

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND
FORESTRY
CHAPTER 30. ~~PLANT INDUSTRY~~CONSUMER PROTECTION**

RULEMAKING ACTION:

Notice of proposed **PERMANENT** rulemaking

PROPOSED RULES:

Subchapter 17. Combined Pesticide
35:30-17-21 [AMENDED]

SUMMARY:

The proposed rule will reconcile the language in 35:30-17-21 that was approved in 2007 as two different rules utilizing the same rule number. Currently, the text of the two rules conflicts and is listed twice in the Oklahoma Administrative Code. In addition, the Department determined that the 2007 text revisions from one rule are no longer necessary, therefore this reconciliation is intended to replace both versions of the rule. The rule contains language related to recordkeeping for pesticide applicators and restricted use pesticide sales. This reconciliation effectively replaces any language requiring records to be kept by non-restricted use pesticide dealers. This rule was previously adopted as an emergency rule.

AUTHORITY:

State Board of Agriculture and the Oklahoma Agricultural Code; 2 O.S. 2001 §§ 2-4(2) and (29), 3-81 et seq.; Article 6, Section 31, Constitution of the State of Oklahoma.

COMMENT PERIOD:

Persons may submit written and oral comments to Teena Gunter at 2800 North Lincoln Boulevard, P. O. Box 528804, Oklahoma City, Oklahoma 73152-8804, teena.gunter@oda.state.ok.us during the period from December 3, 2007 through January 3, 2008.

PUBLIC HEARING:

A public hearing will be held at 9:30 a.m., January 3, 2008, in the Plant Industry and Consumer Services Conference Room of the Oklahoma Department of Agriculture, Food, and Forestry, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Teena Gunter at the above address during the period from December 3, 2007 through January 3, 2008.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained by visiting www.oda.state.ok.us or by contacting Teena Gunter, Oklahoma

Department of Agriculture, Food, and Forestry, P. O. Box 528804,
Oklahoma City, Oklahoma 73152-8804, teena.gunter@oda.state.ok.us

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a rule impact statement is available at the above addresses.

CONTACT PERSON:

Teena Gunter, (405) 522-4576, e-mail address:
teena.gunter@oda.state.ok.us