

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 478
HOUSE BILL 873

AN ACT TO LIMIT THE SUBSTANCES THAT APPLICATORS OF PESTICIDES ARE AUTHORIZED TO APPLY AND TO PROVIDE FOR THE PESTICIDE APPLICATOR'S LICENSE TO BE REVOKED, SUSPENDED, OR DENIED FOR VIOLATING THIS LIMITATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-458 is amended by adding three new subsections to read:

"(c) A pesticide applicator, a pesticide applicator's employee, or an agent of a pesticide applicator shall not apply any substance that:

(1) Has the active ingredients contained in a pesticide that is registered pursuant to G.S. 143-442, and

(2) Is not registered as a pesticide pursuant to G.S. 143-442.

(d) A pesticide applicator, a pesticide applicator's employee, or an agent of a pesticide applicator shall not combine any substance whose application is prohibited under subsection (c) of this section with any other substance to apply as a pesticide or to apply for any other reason, whether the combination occurs before, during, or after the application.

(e) Any person who violates subsection (c) or (d) of this section shall be guilty of a Class 2 misdemeanor, which shall include a fine of up to one thousand dollars (\$1,000) per violation."

Sec. 2. G.S. 106-65.28(a) is amended by adding two new subdivisions to read:

"(14) Applying any substance that:

a. Has the active ingredients contained in a pesticide that is registered pursuant to G.S. 143-442, but

b. Is not registered as a pesticide pursuant to G.S. 143-442.

(15) Combining any substance whose application is prohibited under subdivision (14) of this subsection with any other substance to apply as a pesticide or to apply for any other reason, whether the combination occurs before, during, or after the application."

Sec. 3. This act becomes effective October 1, 1995.

In the General Assembly read three times and ratified this the 25th day of July, 1995.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives