

ARKANSAS STATE PLANT BOARD

Minutes

December 8, 2025

9:30 a.m.

The Arkansas State Plant Board met on December 8, 2025, at the Arkansas Department of Agriculture, 1 Natural Resources Drive, Little Rock, AR.

Chairman Reynold Meyer called the quarterly board meeting to order.

Members present: Bruce Alford, Sammy Angel, Kyle Baltz, Jon Bierbaum, George Dunklin, Garrett Frost, David Gammill, Dr. Ken Korth, Reynold Meyer, Matthew Miles, Robin Ralston, Sam Stuckey, Caleb Wall

Members present via Zoom: Dr. Nathan Slaton, Robert Throne, David Wallace, Jr.

Members absent: Nathan Reed, Travis Senter

Corey Seats, Director, Plant Industries Division, and other Arkansas Department of Agriculture (Department) staff were in attendance.

1. **Opening comments and introductions**

Chairman Meyer welcomed all who were in attendance and asked each member to introduce themselves and state who they represent.

2. **Consider the minutes of the September 23, 2025 Plant Board meeting**

Moved by Alford, seconded by Angel to approve the minutes as presented.

Motion carried.

3. **Pesticide Section**

George Dunklin, Pesticide Committee Chair, summarized the minutes of the October 27, 2025, Pesticide Committee meeting. **Attachment 1**

Dr. Dennis Gardisser, President of WRK Arkansas LLC, Agriculture Aerial Engineer, delivered a presentation on the challenges and regulatory considerations related to the use of drones for pesticide application in agriculture, to include drone performance limitations, compliance with State and Federal regulations, and insurance coverage concerns. Dr. Gardisser stated he reviewed several Federal pesticide labels and drones could not meet the application requirements.

The committee received an update on Pesticide Section enforcement and licensing activities, as shown in the Pesticide Committee meeting minutes attached.

Committee Chair Dunklin stated he requested an update from staff at the next committee meeting to include:

- Year-by-year breakdown of unpaid civil penalties, amounting to a little over \$267,000.
- Information on any applicable statute of limitations of unpaid civil penalties.
- Information on the potential to suspend licenses of applicators with outstanding penalties.

Corey Seats explained that staff are currently reviewing options for addressing unpaid civil penalties. He noted that potential measures under consideration include suspending or revoking existing licenses or declining to approve the renewal of licenses for individuals with outstanding penalties. For larger amounts, he added that legal staff are exploring the possibility of filing a civil action if the penalties remain unpaid for a certain period of time. Such an action could result in obtaining a judgment, which would then create additional opportunities for collection.

Moved by Dunklin, seconded by Angel to accept the minutes of the October 27, 2025, Pesticide Committee meeting as presented.

Motion carried.

4. **Bureau of Standards**

Committee Chair Ralston summarized the minutes of the November 20, 2025, Bureau of Standards Committee meeting. **Attachment 2**

Staff presented 79 civil penalties to the committee for review and recommendation to the board.

Twenty-eight for expired or no decal – Table 1

Nineteen first offenses

Eight second offenses

One third offense

Twenty-two for misrepresentation of pricing – Table 2

Nine first offenses

Five second offenses

Two third offenses

Three fourth offenses

One fifth offense

One sixth offense

One seventh offense

Twenty-four for water contamination in the fuel – Table 3

Twenty-four first offenses

Two for flashpoint failure – Table 4

Two first offenses

Two for unauthorized to perform annual calibrations with expired registration – Table 5

Two first offenses

One for ethanol content failure – Table 6

One first offense

Moved by Ralston, seconded by Stuckey to approve the committee's recommendations as presented.

NOTE: Chair Meyers stated that the motion was to accept the minutes of November 20, 2025, Bureau of Standards Committee meeting as presented

Motion carried.

A request was received to waive the civil penalty of \$350.00 in Case BS 26-0181, from Buffalo Island Quick Shop, Leachville, AR.

The committee's recommendation is to accept the request to waive the civil penalty of \$350.00

Moved by Ralston, seconded by Angel to approve the committee's recommendation to waive the \$350.00 civil penalty, as presented.

Motion carried.

A request was received to waive the civil penalty of \$800.00 in Case BS 26-0141 from J Square Exxon, Conway, AR.

The committee's recommendation is to deny the request.

Moved by Ralston, seconded by Stuckey to approve the committee's recommendation to deny the request, as presented.

Motion carried.

Moved by Ralston, seconded by Dunklin to approve the minutes of the November 20, 2025, meeting.

Chair Meyers stated he mistakenly stated the first motion was to approve the minutes of this meeting instead of the recommendations of the committee on the civil penalties as presented.

Note: Chair Meyers stated, due to mistakenly stating the earlier motion, this vote would be to approve the 79 civil penalty actions as presented.

Motion carried.

5. **Boll Weevil Eradication Program**

Committee Chair Stuckey summarized the minutes of the Boll Weevil Eradication Subcommittee meeting held November 6, 2025. **Attachment 3**

The committee approved meeting minutes of July 10, 2025, sub-committee meeting.

The committee approved moving accounts from Simmons Bank to First Service Bank.

Financial statements were presented and approved by the committee.

Regina Coleman, Executive Director of the Arkansas Boll Weevil Eradication Foundation presented updates on the following:

- Updated projected cashflow
- Total cotton acres for 2025 are 486,798.3
- Discussed 2025 entities that have overpaid
- Discussed 2025 entities that still owe assessment fees and have liens applied
- Keep QualChoice insurance
- Purchase of a new truck
- Keep year end incentive package

The next meeting is scheduled for February 25, 2026, 10:00 a.m. at the Department.

Moved by Stuckey, seconded by Gammill to approve the minutes as presented, along with moving bank accounts from Simmons to First Service, the cash flow update, retaining the QualChoice insurance, a truck purchase, and keeping the year end incentive package.

Motion carried.

6. **Rules**

Corey Seats addressed two proposed rules ready for review by the board.

Rules on Catfish Processors in Arkansas. During the 2025 legislative session, the statute connected to this rule was repealed. Consequently, the rule itself should also be repealed. This action pertains to the Code of Arkansas Rule, sections 23-101 through 108. **Attachment 4**

Arkansas Rules on Pesticide Use. The proposed changes are specific to Kaput, beginning on page 30. **Attachment 5**

Moved by Dunklin, seconded by Miles to accept the proposed drafts of both rules and to approve moving forward with the promulgation process.

Motion carried.

Seats stated the pesticide rule and the seed rule are currently in the process of getting proposed drafts prepared to be presented to the Pesticide Committee and the Seed Committee.

Seats added a few comments:

- The Plant Industries Division currently employes 117 full-time staff members.
- Staff are organizing an inspector training workshop scheduled for January 6 – 7, 2026, to review updated processes and new information.
- New Department website has been launched, designed to provide the public with faster and easier access to needed information.
- The division conducted a strategic planning workshop to establish goals and objectives for improvement, as well as to identify practices to sustain in the upcoming year.

8. Other business

Dates for the next quarterly board meetings are set for 9:30 a.m. on March 10, June 9, and September 8, 2026.

Meeting adjourned.



Reynold Meyer, Chairman



Kyle Baltz, Secretary

**MINUTES OF
ARKANSAS STATE PLANT BOARD
PESTICIDE COMMITTEE MEETING**

October 27, 2025

Committee Members Present: Chairman George Dunklin, Garrett Frost
Committee Members via Zoom: Sam Angel, Matthew Miles, Nathan Reed, Dr. Nathan Slaton
Committee Members Absent: Reynold Meyer

Mr. Wes Ward, Secretary of the Arkansas Department of Agriculture, Mr. Corey Seats, Plant Industries Division Director, Ms. Susie Nichols, Pesticide Section Manager, Ms. Amanda Andrews, Arkansas Department of Agriculture Attorney, and other Arkansas Department of Agriculture staff members and guests were present.

Chairman George Dunklin called the meeting to order at 09:30 A.M. and asked the Pesticide Committee Members and all others attending to introduce themselves.

Chairman Dunklin introduced the third item on the agenda, which was a presentation by Dr. Dennis Gardisser on drone pesticide applications in agriculture and turned the floor over to Ms. Susie Nichols, Pesticide Section Manager.

Ms. Nichols provided a summary of Dr. Gardisser's biography (Attachment 1) and noted that Dr. Gardisser, President of WRK of Arkansas, LLC, had been invited to address the Pesticide Committee at the request of Committee Member Garrett Frost.

Dr. Gardisser delivered a presentation on the challenges and regulatory considerations related to the use of drones for pesticide applications in agriculture. The presentation highlighted issues including drone performance limitations, compliance with state and federal regulations, and insurance coverage concerns.

Discussion followed.

Under the fourth item on the agenda, Ms. Nichols presented a Pesticide Section update on enforcement and licensing activities (Attachment 3).

Discussion followed.

Chairman Dunklin requested the following to be presented at the next Pesticide Committee Meeting:

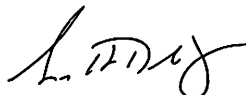
- A year-by-year breakdown of unpaid civil penalties.
- Information on any applicable statute of limitations of unpaid civil penalties.
- Information on the potential to suspend licenses of applicators with outstanding penalties.

And he requested to provide field inspectors with training on drone setup requirements during this wintertime.

Ms. Nichols reported that the proposed rule, designed to bring the agency into compliance with federal rules and to provide clarifications regarding drone licensing, is currently under review by the Governor's Office.

Chairman Dunklin asked if there was any other business to come before the Pesticide Committee. There was none.

The meeting was adjourned.

Signed 
George Dunklin, Chairman
Pesticide Committee



President
 WRK of Arkansas, LLC
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 Lonoke, AR 72086-8001 USA
 (888) 806-1924 Fax
 (501) 676-1762 Mobile
 Email: dgardisser@wrkofar.net
www.wrkofar.net

Born and raised on a dairy farm in Northwest Arkansas, Washington County.
 Married - 2 daughters - 4 grandchildren - 1 great grandson. Age 69.

