

TITLE 357 INDIANA PESTICIDE REVIEW BOARD

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Rule 0.5. Definitions

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357 IAC 1-0.5-1 Applicability

Authority: [IC 15-16-4-50](#); [IC 15-16-4-52](#); [IC 15-16-5-44](#); [IC 15-16-5-45](#); [IC 15-16-5-64](#)
Affected: [IC 15-16-4](#); [IC 15-16-5](#)

Sec. 1. In addition to the definitions in this rule, the definitions in [IC 15-16-4](#) and [IC 15-16-5](#) apply throughout this article. *(Indiana Pesticide Review Board; 357 IAC 1-0.5-1; filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))*

357 IAC 1-0.5-2 "Drift" defined

Authority: [IC 15-16-5-44](#)
Affected: [IC 15-16-5](#)

Sec. 2. "Drift" means the physical movement of a pesticide through the air at the time of application from the target site to a nontarget site. The term shall not include the movement of a pesticide, at a time after the application has been made, by any of the following:

- (1) Erosion.
- (2) Volatility after deposition on the target site.
- (3) Windblown soil particles.

(Indiana Pesticide Review Board; 357 IAC 1-0.5-2; filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))

357 IAC 1-0.5-3 "Lawn" defined

Authority: [IC 15-16-4-50](#); [IC 15-16-5-44](#)
Affected: [IC 15-16-5](#)

Sec. 3. "Lawn" means land area covered with turf kept closely mown or land area covered with turf, trees, and shrubs. The term does not include the following:

- (1) Land area used for research for agricultural or commercial production of turf.
- (2) Land area situated exclusively within a public or private right-of-way.
- (3) Land area devoted to the production of an agricultural commodity.
- (4) Land area devoted to use as a golf course.
- (5) Land area situated within three (3) feet of the foundation of a structure when a pesticide is applied to the area as a preventative or control measure for structural pests.

(Indiana Pesticide Review Board; 357 IAC 1-0.5-3; filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))

357 IAC 1-0.5-4 "Nontarget site" defined

Authority: [IC 15-16-5-44](#)
Affected: [IC 15-16-5](#)

Sec. 4. "Nontarget site" means a site that is not the intended target site of the pesticide application or treatment, as directed by the label of the pesticide product being used, including, but not limited to, the following:

- (1) Personal property.
- (2) Public property.
- (3) A body of water.
- (4) A person.
- (5) An animal.
- (6) Livestock.
- (7) Managed pollinators.
- (8) A commodity.
- (9) A desirable plant.

(Indiana Pesticide Review Board; 357 IAC 1-0.5-4; filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))

357 IAC 1-0.5-5 "Pesticide notification registry" defined

Authority: [IC 15-16-4-50](#); [IC 15-16-4-52](#); [IC 15-16-5-44](#)
Affected: [IC 15-16-4](#); [IC 15-16-5](#)

Sec. 5. "Pesticide notification registry" means the registry created and maintained by a school corporation listing the names and contact information of parents and guardians of children at the school and school staff who have requested to be notified of the details of pesticide applications at the school. (Indiana Pesticide Review Board; 357 IAC 1-0.5-5; filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))

357 IAC 1-0.5-6 "School" defined

Authority: [IC 15-16-4-50](#); [IC 15-16-4-52](#); [IC 15-16-5-44](#); [IC 15-16-5-64](#)
Affected: [IC 15-16-4](#); [IC 15-16-5](#)

Sec. 6. "School" has the meaning set forth in 355 IAC 4-0.5-8. (Indiana Pesticide Review Board; 357 IAC 1-0.5-6; filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))

357 IAC 1-0.5-7 "Turf" defined

Authority: [IC 15-16-4-50](#); [IC 15-16-4-52](#); [IC 15-16-5-44](#); [IC 15-16-5-64](#)
Affected: [IC 15-16-4](#); [IC 15-16-5](#)

Sec. 7. "Turf" means the surface layer of soils created by growing plants (usually grasses) and their matted roots. (*Indiana Pesticide Review Board; 357 IAC 1-0.5-7; filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#)*)

Rule 1. Definition of Pest (*Expired*)

(*Expired under [IC 4-22-2.5](#), effective January 1, 2008.*)

Rule 2. Prescription Use Pesticides (*Expired*)

(*Expired under [IC 4-22-2.5](#), effective January 1, 2002.*)

Rule 3. Distribution of Pesticide Products with Restricted Uses (*Repealed*)

(*Repealed by Indiana Pesticide Review Board; filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#)*)

