

## **SUMMARY OF PESTICIDES WITH ADDITIONAL RESTRICTONS IN ARKANSAS**

**(This is not a complete copy of the rules, but a summary)**

### **Class F-All 2,4-D and 2,4-D containing pesticides, MCPA**

**2,4-D-Cutoff date, buffer zone, temperature restrictions, wind speed restriction, and permit exemption.**

**Enlist-2,4-D not all 2,4-D restrictions apply, wind speed restriction, wind direction restriction, and training requirement.**

- No product with this designation may be applied within the 1/4 mile of susceptible crops at any time except as otherwise indicated by this regulation.
- From April 16<sup>th</sup> through September 15<sup>th</sup> of each year, the following conditions shall apply:
  - Pesticides labeled for agricultural use that contain the active ingredient(s) assigned to this Class, may not be applied by ground or air in Clay, Greene, Craighead, Poinsett, Cross, Crittenden, St. Francis, Lee, Phillips, and Mississippi Counties.
  - Where no viable alternative is believed to exist, an annual permit may be obtained from the Plant Board to allow an exemption to these restrictions. Said permit must be obtained prior to application and will require a permit application fee in the amount of \$100. The application for the permit must be on forms authorized by the Plant Board. This exemption is conditioned on the producer complying with the following requirements:
- In the remainder of the State the following conditions shall apply:
  - A buffer zone between the field to be treated and susceptible crops (susceptible crops is cotton when applying 2,4-D containing products) of four (4) miles for aerial application and one (1) mile for ground application shall be maintained.
  - Applications made within four (4) miles of susceptible crops must be done when the wind is blowing at least two (2) miles per hour away from the susceptible crop.
  - Applications may be made within the applicable buffer zones if the owner or supervisor of the sprayed or treated field has obtained a waiver from the producers of all susceptible crops within the buffer zone. The waiver shall be developed by the Plant Board and provided to said producers by the owner or supervisor of the sprayed or treated field. A copy of the waiver must be provided to the applicator who sprays or treats the field. The applicator shall retain the record for a period of three (3) years. When making an application within the applicable buffer zone, at the time of application, the wind must be blowing away from susceptible crops.

- The wind velocity during the application shall not exceed eight (8) mph and the temperature may not exceed 90 degrees F.
  - For applications made before noon, the air temperature at the field of application at the beginning of the application must be a minimum of three (3) degrees Fahrenheit above the morning low measured at the applicator's air strip or mixing/loading facility. If the applicator has knowledge that the temperature measurement at his/her air strip or mixing/loading facility would not be the same as a reading taken at the same time at the field of application, then all temperature readings must be taken at the field of application.
  - For applications made after noon, the temperature at the field of application must not have decreased more than five (5) degrees Fahrenheit from the afternoon high measured at the applicator's air strip or mixing/loading facility. If the applicator has knowledge that the temperature measurement at his/her air strip or mixing/loading facility would not be the same as a reading taken at the same time at the field of application, then all temperature readings must be taken at the field of application.
- Enlist Exemption
  - Dow Agro-Sciences' products identified as Enlist One and Enlist Duo - premix of glyphosate and 2,4-D Choline may be used on Enlist Weed Control System soybeans, cotton, and corn. All Plant Board restrictions on 2,4-D containing products will apply except the following:
    - Section XI(C), and
    - Section XI(D)(1), and
    - Section XI(D)(2), and
    - Section XI(D)(3), and
    - Section XI(G), andThe application window in Section XI(D) shall not apply.
  - In addition to all product label requirements, the following conditions apply:
    - At the time of application, the wind must be blowing away from adjacent sensitive areas and non-target susceptible crops as identified by the product label.
    - The wind speed during the application may not exceed 10 mph.

- The volume median diameter (VMD) of the spray droplets must be greater than 300 microns.
- Tank mixes will not be permitted unless research data, from a source acceptable to the Plant Board, is provided. This data must prove that the mix, when applied according to the product label and state restrictions, does not increase the driftable fines (those less than 200 microns) by more than 10% over that of the product alone. However, there will be a limit of no more than 10% of the total mix's droplets to be smaller than 200 Microns. This tank mix requirement may be waived in part or in whole by the Plant Board if no entity can be identified as an acceptable source for development of the data.
- Where the product label is more restrictive than the Plant Board's restrictions, then the label must be complied with.
- Ground applications of products with this classification shall not be made to Enlist seed technologies without Commercial, Non-Commercial, and Private Applicators first completing New Technology Certification training. New Technology Certification training must be obtained through the Cooperative Extension Service. Upon request proof of training must be provided to the Plant Board.

