

AGENCY RULE REPORT

DATE NOTICE FOR PROPOSED RULES PUBLISHED IN OKLAHOMA REGISTER:

December 1, 2016

NAME AND ADDRESS OF AGENCY:

Oklahoma Department of Agriculture, Food, and Forestry
2800 North Lincoln Boulevard
P.O. Box 528804
Oklahoma City, OK 73152-8804

TITLE AND NUMBER OF RULES:

Title 35. Oklahoma Department of Agriculture, Food, and Forestry
Chapter 30. Consumer Protection
Subchapter 6. Emerald Ash Borer Quarantine [NEW]
 35:30-6-1. Establishment of quarantine [NEW]
 35:30-6-2. Regulated area [NEW]
 35:30-6-3. Regulated articles [NEW]
 35:30-6-4. Conditions governing movement [NEW]
 35:30-6-5. Movement for scientific purposes [NEW]
Subchapter 17. Combined Pesticide
Part 3. Certification, Conduct of Examinations, and Recertification
 35:30-17-5.1. Examination applicant requirements [NEW]
 35:30-17-5.2. Prohibited at the examination site [NEW]
 35:30-17-6. Recertification [AMENDED]
Part 6. Pesticidal Product Producing Establishments
 35:30-17-13. Incorporation by reference of federal pesticide producing establishment regulations [AMENDED]
Part 8. Pesticide Registrations and Permits
 35:30-17-18. Dealer permits [AMENDED]
Part 15. Minimum Standards for Termite Work for Existing Structures
 35:30-17-54. Minimum standards for termite work [AMENDED]
 35:30-17-69.2. Exceptions to minimum standards [AMENDED]
Part 21. Standards for Disposal of Pesticide and Pesticide Containers
 35:30-17-89.1. Incorporation by reference of federal pesticide management and disposal regulations [AMENDED]

STATUTORY AUTHORITY FOR RULES:

Okla. Const., Art. 6, § 31; 2 O.S. § 2-4(A)(2); and 2 O.S. § 3-81 et seq.; and the State Board of Agriculture.

BRIEF SUMMARY OF THE CONTENT OF THE RULES:

The proposed amendments update citations to the Code of Federal Regulations, establish a quarantine for emerald ash borer, prohibit cheating on certification examinations, limit credit for continuing education units to five years, and establish an annual expiration date of pesticide registrations and permits.

NEED FOR ADOPTED RULES:

The proposed amended rules are needed to update consumer protection standards generally including, but not limited to, citations of the Code of Federal Regulations, establishment of a quarantine for emerald ash borer, prohibiting cheating on certification examinations, limiting credit for continuing education units to five years, and establishing an annual date of pesticide registrations and permits.

DATE AND LOCATION OF MEETING WHERE RULES WERE ADOPTED:

January 24, 2017
Oklahoma Department of Agriculture, Food, and Forestry
2800 North Lincoln Boulevard
Oklahoma City, OK 73105

SUMMARY OF COMMENTS AND EXPLANATIONS OF CHANGES OR LACK OF ANY CHANGE MADE IN ADOPTED RULES AS A RESULT OF COMMENTS RECEIVED:

None received.

LIST OF PERSONS OR ORGANIZATIONS WHO APPEARED OR REGISTERED FOR OR AGAINST THE ADOPTED RULE AT PUBLIC HEARING:

None.

RULE IMPACT STATEMENT:

See Attachment I.

RECORDED VOTE OF BOARD OF AGRICULTURE:

Aye	Jim Reese
Aye	Ed Hurliman
Aye	Jay Franklin
Aye	Joe Farris
Aye	Karen Krehbiel