

4626.1610 POISONOUS OR TOXIC MATERIALS; CONDITIONS OF USE. 7-202.12

Poisonous or toxic materials must be:

A. used according to:

- (1) Minnesota Statutes, chapter 18B and this Code;
- (2) the manufacturer's use directions included in labeling and, for a pesticide, the manufacturer's label instructions that state that use is allowed in a food establishment;^{p1} and
- (3) the conditions of licensing, if licensing is required, for use of the pest control materials;^{p1}

B. applied so that:

- (1) a hazard to employees or other persons is not constituted;^{p1} and
- (2) contamination, including toxic residues due to drip, drain, fog, splash, or spray on food, equipment, utensils, linens, and single-service and single-use articles, is prevented and for a restricted use pesticide, this is achieved by:^{p1}
 - (a) removing the items;^{p1}
 - (b) covering the items with impermeable covers;^{p1}
 - (c) taking other appropriate preventive actions;^{p1} and
 - (d) cleaning and sanitizing equipment and utensils after the application;^{p1} and

C. for a restricted-use pesticide, applied only by an applicator certified as defined in the Federal Insecticide, Fungicide, and Rodenticide Act, United States Code, title 7, section 136(e), and Minnesota Statutes, chapter 18B, or under the direct supervision of a certified applicator.^{p2}

Statutory Authority: *MS s 31.101; 31.11; 144.05; 144.07; 144.08; 144.12; 157.011*

History: *23 SR 519; 43 SR 295*

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