Rule 4. List of Restricted Use Pesticides

- [357 IAC 1-4-1](#) List of restricted use pesticides (Repealed)
- [357 IAC 1-4-2](#) List of restricted use pesticide products (Repealed)
- [357 IAC 1-4-3](#) Restricted use pesticide products (Expired)

357 IAC 1-4-1 List of restricted use pesticides (*Repealed*)

Sec. 1. (*Repealed by Indiana Pesticide Review Board; filed Nov 20, 1986, 3:47 pm: 10 IR 865*)

357 IAC 1-4-2 List of restricted use pesticide products (*Repealed*)

Sec. 2. (*Repealed by Indiana Pesticide Review Board; filed Apr 20, 1990, 4:40 p.m.: 13 IR 1704*)

357 IAC 1-4-3 Restricted use pesticide products (*Expired*)

Sec. 3. (*Expired under [IC 4-22-2.5](#), effective January 1, 2008.*)

Rule 5. Outdoor Lawn Pesticide Applications; Notification and Posting

- [357 IAC 1-5-1](#) Definitions (Repealed)
- [357 IAC 1-5-2](#) Posting
- [357 IAC 1-5-3](#) Customer notification

357 IAC 1-5-1 Definitions (*Repealed*)

Sec. 1. (*Repealed by Indiana Pesticide Review Board; filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#)*)

357 IAC 1-5-2 Posting

Authority: [IC 15-16-4-50](#); [IC 15-16-5-44](#)
Affected: [IC 15-16-4](#); [IC 15-16-5](#)

Sec. 2. (a) At the time of each commercial for hire pesticide application made intentionally to a lawn, an employee of the licensed pesticide application business shall place a lawn marker at a conspicuous point of access to the lawn.

(b) The lawn marker shall consist of a sign that:

- (1) shall be at least four (4) inches by five (5) inches in size;
- (2) is constructed of sturdy, weather resistant material;
- (3) shall have a background, lettering, and symbols in contrasting colors;
- (4) on the prominent side, shall read "LAWN CARE APPLICATION KEEP OFF THE GRASS" in letters of not less than

three-eighths (3/8) of an inch high;

(5) may display a symbol depicting the message required in subdivision (4);

(6) may display the company name and logo or other group or association affiliation; and

(7) shall be affixed to a sturdy nonmetallic support extending the bottom of the lawn marker six (6) to eighteen (18) inches above the turf.

(c) The lawn marker may be removed no sooner than the day following the pesticide application. (*Indiana Pesticide Review Board*; 357 IAC 1-5-2; filed Apr 20, 1990, 4:35 p.m.: 13 IR 1702; errata, 13 IR 1861; filed Jun 9, 2000, 9:58 a.m.: 23 IR 2706; readopted filed Oct 29, 2001, 4:41 p.m.: 25 IR 936; readopted filed Sep 20, 2007, 1:47 p.m.: [20071010-IR-357070485RFA](#); readopted filed Dec 2, 2013, 4:00 p.m.: [20140101-IR-357130491RFA](#); readopted filed Dec 1, 2017, 9:25 a.m.: [20171227-IR-357170359RFA](#); filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))

357 IAC 1-5-3 Customer notification

Authority: [IC 15-16-4-50](#); [IC 15-16-5-44](#)

Affected: [IC 15-16-4](#); [IC 15-16-5](#)

Sec. 3. (a) At the time of each commercial for hire pesticide application made intentionally to a lawn, an employee of the licensed pesticide application business shall provide the customer with written notification containing the following:

(1) Name and immediate contact information of the licensed pesticide application business.

(2) Name and license or registration number of the individual who made the application.

(3) Date and time of application.

(4) Type of pesticide application service and brand name of pesticides applied, which shall be listed, at a minimum, as one

(1) or more of the following:

(A) Grassy weed control (brand name).

(B) Broadleaf weed control (brand name).

(C) Insect control (brand name).

(D) Disease control (brand name).

(E) Other pest control not adequately described in clauses (A) through (D) (brand name).

(5) Post-application label safety precautions for each pesticide, including, but not limited to, instructions to the customer to keep humans and pets off the treated areas until the application has dried.

(6) Instructions to the customer to remove the lawn marker no sooner than the day following the application.

(7) Instructions to the customer to contact the business telephone number if more specific information is desired regarding the pesticide product applied.

(b) The customer notification required in subsection (a) shall be provided to the customer or the customer's agent by:

(1) printed copy;

(2) telephone text message; or

(3) electronic mail.

