


Order 823 superseded by Order 881. See

File 13, Docket 439, filed 12/20/61.

ORDER NUMBER 823 previously in effect, pursuant to a law repealed by the 1961 Legislature and pertaining to the use of agricultural pesticides, sprays and chemically treated materials in Franklin county is hereby adopted as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. 823

Supersedes Order No. 797

Effective March 10, 1961

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

I, Joe Dwyer, Director of Agriculture, State of Washington, after public notice and hearing held at Kennewick, Washington on November 16, 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. 797 to read as follows:

Regulation 1. Area Under Order

Sections 1 and 12, Township 9 North, Range 28 East; Sections 3 through 9, 13 through 18 and 20 through 28, Township 9 North, Range 29 East; Sections 1, 12, 13, 24, 25 and 36, Township 10 North, Range 28 East; Sections 6, 7, 8, 15 through 22, 27 through 34, Township 10 North, Range 29 East and all lands comprising the Pasco Airport located north of the city of Pasco, Washington all lying in Franklin County.

Regulation 2. Prohibited Area

The use or application of the herbicides known as 2,4-D, 2,4,5-T and M.C.P. of the amine, sodium salt or ester type or any formulation thereof with any other herbicides, chemicals, oils, salts or water is prohibited in the following described area between the dates of March 1 and November 1 of each year: Sections 7, 8, 9, 13 through 18 and 20 through 28, Township 9 North, Range 29 East, all lying in Franklin County.

Dust formulations of any and all the materials or chemicals referred to in the above paragraphs are prohibited in the entire area under order (Regulation 1).

The use of the amine form of the above described herbicide impregnated in a wax block and employed solely for control of weeds in grass, shall not be construed as violation of the above regulation.

Regulation 3. Prohibits Aircraft Application

Aircraft application of the herbicides known as 2,4-D, 2,4,5-T and M.C.P. of the amine, sodium salt or ester type or any formulation thereof with any other herbicides, chemicals, oils, salts or water is prohibited in the entire area described in Regulation 1.

The loading and/or mixing of the herbicides known as 2,4-D, 2,4,5-T and M.C.P. of the amine, sodium salt or ester type, or any formulation thereof with any other herbicides, chemicals, oils, salts or water in aircraft or ground equipment for use or application is prohibited on any air strip, air field or on any location other than the property being treated within the area described in Regulation 1 of this order.

Regulation 4. Defines Certain Formulations in a Specific Area

In the area under order (Regulation 1) and outside the area of prohibition described in Regulation 2, the use and/or application of 2,4-D, 2,4,5-T and M.C.P. is restricted to the amine or sodium salt or the solubilized acid formulations between the dates of March 1 and November 1 of each year.

Regulation 5. Restrictions on Ground Equipment

Ground equipment used in 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, oils, salts or water in the area under order (Regulation 1) and outside the prohibited area (Regulation 2) shall use not less than 15 gallons including diluent; pressure not to exceed 35 pounds per square inch at the nozzle; shall not operate when wind velocity exceeds 5 miles per hour and no application be made on vegetation at greater than a 4 foot height from ground level.

Regulation 6.

Injurious herbicides or emptied containers thereof shall not be dumped or allowed to remain at any place where plants of value are likely to be injured by the vapor or by water flowing through or over the material. Equipment used for injurious herbicides shall not be stored or allowed to remain at any place where susceptible crops might be affected.

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 herbicides during applications or through subsequent movement of vapor or contaminated dust in the wind; nor at any time when the form of the herbicides, the method of application, the condition of surrounding crops, weather conditions, or other circumstances present exceptional risk of injury to crops.

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 8, 1961