Education

Ph.D. Engineering, University of Arkansas, 1992. Dissertation title:
 "Computer Simulation of Dry Material Distribution Patterns from
 Agricultural Aircraft".
 M.S. Agricultural Engineering, University of Arkansas, 1981.
 Thesis title: "Evaluation of Cotton Plant Thinning and The Effects of
 Along-the-Row Plant Distribution".
 B.S. Agricultural Engineering, University of Arkansas, 1979.

Awards

Resolution of Appreciation - Arkansas State Plant Board -
 September 2017
 FAA Safety Team Certificate of Appreciation - September 2017
 FAA Safety Team Aviation Safety Award - FAA January 2016
 Evans-Christopher Operation S.A.F.E. Award - NAAA 2015
 Distinguished Alumni Award, University of Arkansas College of
 Engineering, 04/2013
 FAAS Team Aviation Safety Award - Certificate of Appreciation
 FAA, 10/2012
 Associate of the Year, Arkansas Agricultural Aviation Association
 2011
 National Agricultural Aviation Hall of Fame, 2009.
 Arkansas Association of Cooperative Extension Specialists -
 Faculty Service Award 2008.
 Pesticide Stewardship Alliance - Program Excellence (PAASS &
 S.A.F.E.) 2008
 Arkansas Aviation Hall of Fame, 2007
 FAAS Team Aviation Safety Counselor of the Year, Arkansas 2008.
 CFI (Certified Flight Instructor) of the Year - Arkansas 2008
 William O. Marsh Safety Award, NAAA, 2005
 Lee Abide Award, MS AAA, 2005
 FAA Aviation Safety Counselor of the Year, Arkansas and
 Southwest Region, 2004.
 Biological & Agricultural Engineering Academy, Arkansas, 2004.
 NAAA Falcon Club, 2003.
 ASAE Blue Ribbon Award - Education Aids: Fact Sheets, 2003
 Outstanding Agricultural Engineer, Arkansas Section ASAE, 2001.
 Outstanding Education Award, Arkansas Agricultural Aviation
 Association, 2001, 2002.
 University of Arkansas - Chancellor John White Team Award,
 University of Arkansas Rice Processing Program, 2000.
 Outstanding Service & Honorary Associate Membership,
 Missouri Agricultural Aviation Association, 2000, 2002-present.
 Agrinaut Award, National Agricultural Aviation Association, 1999
 Service Award, Professional Applicator Institute, Agricultural
 Retailers Association, 1998.
 Outstanding Service Arkansas Section ASAE - 1998.
 Outstanding Service, Missouri Agricultural Aviation Association
 1996.
 Lifetime member, Arkansas Agricultural Aviation Association 1995.
 Meritorious Service - Arkansas Agricultural Aviation Association
 1994.
 Delta Air Corporation "Puffer" Award - For outstanding
 achievement in the design of agricultural aircraft and equipment,
 National Agricultural Aviation Association, 1993.
 Outstanding Specialist of the Year - Arkansas Association of
 Cooperative Extension Specialists, 1989.
 Outstanding Service - Arkansas Agricultural Aviation Association,
 1988, 1990, 1993.
 Outstanding Young Agricultural Engineer - Southwest Region -
 American Society of Agricultural Engineers, 1987.

Extension Engineer, UofA Cooperative Extension Service, June
 1982 to October 2002.

President, WRK of Arkansas, LLC Lonoke, Arkansas, 1997 to
 present.

Extension Professor, University of Arkansas, Fayetteville, AR 1992
 to January 2009.

Vice President for Research & Development and Partner, W R K,
 Inc., Manhattan, Kansas, 1990 to 1997.

Instructor & Graduate Research Assistant, UofA, Fayetteville,
 AR, August 1989 to 1992.

Test Engineer, Bush Hog R&D Center, Selma, Alabama, August
 1981 to June 1982.

Truck Driver, Howard Liles Co., Fayetteville, AR, May 1977 to
 May 1982.

Graduate Research Assistant, UofA, Fayetteville, AR, August 1979
 to August 1981.

Veteran, United States Marine Corps, 1970-74.

Data Processor, Bear Brand Hosiery Co., Fayetteville, AR 1969 to
 1974.

Current Job Responsibilities

WRK of Arkansas, LLC - Agricultural chemical application
 research, testing, product development, drift evaluations, training
 seminars, fly-in clinics, literature development, and education.
 Specializing in all types of chemical application technology from a
 variety of platforms. Aviation Insurance Agent.
 Professor & Associate Department Head - Extension Engineer
 (Retired) - Biological & Agricultural Engineering UofA CES.
 Primary emphasis areas are agricultural chemical applications
 (pesticides and plant nutrients - aerial and ground), processing (grain
 storage, drying, and handling), precision agriculture GIS/GPS, and
 agricultural fencing systems.

Committees

Arkansas Aviation Historical Society Board of Directors
 President, Biological & Agricultural Engineering Academy
 Advisory Council - 2011-12
 Professional Aerial Applicator Support System (PAASS) - content
 committee 2000 - present.
 Arkansas Engineering Foundation, member & past Chairman
 1997- 1999
 Arkansas Council for Engineering and Related Sciences-
 Arkansas Section ASAE representative 1995 - present
 National Agricultural Aviation Association, Board of Directors,
 Research & Technology, Research & Education Foundation, Federal
 regulations & safety
 U.S. Coalition for Drift Minimization Co-chairman of the
 Technology Section, 1996 to 2000.
 AAPCO (American Association of Pesticide Control Officials)
 Drift Management Sub-committee

Hobbies

Aviation, water sports, hunting, archery, fishing, tennis, racquetball,
 snow skiing, ammunition reloading and testing, martial arts,
 woodworking, carpentry, electronics, mechanics and international
 travel.

Aviation

Commercial Pilot (ASEL, AMEL, Instrument, Agricultural,
 FAAS Team Lead Representative, Wings level XIV, CFI, EAA
 Chapter 122 Past President, Australian pilot's license)
 AAAA Lifetime Member, Arkansas Agricultural Aviation SAFE
 Analyst, AAAA Fly-In coordinator, AAAA Convention - Technical
 Program Coordinator, MO, MS, LA, OK, CO AAA & Canadian AAA
 member,

WRK Agricultural aviation research and education, development of WRK
 Dry Material Analysis System and Drift Analysis System, WRK
 DropletScan™, all types of chemical application training nationally and
 internationally, and chemical application technologies, efficacy, and litigation.

Job History

Professor & Associate Department Head, UofA Biological &
 Agricultural Engineering, October 2002 - January 2009

1) Arkansas regulations

- a. Cannot comply with the 70 – 80 % wingspan or rotor diameter requirement.
- b. Many utilize rotary atomizers – not allowed for row crop herbicide.
- c. Most can't comply with 30 degree maximum deflection relative to airstream.
- d. No way to comply with DP58 requirements for Medium or greater droplet spectrum category (DSC) per ASABE S572.x guidelines. None of the nozzles that I'm aware of have been certified to develop a DSC.
- e. Many can't put out high volumes (ie. 5 GPA or more). Most drones limited to ≤ 5 GPA – systems just can't handle high volumes
- f. Most need greater than 10 ft droplet release height in order to achieve maximum potential swath width.
- g. Most do not have variable rate controllers.
- h. Most don't have a way to measure boom pressure – they just program the desired rate and supposedly let the computer onboard adjust as appropriate.
- i. Most don't have a DP58 on file – never heard of it!
- j. Insurance requirements?

2) Label guidelines

- a. Cannot meet DSC per ASABE guidelines. Guide states must be tested and DSC established by testing against a reference set under same conditions, with the same test setup, and by the same technician. This requirement isn't on all labels but... it is on many. Most do not know what droplet spectrum they are putting out.
- b. Can't comply with wingspan or rotor diameter restrictions.
- c. Most can't comply with label/regulations requiring the nozzles to be oriented rearward during flight. Arkansas 30 degree max deflection relative to airstream.

3) Patterns are questionable

- a. Evaluated swath widths less than being utilized by many
- b. Narrow patterns with steep sides
- c. Dolly Parton shaped patterns

Questions posed by potential insurance underwriters:

What pilot/pilots will be operating the drone?

- What are their licenses/ratings/ages/total drone hours/total hours operating the make/model drone? Any losses last 5 years?
- If 0 hours in the make/model, what model drones have they logged hours logged in?
 - In what way are they logging drone time, and under what flying conditions? For example, are those hours that they are physically at the controls and manually flying the drone by line of sight? Or are they programming drones to fly specific GPS routes and then including time spent launching the drones to follow the programming (not "hand" flying themselves, just overseeing the pre-programmed flight)?
 - If drone pilots are not Ag pilots, do they have any Ag Experience? If so, what does that look like (Ex. generational farmer with ground rig spraying and chem handling experience, how many years of experience, etc.)
- Do the drone pilot/pilots hold Part 107 Small UAS rating?
- Does the insured have a Part 137 Cert for drone Ag Operations? How is FAR 108 going to impact.
- Does the insured have a Certificate of Authorization (COA) from the FAA to operate a drone above 55 lb. MTOW?

