

## EMERGENCY RULE

Agency # 003.11

Add the following Section to the Plant Board's Regulations On Pesticide Classification.

### Section XIII Class G.

Products with this designation shall be used in accordance with all other applicable federal and state laws and regulations written pursuant thereto, the label registered with the State of Arkansas, the applicable restrictions identified for Class A, B, C, and D above and the following additional restrictions. Products assigned to this class include only those products packaged in containers one (1) gallon or larger, labeled for agricultural use, and used in row crop and rice production and commercial right-of-way treatment.

- A. Class G products may not be applied in winds greater than 10 miles per hour. However, if the product label indicates a lesser wind speed should be used, then that wind speed must be used. Applications of Class G products must be done in accordance with the Plant Board's regulations on inversion avoidance found in Section X(H) of these Regulations.
- B. Civil penalties assessed for each violation of the product label, applicable State or Federal law or the regulations promulgated pursuant to these laws that involve a product with this classification shall be assessed at the level indicated by the Plant Board's Enforcement Response Regulations for a restricted-use product plus, where not otherwise forbidden by state or federal law, additional civil penalty may be added to bring the amount of the assessment up to the maximum amount allowed by law.
- C. For purposes of civil penalty assessment, products named to this classification shall be considered the same as Federally Restricted Use products if not already designated as such.
- D. Failure to comply with these requirements will be a violation of these regulations.

Revise "Class G" of SECTION XII Product Classification to read as follows:

Class G      Glyphosate containing products packaged in containers one (1) gallon or larger, labeled for agricultural use, and used in row crop and rice production and commercial right-of-way treatment.