

**RULE IMPACT STATEMENT**

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

**(A) PURPOSE OF THE PROPOSED RULE:**

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 approved as an emergency rule.

**(B) CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULE AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES:**

These rules affect persons who are licensed as pesticide applicators or sell restricted use pesticides. In addition, the rule affects non-restricted use pesticide dealers and the general public. No cost impacts have been received to date.

**(C) PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULE:**

The general public, pesticide applicators, and restricted and non-restricted use pesticide dealers will benefit from the proposed rule.

**(D) DESCRIPTION OF THE PROBABLE IMPACT OF THE PROPOSED RULE UPON AFFECTED CLASSES OF PERSONS:**

The general public, pesticide applicators, and restricted use pesticide dealers will benefit from the proposed rule since the reconciliation will clarify the rule by ensuring only one version exists. Non-restricted use pesticide dealers will benefit because the rule effectively replaces any language requiring them to keep records of sales.

**(E) PROBABLE COST AND BENEFITS TO AGENCY; SOURCE OF REVENUE FOR IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE:**

No additional cost to the agency is anticipated by the rules.

**(F) DETERMINATION OF WHETHER IMPLEMENTATION WILL HAVE ANY ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISION OR REQUIRE THEIR COOPERATION IN IMPLEMENTING OR ENFORCING THE PROPOSED RULE:**

No effect on any political subdivision is anticipated by the proposed rules.

**(G) DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULE WILL HAVE AN ADVERSE EFFECT ON SMALL BUSINESS AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:**

The proposed rule will have no adverse effect on small business.

**(H) DETERMINATION OF WHETHER THERE ARE LESS COSTLY METHODS OR NON-REGULATORY METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULES:**

The agency is unaware of any non-regulatory methods to achieve the purpose of these proposed rule changes.

**(I) DETERMINATION OF THE EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The proposed rule does not affect the public health, safety, and environment.

**(J) DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

No detrimental effect on the public health, safety, and environment are anticipated.

**(K) DATE RULE IMPACT STATEMENT WAS PREPARED:**

November 6, 2007