
TITLE 357 INDIANA PESTICIDE REVIEW BOARD

Proposed Rule
LSA Document #09-59

DIGEST

Adds [357 IAC 1-14](#) to establish clear provisions for the proper use and labeling of service containers by pesticide applicators to transport pesticides to the site where they will be applied. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[357 IAC 1-14](#)

SECTION 1. [357 IAC 1-14](#) IS ADDED TO READ AS FOLLOWS:

Rule 14. Use of Pesticide Service Containers

[357 IAC 1-14-1](#) Definitions

Authority: [IC 15-16-5-64](#)

Affected: [IC 15-16](#)

Sec. 1. The following definitions apply throughout this rule:

(1) "Applicator" means a person who will be applying the pesticide.

(2) "Service container" means any package, can, bottle, jug, bag, or other containing device used to transport a pesticide from a storage site to an application site. The term shall not mean any of the following:

(A) The original labeled container provided by the manufacturer.

(B) A container larger than the original labeled container provided by the manufacturer.

(C) A measuring device.

(D) Equipment used solely for the application of a pesticide.

(Indiana Pesticide Review Board; [357 IAC 1-14-1](#))

[357 IAC 1-14-2](#) Use of service containers

Authority: [IC 15-16-5-64](#)

Affected: [IC 15-16](#)

Sec. 2. (a) Except as provided in subsection (b), an applicator may transfer a diluted or an undiluted pesticide to a service container for the purpose of transporting the pesticide from the applicator's storage site to an application site.

(b) Use of a service container shall not be permitted if the original label of the pesticide requires storage in the original container only or prohibits transfer to other containers.

(Indiana Pesticide Review Board; [357 IAC 1-14-2](#))

[357 IAC 1-14-3](#) Labeling of service containers

Authority: [IC 15-16-5-64](#)

Affected: [IC 15-16](#)

Sec. 3. (a) The applicator must securely attach to the service container labeling for the pesticide that includes the following:

- (1) The complete brand name.
- (2) The EPA registration number.
- (3) The name of the active ingredient or ingredients.
- (4) The percentage or percentages of the active ingredient or ingredients.

(b) The applicator must have in his or her possession during transport of the service container a complete representative copy of the entire label for the pesticide.

(Indiana Pesticide Review Board; [357 IAC 1-14-3](#))

[Notice of Public Hearing](#)

Posted: 03/18/2009 by Legislative Services Agency
An [html](#) version of this document.