

**IDAPA 02- DEPARTMENT OF AGRICULTURE**

**02.03.03 - RULES GOVERNING PESTICIDE AND CHEMIGATION USE AND APPLICATION**

**DOCKET NO. 02-0303-1302**

**NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 22-3421, Idaho Code.

**MEETING SCHEDULE:** A public meeting on the negotiated rulemaking will be held as follows:

**Wednesday -- July 10, 2013 -- 1:30 to 2:30 p.m.**

**Idaho State Department of Agriculture  
Meeting Rooms A&B  
2270 Old Penitentiary Road  
Boise, ID, 83712**

A draft of the proposed rule change, as recommended by the Pesticide Licensing Advisory Committee, is available on the ISDA web site at [http://www.agri.idaho.gov/Categories/LawsRules/sub\\_rules/Rulemaking.php](http://www.agri.idaho.gov/Categories/LawsRules/sub_rules/Rulemaking.php). Comments must be received by ISDA by July 25, 2013.

**METHOD OF PARTICIPATION:** Persons wishing to participate in the negotiated rulemaking must do the following: All written comments must be directed to Ben Miller and must be delivered on or before July 25, 2013. Comments can be sent via email to [ben.miller@agri.idaho.gov](mailto:ben.miller@agri.idaho.gov) or via mail to: Ben Miller, Idaho State Department of Agriculture, P.O. Box 790, Boise, Idaho 83701. Interested parties may also attend the negotiated rulemaking meeting at the Idaho State Department of Agriculture on July 10, 2013.

**DESCRIPTIVE SUMMARY:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved: Section 02.03.03.800 will be amended to allow pesticide use on certain new seed crops, including: endive, parsnip, sugar and garden beets, Swiss chard, collards, lettuce, dill, kohlrabi, and mustard, without the need of an established residue tolerance. This will allow our state's seed crop list to be essentially the same as the State of Washington's list.

**CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning this negotiated rulemaking, contact Ben Miller at (208) 332-8593, or via email at [ben.miller@agri.idaho.gov](mailto:ben.miller@agri.idaho.gov). Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho State Department of Agriculture web site at the following web address: [http://www.agri.idaho.gov/Categories/LawsRules/sub\\_rules/Rulemaking.php](http://www.agri.idaho.gov/Categories/LawsRules/sub_rules/Rulemaking.php). All written comments must be delivered on or before July 25, 2013.

DATED this 17th day of May, 2013.

Brian J. Oakey, Deputy Director  
Idaho State Department of Agriculture  
2270 Old Penitentiary Road  
PO Box 790  
Boise, Idaho 83701  
Phone: (208) 332-8500  
Fax: (208) 334-2170