



Municipal Technical Advisory Service
INSTITUTE *for* PUBLIC SERVICE

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Pesticides and Fertilizer

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](http://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

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Reference Number: MTAS-603

Pesticides

Municipalities are prohibited from regulating the sale and use of pesticides. Also prohibited is regulation of registration, notification of use, advertising, marketing, distribution, applicator training or certification, storage, transportation, disposal, disclosing confidential information, or product composition. The statute does not limit a city's authority to zone for storage or designate sites for disposal, regulate discharge to sanitary sewers, or implement a pest management plan required by the Safe Drinking Water Act. The state may enter into an agreement with cities with a population of greater than 250,000 to enforce the provisions of the Tennessee Insecticide, Fungicide, and Rodenticide Act. T.C.A. § 43-8-114–115, T.C.A. § 62-21-118, T.C.A. § 62-21-129.

Fertilizer

Municipalities may not regulate the registration, packaging, labeling, sale, storage, distribution, use, and application of fertilizer, except in any county having a population in excess of 200,000 according to the 2000 federal census or any subsequent federal census. T.C.A. §43-11-125.

DISCLAIMER: The letters and publications written by the MTAS consultants were written based upon the law at the time and/or a specific sets of facts. The laws referenced in the letters and publications may have changed and/or the technical advice provided may not be applicable to your city or circumstances. Always consult with your city attorney or an MTAS consultant before taking any action based on information contained in this website.

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