

# PSEP Stakeholder Team—Work Group on State Support for PSEP—First Teleconference

January 16, 2013

Thostenson moderated the conference call that began at about 3:00 p.m.

Acronym:

- FAC - Facilities and Administrative fees or indirects, or overhead charges
- MOU – Memorandum of Understanding
- PETF - Pesticide Environmental Trust Fund (NC)
- SLA – State Lead Agency

The following were on the call:

- Black, Washington State University
- Burnette, Woody, et. al., NC State Lead Agency (SLA)
- Fleeson & Rengers, Virginia SLA
- Johns, Montana SLA
- Peterson, Arizona SLA
- Pont, EPA Worker Protection Branch
- Scott, Indiana SLA
- Somody, Syngenta
- Spitzmueller, Minnesota SLA
- Thostenson, North Dakota State University

Thostenson reviewed what the other work groups were working on.

Thostenson indicated that we plan to have call every couple of weeks into very early March

Next call to be held January 29, 2013, 3:00 p.m. ET.

Thostenson asked that we review what states are doing to support PSEPs.

- Scott (Indiana) outlined their support the PSEP. He provided enabling legislation language for the group. IN has two ways of supporting PSEP:
  - Enforcement fines go to PSEP. Highly variable amount annually (\$15K to \$40K), but significant and is used to support PSEP enhancements and special projects. Has existed for 15 to 20 years.
  - Peterson asked if fines went to PSEP in ND. Thostenson indicated yes, very similar.

- Portion of Pesticide Registration Fee goes to PSEP (\$10 per product). Generates a relatively steady revenue stream for PSEP (\$150K annually). Important for covering PSEP salaries/infrastructure. Implemented six years ago. Good industry support. Relatively easy to get through legislature.
  - No FAC or indirect charges are leveled against these funds by the PSEP's University Administration
- Johns (Montana) outlined support for PSEP. She provided enabling legislation language for the group. MT supports private applicator PSEP via:
  - \$5 per Private Applicator to state PSEP (five year certificate, collected at issuance of certificate, initial or when renewing).
  - \$15 per Private Applicator to county program (five year certificate, collected at issuance of certificate, initial or when renewing).
  - Fixed amount by legislature. Has not been changed for many years. Changing the amount would require law change.
  - Somody asked about whether any funds collected for commercial applicators, any diverted via fines or registration fees. Johns indicated no.
- Fleeson (Virginia) outlined support for PSEP:
  - VA has specific legislation that directs all pesticide related fees/fines into a central fund that can only be used for furtherance of regulating pesticides. The Virginia Tech PSEP is the primary outreach and education tool used to help execute this law.
  - The SLA typically has funded the PSEP through Memorandums of Understanding (MOU) for specific work efforts, including.
    - Training for private and commercial applicators
    - Manual development
    - Execution of the Private Applicator Certification program
  - The MOUs have been 3-year agreements, but recently extended to five years to facilitate funding continuity and cut down on paperwork.
- Peterson (Arizona) indicated they not have any specific legislation regarding PSEP funding. However, they do work with EPA Region 9 to support some initiatives using discretionary funding.
- In a follow up e-mail, Peterson submitted some statutory language from Arizona that may be useful in manipulating or adding directives for sending registration fees and/or fines to PSEP.
- Burnette (North Carolina) indicated he would send their enabling legislation language for the group. Burnette indicated that pesticide enforcement fines are directed by law to support public K-12 Schools. Registration fees go into the Pesticide Environmental Trust Fund (PETF); 75% of this fund supports the regulatory activities of the SLA. The balance goes to support Agro-Medicine efforts. In years past, a significant portion of the SLA funds were passed on to the PSEP. However, budget tightening in NC has resulted in the dwindling of these funds. Essentially, the legislature has trimmed back general obligation funding for the SLA and replaced them with PETF dollars. Thus the PSEP has felt a significant reduction in funding from the SLA.

