§ 33-0723. Experimental use permits.

1. The commissioner is hereby authorized to apply to the United States environmental protection agency for certification pursuant to section five of the Federal Insecticide, Fungicide and Rodenticide Act of 1972, as amended, to issue experimental use permits, and to establish by regulation any requirements as are necessary to qualify for such certification.

2. After certification by the administrator of the United States environmental protection agency to issue experimental use permits, the commissioner is hereby authorized to issue such permits as shall be required for the shipment, delivery, or use of a pesticide product which is to be tested to determine the scope of limitations of its usefulness and the effect of its use on human life and the environment. Such permits may be issued for products for use only in experimental programs under the supervision of qualified persons and broad scale testing under normal conditions of use. The commissioner may require such information and data concerning the product and the proposed testing program as is deemed necessary to make determinations on the merits of the pesticides being tested.

3. The commissioner is authorized to exempt from the requirement for experimental use permits substances or mixtures of substances in early research stages such as those being put through laboratory or greenhouse tests or limited scale field trials or other tests for the purpose of determining pesticide value and from which the user does not expect to receive any benefit in pest control.