

Official North Carolina Administrative Code

SUBCHAPTER 9L - PESTICIDE SECTION

SECTION .0100 - ORGANIZATIONAL RULES

02 NCAC 09L .0101 DUTIES OF THE PESTICIDE SECTION

The primary duties of the pesticide section of the food and drug protection division are the administration and enforcement of the North Carolina Pesticide Law of 1971, G.S. Chapter 143.

02 NCAC 09L .1902 STORAGE REQUIREMENTS FOR ALL PESTICIDES

- (a) The requirements of this Rule shall apply to all pesticides.
- (b) Pesticides shall be stored to prevent leaking and to facilitate inspection.
- (c) Formulated pesticide products shall not be stored in unlabeled containers. The following minimum information shall be shown clearly and prominently on any containers of formulated pesticide:
 - (1) Common chemical name;
 - (2) Percentage of each active ingredient;
 - (3) EPA registration number;
 - (4) Signal word;
 - (5) Use classification (restricted use or general use).

Pesticide products which are labeled in accordance with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the North Carolina Pesticide Law of 1971, and regulations promulgated thereunder shall be deemed to have met the requirements of Paragraph (c) of this Rule.

- (d) Pesticides (formulated products or dilutions) shall not be stored in any food, feed, beverage, or medicine container that has previously been used for such purposes, or that is specifically designed to contain only those products.
- (e) Pesticides shall not be stored in a manner that could cause the contamination of foods, feeds, beverages, eating utensils, tobacco, tobacco products, other pesticides, seeds, or fertilizers, or otherwise likely to result in accidental ingestion by humans or domestic animals.
- (f) Pesticides shall be stored in accordance with the following:
 - (1) storage recommendations, if any, on their labeling; and
 - (2) labeling on all other products, including non-pesticide products, held in the same storage area.
- (g) When unattended, pesticides shall be stored to prevent unauthorized access.
- (h) Pesticides shall be stored in an area that is dry (does not accumulate water) and ventilated.
- (i) Pesticide storage areas shall be free of combustible materials such as gasoline, kerosene, or petroleum solvents other than those associated with pesticide application and debris such as waste paper, rags, or used cardboard boxes which may provide an ignition source, and shall be separated from other operations which present a fire hazard such as welding or burning. Appropriate care shall be taken to minimize fire hazard potential when providing supplemental heating to storage during winter months.

*History Note: Authority G.S. 143-437; 143-441; 143-461; 143-466;
Eff. January 1, 1984;
Amended Eff. November 1, 1989.*