2025 Pesticide Section Update
Pesticide Committee, October 27, 2025
As of 10/23/25

Enforcement (2017 to date)

2025 total cases = 174
2024 total cases = 226
2023 total cases = 298
2022 total cases = 418
2021 total cases = 565
2020 total cases = 514
2019 total cases = 462
2018 total cases = 456
2017 total cases = 1312

Overall Enforcement Update

- 3231 no violations found
- 646 warning letters issued
- 565 warning letters have been approved by the Board
- 387 warning settlements issued
- 153 warning settlements have been approved by the Board
- 278 civil penalties approved by the Board for a total of \$469,740
- 219 civil penalties paid for a total of \$222,865
- Unpaid civil penalty total \$267,175

Licensing 2025

- RUP Dealer=454
- Bulk Dealer=32
- 2,4-D Hardship Permit=8
- Commercial Firm Air=155
- Commercial Firm Ground=156
- Custom Firm authorization (2,4-D)=136
- Commercial Firms with drones=41
- Drone equipment=90
- Commercial Application Technician=36
- Individual Commercial Air=336
- Individual Commercial Ground=426
- Custom Pilot authorization (2,4-D)=185
- Custom Ground authorization (2,4-D)=53
- Noncommercial Air=5
- Noncommercial Ground=421
- Private Applicator 5 year=2496

- Private Applicator 1 year=164
- Private with Pilot Authorization=5
- Individual Seed Treater=2

Certified

- Commercial Application Technician=14
- Individual Commercial Applicator=61
- Individual Seed Treater=1
- Noncommercial Applicator=211
- Private Applicator with Pilot authorization=3
- Private Applicator=800

Recertified

- Commercial Application Technician=50
- Individual Commercial Applicator=317
- Individual Seed Treater=1
- Noncommercial Applicator=353
- Private Applicator with Pilot authorization=0
- Private Applicator=2758

Pesticide Registration 2025

- 1,434 pesticide registrants
- 14,783 pesticides registered
-

Abandoned Pesticide Disposal Program 2025

- Fall collection event scheduled for October 29, 2025, at Hot Spring County Fairgrounds, 8-1pm. This event will service Hot Spring county and surrounding areas
- Total amount collected to date 449,686

Section 18 2025

- EPA has granted a Section 18 Specific Emergency Exemption for the use of Intrepid 2F for control of fall army worms in rice.
- Received the Section 18 Emergency Keenali packet sent to EPA.

24 Cs 2025

- Section 24c registration issued for Sonalan HFP for fall application to soybeans
- Section 24c registration issued for Command 3ME for postemergence application to soybeans

Attachment 2

Minutes of
Arkansas State Plant Board
Bureau of Standards Committee Meeting
November 20, 2025
9:30 a.m.

Committee Members Present

Via Zoom: Robin Ralston, Bruce Alford, Sam Stuckey, Caleb Wall, Robert Thorne, Wilford Jones, Amanda Andrews/Attorney, Corey Seats

Staff Present: Nikhil Soman, Sheila Carter, Vernetta Robinson, Kristin Walter,

Guest Present:

Chairman Robin Ralston called the meeting to order at 9:30 a.m. Those in attendance stated their name and affiliation.

Chairman Robin Ralston stated the purpose of the meeting was to review violations and penalties. Chairman Ralston turned the floor over to Bureau of Standards Director, Nikhil Soman.

Nikhil Soman presented the committee for review and approval are the following cases from August 2025 to October 2025.

- In Attachment 1 – Table 1 cases for Expired and or No Decal(s) there are 19 (Nineteen) First Offenses and 8 (Eight) Second Offenses and 1 (One) Third Offense on Pump(s), Scale(s) or Meter(s). These are First Offenses with a \$350 penalty each, Second Offenses with a \$800 penalty each, Third Offenses with a \$1,350 penalty each.

A motion was made by Sam Stuckey seconded by Caleb Wall to approve the proposed penalties against the alleged violators. Committee voted motion passed unanimously.

- In Attachment 1 – Table 2 – cases for Misrepresentation of Pricing there are 9 (Nine) First Offenses, 5 (Five) Second Offenses, 2 (Two) Third Offense, 3 (Three) Fourth offense, 1 (One) Fifth offense, 1 (One) Sixth offense and 1 (One) Seventh offense. These are First Offenses with a \$350 penalty each, Second Offenses with a \$800 penalty each, Third Offenses with a \$1,350 penalty each, Fourth thru Sixth offenses with a \$2,000 penalty each.

A motion was made by Bruce Alford seconded by Robert Thorne to approve the proposed penalties against the alleged violators. Committee voted motion passed unanimously.

- In Attachment 1 – Table 3 – cases for Water Contamination Limits there are 24 (Twenty-four) First Offense. These are First Offenses with a \$200 penalty each.

A motion was made by Bruce Alford seconded by Sam Stuckey to approve the proposed penalties against the alleged violators. Committee voted motion passed unanimously.

- In Attachment 1 – Table 4 – cases for Flashpoint Failure there are 2 (Two) First Offenses. These are First Offenses with a \$200 penalty each.

A motion was made by Bruce Alford seconded by Robert Thorne to approve the proposed penalties against the alleged violators. Committee voted motion passed unanimously.

- In Attachment 1 – Table 5 – cases for Unauthorized to Perform Annual Calibrations with Expired Registration there are 2 (Two) First Offenses. The first case is Seneca Companies with First Offense of \$1,400 penalty. The second case is TLP Enterprise with First Offense of \$4,500 penalty.

A motion was made by Sam Stuckey seconded by Bruce Alford to approve the proposed penalties against the alleged violators. Committee voted motion passed unanimously.

- In Attachment 1 – Table 6 – case for Ethanol Content Failure there are 1 (One) First Offenses. These are First Offenses with a \$200 penalty each.

A motion was made by Sam Stuckey seconded by Bruce Alford to approve the proposed penalties against the alleged violators. Committee voted motion passed unanimously.

- Request to waive/reduce Civil Penalty of \$350 in Case BS 26-0181 for Buffalo Island Quick Stop in Leachville, Arkansas.

A motion was made by Bruce Alford seconded by Sam Stuckey to approve waiving/reducing BS 26-0181 on the proposed penalties against the alleged violators. Committee voted motion passed unanimously.

- Request to waive/reduce Civil Penalty of \$800 in Case BS 26-0141 for J Square Exxon in Conway, Arkansas.

A motion was made by Bruce Alford seconded by Sam Stuckey to approve not waiving/reducing BS 26-0141 on the proposed penalties against the alleged violators. Committee voted motion passed unanimously.

There being no additional business, a motion was made by Bruce Alford and seconded by Robert Thorne to adjourn.



Robin Kalston, Chairman

11/20/2025



Sarah Huckabee Sanders
Governor

ARKANSAS DEPARTMENT OF AGRICULTURE

1 Natural Resources Drive, Little Rock, AR 72205
agriculture.arkansas.gov
(501) 225-1598



Wes Ward
Secretary of Agriculture

Arkansas State Plant Board Bureau of Standards Committee Meeting Zoom Only Meeting Agenda

November 20, 2025 – 9:30 a.m.

1. Call to order – Robin Ralston, Committee Chair
2. Roll call
3. Quarterly violations – Nikhil Soman
4. Other business
5. Adjourn

Civil Penalties Issued from August 2025 to October 2025

Attachment 1 - violations

Twenty-eight - no decal or expired annual decal Table 1

Nineteen first offense
Eight second offense
One third offense

Twenty-two - misrepresentation of pricing Table 2

Nine first offense
Five second offense
Two third offense
Three fourth offense
One fifth offense
One sixth offense
One seventh offense

Twenty-four - water contamination in the fuel Table 3

Twenty-four first offense

Two - flashpoint failure Table 4

Two first offense

Two - unauthorized to perform annual calibrations with expired registration Table 5

Two first offense

One - ethanol content failure Table 6

One first offense

Total: 79

TABLE 1 - Violation of A.C.A § 4-18-344 NO ANNUAL OR EXPIRED INSPECTION DECAL - TWENTY NINE VIOLATIONS							
Case File	Business Name	Address	City	Inspection Date	Device	Violation	Civil Penalty
BS 26-0128	Karmic Fuel	1166 Washington	Camden	August 4, 2025	Pump(s)	First	\$350
BS 26-0129	Dees Oil Co	1706 US 62	Highland	August 11, 2025	Pump(s)	First	\$350
BS 26-0130	Hope Mkt Piggly Wiggly	1704 E 3rd St	Hope	August 14, 2025	Scale(s)	First	\$350
BS 26-0131	Aaryam LLC Olive Food Mart	2310 S Olive	Pine Bluff	August 18, 2025	Pump(s)	First	\$350
BS 26-0132	Caseys	415 A Garrison	Fort Smith	August 20, 2025	Pump(s)	First	\$350
BS 26-0133	Tractor Supply	2100 W Service rd	West Memphis	August 20, 2025	Scale(s)	First	\$350
BS 26-0134	Bills Cash Saver	202 W Main	Hardy	August 20, 2025	Scale(s)	First	\$350
BS 26-0135	Caseys	3209 NE 11th St	Bentonville	August 25, 2025	Pump(s)	First	\$350
BS 26-0136	Loves Travel Stop	1010 N Main	Palestine	August 25, 2025	Pump(s)	First	\$350
BS 26-0137	Caseys	1803 W Court	Paragould	September 12, 2025	Pump(s)	First	\$350
BS 26-0138	EZ Pawn	323 Plaza Av	West Helena	September 24, 2025	Scale(s)	First	\$350
BS 26-0140	J Square	580 Dave Ward	Conway	August 20, 2025	Pump(s)	First	\$350
BS 26-0142	G J Gas N Go	728 E Main	Gassville	August 12, 2025	Pump(s)	First	\$350
BS 26-0144	Marshall Mart LLC	120 Marshall Rd	Jacksonville	July 29, 2025	Pump(s)	First	\$350
BS 26-0172	Curne Pump & Save	303 S Broadway	Hughes	September 29, 2025	Pump(s)	First	\$350
BS 26-0173	Lucky Mart	209 Great River rd	Hughes	September 29, 2025	Pump(s)	First	\$350
BS 26-0177	Plaza Express Mart	326 Plaza Av	Helena - W Helena	October 9, 2025	Pump(s)	First	\$350

