

NOTICE OF PROPOSED RULE

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

DIVISION OF AGRICULTURAL ENVIRONMENTAL SERVICES

RULE TITLE: RULE NO.:

PESTICIDES 5E-2

Organo-Auxin Herbicides: Restrictions and Prohibitions 5E-2.033

PURPOSE, EFFECT: AND SUMMARY: The purpose of the rule amendment is to further qualify the restrictions placed on the use of the organo-auxin herbicide 2,4D registered in the State of Florida, providing an exemption covering its use according to label instructions as a plant growth regulator in dosages substantially less than for herbicidal use.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No SOERC has been prepared. Any person who wishes to provide information regarding the SOERC, or to provide a proposal for a lower cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 570.07(16) (b), 570.07(23) F.S.

LAW IMPLEMENTED: 487.031(10), 487.031(13) (e) F.S.

IF REQUESTED IN WRITING, A RULE HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: March 23, 2004, at 9:00 a.m.

PLACE: AES Conference Room, 3125 Conner Blvd, Tallahassee, Florida 32399-1650.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:

Mr. Dale Dubberly, Department of Agriculture and Consumer Services, 3125 Conner Blvd., Tallahassee, Fl. 32399-1650.

THE FULL TEXT OF THE PROPOSED RULE IS:

5e-2.033 Organo-Auxin Herbicides: Restrictions and Prohibitions.

(1) through (8) No change.

(9) The application of low volatility 2,4D compounds registered in the State of Florida in accordance with label instructions for use as a growth regulator in small dosages substantially less than for herbicidal use is not subject to the use regulations and restrictions set forth in subsections (3), (4), and (5) of this rule but is subject to the record keeping requirements in subsection (6) and label instructions must be followed.

Specific Authority: ~~487.051(4), 487.154~~, 570.07(16)(b), 570.07(23)F.S. Law Implemented: 487.031(10), 487.031(13)(e) F.S. History- New 2-4-86. Amended 7-10-89, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dale Dubberly, Chief, Bureau of Compliance Monitoring.

NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Steve Rutz, Director, Division of Agricultural Environmental Services.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 7, 2003.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 24, 2003.