TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 80 Department of Agriculture and Industr	ries
Rule No. 80-10-915	_
Rule Title: RECORD -KEEPING REQUIREMENTS	_
New; X Amend; Repeal; Adopt by Ref	Terence
Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?	No
Is there a reasonable relationship between the State's police power and the protection of the public health, safety or welfare?	Yes
Is there another less restrictive method of regulation available that could adequately protect the public?	No
Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?	No
Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?	No
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?	Yes
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Does the proposed rule have any economic impact?	No
If the proposed rule has an economic impact, the proposed be accompanied by a fiscal note prepared in accordance w Section 41-22-23, Code of Alabama 1975 .	d rule is required to ith subsection (f) of
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Certification of Authorized Official	
I certify that the attached proposed rule has been proposed with the requirements of Chapter 22, Title 41, Code of A it conforms to all applicable filing requirements of the Procedure Division of the Legislative Reference Service.	labama 1975, and that Administrative
Signature of certifying officer: John Mu	llac
Date: 18-15-2011	
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(DATE FILED) (STAMP)

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES DIVISION OF PLANT INDUSTRY

NOTICE OF INTENDED ACTION

Agency Name: Alabama Department of Agriculture and Industries

Rule Nos. & Titles: 80-10-9-.15. Record - Keeping Requirements.

Intended Action: To Amend

Substance of Proposed Action: Amend to clarify recordkeeping responsibilities.

Time, Place, Manner of Presenting Views: Views may be presented in writing to the contact person below or in person on the meeting date, Tuesday, February 14, 2012, at 10:00 a.m., in the Board Room of the Richard Beard Building, 1445 Federal Drive, Montgomery, Alabama.

Final Date for Comment and Completion of Notice: February 14, 2012

Contact Person at Agency: Daniel H. Autrey, Assistant Attorney General and Legal Counsel, Department of Agriculture and Industries, 1445 Federal Drive, Montgomery, Alabama 36107-1123, Telephone No. 240-7117.

12-15-2011 Date

Commissioner of Agriculture and Industries

- 80-10-9-.15 Record-Keeping Requirements. A permittee who engages in professional work or services shall keep complete and accurate records of all work performed including copies of contracts, if issued. Records shall be maintained for a period of one (1) three (3) years, except for pesticide use records, which shall be kept for a period of one (1) three (3) years from last date of treatment or one (1) three (3) years following its contract expiration date, or as required by EPA, and shall include the following:
- (1) Name and address of property owner, or authorized agent and the name and address of permittee.
 - (2) Type of professional work or services performed.
 - (3) Date on which the professional work was performed.
 - (4) If applicable, pesticide use records as follows:
 - (a) Name of pesticide used,
 - (b) Amount of pesticide used, and
 - (c) Uses to which pesticide was put including:
 - 1. Site on which used,
 - 2. Common name(s) pest(s) being controlled, and
 - 3. Date of pesticide application.
- (5) Such records shall be available for examination by the commissioner or his authorized agent during reasonable business hours.

Author: Charles H. Barnes, Daniel H. Autrey

Statutory Authority: Code of Ala. 1975, §§2-28-1, et seq. History: Filed April 19, 1982 as Rule No. 80-10-3-.01. Rules reformatted - Rule No. changed to Chapter 80-10-9: Filed June 19, 1986. Amended: Filed December 16, 2011.