Table 1

Case File	Business Name	Address	City	Inspection Date	Device	Violation	Civil Penalty
BS 26-0189	Ligon Oil	300 Maple	Mena	October 13, 2025	Pump(s)	First	\$350
BS 26-0190	Jackson Store	28533 Hwy 14E	Pleasant Grove	October 6, 2025	Pump(s)	First	\$350
BS 26-0139	Caseys	1800 W Hudson	Rogers	September 9, 2025	Pump(s)	Second	\$800
BS 26-0141	J Square	580 Dave Ward	Conway	September 23, 2025	Pump(s)	Second	\$800
BS 26-0143	G J Gas N Go	728 E Main	Gassville	September 15, 2025	Pump(s)	Second	\$800
BS 26-0145	Marshall Mart LLC	120 Marshall Rd	Jacksonville	August 14, 2025	Pump(s)	Second	\$800
BS 26-0148	Caseys	1803 W Court	Paragould	October 1, 2025	Pump(s)	Second	\$800
BS 26-0174	Caseys	2 Riordan Rd	Bella Vista	October 3, 2025	Pump(s)	Second	\$800
BS 26-0178	Lucky Mart	209 Great River Rd	Hughes	October 13, 2025	Pump(s)	Second	\$800
BS 26-0179	Curne Pump & Save	303 S Broadway	Hughes	October 13, 2025	Pump(s)	Second	\$800
BS 26-0188	Caseys	2 Riordan Rd	Bella Vista	October 17, 2025	Pump(s)	Third	\$1,350

TABLE 2 - Violation of A.C.A § 4-18-316 MISREPRESENTATION OF PRICING - TWENTY TWO VIOLATIONS (Required Accuracy 98%)							
Case File	Business Name	Address	City	Inspection Date	Accuracy Rate	Violation	Civil Penalty
BS 26-0117	Mad Butcher	400 Madison St	Clarendon	August 7, 2025	87%	First	\$350
BS 26-0118	Dollar General	401 Bill Foster Hwy	Cabot	August 18, 2025	72%	First	\$350
BS 26-0120	Dollar General	306 S Main St	DeValls Bluff	August 7, 2025	82%	First	\$350
BS 26-0125	Lowe's	2906 E Harding Av	Pine Bluff	September 19, 2025	89%	First	\$350
BS 26-0147	Family Dollar	3201 Grand Av	Fort Smith	October 1, 2025	52%	First	\$350
BS 26-0175	Lowe's	2906 E Harding Av	Pine Bluff	October 3, 2025	86%	First	\$350
BS 26-0180	Tractor Supply Co	1590 N Falls Blvd	Wynne	October 13, 2025	86%	First	\$350
BS 26-0184	Family Dollar	804 N Edmonds	McCrary	October 15, 2025	88%	First	\$350
BS 26-0187	Dollar General	380 S James St	Jacksonville	October 17, 2025	84%	First	\$350
BS 26-0127	Mad Butcher	400 Madison St	Clarendon	September 23, 2025	88%	Second	\$800
BS 26-0119	Dollar General	401 Bill Foster Hwy	Cabot	September 11, 2025	76%	Second	\$800
BS 26-0121	Dollar General	306 S Main St	DeValls Bluff	August 21, 2025	82%	Second	\$800
BS 26-0182	Family Dollar	3201 Grand Av	Fort Smith	October 14, 2025	82%	Second	\$800
BS 26-0186	Lowe's	2906 E Harding Av	Pine Bluff	October 17, 2025	82%	Second	\$800
BS 26-0122	Family Dollar	1823 S Main St	Stuttgart	August 5, 2025	68%	Third	\$1,350
BS 26-0149	Dollar General	401 Bill Foster Hwy	Cabot	September 30, 2025	82%	Third	\$1,350

Table 2

Case File	Business Name	Address	City	Inspection Date	Accuracy Rate	Violation	Civil Penalty
BS 26-0123	Family Dollar	1823 S Main St	Stuttgart	August 18, 2025	78%	Fourth	\$2,000
BS 26-0146	Dollar General	110 N Commerce	Sparkman	September 25, 2025	84%	Fourth	\$2,000
BS 26-0183	Dollar General	401 Bill Foster Hwy	Cabot	October 15, 2025	68%	Fourth	\$2,000
BS 26-0124	Family Dollar	1823 S Main St	Stuttgart	September 8, 2025	86%	Fifth	\$2,000
BS 26-0126	Family Dollar	1823 S Main St	Stuttgart	August 5, 2025	82%	Sixth	\$2,000
BS 26-0176	Family Dollar	1823 S Main St	Stuttgart	October 8, 2025	70%	Seventh	\$2,000

TABLE 3 - Violation of A.C.A § 4-108-204 (b)(1)(A) and 4-108-207 WATER CONTAMINATION LIMITS NON ETHANOL (1 inch) DIESEL (1 inch) ETHANOL Fuel (1/4 inch) -TWENTY-FOUR VIOLATIONS									
Case File	Business Name	Address	City	Date of Inspection	Fuel Type	Location	Water inch(s)	Violation	Civil Penalty
BS 26-0153	Quick Stop	2410 SW 14th St	Bentonville	July 24, 2025	Regular 87 E0	Storage Tank	2.87	First	\$200
BS 26-0155	Shell	2215 N First St	Jacksonville	July 24, 2025	Hwy Diesel	Storage Tank	2.25	First	\$200
BS 26-0156	Murphy Market	207 Hwy 274	Camden	August 4, 2025	Premium 91	Storage Tank	1.25	First	\$200
BS 26-0157	Petro	3900 Petro Rd	W Memphis	August 5, 2025	Hwy Diesel	Storage Tank	2.25	First	\$200
BS 26-0158	United Food & Gas	800 N Bryant	Pine Bluff	August 11, 2025	Hwy Diesel	Storage Tank	1.12	First	\$200
BS 26-0159	Eagle Express	2800 S Olive	Pine Bluff	August 11, 2025	Premium 91	Storage Tank	1.50	First	\$200
BS 26-0160	Terri Foods	902 River Rd	Redfield	August 18, 2025	Hwy Diesel	Storage Tank	1.75	First	\$200
BS 26-0161	R & S Gas	100 N Hwy 365	Redfield	August 18, 2025	Unleaded E0	Storage Tank	1.63	First	\$200
BS 26-0162	Jet Away	3638 Midland Av	Ft Smith	August 20, 2025	Premium 91 E0	Storage Tank	2.25	First	\$200
BS 26-0163	Caseys	1001 Interstate Dr	Clarksville	August 29, 2025	Unleaded E10	Storage Tank	1.38	First	\$200
BS 26-0164	HP Food Mart	6217 Hwy 271S	Ft Smith	September 10, 2025	Premium 91 E0	Storage Tank	1.50	First	\$200
BS 26-0165	Pic n Tote	1923 Cavanaugh Rd	Ft Smith	September 10, 2025	Premium 91 E0	Storage Tank	1.75	First	\$200
BS 26-0167	Calleys Station	115 N Elm	Gurdon	September 15, 2025	Off Road Diesel	Storage Tank	1.88	First	\$200
BS 26-0168	Rusty & Carols Sportsman Center	543 S Lee St	Hampton	September 22, 2025	Off Road Diesel	Storage Tank	1.50	First	\$200
BS 26-0169	Littlefield Express	3401 Cavanaugh	Ft Smith	September 23, 2025	Premium 91	Storage Tank	1.50	First	\$200
BS 26-0170	Circle K	21 Hwy 64 W	Beebe	September 24, 2025	Unleaded	Storage Tank	1.00	First	\$200
BS 26-0171	Lucky Mart	209 Great River rd	Hughes	September 29, 2025	Premium	Storage Tank	4.00	First	\$200
BS 26-0185	Donaghey Bears Den	1632 Donaghey	Conway	October 1, 2025	Regular E10	Storage Tank	1.75	First	\$200
BS 26-0191	Iron Horse BBQ	2801 US 49N	Paragould	September 23, 2025	Regular E10	Storage Tank	1.50	First	\$200
BS 26-0192	Scottys Deli	5602 Hwy 71S	Cove	October 6, 2025	Hwy Diesel	Storage Tank	1.50	First	\$200
BS 26-0193	Big D's	2414 Hwy 71S	Mena	October 7, 2025	Unleaded E0	Storage Tank	2.00	First	\$200
BS 26-0194	Exxon Super Station	901 Hwy 71N	Mena	October 7, 2025	Hwy Diesel	Storage Tank	2.38	First	\$200
BS 26-0195	New Hope One Stop	5609 Hwy 70W	New Hope	October 14, 2025	Hwy Diesel	Storage Tank	3.38	First	\$200
BS 26-0196	Shirley Food Store	2092 S Hwy 330	Shirley	October 8, 2025	Unleaded E0	Storage Tank	1.50	First	\$200

TABLE 4 - Violation of A.C.A § 4-108-204 (b) (1) (A) and 4-108-207 FLASHPOINT FAILURE (< 125 oF) - TWO VIOLATIONS								
Case File	Business Name	Address	City	Sampling Date	Product	FP	Violation	Civil Penalty
BS 26-0154	Flash Market	1114 Hwy 77S	Marion	August 5, 2025	Hwy Diesel	115 °F	First	\$200
BS 26-0166	I-40 Kwik Stop	840 N Main St	Palestine	September 18, 2025	Hwy Diesel	109 °F	First	\$200