(*Indiana Pesticide Review Board*; 357 IAC 1-5-3; filed Apr 20, 1990, 4:35 p.m.: 13 IR 1702; filed Jun 9, 2000, 9:58 a.m.: 23 IR 2706; readopted filed Oct 29, 2001, 4:41 p.m.: 25 IR 936; readopted filed Sep 20, 2007, 1:47 p.m.: [20071010-IR-357070485RFA](#); readopted filed Dec 2, 2013, 4:00 p.m.: [20140101-IR-357130491RFA](#); readopted filed Dec 1, 2017, 9:25 a.m.: [20171227-IR-357170359RFA](#); filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))

Rule 6. Civil Penalty Assessment Schedule (*Repealed*)

(*Repealed by Indiana Pesticide Review Board*; filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))

Rule 7. Civil Penalty Assessment Schedule; Pesticide Use and Application

[357 IAC 1-7-1](#)

Definitions (Repealed)

[357 IAC 1-7-2](#)

Schedule (Repealed)

[357 IAC 1-7-3](#)

Violation types (Repealed)

[357 IAC 1-7-4](#)

Determining the violation number and count of violations to be assessed (Repealed)

[357 IAC 1-7-5](#)

Potential penalty mitigation (Repealed)

357 IAC 1-7-6	Notification of legal recourse (Repealed)
357 IAC 1-7-7	Imposition of civil penalties (Repealed)
357 IAC 1-7-8	Penalty money collected (Repealed)

357 IAC 1-7-1 Definitions (Repealed)

Sec. 1. (Repealed by Indiana Pesticide Review Board; filed Nov 28, 2012, 2:49 p.m.: [20121226-IR-357120513FRA](#))

357 IAC 1-7-2 Schedule (Repealed)

Sec. 2. (Repealed by Indiana Pesticide Review Board; filed Nov 28, 2012, 2:49 p.m.: [20121226-IR-357120513FRA](#))

357 IAC 1-7-3 Violation types (Repealed)

Sec. 3. (Repealed by Indiana Pesticide Review Board; filed Jan 7, 2005, 1:50 p.m.: 28 IR 1689)

357 IAC 1-7-4 Determining the violation number and count of violations to be assessed (Repealed)

Sec. 4. (Repealed by Indiana Pesticide Review Board; filed Nov 28, 2012, 2:49 p.m.: [20121226-IR-357120513FRA](#))

357 IAC 1-7-5 Potential penalty mitigation (Repealed)

Sec. 5. (Repealed by Indiana Pesticide Review Board; filed Nov 28, 2012, 2:49 p.m.: [20121226-IR-357120513FRA](#))

357 IAC 1-7-6 Notification of legal recourse (Repealed)

Sec. 6. (Repealed by Indiana Pesticide Review Board; filed Nov 28, 2012, 2:49 p.m.: [20121226-IR-357120513FRA](#))

357 IAC 1-7-7 Imposition of civil penalties (Repealed)

Sec. 7. (Repealed by Indiana Pesticide Review Board; filed Nov 28, 2012, 2:49 p.m.: [20121226-IR-357120513FRA](#))

357 IAC 1-7-8 Penalty money collected (Repealed)

Sec. 8. (Repealed by Indiana Pesticide Review Board; filed Nov 28, 2012, 2:49 p.m.: [20121226-IR-357120513FRA](#))

Rule 8. Indiana Pesticide Law Violators; Public Listing (Repealed)

(Repealed by Indiana Pesticide Review Board; filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))

Rule 9. Pesticide Consultants; Registration (Expired)

(Expired under [IC 4-22-2.5](#), effective January 1, 2013.)

Rule 10. Regulation of Pesticides Near Community Public Water Supply System Wells (Repealed)

(Repealed by Indiana Pesticide Review Board; filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))

Rule 11. Community-Wide Misquito Abatement Pesticide Applicators and Technicians (Repealed)

(Repealed by Indiana Pesticide Review Board; filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))

Rule 12. Pesticide Drift

[357 IAC 1-12-1](#)
[357 IAC 1-12-2](#)

Definitions (Repealed)
Drift restriction

357 IAC 1-12-1 Definitions (Repealed)

Sec. 1. (Repealed by Indiana Pesticide Review Board; filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))

357 IAC 1-12-2 Drift restriction

Authority: [IC 15-16-5-44](#)
Affected: [IC 15-16-5-65](#)

Sec. 2. A person may not apply a pesticide in a manner that allows it to drift from the target site in sufficient quantity to cause an adverse effect to a nontarget site. (Indiana Pesticide Review Board; 357 IAC 1-12-2; filed Mar 17, 2006, 1:00 p.m.: 29 IR 2524; readopted filed Nov 29, 2012, 9:00 a.m.: [20121226-IR-357120582RFA](#); readopted filed Dec 1, 2017, 9:25 a.m.: [20171227-IR-357170359RFA](#); filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))

