

STATE OF  
WASHINGTON

DANIEL J. EVANS  
GOVERNOR



DEPARTMENT OF  
AGRICULTURE

STEWART BLEDSOE  
DIRECTOR

OLYMPIA

February 6, 1974

Mrs. Loma Barmore  
Code Reviser's Office  
Legislative Building  
Olympia, Washington 98504

Dear Mrs. Barmore:

On February 5, Norval Johanson delivered sixteen orders regarding the use and application of 2,4-D in Eastern Washington to your office for codification. I understand through Norval that a mistake was made in the preparation of Order No. 1346 in that only the two paragraphs to be amended were included in the order rather than the entire WAC.

Attached is a redraft of Order No. 1346 which contains the entire wording of WAC 16-222-160, with amendments. I am hopeful this procedure will be satisfactory with your office.

Sincerely,

Errett Deck  
Deputy Director

ED:sj

Attached



STATE OF WASHINGTON  
DEPARTMENT OF AGRICULTURE  
OLYMPIA

ORDER NO. 1346  
(Amends Orders 1161, 1222, 1272 & 1296)

EFFECTIVE MARCH 7, 1974

I, Stewart Bledsoe, director of agriculture of the state of Washington, by virtue of the authority vested in me under chapters 15.58 and 17.21 RCW, and due notice as provided under chapters 34.04 and 42.32 RCW, and public hearings held in Moses Lake, Wilbur, Pasco and Colfax, Washington on January 3, 4, 11 and 12, 1974, do hereby promulgate the following regulations relating to restricted use pesticides.

AMEND

WAC 16-222-160 USER PERMITS. (1) The following highly toxic and restricted use pesticides shall not be sold or made available to any ultimate user unless such ultimate user has obtained an annual user permit.

(a) Bidrin  
(b) DDT & DDD (For essential uses see Order 1281,  
WAC 16-223-220, 221, and 230).

(c) DiSyston - Liquid  
(d) Endrin - 2.5% and above  
(e) Parathion & Methyl Parathion - 1.1% and above  
(f) Phosdrin  
(g) Schradan (OMPA)  
(h) Sodium Arsenite  
(i) Systox (Demeton)  
(j) Temik  
(k) TEPP  
(l) Thimet (Phorate) - Liquid  
(m) Tordon<sup>®</sup> 22K - For use on rangeland and permanent grass pastures east of the crest of the Cascade Mountains. The distribution for this use of Tordon<sup>®</sup> 22K, and the weeds to be controlled, shall be limited by the supplemental labeling for "Tordon<sup>®</sup> 22K Weed Killer for use in Eastern Washington" as registered with the department by the Dow Chemical Company.

(n) 2,4-D - all formulations distributed in packages of 1 gallon and larger to be used in counties located east of the crest of the Cascade Mountains.

(o) Zinophos

(2) Permits may be obtained immediately prior to sale or delivery from any authorized pesticide dealer.

(3) An ultimate user may list on his permit the name or names of an authorized agent/s for the purpose of purchasing or receiving above listed pesticides for the ultimate user.

(4) Permits may be issued by pesticide dealers authorized to do so by the director. Authorization to issue permits may be obtained by making written application to the director.

(5) Permits shall be on a form furnished by the director and shall include the following:

(a) Permit number.  
(b) Date of issuance.  
(c) Name and address of the ultimate user.  
(d) Crops and acreage to which the pesticides will be applied.

(e) Name of authorized agent/s.

(f) Any other information prescribed by the director.

(6) A copy of the permit shall be issued to the user and a duplicate shall be retained by the pesticide dealer. Permits shall expire on December 31 of each year.

(7) Authorized dealers shall keep records on each sale of these restricted use pesticides which shall include the following:

(a) Name and address of ultimate user.  
(b) Name of authorized agent.  
(c) Date of purchase.  
(d) Brand and specific pesticide name.  
(e) Percent active ingredient or pounds active ingredient per gallon.

(f) For DDT & DDD - rate of formulation to be applied per acre.

(g) Amount sold.

(h) Crop to which pesticide will be applied.

(8) Authorized pesticide dealers shall keep permits and dealer records for a period of one year from the date of issuance and the director shall have access to these records upon request. (Refer to current DDT & DDD order).

(9) Authorized pesticide dealers shall submit to the department by November 20 of each year a summation of the amount of high volatile ester 2,4-D, the amount of low volatile ester 2,4-D, and the amount of amine, sodium salt and acid formulations of 2,4-D sold to ultimate users and commercial applicators for use on lands east of the crest of the Cascade Mountains. This summation shall be for sales during the previous 12-month period, October 1 to October 1, and shall list the total sales to commercial applicators separate from the other sales.

(10) Any ultimate user found violating the provisions of this order or the approved labeled use and/or the Environmental Protection Agency or Washington state registration for that pesticide shall be subject to revocation of the permit, subject to a hearing as provided for in the Washington Pesticide Control Act, chapter 15.58 RCW: PROVIDED, That an ultimate user will not be violating this regulation when following current official Washington State University pesticide recommendations.

(11) Any pesticide applicator licensed under the provisions of the Washington Pesticide Application Act, chapter 17.21 RCW, shall not be required to obtain the permit provided for in WAC 16-222-160.

NEW  
WAC 16-222-190 DISTRIBUTION REQUIREMENTS FOR GROWTH REGULATING HERBICIDES TO BE USED IN COUNTIES LOCATED EAST OF THE CREST OF THE CASCADE MOUNTAINS. (1) All formulations of Dicamba (Banvel) and all formulations of phenoxy hormone-type herbicides, including 2,4-D, 2,4,5-T and MCPA are hereby declared to be restricted use pesticides which hereafter shall be referred to as restricted use herbicides.

(2) All 2,4-D liquid formulations distributed in packages of one gallon and larger shall be sold only through outlets licensed as pesticide dealers, as provided for in the Washington Pesticide Control Act, 15.58 RCW, Section 15.58.030(19).

(3) The sale of high volatile and low volatile ester formulations of restricted use herbicides in containers of less than one gallon is prohibited.