

Secretary of State
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PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies are true, full and correct copies of the PERMANENT Rule(s) adopted on December 15, 2020 by the

Date prior to or same as filing date

Oregon Department of Agriculture, Natural Resource and Pesticide Programs

Agency and Division

Administrative Rules Chapter Number

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To become effective upon filing.

Rulemaking Notice was published in the September 2020 Oregon Bulletin.

RULE CAPTION

Listing of Restricted Use Pesticides

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

AMEND: OAR 603-057-0205

Stat. Auth.: ORS 561.190, 634.306

Other Auth.:

Stats. Implemented: ORS 634.306, 634.316

RULE SUMMARY

Amended OAR-603-057-0205 provides alignment between statute and rule in order to fully implement pesticide law. ORS 634.306(4) authorizes the Department to adopt rules designating pesticides as restricted-use pesticides (RUP) and provides criteria to consider in making such a decision. ORS 634.316 authorizes the Department to establish, maintain and amend lists of restricted-use pesticides and devices. The original and previous version of OAR 603-057-0205 identified that restricted-use pesticides are only those so designated by the United States Environmental Protection Agency or those that were labeled as such, which limited the Department's authority to designate additional products as state restricted-use pesticides. The amended version of OAR 603-057-0205 enables the Department to adopt rules designating a pesticide or device as restricted use within Oregon, even if the U.S. EPA has not done so on the national level.