



RULE-MAKING ORDER
(RCW 34.05.360)

Order 3015

CR-103 (10/1/89)

Agency: **AGRICULTURE**

- Permanent Rule
- Emergency Rule

(1) Date of adoption: **July 23, 1993**

(2) Purpose: **To restrict the use of Ziram and Phosdrin.**

(3) Citation of existing rules affected by this order:

- Repealed: **N/A**
- Amended:
- Suspended:

(4) Authority for adoption:

Statute: **RCW 17.21 and 15.58 RCW**

Other Authority:

(5.1) PERMANENT RULE ONLY

Pursuant to notice filed as WSR 93-12-128 on June 2, 1993 (date).

Describe any changes other than editing from proposed to adopted version:
Rules are adopted as proposed.

(5.2) EMERGENCY RULE ONLY

Pursuant to RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If yes, explain:

(6) Effective date of rule:

Permanent Rules

Emergency Rules

- 31 days after filing
- Other (specify) _____*
- Immediately
- Later (specify) _____

* (If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON

JUL 23 1993

TIME 1:10
DATE 93-16-017

NAME (TYPE OR PRINT)
John King

SIGNATURE
John King

TITLE
Acting Director

DATE
7-23-93

Chapter 16-219 WAC

Restricted Use Pesticides

WAC

- 16-219-010 Ziram--Bosc pears.
- 16-219-015 Restricted use pesticides--Mevinphos (Phosdrin).
- 16-219-020 Application requirements--Mevinphos (Phosdrin).
- 16-219-025 Restricted Entry Interval--Posting--Mevinphos (Phosdrin).
- 16-219-030 Training--Mevinphos (Phosdrin).

NEW SECTION

WAC 16-219-010 Ziram--Bosc pears. All dry formulations (such as wettable powders or water dispersible granules) of ziram labeled for use on pears are hereby declared state restricted use pesticides because of dermal effects to persons exposed while working in Bosc pear orchards.

(1) Growers shall observe the Environmental Protection Agency restricted entry interval or "re-entry interval" label requirements following any treatment with dry wettable formulations of ziram before entering or allowing persons to enter pear orchards without personal protective clothing.

(2) Any entry during the restricted entry interval shall follow the Environmental Protection Agency regulations that became effective October 20, 1992, regarding handler, farm worker safety, and early-entry handler requirements.

(3) After the restricted entry interval has passed, growers shall observe an additional period of time totalling fourteen days after an application before entering or allowing workers to enter Bosc pear orchards without personal protective clothing as defined below.

(4) For the purposes of this section, minimum personal protective clothing shall consist of: A long-sleeved shirt; long-legged pants; socks; and chemical resistant gloves.

NEW SECTION

WAC 16-219-015 Restricted use pesticides--Mevinphos (Phosdrin). For the purposes of WAC 16-219-015 through 16-219-030, all formulations of mevinphos (Phosdrin) are declared to be restricted use pesticides due to its acute toxicity. If any restriction in WAC 16-219-015 through 16-219-030 is in conflict with restrictions on the pesticide label, the most restrictive statement will apply.

NEW SECTION

WAC 16-219-020 Application requirements--Mevinphos (Phosdrin). The following restrictions apply to any application of mevinphos (Phosdrin) to pears or apples.

(1) A maximum of one pound active ingredient may be applied per acre per application.

(2) A minimum of seven days between applications shall be observed.

(3) Do not apply within ninety-six hours of harvest.

(4) An observer shall be present during all mixing and loading activities in order to furnish assistance in the event of an accident. The observer shall not be involved in the mixing or loading operation.

(5) Do not apply within one hundred feet of any inhabited building or public road.

(6) Do not apply when wind speeds exceed ten miles per hour.

(7) Do not apply when air temperature exceeds 80 degrees Fahrenheit.

(8) Do not apply with hand equipment.

(9) Human flaggers are prohibited during aerial application.

(10) The pilot making the application may not assist in the mixing and loading operation, but may act as the observer as required in subsection (4) of this section.

NEW SECTION

WAC 16-219-025 Restricted Entry Interval--Posting--Mevinphos (Phosdrin).

(1) Entry into a pear or apple orchard treated with mevinphos (Phosdrin) is prohibited for ninety-six hours after application: PROVIDED, That entry into the treated area may occur within the ninety-six hour interval if the person is wearing all the protective clothing required on the pesticide label for an applicator.

(2) Any time mevinphos (Phosdrin) is applied to pears or apples, the area being treated shall be posted with warning signs.

NEW SECTION

WAC 16-219-030 Training--Mevinphos (Phosdrin). (1) Any company registering

any formulation of mevinphos (Phosdrin) for use on apples or pears in Washington shall be responsible for ensuring that appropriate training in the safe use of mevinphos (Phosdrin) is made available. The training shall include, but not be limited to, the following information: Storage, handling, disposal, enclosed cabs, closed mixing/loading systems, poisoning symptoms/first aid, personal protective equipment, reentry and posting.