

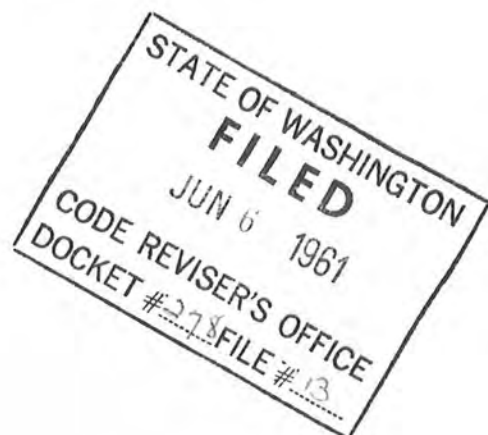
ORDER NUMBER 822 previously in effect, pursuant to a law repealed by the 1961 Legislature and pertaining to the use of agricultural pesticides, sprays and chemically treated materials in Yakima county is hereby adopted as an emergency order pursuant to those laws which shall become effective June 8, 1961; specifically Chapter 249, Laws of 1961 and which replace the laws under which this order previously existed. This is necessary for the immediate preservation of the economic health and general welfare. It is necessary that the order become effective immediately to provide the transition of the old and new laws in that Chapter 249 does not allow time for the usual hearing procedures for this order to become effective prior to the dates that the agricultural sprays will be applied.

I hereby certify that the attached order is a true and correct copy of that order adopted by the Department of Agriculture.



Joe Dwyer, Director.

Dated this 8th day of June, 1961.



STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 822

Supersedes Order No. 809

Effective March 3, 1961

A Regulation Relating to the Use of Chemicals and
Chemically Treated Materials in Yakima County

I, Joe Dwyer, Director of Agriculture, State of Washington, after public notice and hearing held at Prosser, Washington on November 17, 1960, by virtue of authority vested in me under Chapter 61, Session Laws of 1951, as amended by Chapter 261, Session Laws of 1953, Revised Code of Washington Chapter 17.20, do hereby amend Order No. 809 to read as follows:

Regulation 1. Area Under Order

All of Townships 7, 8, 9 and 10 North, Range 23 East, Townships 7 and 8 North, Range 22 East, except those portions lying within the boundaries of the Yakima Indian Reservation; all of Townships 10 and 11 North, Range 22 East, Township 11 North, Range 21 East, and those portions of Township 11 North, Range 20 East, Township 10 North, Range 21 East, and Township 9 North, Range 22 East lying north and east of the Yakima River in Yakima County.

Regulation 2. Type of Herbicides and Carriers Prohibited

The use or application of the herbicides known as 2,4-D, 2,4,5-T and M.C.P. or any formulation thereof with any other herbicides, chemicals, salts or water on any crops, shrubs or lands, except the amine, sodium or solubilized acid formulations or those ester formulations labeled as low volatile as authorized under the Federal Insecticide, Fungicide and Rodenticide Act, is prohibited in the area under order (Regulation 1) except for such specified use as defined in Regulations 6 and 7.

Dust formulations of any and all the materials or chemicals referred to in the above paragraph are prohibited in the entire area under order.

The use of oil type carriers is prohibited in the area under order at all times except:

1. For brush control only between November 1 and March 1 of the following year.
2. Oil type emulsifiers and oil type spreader stickers may be used when not in excess of one (1) pint per acre.

Regulation 3. Application Techniques

Aircraft application of the above described herbicides is prohibited in Sections 1 through 24, Township 8 North, all of Townships 9 and 10, Range 23 East, Sections 1, 11, 12, 13, 14, 15, 21, 22, 23 and 24, Township 8 North, Range 22 East, except those portions within the boundaries of the Yakima Indian Reservation. Those portions of Township 11 North, Range 20 East, Township 10 North, Range 21 East, and Township 9 North, Range 22 East lying north and east of the Yakima River in Yakima County. All of Townships 10 and 11 North, Range 22 East, Township 11 North, Range 21 East, except that hormone sprays may be applied to orchards to prevent fruit drop.

With ground equipment used within the above described area, the per acre application shall not be less than 15 gallons of water per acre including diluent and at a pressure not to exceed 35 pounds per square inch at the nozzle and with a wind velocity of not over 5 miles per hour and using precautions in regard to weather conditions and relation to susceptible crops.

