



Department of Agriculture
OLYMPIA

JOE DWYER
DIRECTOR

ALBERT D. ROSELLINI
GOVERNOR

December 27, 1963

Mr. Richard O. White
Code Reviser
Legislative Building
Olympia, Washington


Dear Mr. White:

State Department of Agriculture
Order No. 933, involving pesticide
regulations for Benton County, was
filed with your office on December 23,
1963.

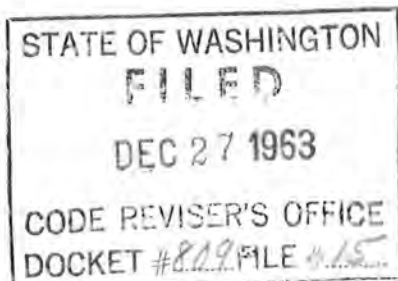
In the typing of the order, two
paragraphs setting forth the defini-
tions referred to in the title inad-
vertently were omitted.

Herewith is the revised first
page of the order containing the
omitted material. Please substitute
this revised page in Order No. 933.

Very Truly Yours,


Joe Dwyer
Director

JD:sc



STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 933

(SUPERSEDES ORDER NO. 900)

EFFECTIVE FEBRUARY 1, 1964

REGULATIONS PERTAINING TO THE USE OF HERBICIDES IN BENTON COUNTY

I, JOE DWYER, Director of Agriculture of the State of Washington, by virtue of the authority vested in me under Chapters 17.21 and 15.57 RCW, after due notice and public hearing held at Kennewick, Washington November 13, 1963 as provided under Chapters 42.32 and 34.04 RCW do hereby promulgate the following regulations relating to the use of growth regulating herbicides.

Regulation 1. Area Under Order, Restricted Use Herbicides, Prohibited Formulations and Definitions.

Area Under Order: All of Benton County except that portion lying within the boundaries of the Hanford Project.

Restricted Use Herbicides: All formulations of 2,4-D, 2,4,5-T, and MCP are by this order declared to be restricted use herbicides.

Prohibited Formulations: Use of high volatile ester formulations and all dust formulations of restricted use herbicides are prohibited in the entire area under order. The use of all oil type carriers, emulsifiers and spreader stickers are also prohibited: Provided, that oil type emulsifiers and spreader stickers may be used when not in excess of 1 pint per acre and from November 1 to April 1 oil type carriers may be used for brush control.

Definition: Specified Date. Specified date as referred to in this Order is that date 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 Benton County and/or 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 each of the known commercial applicators working in the area and an announcement to the local newspapers, radio stations, and County Extension Offices.

Definition: High Volatile Esters. High volatile esters are those formulations labeled as high volatile in Interpretation 17, Revision 1 of Title 7 under the Federal Insecticide, Fungicide, and Rodenticide Act.

Regulation 2. Area 1. (The city of Kennewick and vicinity). This area includes all the lands in Sections 29 through 36, Township 9 North, Range 29 East; Sections 1 through 6, 10 through 13 and those portions of Sections 7, 8, 9, 14, 15, 23, and 24 lying north and east of the K.I.D. Canal, Township 8 North, Range 29 East; Sections 4 through 10, 14 through 28, 35, 36 and those portions of 29, 30, 32, 33 and 34 lying north and east of the K.I.D. Canal, Township 8 North, Range 30 East.

Area 1. (Restrictions) The use or application of the herbicides known as 2,4-D, 2,4,5-T, and MCP or any formulation thereof is restricted to the amine and sodium or solubilized acid formulations, by ground equipment only, on any crops, shrubs, or lands.

Regulation 3. Area 2. (Prosser, Benton City, and Kiona Area). This area includes all lands in Sections 1 through 12, and 15 through 19, Township 8 North, Range 24 East; Sections 5, 6, and 7, Township 8 North, Range 25 East; All of Township 9 North, Range 24 East; Sections 1 through 34, Township 9 North, Range 25 East; Sections 1 through 24, Township 9 North, Range 26 East; and all of Township 9 North Range 27 East.

