

BUY NEVADA PESTICIDE FREE CERTIFICATE

NAC 576.511 “Buy Nevada Pesticide Free” defined. “Buy Nevada Pesticide Free” means an agricultural product of the soil which has been sampled by the Department and tested for specified pesticide residues. An agricultural product of the soil which has residue levels, of the specified pesticides, which do not exceed .1 part per million can be labeled “Buy Nevada Buy Nevada Pesticide Free” when all of the provisions of the Buy Nevada Buy Nevada Pesticide Free program are followed.

NAC 576.520 “Buy Nevada pesticide free certificate” defined. “Buy Nevada pesticide free certificate” means a written document issued by the Department which indicates that a specific harvest, lot or batch of an agricultural product of the soil which is listed on the certificate, has been tested by the department and is certified to be pesticide residue free to a tolerance level of .1 part per million or less.

NAC 576.530 Application for certificate: Submission; contents.

1. To obtain a Buy Nevada pesticide free certificate, a person must submit to the Department, on a form prescribed by the Department, a separate application for each harvest, lot or batch of an agricultural product of the soil.

2. The application must include, without limitation:

(a) The name, mailing address and telephone number of the applicant;

(b) The physical address of the plot of land on which the agricultural product of the soil is being grown;

(c) The estimated yield of the agricultural product of the soil listed on the application;

(d) If an agricultural product of the soil is to be stored, the length of time the product will be stored and where it will be stored;

(e) A detailed map that indicates the location of the plot of land on which any agricultural product of the soil listed on the application;

(f) A complete list of any pesticide that has been used on the plot of land within the last three (3) years or which may be used on the agricultural product of the soil listed on the application;

(g) A signed statement that the applicant confirms that no other pesticides will be used, and

(h) The fee set for the application and the inspection required.

NAC 576.540 Inspection of plot of land indicated on application. The Department, or an authorized representative of the Department, must be notified at least ten (10) days before any harvest and may inspect the plot of land, the crop, all buildings and all records that pertain to the application to verify that each agricultural product of the soil has been produced pursuant to the requirements listed on the application. Agricultural products of the soil that have multiple harvests or continual harvests may be subject to multiple inspections as the Department may deem necessary.

NAC 576.545 Testing of crop to be Buy Nevada Pesticide Free Certified. The Department may sample and test the plot of land and/or the agricultural product of the soil listed on the application as it deems necessary.

NAC 576.550 Issuance, contents and period of validity of certificate.

1. Upon the successful completion of the requirements, the Department will issue a Buy Nevada pesticide free certificate to the applicant.
2. A Buy Nevada pesticide free certificate is valid only for the specific harvest, lot or batch of the agricultural product of the soil for which a certificate was issued.
3. A Buy Nevada pesticide free certificate is valid for the shelf life of the specific harvest, lot or batch of product for which the certificate was issued.
4. A Buy Nevada pesticide free certificate is valid so long as no pesticide is applied after inspection or testing of the specific harvest, lot or batch of product for which the certificate was issued.

NAC 576.561 Availability of applications. An application for a Buy Nevada pesticide free certificate may be obtained, free of charge, from the State Department of Agriculture by mail at 405 S. 21st Street, Sparks, Nevada 89431.

NAC 576.571 Fees of Department. The Department will charge and collect the following nonrefundable fees:

1. For an application for a Buy Nevada pesticide free certificate and one pesticide residue test \$750.00
2. For any additional pesticide residue test requested or deemed necessary by the Department \$450.00
3. For the inspection of any plot of land concerning an agricultural product of the soil for which a person seeks a Buy Nevada pesticide free certificate:
 - (a) For each hour of inspection, calculated from the assigned office of the inspector, per hour \$60.00
 - (b) For mileage, per mile.....The current IRS mileage reimbursement rate.

NAC 576.580 Maintenance of list of certificate holders. (NRS 561.301, 576.128)
The Department will maintain a list of each person to whom the Department has issued a Buy Nevada pesticide free certificate.

NAC 576.600 Prohibited use of certificate. (NRS 561.301, 576.128)

1. A person shall not use a Buy Nevada pesticide free certificate to claim or imply that he is the producer of an agricultural product of the soil which he did not produce.
2. A person shall not use a Buy Nevada pesticide free certificate to claim or imply that an agricultural product of the soil has been produced pursuant to the provisions of the USDA Certified Organic Program. .

NAC 576.620 Suspension, revocation or denial of a certificate. The Department may suspend or revoke a Buy Nevada pesticide free certificate issued to a person pursuant to NAC 576.300 to 576.440, inclusive, if the Department determines that the person violated the provisions of the Buy Nevada Buy Nevada Pesticide Free program. If the Department determines that a person has knowingly violated the provisions of the Buy Nevada Buy Nevada Pesticide Free program, the Department may deny the issuance of a new certificate for up to three years.

NAC 576.640 Request for hearing. (NRS 561.295, 561.301, 576.128) A person:

1. Who is issued a written order to stop the sale of an agricultural product of the soil pursuant to NAC 576.410; or
2. Whose Buy Nevada pesticide free certificate has been suspended or revoked may request a hearing pursuant to subsection 2 of NRS 561.295.