

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.8304 Definitions; I to M.

Sec. 8304.

- (1) "Inert ingredient" means an ingredient that is not active.
- (2) "Ingredient statement" means:
 - (a) A statement of the name and percentage of each active ingredient together with the total percentage of the inert ingredients in the pesticide.
 - (b) When the pesticide contains arsenic in any form, the ingredient statement shall include percentages of total and water soluble arsenic, each calculated as elemental arsenic.
- (3) "Insect" means any of the numerous small invertebrate animals generally having the body more or less obviously segmented, for the most part belonging to the class insecta, comprising 6-legged, usually winged forms, as for example beetles, bugs, bees, and flies, and to other allied classes or arthropods whose members are wingless and usually have more than 6 legs, as for example spiders, mites, ticks, centipedes, and wood lice.
- (4) "Insecticide" means a pesticide intended for preventing, destroying, repelling, or mitigating an insect.
- (5) "Integrated pest management" means a pest management system that uses all suitable techniques in a total management system to prevent pests from reaching unacceptable levels or to reduce existing pest populations to acceptable levels.
- (6) "Integrated pest management program" means a program for integrated pest management that includes at least all of the following elements:
 - (a) The following integrated pest management practices and principles:
 - (i) Site evaluation, including site description, inspection, and monitoring and the concept of threshold levels.
 - (ii) Consideration of the relationship between pest biology and pest management methods.
 - (iii) Consideration of all available pest management methods, including population reduction techniques, such as mechanical, biological, and chemical techniques and pest prevention techniques, such as habitat modification.
 - (iv) Pest control method selection, including consideration of the impact on human health and the environment.
 - (v) Continual evaluation of the integrated pest management program to determine the program's effectiveness and the need for program modification.
 - (b) Recordkeeping which shall be maintained by the applicator and which shall include all of the following:
 - (i) The site address.
 - (ii) The date of service.
 - (iii) The target pest or pests.
 - (iv) The inspection report, including the number of pests found or reported, and the conditions conducive to pest infestation.
 - (v) The pest management recommendations made by the applicator, such as structural or habitat modification.
 - (vi) The structural or habitat modification or other measures that were initiated as a part of the pest management program.
 - (vii) The name of each pesticide used.
 - (viii) Quantity of each pesticide used.
 - (ix) The location of the area or room or rooms where pesticides were applied.
 - (x) The name of the applicator.
 - (xi) The name of the pest control firm, if a firm is employed, and the emergency telephone number.
 - (c) Provision of the following information to the building manager:
 - (i) The integrated pest management program and initial service inspection record, which shall be provided at the time of, or made available electronically within 48 hours after, the initial service.
 - (ii) A record that includes the information specified in subdivision (b), which shall be provided upon or made available electronically within 48 hours after the completion of each inspection, application, or service call.
 - (d) The acceptance of responsibility by the building manager to post signs provided by the pesticide applicator in compliance with rules promulgated under section 8325.
- (7) "Label" means the written, printed, or graphic matter on or attached to the pesticide or device or any of its containers or wrappers.
- (8) "Labeling" means the label and all other written, printed, or graphic matter accompanying the pesticide or device, or to which reference is made on the label or in literature accompanying the pesticide or device, and all applicable modifications or supplements to official publications of the EPA, the United States departments of agriculture and interior, the United States departments of education and health and human services, state experiment stations, state agricultural colleges, and other similar federal or state institutions or agencies authorized by law to conduct research in the field of pesticides.

(9) "Maximum contaminant level" means that term as it is defined in title XIV of the public health service act, 42 USC 300f to 300j-25, and regulations promulgated under that act.

(10) "Method detection limit" means the minimum concentration of a substance that can be measured and reported with 99% confidence that the analyte concentration is greater than 0 and is determined from analysis of a sample in a given matrix that contains the analyte.

(11) "Minor use" means the use of a pesticide on a crop, animal, or site where any of the following exist:

(a) The total United States acreage for the crop or site is less than 300,000 acres.

(b) The acreage expected to be treated nationally as a result of that use is less than 300,000 acres annually.

(c) The use does not provide sufficient economic incentive to support the initial registration or continuing registration of the use.

(12) "Misbranded" applies to any pesticide or device if it is an imitation of or is offered for sale under the name of another pesticide, or if its labeling does not comply with labeling requirements of this part, the rules promulgated under this part, FIFRA, or regulations promulgated under FIFRA.

(13) "Molluscicide" means a pesticide intended for preventing, destroying, repelling, or mitigating a mollusk.

History: 1994, Act 451, Eff. Mar. 30, 1995 ;-- Am. 2002, Act 418, Imd. Eff. June 5, 2002 ;-- Am. 2004, Act 24, Imd. Eff. Mar. 10, 2004

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