TABLE 5 - Violation of A.C.A § 4-18-322(a)(8) (2005) Unauthorized to perform Annual Calibration with Expired Registration-TWO VIOLATIONS						
Case File	Business Name	Address	Violation Date	Violation Location	Violation	Civil Penalty
BS 26-0150	Seneca Companies	6947 E 13th, Tulsa, OK	7/21/2025	The Gas Spot, 3097 Hwy 5, El Paso, AR 72045	First	\$350
BS 26-0150	Seneca Companies	6947 E 13th, Tulsa, OK	7/30/2025	Caseys, 4200 Hwy 62, Hardy	First	\$350
BS 26-0150	Seneca Companies	6947 E 13th, Tulsa, OK	8/22/2025	Jiffy Trip, 4295 Hwy 412, Siloam Springs	First	\$350
BS 26-0150	Seneca Companies	6947 E 13th, Tulsa, OK	9/11/2025	Caseys, 220 Hwy 5N, Mt Home	First	\$350
BS 26-0151	TLP Enterprise	270 Moonshine Rd, Searcy, AR	7/11/2025	Flash Market, 370 Main St, Pleasant Plains	First	\$350
BS 26-0151	TLP Enterprise	270 Moonshine Rd, Searcy, AR	7/14/2025	Flash Market, 10285 Heber Springs Rd, Concord	First	\$350
BS 26-0151	TLP Enterprise	270 Moonshine Rd, Searcy, AR	7/15/2025	Quick stop, 102 W Idaho St, Beebe	First	\$350
BS 26-0151	TLP Enterprise	270 Moonshine Rd, Searcy, AR	7/16/2025	Phillips 66, 110 AR 33N, Augusta	First	\$350
BS 26-0151	TLP Enterprise	270 Moonshine Rd, Searcy, AR	7/22/2025	Oppelo Food Mart, 427 AR 9, Oppelo	First	\$350
BS 26-0151	TLP Enterprise	270 Moonshine Rd, Searcy, AR	7/22/2025	Nisha One Stop, 900 W Broadway, Morrilton	First	\$350
BS 26-0151	TLP Enterprise	270 Moonshine Rd, Searcy, AR	7/23/2025	Super One Stop, 20 US64, Beebe	First	\$350
BS 26-0151	TLP Enterprise	270 Moonshine Rd, Searcy, AR	8/18/2025	Snappy Mart, 728 E Main St, Gassville	First	\$350
BS 26-0151	TLP Enterprise	270 Moonshine Rd, Searcy, AR	8/25/2025	Fastlane Express, 2310 S Olive, Pine Bluff	First	\$350
BS 26-0151	TLP Enterprise	270 Moonshine Rd, Searcy, AR	9/2/2025	Quick Stop, 6690 Hwy 110W, Heber Springs	First	\$350
BS 26-0151	TLP Enterprise	270 Moonshine Rd, Searcy, AR	9/6/2025	Come N Git it, 1706 Batesville Pike, Sherwood	First	\$350
BS 26-0151	TLP Enterprise	270 Moonshine Rd, Searcy, AR	8/11/2025	Southern Chef, 2028 N Church st, Jonesboro	First	\$350
BS 26-0151	TLP Enterprise	270 Moonshine Rd, Searcy, AR	8/11/2025	Southern Chef, 801 N Holman, Brookland	First	\$350

TABLE 6 - Violation of A.C.A § 4-108-204 (b) (1) (A) and 4-108-207 ETHANOL CONTENT (15 %) - ONE VIOLATION								
Case File	Business Name	Address	City	Sampling Date	Product	Ethanol Content	Violation	Civil Penalty
BS 26-0152	Kum & Go	508 Oak St	Conway	August 21, 2025	E15	20%	First	\$200

Request for Civil penalty waiver.

Notice of Violation

Buffalo Island Quick Shop

Leachville, AR.

From Cynthia Brown <buffaloislandqs@yahoo.com>

Date Fri 10/24/2025 7:36 PM

To AAD Bureau <bureau@agriculture.arkansas.gov>

Some people who received this message don't often get email from buffaloislandqs@yahoo.com. [Learn why this is important](#)

Dear Director Nikhil Soman, I called your office and spoke to you on 10-23-2025 in reference to a notice of violation with a case number of, BS 26-0181. This inspection took place on October 14, 2025. In this inspection it was found that our pumps had not been inspected properly and there was no inspection stickers attached as required. This is a brand-new business owned by my wife and me. We had already been in contact with the property owners and fuel supplier to correct this prior to the opening of this business on 10-04-2025. On 09-30-2025, Bill Mangat, property owner, contacted American Petroleum and requested that the pumps be repaired and the inspection take place. In the work order, it is noted that the new business would be opening the following weekend. This has been documented by American Petroleum. AP scheduled the service work and was prepared to complete the inspection, but due to an employee call in and not working on the date it was scheduled, this work was postponed. On 10-20-2025, the inspection took place. Again, this has been documented by AP as well as me. Upon the completion of the work, I sent a text to the agent's phone that requested the work be completed within 10 days. During my conversation with the agent, he never mentioned to my memory being fined. The clerk on duty, Audra Paslay, was never told about a fine either. I completed the requested inspection as soon as the company was able to get someone to my location. It will stay in compliance from this date forward. As a retired law enforcement officer, I respect the law and will make sure it is followed. We will do our utmost best to run an upstanding business and follow all regulations. Please take it into consideration to suspend the fine or dismiss the charge. After 30 years and 7 months of enforcing the law, I really do not like being on this side of it and receiving a violation. It will not happen again. If documentation needs to be provided, please let me know and all document can and will be provided to the agency.

Sincerely;

Chuck Brown
Buffalo Island Quick Shop
410 South Main Street
Leachville AR 72438

870-539-6969

PS: I also attempted to contact you at your office on 10-24-2025 by phone and left a voice mail.



November 6, 2025

10:00 a.m.

**Arkansas Department of Agriculture
Little Rock, AR**

- **Welcome, Introduction by Chairman Joe Mencer**
- **Approval of the previous Meeting Minutes**
- **Financial Report presented by Melissa Cary, Landmark PLC**
- **Legal Matters update presented by Cal McCastlain with Wright, Lindsey & Jennings LLP**
- **Program update presented by Regina Coleman, ABWEF Executive Director**
- **Other Business**
- **Set next meeting date**
- **Adjourn**

**ARKANSAS COTTON GROWER'S
ORGANIZATION, INC.**

BOARD MEETING MINUTES

July 10, 2025

**ARKANSAS DEPARTMENT OF AGRICULTURE
LITTLE ROCK, AR.**

Members present were Chairman Joe Mencer, Vice Chairman Pace Hindsley, Secretary Gregg Garner, Benton Felts, Ramey Stiles, and Sam Stuckey. Travis Senter was not present.

Also present were Regina Coleman, Executive Director for ABWEF; Katie Watts, Administrative Assistant for ABWEF; Melissa Cary, Landmark PLC; Cal McCastlain, Legal Counsel for ABWEF; Zac Wellman, Arkansas Department of Agriculture; Mark Stoll, Arkansas Department of Agriculture; Sherry Seiffert, Legal Counsel for Arkansas Department of Agriculture; Corey Seats, Arkansas Department of Agriculture Plant Division Director; Scott Bray, Former Arkansas Department of Agriculture Plant Division Director; Andrew Grobmyer, Ag Council; John Monroe, Senior Vice President with Simmons Bank; and Barrett Belew, CPA Assurance Partner with Hogan Taylor LLP.

Chairman Joe Mencer called the meeting to order at 10:19 a.m.

Mr. Hindsley moved to approve the minutes from February 26, 2025, meeting and May 6, 2025, special called board meeting. Mr. Stuckey seconded. Motion carried.

Mr. Monroe discussed Simmons Bank and the products available through their bank. He stated he is the new relationship manager for ABWEF accounts and will work with the board and Mrs. Coleman.

Mr. Belew with Hogan Taylor presented the 2024 audited financial statements and the Independent Auditor's Report. He stated that the Foundation had a clean audit report. Mr. Garner made a motion to approve audit. Mr. Stiles seconded. Motion carried.

Ms. Cary presented the May 2025 financial statements. Cash on hand was \$3 million and \$2.9 million in Certificates of Deposit. The CDs had earned approximately \$51,000 interest through May. Rebate checks of \$610,273 had been issued for the 2024 acres. Mr. Stuckey moved to approve budget. Mr. Stiles seconded. Motion carried.

Mrs. Coleman gave the program update. Mrs. Coleman discussed the changes in the projected cash flow concerning the 2025 acres. She stated that there would be less than the 550,000 acres that was used on the budget planning.

Mrs. Coleman reported on issues in Foundation's emails compromised by a phishing email Mrs. Coleman had received. The issue was immediately addressed with IT consultant John Paul Robson. The email account was disabled, and several password changes were made. Mr. Robson investigated the IP addresses and login attempts and then removed email rules from Outlook that had been changed by the attacker. He will continue to monitor the situation to ensure no other hacks occur.

An update on the new Boll Weevil App Mapping system was given. The map app, which is synced with the field information, is being used in the field to create the map and trap layers while gathering field information from the growers. Although there are some improvements and new features that will be added later, overall it has been an effective change for the field work.

Mrs. Coleman discussed the Certificates of Deposit and plans to renew or purchase additional CDs in the coming months. As had been planned, three of the maturing CDs had been cashed for the grower rebates and Foundation operational costs.

The Technical Advisory Committee recently met to discuss Arkansas's minimum standards. Mrs. Coleman reported that trapping distances and inspection schedules will remain the same with traps placed on or near cotton fields at one mile spacing between traps. Traps will be placed on a permanent structure such as a utility pole or other structures in a safe area for staff to conduct the inspection.

All traps will be on a three-week inspection schedule with one-third of traps being inspected each week. Two pheromone strips and one insecticide strip will be placed in traps and will be replaced with new ones for each inspection cycle as instructed. Traps will be placed on or near roads, highways, and main thoroughfares where weevils would be a threat due to transport of cotton equipment and other vehicles and machinery traveling from infested areas. Other points of discussion included definitions of failed fields and acceptable forms of destroying failed fields.

Other program activities discussed included the Cotton Pest Study which started June 20 and ends September 20. A total of 144 traps will be placed in Mississippi, Crittenden, Poinsett, Craighead, Clay and Green counties.

Mr. Wellman and Mrs. Coleman reported on the gins that ginned cotton without a certificate in the 2024 season. All gins had either completed or were in the process of completing the required actions as instructed by the Department.

Corey Seats, Director Plant Division Department of Agriculture, was introduced and gave a brief talk about the State Plant Board Bylaw, Act 501 Freedom of Information in Arkansas, and how it affects the ABWEF Board which is also a committee of the Department of Agriculture. He suggested that notices should be placed on the website three days before a scheduled meeting and that meeting notices should be sent one week prior to the meeting date.

At the close of the meeting Chairman Mencer presented a plaque to Scott Bray, former Director of the Plant Division, in appreciation of his service on the ABWEF Board of Directors and for his dedication and work in the agriculture industry.