**Class G Glyphosate containing products packaged in containers one (1) gallon or larger, labeled for agricultural use, and used in row crop and rice production and commercial right-of-way treatment**

**Wind restrictions 10mph or 15 with hooded sprayer**

- Class G products may not be applied in winds greater than 10 miles per hour, 15 miles per hour if using a commercially available hooded sprayer. However, if the product label indicates a lesser wind speed should be used, then that wind speed must be used.

## **Class H all pesticides containing dicamba**

### **Cutoff date, exemption for non-ag use, permit for Arkansas land east of the Mississippi river, buffer zone requirements, and training requirements.**

#### Dealer Requirements:

1. Before selling, offering for sale, or distributing pesticides with this designation in packages of more than one quart, a dealer must be a licensed Restricted Use Pesticides dealer. A dealer may sell, offer for sale, or distribute only those pesticides that are registered in the State.
  2. Each branch of a license holding dealer which also sells or distributes these products must have a dealer's license. Firms or distributors who take orders for these products must secure a dealer's license, even though the order is placed with a dealer or manufacturer who holds a license, and even though no profit is made.
  3. Dealers must keep a record of each sale or distribution of products with this designation to commercial, non-commercial, private applicators or dealers in containers of more than one (1) quart on forms available from or approved by the Plant Board. Entries in the record shall be made at the time of sale or distribution and shall include the date of the purchase, the name, address and license or permit number of the purchaser and the name and address of the delivery location. The complete brand name and quantity of the product shall also be recorded. These records shall be kept by the dealer for two years from the date of sale and be made available for inspection by the Plant Board or its representative upon request.
  4. The sale or distribution of products with this classification in containers of more than one (1) quart to any firm or person other than a dealer or applicator holding a current and valid license or permit is prohibited. Dealer must have a copy of the applicator's license on file.
  5. Non-residents of Arkansas shall designate and maintain a resident agent in this state for service of process.
- B. Requirements For Commercial, Non-Commercial, and Private Application of Dicamba Containing Pesticides:
1. From May 26<sup>th</sup> through October 31<sup>st</sup> of each year, applications of products labeled for agriculture use that contain dicamba are prohibited except applications made:
    - a. for turf, ornamental, direct injection for forestry activities and home use are allowed year round;

- b. for pasture and rangeland are allowed year round. However, such applications must maintain buffers required in Section 2; or
  
- c. pursuant to a special permit for Arkansas land east of the Mississippi river levee may be allowed if all of the following requirements are met. In no event will a special permit be issued for applications made more than 45 days (soybeans) or 60 days (cotton) after planting.
  - i. The permit must be obtained prior to application and will require a permit application fee in the amount of \$100. The application for the permit must be on forms authorized by the Plant Board. The permit will expire on December 31<sup>st</sup> of each year. Applications for the permit must be submitted to the Plant Board, no later than 10 business days prior to application and contain the following information.
    - aa. Name, farm entity, mailing address, county of each field of application, and phone number of individual applying for permit;
  
    - bb. Field name, GPS latitude and longitude coordinates at the primary entrance of each field to be sprayed provided in decimal degrees;
  
    - cc. Planting date of each field;
  
    - dd. Crop planted and acres of each field;
  
    - ee. Distance from and direction to any susceptible non dicamba tolerant crops;
  
    - ff. Number of prior in crop dicamba applications made to each field to date;

