

APA-2
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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 record-keeping 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

John McMillan

John McMillan,
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.