The next meeting is scheduled for November 13, 2025, beginning at 10:00 a.m. The Personnel Committee meeting will be held at 9:00 a.m.

With no further business, the meeting adjourned at 11:51 a.m.

Joe Mencer, Chairman

Pace Hindsley, Vice Chairman



FIRST SERVICE BANK

Proposal for Banking Services prepared for
Arkansas Cotton Grower's Organization Inc.

Brittany Witham

October 15, 2025

Arkansas Cotton Grower's Organization, Inc
2428 Hwy 49
West Helena, AR 72390

RE: Proposal for Banking Services

Thank you for the opportunity to provide quality banking services to Arkansas Cotton Grower's Organization, Inc. First Service Bank has been proudly serving Arkansas since 1962. We have 11 locations in 10 cities covering the state of Arkansas. At First Service Bank, our goal is to fulfill your banking and financing needs so that you may continue to run your business without any interruptions.

Below, we have outlined the scope of services we can provide with detailed procedural and fee information. The Bank has identified Angela Golden, Branch Manager and Loan Officer, Tonya Smith, Assistant Branch Manager, and Brittany Witham, VP of Retail Operations as the designated officers responsible for the accounts. All three officers have combined nearly 50 years of experience in the banking industry and will have ready access to all applicable departments where our expert ACH, wire, and other online personnel are available.

GENERAL BANKING INFORMATION
ACCOUNT SERVICING

A. BANK CONTACTS:

Angela Golden
Branch Manager and Loan Officer
angela.golden@firstservicebank.com
Office (870) 538-3221
Cell (870) 538-8138

Tonya Smith
Assistant Branch Manager
tonya.smith@firstservicebank.com
Office (870) 538-3221
Cell (870) 918-4190

Brittany Witham
VP of Retail Operations
brittany.witham@firstservicebank.com
Office (501) 745-7200
Cell (501) 581-5964

B. PROXIMITY:

In regard to your location, we have a full-service branch located in Dermott and Little Rock.

C. COMPETITIVE POSITION AND FUTURE COMMITMENT

1. First Service Bank is an institution that is built on quality one-on one service to the customer that is why it is in our name. We have complementing features that are big enough to offer any business the products they need but small enough that every customer gets personal attention. You will have personal contacts to include cell phone numbers for the management staff in Dermott, who will be available to assist you at any time. This is something that truly sets our bank above others in our community.
2. First Service Bank has the ability to create a specific product based on an individual customer's needs, which is something you won't find at other institutions. If you have a particular need that doesn't fit in our current product line, we will create it for you in a timely manner.
3. First Service Bank is the only bank in the area, possibly the state, to offer in person banking from 7 am to 9 pm Monday through Friday. We also are available 8:00 am to 12:30 pm on Saturday. This is done by state-of-the-art interactive teller machines we call Video Tellers, utilizing technology to run our drive thru remotely from all of our locations. Simply touch the screen and a live teller is there to assist you. These same employees are also available to answer any phone calls during those hours.

D. SERVICES TO BE PERFORMED:

Required Services

Account: First Service would provide Arkansas Cotton Grower's Organization, Inc. 2 options for an interest-bearing demand deposit account for its primary checking account. In addition, First Service would also provide a business rewards checking account for any other additional accounts. **NO** service fees, stop payment fees, returned item fees nor any other fees or charges would be incurred on any checking accounts. We would like to offer the following interest rate options for the primary account for Arkansas Cotton Grower's Organization, Inc. deposit accounts:

INTEREST BEARING ACCOUNT OPTIONS

1. Fixed rate of interest of 3.70% APY for 12 months.

OR

2. Floating rate with interest that adjust monthly on the first day of each month based on the current balance:

Tiered Interest:

- < \$20K: 5.04% APY
- \$20K-\$50K: 3% APY

- \$50K–\$250K: 2% APY
- 250K+: 1.00% APY

Rates are based on current prime rates, so these rates are subject to change



REWARDS CHECKING

Points-Based Rewards: • 5,000 pts = \$50



Basic Reward Points are earned by:

- Debit Card Transactions
- Debit transactions earn 1 pt for every \$5
- Credit Transactions earn 1 pt for every \$2
- Direct Deposits-500 points per month
- Enrollment in OLB and Bill pays 500 points per month
- Estatements-100 points per month
- Auto LN Payments from an FSB acct earn 1 pt for every \$5 of the loan payment

All checking accounts will receive a debit card and access to all treasury management services at no charge.

Deposits: First Service will give same day credit on ALL deposits received by 9:00 pm Monday-Friday. First Service receives in-bank lobby activity Monday-Friday 8:00 am to 5:00 pm. First Service receives drive-thru traffic via our video tellers Monday- Friday 7:00 am to 9:00 pm and Saturday 8:00 am to 12:30 pm. In addition, First Service offers remote deposit capabilities that would allow your staff to complete deposits from the convenience of your office Monday-Friday until 3:00 pm.

Electronic Payment/Deposit: First Service has full ability to receive and post ACH transactions to Arkansas Cotton Grower's Organization, Inc.'s accounts and has a secure messaging system through its online banking product. First Service can and will deliver notices of electronic debits and credits by secure email, followed by mail. These services will be provided at no cost to Arkansas Cotton Grower's Organization, Inc.

Direct Deposit Services: Through use of our online cash management services within online banking, ACH payroll files can be direct deposited into employee accounts. Arkansas Cotton Grower's Organization, Inc can originate both debit and credit ACH files. Online banking services uses username/password and a unique security token delivered via phone or text message each time the online banking system recognizes a new "unregistered" computer IP address for the username; therefore, eliminating the need for security tokens. Cash management services will be provided at no cost to Arkansas Cotton Grower's Organization, Inc.

Options with levels of risk for payroll include:

- ACH Direct Deposit to checking or savings account – Low Risk
- Paper Check with Positive Pay – Low Risk
- ACH Direct Deposit to Prepaid Card – High Risk

Deposit Slips and Checks: First Service will provide encoded deposit slips to Arkansas Cotton Grower's Organization, Inc. as needed at no cost. Customer may provide its own checks; however, the Bank will work with them and their check vendor to be billed directly for the check orders.

Detailed Account Information: First Service will provide a detailed backup for any debits, credits, or corrections initiated by the bank on the same day as requested.

Monthly Statements: First Service will provide monthly statements on the first day of each month. If the first day of the month falls on a Saturday or Sunday, then the monthly statement shall be provided the following Monday. The monthly statement shall begin on the first calendar day and end on the last calendar day of each calendar month, as the account will have a month-end statement cycle. First Service will provide check images on the statements, which will be listed in numerical order with any breaks in the order noted. First Service will provide paper statements, if preferred; otherwise, First Service will provide electronic statements to Arkansas Cotton Grower's Organization, Inc. through online banking.

Access to Records: First Service commits to being cooperative with Arkansas Cotton Grower's Organization, Inc. in the event they request records for any reason and will provide the requested documentation as soon as possible. These records will be provided at no cost to Arkansas Cotton Grower's Organization, Inc.

Deposit Security: First Service will properly collateralize all deposits in excess of FDIC insurance in compliance with Arkansas law. First Service has three ways for ensuring proper collateralization or FDIC insurance coverage:

- Pledge acceptable bond securities to Arkansas Cotton Grower's Organization, Inc.
- Pledge Federal Home Loan Bank letters of credit
- Utilize Promontory Interfinancial Network insured cash sweep (ICS) or Certificate of Deposit Registry Services (CDARS) product to maintain funds fully FDIC insured

* 3.7%
Fixed
Rate

Reviews: First Service will schedule annual reviews with Arkansas Cotton Grower's Organization, Inc. During these reviews, First Service will provide any updated services the bank may provide, as well as discuss the needs of the Arkansas Cotton Grower's Organization, Inc. and how First Service may better accommodate those needs. First Service is available to Arkansas Cotton Grower's Organization, Inc. at any time to discuss new opportunities prior to an annual review. It is important to First Service that all lines of communication between Arkansas Cotton Grower's Organization, Inc. and First Service are always open.

New Accounts: In the event the Arkansas Cotton Grower's Organization, Inc. requires additional accounts or services in the future, First Service will provide all accounts and services with the same terms as its current accounts with First Service. However, should the Federal Reserve or other agencies have established new accounts or services that would be favorable to Arkansas Cotton Grower's Organization, Inc., First Service shall make those new accounts or services available to them.

Internet services: First Service's online banking product is a robust system that includes, but is not limited to, balance inquiry, detailed transaction inquiry, bank statements, ACH credit and debit origination, wire transfer origination, secure messaging, bill payment, and stop payment origination. The full suite of online services will be provided to Arkansas Cotton Grower's Organization, Inc. at no cost.

- a. Other services: Remote Deposit Capture (RDC): First Service offers RDC to our commercial clients. RDC is a safe, convenient way to deposit checks without leaving your office, as the Bank will provide Arkansas Cotton Grower's Organization, Inc. with a scanner. RDC will be provided at no cost.
- b. Positive Pay for checks and ACH items: Positive Pay is a fraud prevention system offered through the Commercial Online Banking Platform. Checks presented to the account are compared to those issued by the business. Any check not on the issued check list (and potentially fraudulent) is sent to the user as an exception for examination. The user logs into the positive pay system, reviews the items, and chooses to pay or return each item. ACH filter blocks round out the system for complete fraud prevention.
- c. Credit Cards: First Service provides business credit cards to facilitate Arkansas Cotton Grower's Organization, Inc. spending.

- d. **ICS and CDARS:** First Service offers other checking or ICS and CD or CDARS products that are fully FDIC insured and allows the customer the freedom to know all public funds are completely FDIC insured without the administration of dealing with pledged collateral.
- e. **Certificates of deposit:** First Service has a wide variety of CD options for our customers.
- f. **Merchant Services:** provided through BancCard. BancCard has the expertise to help you navigate the maze of new payment products, regulatory concerns, compliance issues and fraud risks. BancCard is committed to providing you the lowest possible cost, and highest value solutions for your business.