- Pont (EPA Headquarters) added that PSEP funding, from his perspective was clearly all over the board and that in his view the states which provided the most local resources tended to be the most robust.
- Somody asked what sorts of things (politically) could the non-governmental group do to advocate for legislation that would support PSEPs at the state level?
- Thostenson replied that at the state level it would be helpful if political pressure could:
  - Remove barriers to PSEPS being able to charge for their efforts, i.e., Missouri and Kansas that specifically have prohibitions in law to restrict PSEPS from charging.
  - Campaign to adopt schemes to direct fees and fines to PSEP similarly to IN.
- Black (Washington) added that support for PSEP was solely from charging for trainings and manual sales – there is no financial support from the SLA. Discussions with the SLA and other decision makers have not resulted in any support. Though Washington’s PSEP is in pretty good shape, the revenue stream is not very diversified.
- Thostenson (North Dakota) echoed Black’s concerns. In ND certification fees carry the vast majority of the support for PSEP. Even though ND receives some resources from fines, this is small in comparison to certification fees. The resource stream is not very diversified.
- (Minnesota) indicated MN does not have specific statutory language regarding dispositions of funds to PSEP. However the support they provide is through MOUs to the PSEP is significant, including:
  - UM manages the Private Applicator Program
  - UM produces/sells manuals
  - UM also plays a key role in providing training for commercial/private applicators and receiving revenue for this service.
- Spitzmueller in a follow up e-mail added: “Minnesota Statute does designate the University of Minnesota Extension PSEP as a partner with Minnesota Department of Ag in the development of manuals and providing training materials to pesticide applicators. I wonder if other states have this kind of directive? This authority establishes a mandate for the work of both entities and is the rationale behind a structure that supports work of both us and the University of Minnesota PSEP. While the specifics of manual sales, training and how this plays out on a day-to-day basis is probably not so important, it is important to recognize that even without specific language identifying monies for PSEP, the structure around how licenses/certifications are delivered in Minnesota provide financial opportunities for the PSEP program. Accountability was also something was I thinking about during the discussion on the phone. Programs must be accountable for results, and particularly when using public monies. SLAs are continually held accountable for what we accomplish and particularly at this time of year when the legislature is in session. There is an accountability aspect built into Minnesota’s structure that I believe benefits both entities and ultimately the citizens of our state.”
- Somody thanked everyone for their ideas and was especially thankful for the legislative language and felt that this information would be helpful for the Non-Governmental Funding group. The more examples the better.
- Thostenson indicated that the steering committee would look at the results of the calls and plan out more questions for the next call for this work group on January 29, 2013 at 3:00 p.m. ET

January 16, 2013

**Sample Legislative Language from Indiana to Support PESP**

**IC 15-16-4-62**

**Fees; disposition**

Sec. 62. (a) Each registrant shall pay an annual, nonrefundable fee of one hundred seventy dollars (\$170) for each application for each pesticide product submitted for registration.

(b) Each registration expires January 1 of each year.

(c) All fees collected by the state chemist under this chapter shall be paid to the treasurer of Purdue University, who shall deposit the fees in a special restricted account designated by the treasurer of the board of trustees of Purdue University.

(d) From the account described in subsection (c), the treasurer shall pay all expenses incurred in administering this chapter, including expenses for the following:

(1) The employment of:

- (A) inspectors;
- (B) investigators;
- (C) researchers;
- (D) analysts;
- (E) administrators; and
- (F) clerical and service staff.

(2) Expenses in procuring samples and printing results of inspections.

(3) Purchasing:

- (A) supplies;
- (B) equipment; and
- (C) services.

(4) Necessary remodeling.

(5) Other expenses of the office of the state chemist.

**(6) The transfer of ten dollars (\$10) from each fee paid under subsection (a) on an annual basis to the office of Purdue pesticide programs to provide education about the safe and effective use of pesticides.**

The treasurer is not required to use any other funds, except those collected as registration fees, to pay any expenses incurred in the administration of this chapter. The dean of agriculture shall make an annual financial report to the governor showing total receipts and expenditures of all fees received under this chapter.

(e) A registrant who registers or pays an annual fee after December 31 of any year shall pay a late fee of one hundred seventy dollars (\$170) as well as the annual fee.

(f) Excess funds from the collection of fees under this chapter are subject to IC 15-16-2-36. *As added by P.L.2-2008, SEC.7. Amended by P.L.99-2012, SEC.12.*

**IC 15-16-4-69**

**Violations; penalties; disposition of penalties**

Sec. 69. (a) Subject to this section, if a person violates this chapter or a rule adopted under this chapter, the state chemist under IC 4-21.5-3-6 may warn, cite, or impose a civil penalty on the person or:

- (1) deny;
- (2) suspend;
- (3) revoke; or
- (4) amend;

the person's registration under this chapter.

