

FROM: AGRICULTURE  
(Name of Agency)

TO: CODE REVISER  
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)  
Olympia 98501

The enclosed Permanent rules  , being order No. 1281  
Emergency rules

relating to (Name of rules or description of subject matter)

Essential uses of DDT/DDD and placing all purchases  
of DDT/DDD on a permit basis.

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 3731<sup>①</sup> filed with the code reviser  
on 11/6/72<sup>②</sup> were regularly adopted as permanent rules of this  
(date)  
agency at Olympia, Wa. on 12/1/72 and are herewith  
(place) (date)  
filed in the office of the code reviser pursuant to chapter 34.04  
RCW. The effective date of such rules shall be 1/1/73.<sup>③</sup>

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of  
these rules is necessary for the preservation of the public  
health, safety, or general welfare and that observance of the  
requirements of notice and opportunity to present views on  
the proposed action would be contrary to the public interest,  
were regularly adopted as emergency rules of this agency at  
\_\_\_\_\_ on \_\_\_\_\_ and are herewith filed in  
(place) (date)  
the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter  
34.04 RCW and of the Open Public Meetings Act of 1971, chapter  
42.30 RCW (1971 ex.s. c 250) have been fulfilled.

Dated this \_\_\_\_\_ 1st \_\_\_\_\_ day of December 1972.

STATE OF WASH. N  
**FILED**  
DEC 1 1972  
CODE REVISER'S OFFICE  
KET # 4783 FILE # 25

AGRICULTURE  
(AGENCY)  
*Cameron S. Adams*  
By CAMERON S. ADAMS  
Title Acting Director

- ① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
- ② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
- ③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING: RCW 34.04.046. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.

STATE OF WASHINGTON  
DEPARTMENT OF AGRICULTURE  
Order No. 1281  
(Supersedes Order No. 1271)  
Effective January 1, 1973

AMD

WAC 16-223-004 PROMULGATION. (This promulgation relates to WAC 16-223-220, 221, 230, 240, and 250 and Order 1271).

I, Cameron S. Adams, acting 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 a public hearing held in Olympia, Washington, on November 27, 1972, do hereby promulgate the following regulations relating to essential uses of DDT and DDD for 1973.

AMD

WAC 16-223-220 ESSENTIAL USES OF DDT FOR 1973. The use and application of DDT shall be limited to those uses which have been declared as "essential uses" for the 1973 year, as provided for in Order No. 1137, WAC 16-223-040(2). The following uses on crops are determined to be essential for commercial plantings only:

Caneberries & Blueberries	Various weevils, especially woods weevil <u>Nenocestes incomptus</u> and obscure weevil, <u>Sciopethes obscurus</u> .
Strawberries	Various weevils, especially woods weevil <u>Nenocestes incomptus</u> and obscure weevil, <u>Sciopethes obscurus</u> .
Ornamentals	Weevils, leaf miners, and European pine shoot moth.
Cranberries	Weevils and cutworms.
Stone Fruits	Shot hole borer, climbing cutworms, army worms, and stink bugs.
Grapes	Cutworms, especially red back cutworm, <u>Euxoa ochrogaster</u> and variegated cutworm, <u>Peridroma saucia</u> .
Hops	Cutworms and loopers.
Potatoes	White grubs. To be used only on new land (not more than two years from virgin soil).
Dry Peas	Pea weevil and pea leaf weevil.
Aquatic Environments and Adjacent Areas	Permitted when determined by public health officials to be essential for the control of disease vectors, as provided in Order 1137, WAC 16-223-060.
Humans	Pediculoses (louse infestation) shall be allowed by doctors' prescription only.
Gypsy Moth	USDA may use DDT on recreational vehicles to enforce the Federal Domestic Quarantine Order No. 45, which provides for the use of micronized DDT - Carbaryl dust to be

applied by federal or state inspectors to the undercarriage of the vehicles, using the following precautions:

1. A skirt shall be attached around the base of the vehicle to prevent the DDT dust from entering the atmosphere.
2. A protective tarpaulin shall be placed on the ground under the vehicle to prevent the DDT from contacting the ground during application.

Mint

Cutworms and loopers.

Pome Fruits

Cutworms, Lygus bugs, stink bugs, and other cat-facing insects PROVIDED, That the department shall not authorize issuance of user permits for this use in any area unless the Washington State University Cooperative Extension Service has officially determined that there is an economic infestation of cutworms or one of the other cat-facing insects on pome fruit trees in that area, and has so notified the department.

AMD

WAC 16-223-221 ESSENTIAL USES OF DDD FOR 1973. The use and application of DDD shall be limited to those uses which have been declared as "essential uses" for the 1973 year as provided for in Order No. 1137, WAC 16-223-040(2). The following use is determined to be essential for commercial plantings only:

Caneberries & Orange tortrix, other leaf rollers, and  
Blueberries western fruit worm.

PROVIDED, That the department shall not issue user permits in any area unless the Washington State University Extension Service has determined that there is an economic infestation in that area.

AMD

WAC 16-223-230 PESTICIDE USER PERMITS AND PESTICIDE APPLICATOR EXEMPTION. DDT and/or DDD products shall be sold only through outlets licensed as pesticide dealers as provided for in Order No. 1137, WAC 16-223-050. No licensed pesticide dealer shall sell or distribute any formulation of DDT and/or DDD to any ultimate user unless such ultimate user has first obtained an annual user permit as provided for in Order No. 1272, WAC 16-222-160. PROVIDED, That 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.

AMD

WAC 16-223-240 DEALER AND APPLICATOR REPORTS REQUIRED.


(1) Licensed pesticide dealers shall submit to the State Department of Agriculture, Olympia, Washington by January 15, 1973; July 15, 1973; and January 15, 1974 a summation of the amount of DDT and/or DDD sold to ultimate users during the prior six months.

(2) Licensed pesticide applicators shall submit to the State Department of Agriculture, Olympia, Washington by January 15, 1973; July 15, 1973; and January 15, 1974 a summation of the amount of DDT and/or DDD that they applied during the prior six months.

AMD

WAC 16-223-250 RESTRICTED DISTRIBUTION. No seller or any other person shall make available to any person any DDT and/or DDD if said person states that he intends to use such DDT and/or DDD in conflict with the essential uses as listed in WAC 16-223-220.

I hereby certify that the foregoing is a true and correct copy of the regulations promulgated.

  
CAMERON S. ADAMS  
Acting Director of Agriculture  
State of Washington

Signed at Olympia, WA.

DATE: December 1, 1972