Thank you for the opportunity to continue to be Arkansas Cotton Grower's Organization, Inc.'s banking partner. We take great pride in the ability to serve our community and our customers and would be honored to continue to be a partner in growth with you in the years to come. We look forward to working with you and fostering a great relationship along the way!

Sincerely,

**Angela Golden
First Service Bank
Branch Manager and Loan Officer**

ARKANSAS BOLL WEEVIL ERADICATION FOUNDATION

General Ledger (5000 Bank Charges)

January 1, 2022 - October 28, 2025

Date	Trans Type	Num	Name	Memo/Description	Split	Amount	Balance
01/03/2022	Check	SVCCHRG			1025 Assessment Account	74.10	74.10
01/05/2022	Check	SVCCHRG			1000 Simmons Operating	152.91	227.01
02/02/2022	Check	SVCCHRG			1025 Assessment Account	74.10	301.11
02/07/2022	Check	SVCCHRG			1000 Simmons Operating	139.33	440.44
03/02/2022	Check	EFT	Merchant Fee		1025 Assessment Account	149.09	589.53
03/07/2022	Check	SVCCHRG			1025 Assessment Account	0.15	589.68
03/07/2022	Check	SVCCHRG			1000 Simmons Operating	138.77	728.45
04/04/2022	Check	EFT	Merchant Fee		1025 Assessment Account	149.09	877.54
04/05/2022	Check	SVCCHRG			1000 Simmons Operating	140.99	1,018.53
05/02/2022	Check	eft	Merchant Fee		1025 Assessment Account	149.09	1,167.62
05/05/2022	Check	SVCCHRG			1000 Simmons Operating	168.01	1,335.63
05/09/2022	Check	SVCCHRG			1010 Simmons Payroll	36.00	1,371.63
06/02/2022	Check	EFT	Merchant Fee		1025 Assessment Account	149.09	1,520.72
06/06/2022	Check	SVCCHRG			1000 Simmons Operating	173.26	1,693.98
06/30/2022	Check	SVCCHRG			1025 Assessment Account	29.05	1,723.03
06/30/2022	Check	SVCCHRG			1020 Vehicle Expense RC	10.00	1,733.03
07/05/2022	Check	SVCCHRG			1000 Simmons Operating	143.18	1,876.21
07/05/2022	Check		Merchant Fee		1025 Assessment Account	152.11	2,028.32
07/29/2022	Check	SVCCHRG			1025 Assessment Account	4.90	2,033.22
08/05/2022	Check	SVCCHRG			1000 Simmons Operating	160.67	2,193.89
08/31/2022	Check	SVCCHRG		Service Charge	1025 Assessment Account	211.54	2,405.43
09/02/2022	Check	SVCCHRG			1025 Assessment Account	145.12	2,550.55
09/06/2022	Check	SVCCHRG			1000 Simmons Operating	145.01	2,695.56
10/03/2022	Check	SVCCHRG			1025 Assessment Account	120.05	2,815.61
10/05/2022	Check	SVCCHRG			1000 Simmons Operating	140.20	2,955.81
11/02/2022	Check	SVCCHRG			1025 Assessment Account	144.78	3,100.59

11/07/2022	Check	SVCCHRG		1000 Simmons Operating	142.80	3,243.39
12/02/2022	Check	SVCCHRG		1025 Assessment Account	149.41	3,392.80
12/05/2022	Check	SVCCHRG		1000 Simmons Operating	138.92	3,531.72

2022

Total

3,531.72

01/03/2023	Check	EFT	Merchant Fee		1025 Assessment Account	149.41	3,681.13
01/05/2023	Check	SVCCHRG			1000 Simmons Operating	134.22	3,815.35
02/02/2023	Check	SVCCHRG			1025 Assessment Account	149.09	3,964.44
02/06/2023	Check	SVCCHRG			1000 Simmons Operating	152.02	4,116.46
03/01/2023	Check	SVCCHRG			1025 Assessment Account	149.09	4,265.55
03/06/2023	Check	SVCCHRG			1000 Simmons Operating	155.54	4,421.09
03/13/2023	Check	EFT	Simmons First Bank	stop payment fee	1000 Simmons Operating	36.00	4,457.09
03/16/2023	Check	EFT	Simmons First Bank	Insufficient Funds Fee	1010 Simmons Payroll	36.00	4,493.09
03/31/2023	Check	SVCCHRG			1020 Vehicle Expense RC	25.00	4,518.09
04/03/2023	Check	SVCCHRG			1025 Assessment Account	159.09	4,677.18
04/05/2023	Check	SVCCHRG			1000 Simmons Operating	289.98	4,947.16
				MERCH FEE MERCHANT SERVICE, 80 MERCH FEE MERCHANT SERVICE, 8036256785			
05/02/2023	Expenditure				1025 Assessment Account	159.09	5,106.25
05/05/2023	Check				1000 Simmons Operating	361.65	5,467.90
06/02/2023	Check	EFT	Merchant Fee		1025 Assessment Account	159.41	5,627.31
06/05/2023	Check	SVCCHRG			1000 Simmons Operating	288.07	5,895.38
06/13/2023	Expenditure			Stop Payment Fee	1000 Simmons Operating	36.00	5,931.38
07/03/2023	Check	EFT	Simmons First Bank		1025 Assessment Account	162.93	6,094.31
07/06/2023	Check	EFT		Account Analysis Charge	1000 Simmons Operating	236.00	6,330.31
08/07/2023	Check	EFT		Account Analysis Charge	1000 Simmons Operating	258.79	6,589.10
08/31/2023	Check		Merchant Fee		1025 Assessment Account	158.23	6,747.33
09/05/2023	Check	EFT		Account Analysis Charge	1025 Assessment Account	30.00	6,777.33
09/05/2023	Check	EFT		Account Analysis Charge	1000 Simmons Operating	224.19	7,001.52
09/30/2023	Check		Merchant Fee		1025 Assessment Account	145.46	7,146.98
10/05/2023	Check			Account Analysis Charge	1000 Simmons Operating	224.73	7,371.71
10/05/2023	Check	EFT	Simmons First Bank	ACCOUNT ANALYSIS CHARGE	1025 Assessment Account	60.00	7,431.71

10/24/2023	Check		Merchant Fee		1025 Assessment Account	274.76	7,706.47
11/02/2023	Expenditure			MERCH FEE MERCHANT SERVICE, 80 MERCH FEE MERCHANT SERVICE, 8036256785	1025 Assessment Account	186.33	7,892.80
11/06/2023	Check			Account Analysis Charge	1000 Simmons Operating	220.56	8,113.36
12/04/2023	Expenditure		Simmons First Bank	MERCH FEE MERCHANT SERVICE, 80 MERCH FEE MERCHANT SERVICE, 8036256785	1025 Assessment Account	184.41	8,297.77
12/05/2023	Expenditure		Simmons First Bank	Account Analysis Charge	1000 Simmons Operating	223.89	8,521.66

2023

Total

4,989.94

01/02/2024	Check			Account Analysis Charge	1025 Assessment Account	30.00	8,551.66
01/05/2024	Check	ACH Draft	Simmons First Bank	Account Analysis Charge	1000 Simmons Operating	219.57	8,771.23
01/05/2024	Check			Merchant Service Fee	1025 Assessment Account	184.09	8,955.32
02/02/2024	Check		Merchant Fee	Merchant Fee	1025 Assessment Account	209.09	9,164.41
02/05/2024	Check	EFT	Simmons First Bank	Account Anagnosis Charge	1000 Simmons Operating	220.43	9,384.84
02/28/2024	Check			Wire Transfer Debit	1005 Simmons Sweep	250,000.00	259,384.84
02/28/2024	Check			Wire Transfer In/Out Fee	1005 Simmons Sweep	25.00	259,409.84
02/29/2024	Journal Entry	LM #7		Reclass CD purchase	-Split-	-250,000.00	9,409.84
03/04/2024	Check		Simmons First Bank	Merchant Fee Service	1025 Assessment Account	209.09	9,618.93
03/05/2024	Check		Simmons First Bank	Account Analysis Charge	1000 Simmons Operating	225.55	9,844.48
04/02/2024	Check			Merchant Fee Service	1025 Assessment Account	209.09	10,053.57
04/05/2024	Check	Draft	Simmons First Bank	Account Analysis Charge	1000 Simmons Operating	222.75	10,276.32
04/09/2024	Check		Simmons First Bank	Wire Transfer Fee	1005 Simmons Sweep	25.00	10,301.32
04/09/2024	Check		Simmons First Bank	Wire Transfer Debit	1005 Simmons Sweep	250,000.00	260,301.32
04/30/2024	Journal Entry	LM #5		Reclass CD Purchase	-Split-	-250,000.00	10,301.32
05/02/2024	Check	EFT Draft	Simmons First Bank	Merchant Fee	1025 Assessment Account	174.09	10,475.41
05/06/2024	Check	EFT Draft	Simmons First Bank	Account Analysis Charge	1000 Simmons Operating	224.83	10,700.24
06/03/2024	Check		Simmons First Bank	Merchant Service Fee	1025 Assessment Account	209.09	10,909.33
06/05/2024	Check	ACH Draft	Simmons First Bank	Account Analysis Charge	1000 Simmons Operating	345.92	11,255.25
07/02/2024	Check		Simmons First Bank	Merchant Fee	1025 Assessment Account	214.02	11,469.27

