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**TITLE 357 INDIANA PESTICIDE REVIEW  
BOARD**

LSA Document #05-215(F)

**DIGEST**

Adds 357 IAC 1-12 to establish definitions for the term drift and other related terms and to prohibit anyone from applying a pesticide in a manner that results in drift of the pesticide from the target site in sufficient quantities to cause harm to a nontarget site. Effective 30 days after filing with the Secretary of State.

**357 IAC 1-12**

SECTION 1. 357 IAC 1-12 IS ADDED TO READ AS FOLLOWS:

**Rule 12. Pesticide Drift**

**357 IAC 1-12-1 Definitions**

**Authority:** IC 15-3-3.6-4

**Affected:** IC 15-3-3.6-14

**Sec. 1.** The following definitions apply throughout this rule:

(1) “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 mean the movement of a pesticide, at a time after the application has been made, by any of the following:

- (A) Erosion.
- (B) Volatility after deposition on the target site.
- (C) Windblown soil particles.

(2) “Nontarget site” means any site that is not the intended target site of the pesticide application, including, but not limited to, the following:

- (A) Personal property.
- (B) Public property.
- (C) A body of water.
- (D) A person.
- (E) An animal.
- (F) Livestock.
- (G) Managed bees.
- (H) A commodity.
- (I) A desirable plant.

(3) “Standards” means the legally enforceable limits, as established by state or federal regulations.

(4) “Sufficient quantity to cause harm” means an amount of pesticide that results in any of the following:

- (A) Pesticide residues in excess of established tolerances or standards.
- (B) Documented:
  - (i) death;
  - (ii) illness;
  - (iii) stunting;
  - (iv) deformation;
  - (v) discoloration; or
  - (vi) other effects;

that are detrimental to the nontarget site.

(5) “Target site” means the specific site to which a pesticide was intentionally applied.

(6) “Tolerance” means the maximum amount of a pesticide residue, as established by the U.S. Environmental Protection Agency, that may lawfully remain on or in food or animal feed.

(7) “Volatility” means the ability of a pesticide to move to a nontarget site as a vapor rather than as a:

(A) drift particle; or

(B) spray droplet.

*(Indiana Pesticide Review Board; 357 IAC 1-12-1; filed Mar 17, 2006, 1:00 p.m.: 29 IR 2523)*

### **357 IAC 1-12-2 Drift restriction**

**Authority:** IC 15-3-3.6-4

**Affected:** IC 15-3-3.6-14

**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 harm to a nontarget site.** *(Indiana Pesticide Review Board; 357 IAC 1-12-2; filed Mar 17, 2006, 1:00 p.m.: 29 IR 2524)*

*LSA Document #05-215(F)*

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