



ADMINISTRATIVE RULES OF MONTANA



4.10.1011 NONCOMPLIANCE WITH PESTICIDE OR PESTICIDE CONTAINER DISPOSAL, LABELING OR HANDLING REQUIREMENTS AND STANDARDS

- (1) The following are considered violations:
 - (a) failure to comply with label directions for disposal of a pesticide;
 - (b) failure to comply with ARM 4.10.801 through 4.10.808 (Rinsing and Disposing of Pesticide Containers);
 - (c) failure to comply with pesticide label directions for handling such as application instructions, storage, protective clothing or equipment, precautionary statements, restrictions, re-entry intervals, mixing and loading instructions and others; or
 - (d) distribution, sale, or offering for sale or delivering for transportation, or transport in intrastate commerce between points in the state any pesticide that is not labeled as required by ARM 4.10.1009 through 4.10.1011.
- (2) For the purpose of determining civil penalties, violations in (1)(a) through (d) shall constitute misuse. If a misuse violation results in proven exposure of humans, agricultural commodities, or livestock, or proven harm to human health, agricultural commodities, livestock, or the environment, the amount of a civil penalty may be determined by using the penalty matrix established for 80-8-306(5)(e)(i), MCA. All other violations under this rule will be subject to civil penalties established in ARM 4.10.1005(4)(j) of the civil penalty matrix.

Authorizing statute(s): 80-8-105, MCA

Implementing statute(s): 80-8-306, MCA

History: NEW, 1999 MAR p. 404, Eff. 3/12/99; AMD, 2024 MAR p. 128, Eff. 1/27/24.