



OFFICE OF THE
AGRICULTURAL COMMISSIONER
SEALER OF WEIGHTS & MEASURES

Lisa D. Herbert
Agricultural Commissioner
Sealer of Weights & Measures

Sutter County Department of Agriculture
Regiment by Air Permit Conditions

In 2004 an investigation was conducted on 9 Reports of Loss filed for Regiment® damage symptoms on melons, walnuts and nursery stock representing over 1,060 acres that suffered herbicide injury from the air application of Regiment CA® herbicide. Based on the findings of the Regiment® Investigation a permit is required for the use of the rice herbicide Regiment® and all other herbicides containing Bispyribac-sodium, a non-restricted chemical, under the authority of the Food and Agricultural Code section 14006.6 (a). In 2005 after prohibiting air applications there were no drift incidences or reports of loss due to Regiment® damage in Sutter County.

General Conditions:

- Air application allowed only south of the Bear River and East of the Feather River in southern Sutter County.
- A permit must be obtained from the County Agricultural Commissioner for any use of Regiment CA® and all other herbicides containing Bispyribac-sodium in Sutter County.
- A 24 hour Notice of Intent must be filed with the Sutter County Department of Agriculture prior to the application of Regiment CA® and all other herbicides containing Bispyribac-sodium in Sutter County.
- All Requirements of the Food and Agricultural Code and Title 3, California Code of Regulations that apply to the use of restricted materials shall apply to the use of Regiment CA®, and all other herbicides containing Bispyribac-sodium, under permit in Sutter County.

1. No air application within 1 mile of walnut orchards.

2. All applications must take place during daylight hours.

3. No applications may take place during low-level inversion conditions. Inversion conditions begin to diminish after a 3 degree F temperature rise from the morning low. They may return after a 5 degree F drop in temperature in the afternoon. Application would be possible after the morning temperature rise and application should cease after a 5-degree drop in temperature in the afternoon. Wind conditions, mentioned below, could mitigate these guidelines.

4. Applications must take place with a minimum wind speed of at least 2 mph and not to more than 8 mph as measured at a height of four feet above the ground. If sensitive crops or plants are downwind, extreme caution must be used under all conditions.
5. Use of a smoke column, or other method or device, shall be employed at the time and place of application to indicate temperature inversions and the direction and velocity of airflow.
6. For the duration of the application, the aerial applicator must have an individual on the ground at the site of application that shall monitor conditions and have the ability to waive off the application in the event that conditions are unfavorable to proper application.
7. Applicators shall maintain a written log indicating air temperature, wind speed, and wind direction prior to beginning the application, and to be recorded every tank refill or hourly whichever occurs first, for each day of application. This log shall be made available for review by the Agricultural Commissioner's staff upon request.
8. Pilots shall attend an educational session regarding proper application technique.
9. Each aircraft that applies Regiment CA[®], and all other herbicides containing Bispyribac-sodium in Sutter County must be certified by, per the label, prior to performing any application in Sutter County.

PERMITTEE SIGNATURE

DATE:

BIOLOGIST SIGNATURE

DATE: