

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

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 4. Thousand Cankers Disease [REVOKED]

Subchapter 6. Emerald Ash Borer Quarantine [REVOKED]

Subchapter 13. Imported Fire Ant Quarantine [AMENDED]

Subchapter 17. Combined Pesticide

Part 1. Commercial, ~~and~~ Non-Commercial, and Private Categories of Pesticide Application [AMENDED]

Part 6. Pesticidal Product Producing Establishments [AMENDED]

Part 9. Minimum Standards for Contracts and Keeping of Records [AMENDED]

Part 12. Minimum Residue Levels for Termiticides Applied to Soil and Permitted Tolerances for Pesticide Tank Mix and Concentrate Sample Analysis [AMENDED]

Part 18. Minimum Standards for The Use of Termite Baits and Baiting Systems for New Construction and Existing Structures [AMENDED]

Part 21. Standards for Disposal of Pesticide and Pesticide Containers [AMENDED]

Subchapter 24. Oklahoma Industrial Hemp Program [AMENDED]

Subchapter 30. Soil Amendment [AMENDED]

Subchapter 31. Lime [AMENDED]

**SUMMARY:**

The proposed rule amendments revokes thousand cankers disease and emerald ash borer quarantine; adds Haskell county to the regulated are for fire ants; adds additional categories to pesticide license and adds a certification; adds additional language for pesticide licenses that expire on September 30<sup>th</sup> of each year and adds businesses that start with numbers for the license renewal; updates references to the Code of Federal Regulation; adds certification numbers and expiration dates to records that must be kept accurate for pesticide applicators; adds new language for proof of training for a service technician; adds language to the residue threshold to include generic pesticide mixes; update language for the Oklahoma Industrial Hemp Program to comply with USDA requirements; removes the requirement for percentage of inert ingredients for soil amendments; and adds language for the revocation of registrations for lime.

**AUTHORITY:**

Okla. Const., Art. 6, § 31; 2 O.S. § 2-4(A)(2); State Board of Agriculture; 2 O.S. § 3-81 et seq.; 2 O.S. § 3-401 et seq.; 2 O.S. § 8-85.1 et seq.; and 2 O.S. § 8-77.1 et seq.

**COMMENT PERIOD:**

Persons may submit written comments to Kiersten Hamill at [kiersten.hamill@ag.ok.gov](mailto:kiersten.hamill@ag.ok.gov), 2800 North Lincoln Boulevard, P.O. Box 528804, Oklahoma City, Oklahoma 73152-8804 during the period beginning December 1, 2023, and ending January 4, 2024.

**PUBLIC HEARING:**

A public hearing will be held at 11:00 a.m., January 4, 2024, in the ODAFF Board Room, located at 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 Kiersten Hamill at the address listed above during the period beginning December 1, 2023, and ending January 4, 2024.

**COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained by visiting [www.ag.ok.gov/proposedrules](http://www.ag.ok.gov/proposedrules) or by contacting Kiersten Hamill at the address listed above.

**RULE IMPACT STATEMENT:**

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

**CONTACT PERSON:**

Kiersten Hamill, (405) 522-5803, e-mail address: at [kiersten.hamill@ag.ok.gov](mailto:kiersten.hamill@ag.ok.gov).