(b) The state chemist may impose civil penalties only in accordance with the schedule of civil penalties adopted by the board. The board shall establish a schedule of the civil penalties that may be imposed under subsection (a) by rule adopted under IC 4-22-2. The rule adopted under this subsection may not provide for a civil penalty that exceeds the following:

- (1) Two hundred fifty dollars (\$250) for a person's first violation.
- (2) Five hundred dollars (\$500) for a person's second violation.

(3) One thousand dollars (\$1,000) for a person's third violation and each subsequent violation.

(c) If a violation is of a continuing nature, the state chemist may impose a civil penalty for each day that the violation occurred.

(d) A proceeding under IC 4-21.5-3 that involves the imposition of a civil penalty may be consolidated with any other proceeding commenced under IC 4-21.5 to enforce this chapter or the rules adopted under this chapter.

(e) Money collected for civil penalties imposed under this section shall be credited to the office of Purdue pesticide programs. The money may be used only to provide education about pesticides.

# Montana Code Annotated 2011

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**80-8-209. Farm applicators.** (1) Farm applicators shall obtain a special-use permit prior to purchasing and using a pesticide designated by the department as a restricted-use pesticide. The fee for the permit is \$35. The special-use permit is effective for 5 calendar years. The department may establish a staggered years system of issuing permits. Revenue generated by the permit fee must be expended in the following manner:

- (a) \$15 to the department to administer the permitting program;
- (b) \$5 to the Montana state university-Bozeman extension service for the development of educational materials for farm pesticide applicators; and
- (c) \$15 to the extension service of the county in which the permit applicant resides for farm pesticide applicator certification and training programs.

(2) Restricted pesticides may not be utilized by farm applicators or their employees except for the purpose of producing or protecting an agricultural commodity on property owned, leased, or rented by the applicator.

(3) Farm applicators shall qualify for their first permit by either passing a graded written examination or attending a training course approved by the department and taking an ungraded written examination. The examinations and course must meet the minimum certification standards and procedures established by the environmental protection agency except as otherwise provided by this chapter.

(4) The department may require farm applicators to attend a mandatory training session and pass a written examination for those restricted pesticides that are extremely toxic or for which an effective antidote is not available. The department may require farm applicators handling these pesticides to maintain use records.

(5) The department shall require farm applicators to requalify for renewal of the 5-year permit by attending an approved training program. The department shall establish by rule a uniform system of administering the requalification training program. The department may credit only training related to the standards set forth in subsection (3).

(6) Provisions of this chapter relating to certification of farm applicators do not apply to a farm applicator applying nonrestricted pesticides on the applicator's own land or on lands of neighbors if the farm applicator:

- (a) operates farm property and operates and maintains pesticide application equipment primarily for the applicator's own use;
- (b) is not regularly engaged in the business of applying pesticides for hire and does not represent to the public that the farm applicator is a pesticide applicator;
- (c) operates pesticide application equipment only in the vicinity of the applicator's own property and for the accommodation of immediate neighbors.

(7) (a) The department shall assess an additional permit fee of \$15 on farm applicators to fund the waste pesticide and pesticide container collection, disposal, and recycling program.

(b) Farm applicators must be assessed the fee at the beginning of the next 5-year permit renewal period. The department may assess a prorated fee for a farm applicator becoming

licensed within a 5-year permit renewal period.

(c) Fees collected under this subsection (7) must be deposited in the state special revenue account pursuant to [80-8-112](#).

*Provided by Montana Legislative Services*

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## **NORTH CAROLINA PESTICIDE LAW OF 1971**

Article 52.

Pesticide Board.

Part 1. Pesticide Control Program: Organization and Functions.

### **§ 143-434. Short title.**

This Article may be cited as the North Carolina Pesticide Law of 1971. (1971, c. 832, s. 1.)

### **§ 143-442. Registration.**

(a) Every pesticide prior to being distributed, sold, or offered for sale within this State or delivered for transportation or transported in intrastate commerce or between points within this State through any point outside this State shall be registered in the office of the Board, and such registration shall be renewed annually before January 1 for the ensuing calendar year....

