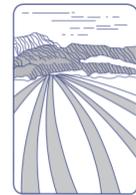




PESTICIDE ADVISORY
Permanent Rule Impacting the Use of
Aminocyclopyrachlor on Specific Sites



On May 9, 2019, the Oregon Department of Agriculture (ODA) adopted OAR 603-057-0392, a permanent rule limiting the use of the herbicide aminocyclopyrachlor (ACP) on certain sites and prohibiting the use on others.

Limiting Use

This rule prohibits the application of any product containing ACP on natural areas; restoration areas; marshes; swamps; bogs; wetlands; certain right-of-way (ROW) areas; and in certain proximity to greater sage-grouse areas, unless all of the following conditions are met:

- (a) Applications are noncontiguous and, in the aggregate, do not exceed more than five percent of an acre;
- (b) Use is limited to one application per 365 days per treated area; and
- (c) Use is to control state - or county-listed noxious weeds.

Prohibiting Use

This rule prohibits the application of any product containing ACP where the roots of nontarget trees or shrubs may extend and on the inner or outer banks of ditches or canals. It prohibits all aerial application of any product containing ACP. It also prohibits allowing or providing plant materials (including sawdust, bark or other byproducts from trees) that have been treated with or otherwise exposed to ACP for use in compost, mulch or animal bedding that is subsequently used for compost or mulch.

Why is ODA taking this action?

There are several locations where ponderosa pine, lodgepole pine, and possibly other valuable tree species have been negatively impacted by the herbicide ACP. This herbicide was applied to certain ROW sites for weed control. The U.S. Forest Service has identified at least 2,100 dead or dying trees along Highway 20 near Sisters. Some of these trees are old-growth ponderosa pines that are 150-300 years old. These measures are being taken in an abundance of caution to protect Oregon's natural resources.

What happens if you apply ACP contrary to the rule?

Failure to comply with OAR 603-057-0392 may result in a number of enforcement actions, including, but not limited to, license suspension or revocation, or imposition of a civil penalty. This rule is effective May 9, 2019, and there is no expiration date.

Which products contain ACP?

In the past, ACP products were marketed by DuPont; these products are now marketed by Bayer. The DuPont products are no longer registered for sale or distribution in Oregon; however, they can be used in accordance with this rule. Use of any new future products containing ACP will be also be impacted by this rule.

Examples of Herbicide Products that Contain Aminocyclopyrachlor (ACP)	
Bayer/Perspective Herb., EPA Reg. No. 432-1569	Bayer/Streamline Herb., EPA Reg. No. 432-1570
Bayer/Method 240SL Herb., EPA Reg. No. 432-1565	Bayer/Viewpoint Herb., EPA Reg. No. 432-1580
Bayer/Method 50SG Herb., EPA Reg. No. 432-1566	

For additional information or questions, contact ODA at (503) 986-4635, or email pestx@oda.state.or.us.

A copy of the rule and other information is available at <https://oda.direct/Rulemaking>