- gg. Information (other than cost) sufficient detail to allow Plant Board staff to determine that alternative pesticides will not be practical at this location.
  - ii. During application a 1 mile buffer zone from non-dicamba tolerant crops must be maintained.
  - iii. Within ten days of the date of pesticide application, records required by the federal label must be submitted to the Plant Board.
- 2. From April 16<sup>th</sup> through May 25<sup>th</sup> all applications for in crop agricultural use:
  - a. Must maintain a one (1) mile buffer, in all directions, from University and USDA research stations, certified organic crops, and commercially grown specialty crops (defined as a minimum of 1,000 plants or the average annual crop sales for the previous three-years exceeding \$25,000).
  - b. Are prohibited from using tank mixes of products containing the active ingredient Glyphosate mixed with pesticides containing the active ingredient dicamba labeled for in crop use.
  - c. During application a ½ mile buffer zone in all directions from non dicamba-tolerant crops must be maintained.
- 3. From April 16<sup>th</sup> through October 31<sup>st</sup>, applications of pesticides labeled for agricultural use that contain the active ingredient dicamba are prohibited for pre-plant (burndown) applications except for:
  - a. From April 16<sup>th</sup> through May 25<sup>th</sup>, pesticides labeled for in crop agricultural use, by ground that contain the active ingredient dicamba and allow for the pre-plant (burndown) applications may be applied. However, such applications must maintain the requirements of buffers required in Section B.2.
- 4. Training Requirements:

- a. Applications of products with this classification to dicamba-tolerant crops shall not be made without Commercial, Non-Commercial, and Private Applicator, first completing dicamba specific training provided by a registrant of a dicamba product for use on dicamba tolerant crops. Upon request proof of training must be provided to the Plant Board.
- b. Applications of products with this classification to non-dicamba crops or pasture and rangeland shall not be made without Commercial, Non-Commercial, and Private Applicators first completing New Technology Certification training. New Technology Certification training must be obtained through the Cooperative Extension Service. Upon request proof of training must be provided to the Plant Board.
- c. Applicators must provide the proof of training required by paragraph 4 to Pesticide Dealers prior to purchase.

5. Record Keeping Requirements:

Applicators must maintain records of each application of products with this designation. Said records must be retained for a period of three (3) years and be available for inspection by a Plant Board representative. The records shall include at a minimum the following information:

- a. Name and address of the person(s) in control of the crops, plant, etc;
- b. Location of the crop, plants, etc. treated. Location description must include county, nearest town, physical address if available, and GPS reading or map coordinates of the primary entrance to the field;
- c. Date, start and ending time of the application;
- d. Wind speed and direction at the start and ending time of the application and type of instrument used to measure wind speed and direction. The location of instrument at time of reading (preferably "field of application") must also be recorded;
- e. Complete brand name and EPA registration number of the material used;

- f. Number of acres and type of crop to which the material was applied;
- g. Type of equipment used. If the product was applied by a commercial applicator, record the Firm's Application Equipment number assigned to the equipment used by the Plant Board; and
- h. Name of the application vehicle operator.

C. Exemptions:

1. The licensing requirements of these rules do not apply to the U. S. Department of Agriculture, the Arkansas Experiment Stations and other State or Federal Agencies, to ornamental and turf weed control, or to company demonstrations with ground equipment, or to sales of fertilizer, soil conditioners or similar products containing registered products with this designation and packaged for home use.
2. Products with the designation that are not designated as restricted use products by the Environmental Protection Agency may be purchased from an Arkansas pesticide dealer for use outside the state of Arkansas without the dealer having to have a dealer's license or the purchaser having an applicator's license.
3. Commercial, Non-Commercial, and Private Applicators that can provide proof of current certification and licensing from another State may purchase restricted use pesticides from a restricted use pesticide dealer licensed in Arkansas if the product is to be used outside of Arkansas.