(b) The applicant shall pay an annual registration fee of one hundred fifty dollars (\$150.00) plus an additional annual assessment for each brand or grade of pesticide registered. The annual assessment shall be fifty dollars (\$50.00) if the applicant's gross sales of the pesticide in this State for the preceding 12 months for the period ending September 30th were more than five thousand dollars (\$5,000.00) and twenty-five dollars (\$25.00) if gross sales were less than five thousand dollars (\$5,000.00). An additional two hundred dollars (\$200.00) delinquent registration penalty shall be assessed against the registrant for each brand or grade of pesticide which is marketed in North Carolina prior to registration as required by this Article.....

### **§ 143-468. Disposition of fees and charges.**

(a) Except as provided in G.S. 143-469 and in subsection (b), all fees and charges received by the Board under this Article shall be credited to the Department of Agriculture and Consumer Services for the purpose of administration and enforcement of this Article.

(b) The Pesticide Environmental Trust Fund is established as a nonreverting account within the Department of Agriculture and Consumer Services. The Department of Agriculture and Consumer Services shall administer the Fund. The additional assessment imposed by G.S. 143-442(b) on the registration of a brand or grade of pesticide shall be credited to the Fund. The Department shall distribute money in the Fund as follows:

- (1) Two and one-half percent (2.5%) to North Carolina State University Cooperative Extension Service to enhance its agromedicine efforts in cooperation with East Carolina University School of Medicine.
- (2) Two and one-half percent (2.5%) to East Carolina University School of Medicine to enhance its agromedicine efforts in cooperation with North Carolina State University Cooperative Extension Service.
- (3) Twenty percent (20%) to North Carolina State University, Department of Toxicology, to establish and maintain an extension agromedicine specialist position.



- (4) Seventy-five percent (75%) to the Department of Agriculture and Consumer Services for the costs of administering its pesticide disposal program, including the salaries and support of staff for the pesticide disposal program, and for its environmental programs, as directed by the Board, including establishing a pesticide container management program to enhance its pesticide disposal program and its water quality initiatives. (1971, c. 832, s. 1; 1993, c. 481, s. 1; 1997-261, s. 92; 1998-215, s. 26(b); 2005-276, s. 11.1.)

**§ 143-469. Penalties.**

(a) Any person who shall be adjudged to have violated any provision of this Article, or any regulation of the Board adopted pursuant to this Article, shall be guilty of a Class 2 misdemeanor. In addition, if any person continues to violate or further violates any provision of this Article after written notice from the Board, the court may determine that each day during which the violation continued or is repeated constitutes a separate violation subject to the foregoing penalties.

(b) A civil penalty of not more than two thousand dollars (\$2,000) may be assessed by the Board against any person who violates or directly causes a violation of any provision of this Article or any rule adopted pursuant to this Article.

(c) Proceedings for the assessment of civil penalties under this section shall be governed by Chapter 150B of the North Carolina General Statutes. If the person assessed a civil penalty fails to pay the penalty to the North Carolina Department of Agriculture and Consumer Services, the Board may institute an action in the superior court of the county in which the person resides or has his principal place of business to recover the unpaid amount of said penalty. An action to recover a civil penalty under this section shall not relieve any party from any other penalty prescribed by law.

(d) Notwithstanding any other provision of this Article, the maximum penalty which may be assessed under this section against any person referred to in G.S. 143-460(29)a shall not exceed five hundred dollars (\$500.00). Penalties may be assessed under this section against a person referred to in G.S. 143-460(29)a only for willful violations.

(e) The clear proceeds of civil penalties assessed pursuant to this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2. (1971, c. 832, s. 1; 1981, c. 592, s. 12; 1987, c. 559, s. 21; c. 827, s. 1; 1993, c. 539, s. 1035; 1994, Ex. Sess., c. 24, s. 14(c); 1995, c. 445, s. 10; 1997-261, s. 109; 1998-215, s. 26(a).)

**N C STRUCTURAL PEST CONTROL ACT OF 1955**

Article 4C.

Structural Pest Control Act.

**§ 106-65.22. Title.**

This Article shall be known by the title of "Structural Pest Control Act of North Carolina of 1955." It is declared to be the policy of this State that the regulation of persons, corporations and firms engaged in the business of structural pest control in this State, as defined in G.S. 106-65.25, is in the public interest in order to ensure a high quality of workmanship and in order to prevent deception, fraud and unfair trade practices in the conduct of said business. The General Assembly finds that quality of structural pest control work is not easily determined by

the general public due to the inaccessibility of the areas treated and the complexity of the methods of treatment. (1955, c. 1017; 1977, c. 231, s. 1.)