Rule 13. Open Burning of Pesticide Containers (Repealed)

(Repealed by Indiana Pesticide Review Board; filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))

Rule 14. Use of Pesticide Service Containers (Repealed)

(Repealed by Indiana Pesticide Review Board; filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))

Rule 15. Applicator Certification and Licensing at Golf Courses (Repealed)

(Repealed by Indiana Pesticide Review Board; filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))

Rule 16. Pesticide Use at Schools

357 IAC 1-16-1	Purpose
357 IAC 1-16-2	Applicability
357 IAC 1-16-3	Definitions (Repealed)
357 IAC 1-16-4	Applicator certification and licensing (Repealed)
357 IAC 1-16-5	Direct supervision of noncertified applicators (Repealed)
357 IAC 1-16-6	Pesticide use restrictions
357 IAC 1-16-7	Pesticide storage restrictions
357 IAC 1-16-8	Pesticide notification
357 IAC 1-16-9	Pesticide record keeping (Repealed)

357 IAC 1-16-1 Purpose

Authority: [IC 15-16-5](#)
Affected: [IC 15-16-5](#)

Sec. 1. The purpose of this rule is to minimize the potential for pesticide exposure to students at schools by ensuring the following:

- (1) Pesticides are used only by:
 - (A) a certified applicator; or
 - (B) an individual operating under the direct supervision of the certified applicator.
- (2) Pesticides are not used when students are in the pesticide application area.
- (3) Pesticides are stored in locked storage areas.
- (4) Except for immediate health threat situations, school corporations provide advance notice of pesticide applications to school parents, guardians, and staff on a notification registry.
- (5) School corporations keep records of pesticide applications.

(6) Pesticides with lowest hazards to children are used whenever practical and effective.

(Indiana Pesticide Review Board; 357 IAC 1-16-1; filed Sep 24, 2010, 1:44 p.m.: [20101020-IR-357100336FRA](#); readopted filed Dec 1, 2016, 2:55 p.m.: [20161228-IR-357160453RFA](#); readopted filed Dec 1, 2017, 9:25 a.m.: [20171227-IR-357170359RFA](#))

357 IAC 1-16-2 Applicability

Authority: [IC 15-16-4-50](#); [IC 15-16-4-52](#); [IC 15-16-5-44](#)

Affected: [IC 15-16-5](#)

Sec. 2. This rule applies to the following:

(1) Pesticide products, except those described in 355 IAC 4-1-1.1(c)(3) and 355 IAC 4-1-1.1(c)(4).

(2) Schools, as defined in 355 IAC 4-0.5-8.

(Indiana Pesticide Review Board; 357 IAC 1-16-2; filed Sep 24, 2010, 1:44 p.m.: [20101020-IR-357100336FRA](#); readopted filed Dec 1, 2016, 2:55 p.m.: [20161228-IR-357160453RFA](#); readopted filed Dec 1, 2017, 9:25 a.m.: [20171227-IR-357170359RFA](#); filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))

357 IAC 1-16-3 Definitions (Repealed)

Sec. 3. *(Repealed by Indiana Pesticide Review Board; filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))*

357 IAC 1-16-4 Applicator certification and licensing (Repealed)

Sec. 4. *(Repealed by Indiana Pesticide Review Board; filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))*

357 IAC 1-16-5 Direct supervision of noncertified applicators (Repealed)

Sec. 5. *(Repealed by Indiana Pesticide Review Board; filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))*

357 IAC 1-16-6 Pesticide use restrictions

Authority: [IC 15-16-5-44](#); [IC 15-16-5-51](#)

Affected: [IC 15-16-4-38](#); [IC 15-16-5](#)

Sec. 6. (a) Except as provided in subsection (b), a pesticide must not be applied at a school during normal instructional hours when school is in session.

(b) A pesticide may be applied at a school during periods specified in subsection (a) if applied to:

(1) control an observed pest that poses an immediate health threat situation to the students present; or

(2) an area outside of and not immediately adjacent to student-occupied buildings.

(c) Except as provided in subsection (d), the school corporation must not allow students to enter a pesticide treatment area after an application until the longer of the following time periods has elapsed:

(1) The minimum reentry time specified on the pesticide label.

(2) Four (4) hours.

(d) A rodenticide ([IC 15-16-4-38](#)) bait may be applied in areas inaccessible to students without regard to subsection (c).