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STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 933

(SUPERSEDES ORDER NO. 900)

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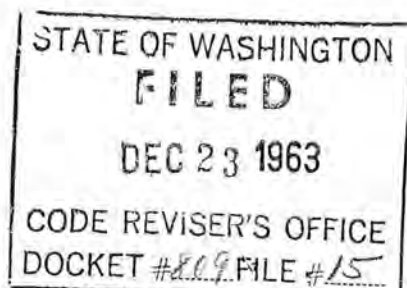
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Area 1. (Restrictions) The use or application of the herbicides known as 2,4-D, 2,4,5-T and MCP or any formulation thereof is restricted to the amine and sodium or solubilized acid formulations, by ground equipment only, on any crops, shrubs, or lands.

Regulation 3. Area 2. (Prosser, Benton City, and Kiona Area). This area includes all lands in Sections 1 through 12, and 15 through 19, Township 8 North, Range 24 East; Sections 5, 6, and 7, Township 8 North Range 25 East; All of Township 9 North, Range 24 East; Sections 1 through 34, Township 9 North, Range 25 East; Sections 1 through 24, Township 9 North, Range 26 East; and all of Township 9 North, Range 27 East.



Area 2. (Restrictions) The use or application of the herbicides known as 2,4-D, 2,4,5-T, and MCP or any formulation thereof is restricted to the liquid form of the amine and sodium or solubilized acid formulations on any crops, shrubs, or lands by ground equipment only: Provided, that low volatile esters may be used from November 1 to the specified date of the following year.

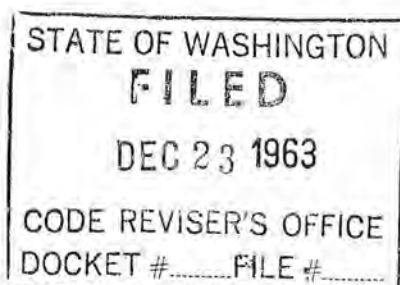
Regulation 4. Ground Equipment Restrictions, Areas 1 and 2. In areas 1 and 2, a minimum of 10 gallons of water as carrier per acre must be used. Spray equipment must be equipped with nozzles having a minimum orifice diameter of 0.036 inches. Pressure for ground rigs must not exceed 35 pounds per square inch at the nozzles.

Regulation 5. Area 3. (Buffer zone surrounding Prosser, Benton City, Kiona and Kennewick areas). Sections 19 through 36, Township 10 North, Range 24 through 27 East; Sections 13, 14, and 20 through 36, Township 8 North, Range 24 East; Sections 1 through 4, 8 through 12, 15 through 22, Township 8 North, Range 25 East; Sections 1 through 12, Township 8 North, Range 26 East; Sections 25 through 36. Township 9 North, Range 26 East; Sections 1 through 16, 21 through 25 and 36 Township 8 North, Range 27 East; Sections 1, 2, 11, and 12, Township 7 North, Range 28 East; All of Township 8 North, Range 28 East; Those portions of Townships 8 and 9 North, Range 28 East, lying south and west of the Yakima River; Sections 1 through 12, Township 7 North, Range 29 East; Sections 15 through 22, 25 through 36 and those portions of Sections 7, 8, 9, 14, 15, 23 and 24 lying south and west of the K.I.D. Canal, Township 8 North, Range 29 East; Sections 1 through 12, Township 7 North, Range 30 East; Sections 31 and those portions of 29, 30, 32, 33, and 34 lying south and west of the K.I.D. Canal, Township 8 North, Range 30 East; and those portions of Sections 5 through 8, Township 7 North, Range 31 East lying in Benton County.

Area 3. (Restrictions) The use or application by ground or aircraft equipment of the herbicides known as 2,4-D, 2,4,5-T and MCP is restricted to the liquid forms of the amine and sodium or solubilized acid formulations: Provided, that low volatile esters may be used from November 1 to the specified date of the following year.

Ground applications shall be made with a minimum of 8 gallons of water per acre and ground equipment must be equipped with nozzles having a minimum orifice diameter of 0.031 inches between November 1 and the specified date of the following year. Between the specified date and November 1 of each year, ground application shall be made with a minimum of 10 gallons of water per acre and ground equipment must be equipped with nozzles having a minimum orifice diameter of 0.036 inches. Pressure for ground rigs must not exceed 35 pounds per square inch at the nozzles.

