



**RULE-MAKING ORDER**  
(RCW 34.05.360)

**CR-103** (7/1/89)

Agency: Department of Agriculture	<input type="checkbox"/> Permanent Rule <input checked="" type="checkbox"/> Emergency Rule
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(1) Date of adoption: August 25, 1989

(2) Purpose: A restriction of the use of daminozide to allow for use on food crops only under permit.

(3) Citation of existing rules affected by this order: WAC 16-228-610 through 16-228-625  
 Repealed:  
 Amended:  
 Suspended:

(4) Authority for adoption:  
 Statute: RCW 17.21 and RCW 15.58  
 Other Authority:

(5.1) **PERMANENT RULE ONLY**  
 Pursuant to notice filed as WSR \_\_\_\_\_ on \_\_\_\_\_ (date).  
 Describe any changes other than editing from proposed to adopted version:

(5.2) **EMERGENCY RULE ONLY**  
 Pursuant to RCW 34.05.350 the agency for good cause finds:  
 (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.  
 (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.  
 Reasons for this finding: Restriction of the use of daminozide by permit and filing of records of use is needed to determine the amount of daminozide applied in the state of Washington.

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?  
 Yes  No If yes, explain:

(6) Effective date of rule:

<b>Permanent Rules</b>	<b>Emergency Rules</b>
<input type="checkbox"/> 30 days after filing	<input checked="" type="checkbox"/> Immediately
<input type="checkbox"/> Other (specify) _____ *	<input type="checkbox"/> Later (specify) _____

\*(If less than 30 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

**CODE REVISER USE ONLY**  
 CODE REVISER'S OFFICE  
 STATE OF WASHINGTON  
 FILED

AUG 25 1989

TIME: 10:04 AM

WSR 89-18-008

NAME (TYPE OR PRINT) John Daly	
SIGNATURE 	
TITLE Acting Director	DATE 8/25/89

NEW SECTION

WAC 16-228-610 Daminozide--Restricted use pesticide. Daminozide (Alar, B-Nine), labeled for use on food crops, is hereby declared to be a restricted use pesticide, and shall be applied only under the direct supervision of a certified applicator who has obtained a permit from the department.

NEW SECTION

WAC 16-228-615 Daminozide--Distribution. (1) Distribution of daminozide shall be only by pesticide dealers who are currently licensed with the Washington State department of agriculture.

(2) Dealers shall distribute daminozide as restricted by WAC 16-228-610 only to certified (licensed) applicators who have obtained a permit from the department for use on the crop specified.

(3) Dealers shall keep records of every distribution of daminozide restricted to use under the direct supervision of certified applicators, which shall at the minimum contain the following information:

(a) Purchaser's name, address, certification (license) number, and Washington State department of agriculture permit number. If the purchaser is a commercial applicator or another person other than the grower, the name and address of the grower shall also be recorded;

(b) Number of acres and crop to be treated;

(c) Product name(s) and EPA registration number(s);

(d) Quantity of daminozide distributed;

(4) Dealers shall send a copy of the daminozide distribution records specified in subsection (3) of this section within fourteen days following distribution to the: Washington State department of agriculture, Chemical and Plant Division, Ag Chemical Branch, 406 General Administration Building AX-41, Olympia, Washington 98504.

(5) Dealers shall retain a copy of daminozide distribution records specified in subsection (3) of this section for a period of seven years.

NEW SECTION

WAC 16-228-620 Daminozide--Permits. (1) Certified (licensed) applicators shall obtain a permit from the department prior to use or purchase of daminozide labeled for food crops. Application for permits shall, at the minimum, contain the following information:

(a) Name, address and telephone number of grower;

(b) Name, address, telephone number and certification (license) number of certified applicator who will supervise the application of daminozide;

(c) Proposed rate(s) of application;

(d) Crop and number of acres to be treated;

(e) Pounds of daminozide to be purchased;

(f) Quantity of daminozide already in the grower's possession;

(g) Other information required on the permit form.

(2) Permits to apply daminozide will be limited to pounds necessary to treat this season's crop.

(3) Permits may be obtained by contacting the Washington State department of agriculture, Ag Chemical Branch, 2015 S. 1st Street, Yakima, Washington 98903, phone (509) 575-2746.

#### NEW SECTION

WAC 16-228-625 Daminozide--Applicator records. (1) Certified applicators applying daminozide shall keep records in accordance with RCW 17.21.100. A copy of the application records shall be furnished to the department at the following address within fourteen days following an application to any food crop: Washington State department of agriculture, Pesticide Management Division, Ag Chemical Branch, 406 General Administration Building AX-41, Olympia, Washington 98504.