### **§ 106-65.38. Disposition of fees and charges.**

Except as otherwise provided in G.S. 106-65.41, all fees and charges received by the Division under this Article shall be deposited in the Department of Agriculture and Consumer Services General Fund Budget for the purpose of administration and enforcement of this Article, with proper approved accounting procedures accounting for all expenditures and receipts. (1977, c. 231, s. 12; 1997-261, s. 109; 1998-215, s. 5(b).)

### **§ 106-65.41. Civil penalties.**

A civil penalty of not more than two thousand dollars (\$2,000) may be assessed by the Committee against any person for any one or more of the causes set forth in G.S. 106-65.28(a)(1) through (12) and G.S. 106-65.28(a)(14) and (15), or who violates or directly causes a violation of any provision of this Article or any rule adopted pursuant to this Article. In determining the amount of any penalty, the Committee shall consider the degree and extent of harm caused by the violation. No civil penalty may be assessed under this section unless the person has been given an opportunity for a hearing pursuant to Chapter 150B of the General Statutes. Assessments may be collected, following judicial review, if any, of the Committee's final decision imposing the assessment, in any lawful manner for the collection of a debt.

The clear proceeds of civil penalties assessed pursuant to this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2. (1987, c. 368, s. 1; 1989, c. 725, s. 8; 1998-215, s. 5(a); 1999-381, s. 11.)

## **NORTH CAROLINA PESTICIDE ENVIRONMENTAL TRUST FUND**

In 1993, the North Carolina General Assembly enacted legislation creating the Pesticide Environmental Trust Fund (PETF). This law requires companies registering pesticide products in North Carolina to pay an additional \$25 or \$50 environmental assessment fee for each brand registered with the N.C. Department of Agriculture & Consumer Services. Companies must pay \$25 for products with annual sales less than \$5,000, and \$50 for products with annual sales \$5,000 or greater. Fees collected from this assessment are deposited into the Department's Pesticide Environmental Trust Fund.

The predominate purpose of the fund is for those pesticide-related environmental programs administered by NCDA & CS. The authority to

use this funding is "...as directed by the Board...", therefore, the NCDA & CS may utilize these funds for Departmental environmental programs, with oversight from the North Carolina Pesticide Board.

The PETF provides funding for pesticide container recycling and a variety of other pesticide environmental projects approved by the N.C. Pesticide Board

NCDA & CS will consider projects for possible PETF funding based on the following criteria:

- Be a pesticide environmental related project
- Address NCDA & CS and Board recognized pesticide-related concerns and include a justification for candidate projects
- Focus on risk reduction
- List a primary contact and grant administrator for each project
- Include the completion and submission of a PETF Disbursement Form, prior to receipt of any funding
- Include letters/signatures of support from all cooperators for each project
- Include realistic objectives for the project
- Include measurements of success
- Be directed or administered by a governmental entity with recognized existing account and auditing responsibilities (e.g. local government, state-funded schools, etc.)
- Include systematic reporting on project to the PETF Supervisor and/or Pesticide Board as requested

Decisions on whether to fund submitted projects will be based on the the following: adherence to the above selection criteria, justification of the need for a project (including consideration of preexisting sources of funding for submitted projects), and the ability to further the NCDA & CS's directive in protecting the health, safety and welfare of the people and environment of this state. The Board may reject the use of the PETF monies to pay indirect or overhead costs which it considers excessive.

The Pesticide Section administers the PETF moneys and is responsible for overseeing the management of the various programs and projects that are funded by the PETF.

For additional information, please contact Renee Woody, at (919)733-3556 or email: [renee.woody@ncagr.gov](mailto:renee.woody@ncagr.gov)

## **Agromedicine**

The N.C. Pesticide Law of 1971 mandates that agromedicine receives at least 25% of the funds coming into the PETF each year. North Carolina's agromedicine program is now officially recognized as the North Carolina Institute for Health and Safety in Agriculture, Forestry and Fisheries. Three participating universities (N.C. State University, East Carolina University, and N.C. A & T State University) collaborate in research, education, and outreach efforts. This Institute works to improve rural health and safety, thereby enhancing the quality of life for rural North Carolinians and serving as a nationwide model in developing intervention programs.

