

**RULES
OF
THE TENNESSEE DEPARTMENT OF AGRICULTURE**

**CHAPTER 0080-09-01
CLASSIFICATION AND MANAGEMENT OF PESTICIDES**

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0080-09-01-.01 SCOPE.

- (1) Classification of pesticides under this chapter applies for construction and interpretation of the Tennessee Insecticide, Fungicide, and Rodenticide Act and the aerial application of pesticides law, compiled at Tennessee Code title 43, chapter 8; the Tennessee Application of Pesticides Act of 1978, compiled at Tennessee Code title 62, chapter 21; and all rules of the department.
- (2) Unless the context requires otherwise, pesticide without reference to a particular pesticide classification means any general use or restricted use pesticide.

Authority: T.C.A. §§ 4-3-203, 43-8-106, 43-8-302, and 62-21-118. **Administrative History:** Original rule filed April 1, 2016; effective June 30, 2016. Amendments filed September 27, 2021; effective December 26, 2021.

0080-09-01-.02 CLASSIFICATION OF PESTICIDES.

- (1) General use pesticide is any pesticide other than a restricted use pesticide.
- (2) Restricted use pesticide is any pesticide identified as a restricted use pesticide either on its label approved by EPA or its registration issued by the department.

Authority: T.C.A. §§ 4-3-203, 43-8-106, 43-8-302, and 62-21-118. **Administrative History:** New rules filed September 27, 2021; effective December 26, 2021.

0080-09-01-.03 PESTICIDE MANAGEMENT AND DISPOSAL.

- (1) Pesticides shall be maintained in a manner consistent with their labeling.
- (2) Unless otherwise provided by their labeling,
 - (a) Pesticides shall be maintained in containers or structures that are liquid tight; protected from damage by weather, personnel, and equipment; and secured from accidental spills, leakage, and washing;
 - (b) Pesticide spills, leakage, and washing shall be cleaned on the same day they occur unless a delay is necessary to protect human health. Cleanup must be conducted in a manner reasonably calculated to maximize pesticide recovery and to protect the public health and safety; and,
 - (c) Pesticide transfers from one container to another must be attended at all times by a person certified by the department for the application of pesticides.

(Rule 0080-09-01-.03, continued)

- (3) The requirements of this rule will be interpreted and applied in a manner consistent with the applicable pesticide label, federal guidance regarding pesticide use and registration, and 40 C.F.R. §165, Subparts A and E.

Authority: T.C.A. §§ 4-3-203, 43-8-106, 43-8-302, and 62-21-118. **Administrative History:** New rules filed September 27, 2021; effective December 26, 2021.