

TRANSMITTAL OF RULES ADOPTED

FROM: AGRICULTURE
(Name of Agency)

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

The enclosed Permanent rules , being order No. 1157
Emergency rules

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

DDT - Essential Uses for 1971.

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

pursuant to Notice No. 2684 ^① filed with the code reviser
on 6/4/70 ^② were regularly adopted as permanent rules of this
(date)
agency at Olympia, Wa. on 6/30/70 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 8/1/70 ^③

(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.

Dated this 30th day of June 19 70

STATE OF WASHINGTON
FILED
JUN 30 1970
CODE REVISER'S OFFICE
KET # 21 - FILE # 22

AGRICULTURE
(AGENCY)
Donald W. Moos
By DONALD W. MOOS
DIRECTOR
Title _____

- 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 34.04.040. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA
ORDER NO. 1157
Effective August 1, 1970

NEW WAC 16-223-001 PROMULGATION. (This promulgation relates only to WAC 16-223-200 through WAC 16-223-250)

I, Donald W. Moos, director of agriculture of the state of Washington, by virtue of the authority vested in me under chapters 15.57 and 17.21 RCW, and due notice as provided under chapter 34.04 and 42.32 RCW, and a public hearing held in Olympia, Washington, on June 29, 1970, do hereby promulgate the following regulations relating to essential uses of DDT for 1971.

NEW WAC 16-223-200 DEFINITION. Dichlorodiphenyltrichloroethane is hereinafter referred to as DDT.

NEW WAC 16-223-210 DECLARATION. Any pesticide formulations containing DDT are hereby declared to be "restricted use pesticides" in the state of Washington because of their persistent characteristics, as provided for in the Washington Pesticide Act, Chapter 15.57 RCW, Section 15.57.020 (29) and the Washington Pesticide Application Act, Chapter 17.21 RCW, Section 17.21.020 (21).

NEW WAC 16-223-220 ESSENTIAL USES OF DDT FOR 1971. The use and application of DDT shall be limited to those uses which have been declared as "essential uses" for the 1971 year as provided for in Order No. 1137, WAC 16-223-040 (2). The following uses are determined to be essential for commercial plantings only:

Caneberries & Blueberries	Various weevils, especially woods weevil <u>Nenocestes incomptus</u> and obscure weevil, <u>Scio-pethes obscurus</u> .
Strawberries	Various weevils, especially woods weevil <u>Nenocestes incomptus</u> and obscure weevil, <u>Scio-pethes obscurus</u> .
Ornamentals	Weevils, leaf miners, and European pine shoot moth.
Cranberries	Weevils and cutworms.
Stone fruits	Shot hole borer, climbing cutworms, and army worms.
Grapes	Cutworms, especially red back cutworm, <u>Euxoa ochrogaster</u> and variegated cutworm, <u>Peridroma saucia</u> .
Hops	Cutworms, loopers.
Potatoes	White grubs. To be used only on new land (not more than two years from virgin soil).

Dry Peas

Pea Weevil

Humans

Pediculoses (louse infestation). By doctor's prescription only.

PROVIDED, That uses in aquatic environments and adjacent areas may be permitted when determined by public health officials to be essential for the control of disease vectors, as provided for in Order No. 1137, WAC 16-223-060.

NEW WAC 16-223-230 PESTICIDE DEALER LEDGER AND PESTICIDE APPLICATOR EXEMPTION. DDT products shall be sold only through outlets licensed as pesticide dealers as provided for in Order No. 1137, WAC 16-223-050. Effective January 1, 1971, no licensed dealer shall sell or distribute any formulation of DDT to any person without having such person first state in writing the following information on a ledger kept for such purposes and affixing his signature thereto:

- (a) Purchaser's name, address, and date of purchase.
- (b) Acreage and crop to be treated.
- (c) Pest to be controlled.
- (d) Rate of DDT formulation to be applied per acre.
- (e) Amount and formulation of DDT purchased.
- (f) Percent active ingredient of DDT.

PROVIDED, That a licensed pesticide applicator shall not be required to sign the ledger for purchase of DDT to be used by him in his operation as a pesticide applicator.

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


(1) Licensed pesticide dealers shall submit to the Washington State Department of Agriculture, Olympia, Washington, on July 15, 1971, October 15, 1971, and January 15, 1972, a summation of the 1971 ledger information required in WAC 16-223-230 (b), (c), (e), and (f).

(2) Licensed pesticide applicators shall submit to the Washington State Department of Agriculture, Olympia, Washington, on July 15, 1971, October 15, 1971, and January 15, 1972, a summation from their 1971 records of DDT applications similar information to that required in WAC 16-223-240 (1) on a form furnished by the department.

NEW WAC 16-223-250 RESTRICTED DISTRIBUTION. Effective January 1, 1971, no seller or any other person shall make available to any person any DDT if said person states that he intends to use such DDT 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.

Signed at Olympia, Wa.
Date: June 30, 1970


DONALD W. MOOS
Director of Agriculture
State of Washington