§ 33-0715. Advisory committees.

1. The commissioner on his own motion, may at any time refer matters concerning registration of pesticides or the suspension or cancellation of such registration, to an advisory committee. Each advisory committee shall be composed of experts, qualified in the subject matter and of adequately diversified professional background selected by the department and shall include one or more representatives from the state college of agriculture. The committee shall not have more than seven members. Advisory committee members shall not receive a salary or other compensation, but shall be reimbursed for their necessary traveling and subsistence expenses while serving away from their places of residence. All costs may be assessed against the petitioner, unless the matter was referred to the advisory committee upon the motion of the commissioner without a petition. The commissioner shall furnish the committee with adequate clerical and other assistance, and shall by rules and regulations prescribe the procedures to be followed by the committee.

2. Whenever the applicant or registrant requests an advisory committee hearing or the commissioner determines that a matter should be referred to an advisory committee, the commissioner shall submit the application for registration of the article and all relevant data before him to the committee forthwith. The petitioner, as well as representatives of the department shall have the right to consult with the advisory committee. As soon as practicable after any such submission, but not later than sixty days, the committee shall, after independent study of the data submitted by the commissioner and all other pertinent information available to it, submit a report and recommendation to the commissioner as to the registration of the article, together with all underlying data and a statement of the reasons or basis for the recommendations. After due consideration of the views of the committee and all other data before him the commissioner shall, within ninety days after receipt of the report and recommendations of the advisory committee, make his determination and issue an order, with findings of fact, with respect to registration of the article and notify the applicant for registration or registrant of his decision. The applicant for registration, or registrant, may file objections and request a public hearing within

sixty days from the date of the commissioner's order made after receiving the report and recommendations of the advisory committee.