

Kansas Administrative Regulations

Kansas Department of Agriculture

Article 13.—Pesticides

4-13-28. Target pests which are not specified on the pesticide's label or labeling.

Any pesticide may be applied for the purpose of controlling a pest which is not specified on the pesticide's label or labeling provided that: (a)(1) the pesticide's label or labeling authorizes application of the pesticide to the same crop, animal or site requiring application;

(2) the pest to be controlled belongs to the same general group of pests intended to be controlled by the pesticide to be applied;

(3) the pesticide's label or labeling does not specifically prohibit its application to the target pest to be controlled, or to the crop, animal or site to which the pesticide is to be applied; and

(4) the application of the pesticide to the target pest, or to the crop, animal or site, has not been prohibited by rules and regulations promulgated by the secretary.

(b) Each pesticide which is applied in accordance with the provisions of subsection (a) of this regulation shall be deemed not to cause any unreasonable adverse effects on the environment, nor to endanger the health, safety or welfare of the citizens of this state.

(Authorized by K.S.A. 1990 Supp. 2-2467a; implementing K.S.A. 1990 Supp. 2-2470 and 2-2471; effective Oct. 21, 1991.)

***** Authenticated Kansas Administrative Regulation *****