

Subpart 3-Bureau of Plant Industry
Chapter 10-Crop Spraying and Licensing of Aerial Applicators
Subchapter 01-Regulation of Application by Aircraft of Agricultural Substances

Materials and Methods for Application for Herbicides Containing Glyphosate in Bolivar County

120.01 Except as provided in Section 120.03, herbicides containing glyphosate shall not be applied in any form to any crop on any site in Bolivar County by fixed wing aircraft between the dates of April 1 and September 30.

120.02 Herbicides containing glyphosate may be applied by helicopter between the dates of April 1 and September 30, under the following conditions:

1. Helicopter must be equipped with precision type spray system. (Microfoil type)
2. Equipment Specifications and Application Techniques
 - a. Boom: No longer than rotor diameter
 - b. Nozzles:
 - i. .028" Airfoil or larger, or
 - ii. .028 Accu Flow, or larger, 32 tube
 - c. Volume: Not less than 5 gallons of water solutions per acre
 - d. Flight Speed: 45 miles per hour in critical areas, and 60 miles per hour maximum in fields away from critical areas
 - e. System Pressure: Maximum of 30 pounds per square inch with very low pressure at tubes
 - f. Wind Speed and Direction Indicators: Must be used during application
 - g. Buffer Zone: Application is prohibited within 1½ mile upwind of commercial plantings of rice or other highly susceptible crops.
3. Insurance: Property damage liability insurance for applications under this section of these regulations must be in the amount of \$200,000.00 for each occurrence.
4. Observer: An observer employed by the applicator and/or the rice producer for whom the application is made, must be present at all times to monitor the application and record temperature, wind speed and direction, and other pertinent information. Temperature, wind speed and direction must be measured and recorded immediately prior to application, and monitored consistently during the application with recordings made when changes occur or every 1/4 hour (15 minutes). The time of day shall be recorded for the period of time such data is collected.

Example of Data to be recorded:

- a. Date, 6/20/90
- b. Time, 10:00 a.m.
- c. Wind Direction, NE or 45°
- d. Wind Speed, 2 mph
- e. Temperature, 86° F.

5. Inspector/Observer: An Inspector/Observer from the Bureau of Plant Industry, may be assigned to each applicator. The Inspector/Observer will monitor and record wind speed and direction, temperature, herbicide use and symptoms of herbicide injury in the vicinity of the treated area, and labeling for the herbicide being applied.
 6. Pilot Training: Each pilot making applications must complete an approved training course in proper application.
 7. Equipment Inspections: Equipment may be inspected by the Bureau of Plant Industry. Inspections of equipment may be made at any time during and after the time it is used.
- 120.03 Application of herbicides containing glyphosate in any form to any crop on any site in Bolivar County shall be allowed by fixed wing aircraft between the dates of April 1 and September 30, subject to the following restrictions:
1. Boom length shall not exceed 50% of the fixed wing span. The number of nozzles shall be sufficient to deliver not less than 5 gallons of water solutions per acre;
 2. Drift control agents may be used in accordance with label for aerial application of any herbicides containing glyphosate;
 3. No application of herbicide containing glyphosate shall be made when a temperature air inversion exists;
 4. No herbicide containing glyphosate shall be discharged by a fixed wing aircraft 1½ mile upwind of commercial plantings of rice or other highly susceptible crops;
 5. No herbicide containing glyphosate shall be discharged by a fixed wing aircraft over any crops or properties, other than the crop or site being treated; and
 6. Applications of herbicides containing glyphosate shall be subject to the provisions of Section 116.02 of this Regulation.

120.04 Sections 120.01 through 120.03 shall stand repealed from and after December 31, 2018. (Adopted March 1, 2017.)

Source: *Miss. Code Ann.* §69-21-109 (Rev. 2009).

Conflict of Laws and Regulations

121. Sections 100 through 117.04 of the above regulations cover all agricultural substances including hormone-type herbicides. Sections 118.01 through 119.12 cover only hormone-type herbicides. Section 120.01 through 120.04 covers only application of herbicides containing glyphosate in Bolivar County. In the event of a conflict between the

regulations covering all agricultural substances and those covering only hormone-type herbicides and a hormone-type herbicide is the material involved, the hormone-type herbicide regulations shall control. In the event of a conflict between the regulations covering all agricultural substances and those covering only application of herbicides containing glyphosate in Bolivar County and a herbicide containing glyphosate is the material involved, the regulations regarding application of herbicides containing glyphosate in Bolivar County shall control.

(Subchapter amended Aug. 12, 2010; Amended March 1, 2017.)

Source: *Miss. Code Ann.* §69-21-109 (Rev. 2009).

(Note: Subchapter 01 was adopted on March 29, 1977, the department amended subchapter 01 on September 18, 1979, June 25, 1980, December 18, 1984, March 30, 1989, April 3, 1991, March 19, 1993, May 12, 1995, June 5, 1998, July 25, 2000, June 14, 2001, September 1, 2004, April 4, 2005, July 26, 2005, July 5, 2007, July 27, 2008, December 4, 2008 and May 20, 2010)

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5. No herbicide containing glyphosate shall be discharged by a fixed wing aircraft 1½ mile upwind of commercial plantings of rice or other highly susceptible crops;

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