

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 882

Supersedes Order No. 822

Effective February 6, 1962

STATE OF WASHINGTON
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A REGULATION RELATING TO THE USE OF CHEMICALS AND
CHEMICALLY TREATED MATERIALS IN YAKIMA COUNTY

I, Joe Dwyer, Director of Agriculture of the State of Washington, by virtue of the authority vested in me under Chapter 17.21 RCW and Chapter 249, Laws of 1961, after due notice and public hearing held at Prosser, Washington on December 6, 1961 (Pursuant to 42.32.010 RCW and 34.04.020 RCW), do hereby establish the following Order:

Regulation 1. Chemicals on Restricted Use List. 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 are declared to be "Restricted Use Pesticides".

Regulation 2. Area or Areas Under Order. Area Number One (1). Township 14 North, Range 17 East, except that portion lying north and east of the Naches-Selah Canal; Township 14 North, Range 16 East, except that portion lying north and west of the Tieton River, all within Yakima County.

Area Number Two (2). All of Township 7 through 10 North, Range 23 East, Township 7 through 11 North, Range 22 East, Township 9, 10 and 11 North, Range 21 East, Township 10 and 11 North, Range 20 East, Township 10 and 11 North, Range 19 East, Township 10 and 11 North, Range 18 East, all within Yakima County.

Regulation 3. Type of Herbicides and Carriers Prohibited. In Area Number 1: The use or application of the herbicides known as 2,4-D, 2,4,5-T and M.C.P. or any formulations thereof with any other herbicides, chemicals, salts or water on any crops, shrubs or lands except the amine, sodium or solubilized acid formulations is prohibited in this area under order (Regulation 2).

In Area Number 2: 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 this area under order (Regulation 2) except for such specified use as defined in Regulations 8 and 9.

Dust formulations of any and all of the materials or chemicals referred to in the above paragraphs are prohibited in the areas under order.

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

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

Regulation 4. Application technique in Area Number 1. Aircraft applications of the herbicides permitted in the described area (Regulation 2) shall be with a minimum of five (5) gallons of water per acre or with an appropriate gallonage of any approved carrier other than oil, except that after the bud break of fruit trees in that area that may be affected and as determined by the fruit growers and interested wheat growers, aircraft application of herbicides will also be prohibited within one fourth (1/4) mile of any or all commercial plantings of fruit trees in this area.

Applications by ground equipment in this area shall be made with a total per acre application of not less than 5 gallons of water or with an appropriate gallonage of any approved carrier other than oil and with a pressure not to exceed 30 pounds per square inch at the nozzle.

Any and all applications in this area will be made with all the precautions as defined in Regulations 10 and 11.

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Regulation 5. Application Technique in Area Number 2. Aircraft application of the above described herbicides is prohibited in Sections 1 through 24, Township 8 North, all of Townships 9 and 10 North, Range 23 East, Sections 1 through 24, Township 8 North, all of Townships 9, 10 and 11 North, Range 22 East, Townships 9, 10 and 11 North, Range 21 East, Townships 10 and 11 North, Range 20 East, Townships 10 and 11 North, Range 19 East, Townships 10 and 11 North, Range 18 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 6. Formulations Prohibited. Within the area defined in Regulation 2, as Area Number 2, 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 7. Specified Date or Dates. The specified date or dates such as referred to in this order is that date or dates 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 or in adjacent counties. 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 the known commercial operators working in the area and announcement to the local newspaper, radio stations and County Extension Agent.

Regulation 8. 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 formulation 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 9. 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 insofar as possible.

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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 10. 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 areas described in Regulation 2 of this order, except in the areas where aircraft application is permitted.


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 11. 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.

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



JOE DWYER
Director of Agriculture
State of Washington

Signed at Olympia, Washington

January 5, 1962
