRIVANCE INTENDED TO TRAP, LOCATE, DESTROY, CONTROL, REPEL, OR MITIGATE PESTS.

(F) "LABEL" MEANS THE WRITTEN, PRINTED, OR GRAPHIC MATTER ON, OR ATTACHED TO, THE PESTICIDE OR DEVICE, OR ANY OF ITS CONTAINERS OR WRAPPERS.

(G) "LABELING" MEANS ALL WRITTEN, PRINTED, OR GRAPHIC MATTER:

(1) ACCOMPANYING THE PESTICIDE OR DEVICE AT ANY TIME;
OR

(2) TO WHICH REFERENCE IS MADE ON THE LABEL OR IN LITERATURE ACCOMPANYING THE PESTICIDE OR DEVICE, EXCEPT TO CURRENT OFFICIAL PUBLICATIONS OF THE:

(I) ENVIRONMENTAL PROTECTION AGENCY;

(II) UNITED STATES DEPARTMENTS OF AGRICULTURE, INTERIOR, AND HEALTH AND HUMAN SERVICES;

(III) STATE EXPERIMENT STATIONS;

(IV) STATE AGRICULTURAL COLLEGES; OR

(V) OTHER SIMILAR FEDERAL OR STATE INSTITUTIONS OR AGENCIES AUTHORIZED BY LAW TO CONDUCT RESEARCH IN THE FIELD OF PESTICIDES.

(H) "PEST" MEANS AN INSECT, SNAIL, SLUG, RODENT, NEMATODE, FUNGUS, WEED, OR ANY OTHER FORM OF TERRESTRIAL OR AQUATIC PLANT OR ANIMAL LIFE OR VIRUS, BACTERIA, OR OTHER MICROORGANISM (EXCEPT VIRUSES, BACTERIA, OR OTHER MICROORGANISMS, ON OR IN LIVING MAN OR ANY OTHER LIVING ANIMAL) WHICH NORMALLY IS CONSIDERED TO BE A PEST OR WHICH THE SECRETARY DECLARES TO BE A PEST.

(I) "PEST CONTROL" MEANS ENGAGING IN, OR OFFERING TO ENGAGE IN, RECOMMENDING, ADVERTISING, SOLICITING THE USE OF, SUPERVISING THE USE OF, OR USING, A PESTICIDE OR A DEVICE FOR THE IDENTIFICATION, CONTROL, ERADICATION, MITIGATION, DETECTION, INSPECTION, OR PREVENTION OF A PEST IN, ON, OR AROUND ANY HOUSE, BUILDING, WATER, AIR, LAND, ~~PLANT~~ PLANT, STRUCTURE, OR ANIMAL.

(J) (1) "PEST CONTROL APPLICATOR" MEANS A PERSON ENGAGED IN THE BUSINESS OF PEST CONTROL.

(2) EXCEPT AS PROVIDED BY THE SECRETARY, "PEST CONTROL APPLICATOR" INCLUDES A PERSON WHO APPLIES PESTICIDES ON