Aircraft applications shall be made with a minimum of 3 gallons of water per acre and aircraft must be equipped with nozzles having a minimum orifice diameter of 0.125 inches, directed downward or backward 90 degrees or more from the direction of flight, between November 1 and the specified date of the following year. Between the specified date and November 1 of each year aircraft application shall be made with a minimum of 5 gallons of water per acre and aircraft must be equipped with nozzles having a minimum orifice diameter of 0.156 inches, directed downward or backward 90 degrees or more from the direction of flight.



Regulation 6. Area 4. The remainder of Benton County including the area north of the buffer zone and the Horse Heaven Hills.

Area 4. (Restrictions) The use or application by ground or aircraft equipment of the herbicides known as 2,4-D, 2,4,5-T and MCP is restricted to the liquid forms of the amine, sodium or sêlubilized acid formulations, and those ester formulations labeled as low volatile.

Ground Application shall be made with a minimum of 8 gallons per acre. Spray equipment must be equipped with nozzles having a minimum orifice diameter of 0.031 inches. Pressure for ground rigs must not exceed 35 pounds per square inch at the nozzles.

Aircraft application shall be made with a minimum of 3 gallons of water per acre and aircraft must be equipped with nozzles having a minimum orifice diameter of 0.125 inches, and directed downward or backward 90 degrees or more from the direction of flight.

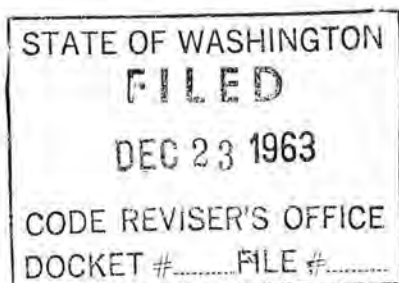
Regulation 7. Restrictions on the sale of low volatile ester formulations of restricted use herbicides. All Pesticide Dealers located within areas 1, 2, and 3 who sell the low volatile ester formulations of 2,4-D, 2,4,5-T, and MCP in broken case lots, containing packages of one gallon or less, must maintain a ledger which shall be signed by any purchaser of such low volatile ester formulations, showing that the customer is aware of restrictions on the use of low volatile ester formulations in the area in which the herbicide will be applied. This ledger must contain the following: specific name of the pesticide, amount purchased, date of purchase, and name and address of purchaser. The Director of Agriculture shall have access to these records at any reasonable time.

Regulation 8. Restrictions on the Use of Airstrips. The loading and/or mixing of restricted use herbicides is prohibited on any airstrip, airfield or any location within areas 1 and 2 described in Regulation 2 and 3 and turning and/or low flying over areas 1 and 2 is also prohibited when loaded with these herbicides, or prior to thoroughly cleaning equipment following use of these herbicides.

Aircraft carrying restricted use herbicides are prohibited from turning and/or low flying over farmsteads, windbreaks, orchards, or susceptible 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 susceptible crop is involved, within the area under regulation.

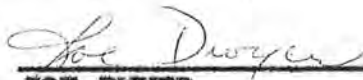
Regulation 9. Disposal of Restricted Use Herbicides and their containers. Restricted use herbicides or emptied containers shall not be dumped or abandoned or allowed to remain at any place where plants of value are likely to be injured by the vapor or by water flowing through or over the material. Equipment used for restricted use herbicides shall not be stored or allowed to remain at any place where susceptible crops might be affected.

Regulation 10. Wind and Weather Conditions. Spraying of herbicides permitted as set forth in this order by ground or aerial equipment shall not be allowed when the mean sustained wind velocity is



over 7 miles per hour from any direction. Even though wind velocity is within the limits allowable for spraying, restricted use herbicides shall not be applied if other weather conditions are such that damage could result to adjacent and nearby towns, susceptible crops and plantings through physical drift or volatilization.

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



JOE DWYER
Director of Agriculture
State of Washington

Signed at Olympia, Washington

Date: December 23, 1963

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