



Office of
INDIANA STATE CHEMIST AND SEED COMMISSIONER

Protecting Indiana's Agriculture and Environment - Feed, Fertilizer, Hemp, Pesticide and Seed

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**2023 Amendments to Indiana Pesticide Laws Eliminate Some Rules
and Create Uncertainty About Others**

In 2023 the Indiana General Assembly amended the state pesticide laws. Among other things, the 2023 amendments 1) called for no new pesticide rules or requirements more stringent than those required by federal laws or regulations, 2) eliminated some existing state pesticide rules, and 3) unintentionally created some uncertainty about the enforceability of some requirements for general use pesticides (GUPs).

Following is a list of state requirements that have either already clearly been eliminated, have been targeted for replacement by comparable federal rules, or have been identified for clarification through potential 2024 law changes or specifically targeted for elimination by the General Assembly.

State Rules Eliminated on July 1, 2023

- Commercial applicators wanting to apply GUPs for hire in category 3b (turf management) will no longer be required to qualify for licensing through a formal two-day hands-on training program, documented experience, or a formal post-high school turf-related degree (355 IAC 4-1-2.1(k)).
- Category 3b for hire applicators will no longer be required to place a lawn marker in treated lawns following each GUP application (357 IAC 1-5-2).
- Category 3b for hire applicators will no longer be required to provide customers with written pesticide application information at the time of each GUP application (357 IAC 1-5-3).
- Category 7b (termite control) licensed for hire applicators will no longer be required to notify the Office of Indiana State Chemist (OISC) prior to making a preconstruction GUP termite control application (355 IAC 4-5-2-(c)).
- The Indiana Pesticide Review Board will no longer be allowed to classify products as state RUPs (357 IAC 1-17).
- Certified applicators will no longer be required to label service containers to transport GUPs for end use (355 IAC 5-10).

State Rules Targeted to be Replaced with Federal Rules

- Bulk and minibulk pesticide storage and containment rules (355 IAC 5) are proposed to be replaced with federal rules (40 CFR 165) by means of planned 2024 legislation.
- Agricultural handler and worker safety and protection rules (40 CFR 170) for both GUPs and RUPs are proposed to be incorporated as state requirements by means of planned 2024 legislation.

Current State Rules Targeted to be Clarified and Incorporated into Law or Eliminated in 2024

- Commercial businesses and applicators must be licensed to apply GUPs on another person's property for hire (355 IAC 4-1-1.1).
- Commercial applicators must be certified and licensed to apply GUPs at schools, on golf courses, or for community-wide mosquito abatement (355 IAC 4-1.1).
- Commercial applicators must keep records for GUP applications for hire, for termite control, at golf courses, or at schools (355 IAC 4-4).
- Technicians must be registered by training or exam to apply GUPs for hire under the direct supervision of a licensed commercial applicator (355 IAC 4-2).
- Commercial applicators are allowed to apply GUPs near water, under the Indiana NPDES General Permit, as long as licensing and record keeping remain intact and enforceable <https://oisc.purdue.edu/pesticide/npdes.html>.