For more information on Agromedicine, check out their site: [www.ncagromedicine.org](http://www.ncagromedicine.org)

## **Current PETF Projects**

- Online Training of Healthcare Providers on Pesticide Related Illness and Health Issues
- Risk Mitigation Measures Cost Share
- North Carolina Farmworker Health Program, AMERICORP S.A.F.E. Program in NC
- Rolling Out the Pesticides and Farmworker Health Toolkit
- Novel Insecticide Susceptibility Bioassay Based on Sugar Feeding
- Pesticide Inspection Data Management System (Phase III)
- Pesticide Container Recycling

## Thostenson, Andrew

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**From:** Jack Peterson <jpeterson@azda.gov>  
**Sent:** Thursday, January 24, 2013 12:21 PM  
**To:** Thostenson, Andrew  
**Subject:** State Group

Andrew, although this language is not for PSEP it is simple language that could be adopted for that purpose.

### 3-351. [Registration; fee; confidential information](#)

**A. Every pesticide that is distributed shall be registered with the division. The director may provide by rule for registrations having a term of one or more years and may prescribe the date on which registrations expire.**

B. The registrant shall file with the division a statement including:

1. The name and address of the registrant and the name and address of the person whose name will appear on the label, if other than the registrant.
2. The name of the pesticide.
3. A complete copy of the labeling accompanying the pesticide and a statement of all claims to be made for it including directions for use. If the registrant distributes labels in a language in addition to English, the registrant shall provide a copy of both labels with a signed statement that the label directions have the same meaning and provide the same use directions as on the written English label.
4. If requested by the division, a full description of the tests made and the results of those tests on which the claims are based.

C. For a renewal of registration:

1. A statement shall be required only with respect to information that is different from that furnished when the pesticide was registered or last reregistered.
2. If requested by the director, a complete copy of labeling shall be submitted.

**D. Any person desiring to register under this article shall pay to the division a registration fee of one hundred dollars per year for each pesticide. The monies collected from registration fees shall be allocated as follows:**

- 1. Twenty-five dollars for each year of the registration term shall be allocated pursuant to section 3-350.**
- 2. Seventy-five dollars for each year of the registration term shall be deposited in the water quality assurance revolving fund established by section 49-282.**

E. All federal, state and county offices shall register without fee all pesticides sold at cost by them.

F. If the director deems it necessary in the administration of this article, the director may require the submission of the complete formula of any pesticide or the confidential statement of formula and the analytical methods for the analysis of the active ingredients in the formulation. For any product having a federal registration, the director may request, on reasonable cause, the analytical methods for the analysis of residues of the active ingredients of the pesticide in environmental media provided that this information has been developed by the applicant and submitted to the United States environmental protection agency. Information provided by the applicant pursuant to this section shall be afforded applicable trade secret and confidentiality protections. Other products exempted from federal registration requirements and required to be registered under this section shall be subject to this subsection.

G. If it appears to the director that the composition of the article is such as to warrant the proposed claims for it and if the article and its labeling and other material required to be

submitted comply with the requirements of section 3-352, the division shall register the article. If the director finds that the pesticide does not warrant the proposed claims, the director may request a full description of the tests conducted and the results of the tests on which the claims are based. If the pesticide or its labeling and other material that are required to be submitted do not comply with this article, the director shall notify the applicant of the manner in which the pesticide, labeling or other material fails to comply with the law to afford the applicant an opportunity to make the necessary corrections. If the applicant does not make the corrections and cannot support the claim on the label, the director may refuse to register the pesticide.

H. In submitting data required by this article, the applicant shall clearly mark any portions that are trade secrets or commercial or financial information. The applicant shall identify as confidential information any such marked material and submit it separately from other material required to be submitted under this article. The information shall be kept confidential by the department unless written permission to release the information is granted by the registrant or on order of a court of jurisdiction.

I. In order to protect the public, the associate director, after a hearing, may cancel the registration of a pesticide. The associate director shall cancel the registration of a pesticide on notification by the director of environmental quality pursuant to section 49-306 or 49-309.

J. Notwithstanding any other provision of this article, registration is not required in the case of a pesticide shipped from one plant within the state to another plant within the state operated by the same person.

K. A registrant who discontinues distribution of a pesticide shall continue its registration in this state for three years after the discontinuation to allow the remaining product to move through the channels of trade. The registrant shall notify the appropriate entities within the channels of trade of the effective date of the discontinuation.

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Quality...From the land to you.