

CHAPTER 12:56:04

COMMERCIAL APPLICATORS

12:56:04:15. Aerial Pest Control. Aerial commercial applicators using restricted-use pesticides on lands used in the production of agricultural crops, including feed grains, soybeans, forage, vegetables, small fruits, tree fruits, and nuts, as well as on grasslands, non-crop agricultural lands, right of ways must be certified for agricultural plant pest control and right of way. Licensed applicators in this classification must be certified and licensed to use any pesticide.

General Authority: SDCL 38-21-51.

Law Implemented: SDCL 38-21-33.

CHAPTER 12:56:05

CERTIFICATION OF APPLICATORS

12:56:05:04.17: Additional standards for certification in aerial agriculture plant pest control. In addition to meeting general standards in § 12:56:05:04, all commercial applicators classified within the classification of aerial agricultural plant pest control shall be tested on their understanding of crops grown and the specific pests of those crops which they may be treating with pesticides, including the following:

- (1) Soil and water problems;
- (2) Preharvest intervals;
- (3) Re-entry intervals;
- (4) Phytotoxicity;
- (5) Potential for environmental contamination;
- (6) Nontarget injury; and

(7) Community problems resulting from the use of restricted-use pesticides in agricultural areas.

General Authority: SDCL 38-21-51.

Law Implemented: SDCL 38-21-33.

12:56:05:04.18: Additional standards for certification in aerial right of way. In addition to meeting general standards in § 12:56:05:04, commercial applicators classified within the classification of aerial right-of-way pest control shall be tested on their understanding and knowledge of the following:

(1) Excessive foliage damage;

(2) Recognition of target pests;

(3) Nature of herbicides and of problems caused by applying pesticides to a variety of environments and different terrains including:

(a) Problems caused by runoff and drift;

(b) The need for containment of pesticides within the right-of-way area; and

(c) The impact of their application activities on adjacent areas and communities.

General Authority: SDCL 38-21-51.

Law Implemented: SDCL 38-21-18.

Chapter 12:56:11

RESTRICTED USE PESTICIDES

12:56:11:02. State restricted use pesticide products. Pesticides products defined by the following active ingredients are designated and classified as restricted use pesticides in the State of South Dakota:

- (1) Pesticide products containing the active ingredient Dicamba bearing a label indicating the herbicide:
 - a. Contains only Dicamba active ingredient and intended for agricultural production uses but:
 - i. Does not also contain 2,4-D as an active ingredient; or
 - ii. Is not labeled solely for use on turf or other nonagricultural use sites.

General Authority: SDCL 38-21-51.

Law Implemented: SDCL 38-21-39.