**Quinclorac**

**Wind speed restrictions and ground and air buffer zones**

**Quinclorac Use Restrictions**

1. The buffer zones in the table below shall apply to Quinclorac herbicide applications:

Herbicide Treatment Options	Application Equipment	Buffer Zones	
		When winds are blowing in the direction of incorporated towns or commercial plantings of the solanaceae family.	When winds are NOT blowing in the direction of incorporated towns or commercial plantings <sup>1</sup> of the solanaceae family.
a. Water diluted spray of Quinclorac herbicide tank-mixed with emulsifiable concentrate (EC) formulation herbicides such as:  ·Stam M-4 EC    ·Arrosolo 3+3 EC ·Propanil EC    ·Ordram 8E ·Abolish 8E    ·Bolero EC	Aircraft Spray  Wind Speed 3 to 8 mph	4 miles	1 mile
	Ground Spray  Wind Speed 3 to 8 mph	1 mile	1/2 mile
b. Water diluted spray of Quinclorac herbicide applied in water alone or tank-mixed with emulsifiable concentrate formulation free herbicides such as:  ·Stam 80EDF            ·Basagran ·Terra Propanil 80DF    ·Blazer ·Wham EZ, Super Wham    ·Storm ·Pentagon 60 WDG        ·Londax	Aircraft Spray  Wind Speed 3 to 8 mph	1 mile	1 mile
	Ground Spray  Wind Speed 3 to 8 mph	1/2 mile	1/2 mile

1. Exemption: In areas where cities have annexed blocks of agricultural land, water diluted sprays of Quinclorac may be used within or adjacent to the city limits, provided the application site is no closer than 1/2 mile to subdivisions when using ground equipment or 1 mile to subdivisions when using aircraft and no closer than 1/4 mile to established plants of the solanaceae family or established/emerged cotton.

2. No water diluted spray of Quinclorac herbicide shall be applied closer than 1/4 mile by any means to established/emerged cotton, noncommercial plantings of the solanaceae family, or closer than 1/2 mile by aircraft if the wind is blowing in the direction of such plants.
3. No water diluted spray of Quinclorac herbicide shall be applied closer than 1 mile by aircraft or 1/2 mile by ground equipment to established, certified commercial plantings of the solanaceae family (>1,000 plants each kind) statewide.
4. In addition to the above statewide requirements, the following additional restrictions shall apply to Poinsett County.
  - a. No water diluted spray of Quinclorac herbicide shall be applied in an area from one mile west of Highway #1 to one mile east of Highway #163 from the Craighead-Poinsett County line to the Cross-Poinsett County line.
  - b. Water diluted spray of Quinclorac herbicide shall be applied only by ground equipment in the area of Poinsett County from one mile west of Highway #1 to two miles west of Highway #1 and only by ground equipment in the area of Poinsett County from one mile east of Highway #163 to Ditch #10, from the Craighead-Poinsett County line to the Cross-Poinsett County line.
  - c. No water diluted spray of Quinclorac herbicide shall be applied within 1/2 mile with ground equipment or 1 mile by aircraft of commercial plantings of the solanaceae family and towns. This buffer is extended to one mile for ground application and two miles for aerial application when Quinclorac herbicide is mixed with emulsifiable concentrate formulation herbicides.

The buffer zones defined in paragraph one (1) (b) shall apply to tank mixes of water diluted sprays of Quinclorac and EC products for which the EC manufacturer has provided the Plant Board with atomization study data from a research entity acceptable to the Plant Board that shows that the product does not produce more "fines" (percent of total spray volume in droplets <105µm) than water.

5. All applications of Quinclorac shall be made in accordance with the applicable drift minimization recommendations of the Spray Drift Task Force.
6. Both air and ground application equipment shall be set up for application of Quinclorac in such a way that generation of spray droplets less than 105 microns in size is less than 5% of the total volume. The spray nozzle size classification must be designated as "coarse" by the British Crop Protection Council.
7. Quinclorac may not be sold to persons that do not possess a current Private, Commercial or Non-Commercial Applicator's License.

**Clomazone 24 C**

**Command 24 C label includes buffer zones and wind restrictions**

Do not apply Command 3ME herbicide within 1,200 feet of the areas listed below:

Towns and Housing Developments

Commercial Vegetable Production (except peppers, pumpkins, succulent peas, sweet corn, sweet potato and winter squash)

Commercial Fruit / Nut Production

Commercial Nurseries

Commercial Greenhouses

Do not make applications of Command 3 ME herbicide when spray particles may be carried by air currents to areas where desirable crops and plants are growing, or when temperature inversions exist. Applicator must determine that wind direction is blowing away from desirable crops and plants before making application.

Prior to application, adjacent properties not owned or leased by the USER of Command 3ME must be checked for desirable plants such as in home gardens or yards and applications within 300 feet of any such desirable plants must be avoided.