

Document: Notice of Intent to Adopt a Rule, **Register Page Number:** 27 IR 3098

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**TITLE 357 INDIANA PESTICIDE REVIEW
BOARD**

LSA Document #04-159

Under IC 4-22-2-23, the Indiana Pesticide Review Board intends to adopt a rule concerning the following:

OVERVIEW: Amends 357 IAC 1-7 to address civil penalties for violations of IC 15-3-3.6, the Indiana Pesticide Use and Application Law, and the rules adopted under that law. Adds definitions of new terms introduced as the result of listing each violation individually on the civil penalty schedule rather than grouping the violations by type. Clarifies which penalties are to be assessed on a per product, per incident, per person, per day, or per year basis. Adds a penalty assessment cap of 180 incidents or 180 days for repetitive violations. Clarifies the factors to be considered when mitigating penalties. Clarifies that civil penalties are not required nor the sole enforcement action for every violation. Clarifies that the civil penalty money collected is to be used by the Purdue University Cooperative Extension Service solely for providing education about pesticides. Statutory authority: IC 15-3-3.6-4; IC 15-3-3.6-14.5.