

PROPOSED REGULATION OF THE STATE

DEPARTMENT OF AGRICULTURE

LCB File No. R045-03

July 31, 2003

EXPLANATION – Matter in *italics* is new; matter in brackets ~~{omitted material}~~ is material to be omitted.

AUTHORITY: §§1-4, NRS 586.401.

Section 1. Chapter 586 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. 1. *A restricted-use pesticide must only be distributed or sold by a person registered to sell restricted-use pesticides.*

2. A person registered to sell restricted-use pesticides shall only distribute or sell a restricted-use pesticide to:

(a) A certified applicator with the appropriate certification to use or supervise the use of the type and quantity of the restricted-use pesticide; or

(b) The authorized representative of a certified applicator with the appropriate certification to use or supervise the use of the type and quantity of the restricted-use pesticide.

Sec. 3. *A person shall not apply or otherwise use a restricted-use pesticide unless he is:*

1. A certified applicator with the appropriate certification to use the restricted-use pesticide; or

2. A person under the direct supervision of a certified applicator who holds the appropriate certification to use the restricted-use pesticide.

Sec. 4. NAC 586.005 is hereby amended to read as follows:

586.005 As used in this chapter, unless the context otherwise requires:

1. “Department” means the State Department of Agriculture.
2. “Director” means the Director of the Department.
3. *“Restricted-use pesticide” has the meaning ascribed to it in NRS 586.205. The term includes any pesticide that contains any amount of strychnine or a salt of strychnine.*