(Indiana Pesticide Review Board; 357 IAC 1-16-6; filed Sep 24, 2010, 1:44 p.m.: [20101020-IR-357100336FRA](#); readopted filed Dec 1, 2016, 2:55 p.m.: [20161228-IR-357160453RFA](#); readopted filed Dec 1, 2017, 9:25 a.m.: [20171227-IR-357170359RFA](#))

357 IAC 1-16-7 Pesticide storage restrictions

Authority: [IC 15-16-5](#)

Affected: [IC 15-16-5](#)

Sec. 7. Pesticides stored at schools must be in:

(1) the original pesticide container or a clearly labeled service container, as described in 357 IAC 1-14-3;

- (2) a locked area or cabinet clearly marked as pesticide storage; and
- (3) an area separated by a solid wall from areas where:
 - (A) food is stored;
 - (B) food is served; or
 - (C) students have access.

(Indiana Pesticide Review Board; 357 IAC 1-16-7; filed Sep 24, 2010, 1:44 p.m.: [20101020-IR-357100336FRA](#); readopted filed Dec 1, 2016, 2:55 p.m.: [20161228-IR-357160453RFA](#); readopted filed Dec 1, 2017, 9:25 a.m.: [20171227-IR-357170359RFA](#))

357 IAC 1-16-8 Pesticide notification

Authority: [IC 15-16-5-44](#); [IC 15-16-5-51](#)
Affected: [IC 15-16-5](#)

Sec. 8. (a) A school corporation must invite parents, guardians, and staff to be added to a pesticide notification registry:

- (1) at the start of each school year; or
- (2) during the school year when a student:
 - (A) enrolls in; or
 - (B) transfers into;

the school.

(b) An individual may request to be added to the registry at any time during the school year.

(c) Except as provided in subsection (f), a school corporation must, by whatever means the school corporation determines to be appropriate, provide individuals on the registry with pesticide notice.

(d) The pesticide notice must include the following:

- (1) The name or address of the school.
- (2) The licensed commercial applicator responsible for the application including the following:
 - (A) Name.
 - (B) License number.
 - (C) Telephone number.
 - (D) Designee for information about the pesticide application if different than the applicator.
- (3) The anticipated date and time of the application.
- (4) The principal target pest.
- (5) A description of the application area.
- (6) The pesticide or pesticides to be applied including the following:
 - (A) The name of the manufacturer.
 - (B) The United States Environmental Protection Agency registration number.
 - (C) The brand name.
- (7) If forty-eight (48) hours advance notice is not provided, an explanation why it was not provided.

(e) The pesticide notice must be provided at least forty-eight (48) hours in advance of a pesticide application at the school.

(f) A pesticide notice is not required for a pesticide application:

- (1) made more than forty-eight (48) hours before a scheduled school day; or
- (2) described in section 6(b) of this rule.

(Indiana Pesticide Review Board; 357 IAC 1-16-8; filed Sep 24, 2010, 1:44 p.m.: [20101020-IR-357100336FRA](#); readopted filed Dec 1, 2016, 2:55 p.m.: [20161228-IR-357160453RFA](#); readopted filed Dec 1, 2017, 9:25 a.m.: [20171227-IR-357170359RFA](#))

357 IAC 1-16-9 Pesticide record keeping (*Repealed*)

Sec. 9. (*Repealed by Indiana Pesticide Review Board; filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#)*)

Rule 17. State Restricted Use Pesticide Products

[357 IAC 1-17-1](#)

State restricted use pesticide products

357 IAC 1-17-1 State restricted use pesticide products

Authority: [IC 15-16-4-50](#)

Affected: [IC 15-16-4](#); [IC 15-16-5](#)

Sec. 1. Pesticide products defined by the following categories or active ingredients are designated and classified as restricted use pesticides in the state of Indiana:

- (1) Any pesticide classified by the U.S. Environmental Protection Agency as a restricted use pesticide.
- (2) All formulations containing methomyl (Chemical Abstracts Service Reg. No. 16752-77-5).
- (3) Any dicamba containing pesticide product that:

(A) contains a dicamba active ingredient concentration greater than or equal to six and one-half percent (6.5%); and

(B) is intended for agricultural production uses but is not labeled solely for use on turf or other nonagricultural use sites.

(Indiana Pesticide Review Board; 357 IAC 1-17-1; filed Sep 11, 2012, 2:41 p.m.: [20121010-IR-357120135FRA](#); filed Oct 5, 2017, 9:30 a.m.: [20171101-IR-357170180FRA](#); readopted filed Dec 1, 2017, 9:25 a.m.: [20171227-IR-357170359RFA](#); filed Feb 13, 2023, 12:03 p.m.: [20230315-IR-357220329FRA](#))

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