Regulation 4. Formulations Prohibited

Within the area defined in Regulation 1, the use or application of the herbicides known as 2,4-D, 2,4,5-T or M.C.P. of the ester type labeled as low volatile is prohibited from a specified date until November 1 of the same year, except that these formulations may be applied to orchards as a hormone spray to prevent fruit drop, and except that a permit may be obtained from and issued by the State Department of Agriculture in cooperation with the County Extension Agent between these dates for ground equipment only and for control of weeds along canal banks and roadsides.

Regulation 5. Specified Date or Dates

The specified date or dates such as referred to in this order is that date that is to be determined by the State Department of Agriculture in consultation with local authorities and shall be as near as is possible to the date of bud break of grapes being grown in Yakima County. Notification of this date after which such operations that are applicable are so restricted shall be made by mailing a notice to each of the known wheat growers, and to each commercial operator working in the area, and announcement to the local newspaper, radio station and County Extension Agent.

Regulation 6. Area of Specified Use and Technique

Sections 25 through 36, Township 8 North, Range 23 East, Sections 25 through 36, Township 8 North, Range 22 East.

In that area described above, the use or application of 2,4-D, 2,4,5-T and M.C.P. or any formulations thereof with any other herbicides, chemicals, salts or water is restricted to the amine, sodium or solubilized acid formulations or those ester formulations labeled as low volatile except that after a specified date each year to November 1 of the same year, the low volatile shall also be prohibited, except a permit to apply the low volatile formulations within this area may be obtained from the State Department of Agriculture on the recommendations of the committee composed of the representatives of the National Grape Growers Association and that of the Yakima Wheat Growers Association in the event of a specific weed problem that may exist during the growing season.

The recommendations submitted shall specify the area or areas involved, the applicator or applicators and the approximate date of application insofar as possible.

Aircraft application of the herbicides described, and in the area described above, shall be with a minimum of 3 gallons of water or with appropriate gallonage of any approved carrier other than oil.

Applications by ground equipment in the area or areas and in the time specified, shall use a total per acre application of not less than 5 gallons of water, a pressure not to exceed 35 pounds per square inch at the nozzle and shall not operate when the wind velocity is over 5 miles per hour.

Regulation 7. Certain Formulations Permitted

Within the boundaries of the area under order, that area lying east of the

north and south line common to Ranges 21 and 22 East, and south of the Ridge Road and south and west of Glade Creek and north of the Yakima-Klickitat County line, the high volatile formulations of the herbicides previously described may be applied by ground equipment only, and previous to a specified date, by permit issued by the State Department of Agriculture, on the recommendations of the committee composed of representatives of the National Grape Growers Association and the Yakima Wheat Growers Association, in event of a specific weed problem that may exist during the growing season.

The recommendations submitted shall specify the area or areas involved, the applicator or applicators and the approximate date of application inasfar as possible.

Applications by ground equipment in the area or areas and in the time specified, shall use a total per acre application of not less than 5 gallons of water, a pressure not to exceed 35 pounds per square inch at the nozzle and shall not operate when the wind velocity is over 5 miles per hour.

Regulation 8, Restricts the Use of Airstrips

The loading and/or mixing of the herbicides known as 2,4-D, 2,4,5-T and M.C.P. or any formulation thereof with any other herbicides, chemicals, salts or water in aircraft for use and application is prohibited on any air strip, air field or any location within the area described in Regulation 1 of this order, except in the area where aircraft application is permitted under Regulation 3.

Aircraft carrying herbicides as described in the above paragraphs are prohibited from turning and/or low flying over farmsteads, windbreaks, orchards or cultivated crops belonging to any person other than the owner of the property being treated, except by permission of the person whose farmstead, windbreak, orchard or cultivated crop is involved within the area under regulation.

Regulation 9. Precautions to be Observed

No herbicides shall be used under circumstances where injury is likely to result to plants of value on property other than the property to be treated, either through drift of the herbicide during application or through subsequent movement of vapor or contaminated dust in the wind, nor at any time when the form of the herbicide, method of application, wind velocity and direction, nature of terrain, condition of surrounding crops, weather conditions or other circumstances, present exceptional risk of injury to crops.

Injurious herbicides or emptied containers thereof shall not be dumped or abandoned or stored or allowed to remain where plants of value are likely to be injured by vapor or by water flowing through or over the materials. Equipment used for injurious herbicides shall be cleaned so that no injurious residue remains before being used for any purpose whereby such residue might come in contact with susceptible crops or before being stored in any place where susceptible crops might be affected.

This order will remain in effect until superseded or amended.

/s/ JOE DWYER

Joe Dwyer
Director of Agriculture
State of Washington

Dated at Olympia, Washington
February 1, 1961