07/05/2024	Expense			Account Analysis Charge	1000 Simmons Operating	240.65	11,709.92
08/02/2024	Check	Simmons First Bank		Merchant Service Fee	1025 Assessment Account	186.02	11,894.94
08/08/2024	Check	Simmons First Bank		Account Analysis Charge	1000 Simmons Operating	231.50	12,126.44
08/07/2024	Check	Simmons First Bank		Merchant Service Adjustment	1025 Assessment Account	114.60	12,241.04
08/22/2024	Check	Simmons First Bank		Merchant Service Adjustment	1025 Assessment Account	1,680.30	13,921.34
09/03/2024	Check	Simmons First Bank		Merchant Fee Service	1025 Assessment Account	189.63	14,110.97
09/05/2024	Check	Simmons First Bank		Account Analysis Charge	1025 Assessment Account	30.00	14,140.97
09/05/2024	Check	Simmons First Bank		Account Analysis Charge	1000 Simmons Operating	228.61	14,367.58
10/02/2024	Check	Simmons First Bank		Merchant Fee Service	1025 Assessment Account	336.52	14,704.10
10/07/2024	Check	Simmons First Bank		Account Analysis Charge	1000 Simmons Operating	254.44	14,958.54
10/07/2024	Expense			Account Analysis Charge	1015 Simmons - Debit Card	15.00	14,973.54
10/07/2024	Check	Simmons First Bank		Account Analysis Charge	1025 Assessment Account	50.00	15,023.54
10/07/2024	Expense			Account Analysis Charge	1020 Vehicle Expense RC	15.00	15,038.54
11/04/2024	Check	Simmons First Bank		Merchant Fee Service	1025 Assessment Account	210.05	15,248.59
11/05/2024	Expense			Account Analysis Charge	1020 Vehicle Expense RC	15.00	15,263.59
11/05/2024	Check	Simmons First Bank		Account Analysis Charge	1000 Simmons Operating	252.47	15,516.06
11/05/2024	Check	Simmons First Bank		Account Analysis Charge	1025 Assessment Account	60.00	15,566.06
11/05/2024	Expense			Account Analysis Charge	1015 Simmons - Debit Card	15.00	15,581.06
12/02/2024	Check	Simmons First Bank		Merchant Fee Service	1025 Assessment Account	200.80	15,781.86
12/05/2024	Check	Simmons First Bank		Account Analysis Charge	1025 Assessment Account	50.00	15,831.86
12/05/2024	Expense			Account Analysis Charge	1015 Simmons - Debit Card	15.00	15,846.86
12/05/2024	Expense			Account Analysis Charge	1020 Vehicle Expense RC	15.00	15,861.86
12/05/2024	Check	Simmons First Bank		Account Analysis Charge	1000 Simmons Operating	346.73	16,208.59
2024							
Total							7,686.93
01/02/2025	Check	Simmons First Bank		Merchant Fee Service	1025 Assessment Account	209.09	16,417.68
01/10/2025	Expense			Account Analysis Charge	1015 Simmons - Debit Card	15.00	16,432.68
01/10/2025	Check	Simmons First Bank		Account Analysis Charge	1025 Assessment Account	60.00	16,492.68

01/10/2025	Expenditure		Simmons First Bank	Account Analysis Charge	1020 Vehicle Expense RC	15.00	16,497.68
01/10/2025	Check		Simmons First Bank	Account Analysis Charge	1000 Simmons Operating	249.84	16,747.52
02/03/2025	Check		Simmons First Bank	Merchant Fee Service	1025 Assessment Account	209.09	16,956.61
02/05/2025	Expenditure		Simmons First Bank	Account Analysis Charge	1020 Vehicle Expense RC	15.00	16,971.61
02/05/2025	Check		Simmons First Bank	Account Analysis Charge	1025 Assessment Account	50.00	17,021.61
02/05/2025	Expenditure		Simmons First Bank	Account Analysis Charge	1015 Simmons - Debit Card	15.00	17,036.61
02/05/2025	Check		Simmons First Bank	Account Analysis Charge	1000 Simmons Operating	250.27	17,286.88
03/03/2025	Check		Simmons First Bank	Merchant Fee Service	1025 Assessment Account	214.62	17,501.50
03/05/2025	Check		Simmons First Bank	Account Analysis Charge	1025 Assessment Account	50.00	17,551.50
03/05/2025	Expenditure		Simmons First Bank	Account Analysis Charge	1015 Simmons - Debit Card	15.00	17,566.50
03/05/2025	Expenditure		Simmons First Bank	Account Analysis Charge	1000 Simmons Operating	255.03	17,821.53
03/10/2025	Expenditure		Simmons First Bank	Account Analysis Charge	1020 Vehicle Expense RC	15.00	17,836.53
04/02/2025	Check		Simmons First Bank	Merchant Fee Service	1025 Assessment Account	214.62	18,051.15
04/03/2025	Check	ACH Draft	Simmons First Bank	Deluxe Checks for Rebate 2024	1025 Assessment Account	697.35	18,748.50
04/07/2025	Expenditure		Simmons First Bank	Account Analysis Charge	1015 Simmons - Debit Card	15.00	18,763.50
04/07/2025	Expenditure		Simmons First Bank	Account Analysis Charge	1000 Simmons Operating	249.54	19,013.04
04/07/2025	Expenditure		Simmons First Bank	Account Analysis Charge	1020 Vehicle Expense RC	15.00	19,028.04
04/07/2025	Check		Simmons First Bank	Account Analysis Charge	1025 Assessment Account	50.00	19,078.04
05/02/2025	Check		Simmons First Bank	Merchant Fee Service	1025 Assessment Account	214.62	19,292.66
05/05/2025	Expenditure		Simmons First Bank	Account Analysis Charge	1020 Vehicle Expense RC	15.00	19,307.66
05/05/2025	Expenditure		Simmons First Bank	Account Analysis Charge	1000 Simmons Operating	172.04	19,479.70
05/05/2025	Expenditure		Simmons First Bank	Account Analysis Charge	1015 Simmons - Debit Card	15.00	19,494.70
05/05/2025	Check		Simmons First Bank	Account Analysis Charge	1025 Assessment Account	50.00	19,544.70
05/31/2025	Journal Entry	LM #11		To reclass Deluxe Business Checks payment to Office Supplies	-Split-	-697.35	18,847.35

08/02/2025	Check		Simmons First Bank	Merchan Fee Merchant Service	1025 Assessment Account	214.62	19,061.97
08/05/2025	Check		Simmons First Bank	Account Analysis Charge	1025 Assessment Account	199.00	19,260.97
06/05/2025	Check		Simmons First Bank	Account Analysis Charge	1020 Vehicle Expense RC	15.00	19,275.97
08/05/2025	Expenditure	Debit Card	Simmons First Bank	Account Analysis Charge	1015 Simmons - Debit Card	15.00	19,280.97
06/05/2025	Check		Simmons First Bank	Account Analysis Charge	1000 Simmons Operating	238.06	19,529.03
07/02/2025	Check		Simmons First Bank	Merchant Fee Service	1025 Assessment Account	178.52	19,707.55
07/07/2025	Expenditure	Debit Card	Simmons First Bank	Account Analysis Charge	1015 Simmons - Debit Card	15.00	19,722.55
07/07/2025	Check		Simmons First Bank	Account Analysis Charge	1020 Vehicle Expense RC	15.00	19,737.55
07/07/2025	Check		Simmons First Bank	Account Analysis Charge	1000 Simmons Operating	232.98	19,970.53
07/07/2025	Check		Simmons First Bank	Account Analysis Charge	1025 Assessment Account	103.10	20,073.63
08/04/2025	Check		Simmons First Bank	Merchant Fee Merchant Service	1025 Assessment Account	203.31	20,276.94
08/05/2025	Expenditure		Simmons First Bank	Account Analysis Charge	1015 Simmons - Debit Card	15.00	20,291.94
08/05/2025	Expenditure		Simmons First Bank	Account Analysis Charge	1020 Vehicle Expense RC	15.00	20,306.94
08/05/2025	Expenditure		Simmons First Bank	Account Analysis Charge	1000 Simmons Operating	233.69	20,540.63
08/05/2025	Check		Simmons First Bank	Account Analysis Charge	1025 Assessment Account	117.60	20,658.23
08/14/2025	Check		Simmons First Bank	MerchAdj Merchant Service	1025 Assessment Account	3,871.50	24,529.73
08/25/2025	Check		Simmons First Bank	Merch Adj Merchant Service	1025 Assessment Account	757.80	25,287.53
08/02/2025	Check	1004	Simmons First Bank	Merchant Service Fee	1025 Assessment Account	202.38	25,489.91
09/05/2025	Expenditure		Simmons First Bank	Account Analysis Charge	1015 Simmons - Debit Card	15.00	25,504.91
09/05/2025	Expenditure		Simmons First Bank	Account Analysis Charge	1025 Assessment Account	125.00	25,629.91
09/09/2025	Expenditure		Simmons First Bank	Account Analysis Charge	1000 Simmons Operating	233.71	25,863.62
09/22/2025	Expenditure		Simmons First Bank	Account Analysis Charge	1020 Vehicle Expense RC	15.00	25,878.62

2025

Total

9,670.03

**Total
Bank
Charges**

\$ 25,878.62

\$ 25,878.62

Tuesday, Oct 28, 2025 11:17:20 AM GMT-7 - Cash Basis

**Arkansas Boll Weevil Eradication Foundation
(a d/b/a of Arkansas Cotton Grower's Organization, Inc.)**

FINANCIAL STATEMENTS

September 30, 2025





The Board of Directors
Arkansas Cotton Grower's Organization, Inc.
d/b/a Arkansas Boll Weevil Eradication Foundation

Management is responsible for the accompanying financial statements of Arkansas Boll Weevil Eradication Foundation (the Foundation), a d/b/a of Arkansas Cotton Grower's Organization, Inc., which comprise the statement of financial position as of September 30, 2025, and the related statement of activities and functional expenses for the nine months then ended in accordance with accounting principles generally accepted in the United States of America. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. We did not audit or review the financial statements nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on these financial statements.

Management has elected to omit substantially all of the disclosures and the statement of cash flows required by accounting principles generally accepted in the United States of America. If the omitted disclosures and statement of cash flows were included in the financial statements, they might influence the user's conclusions about the Foundation's financial position, changes in net assets, and cash flows. Accordingly, these financial statements are not designed for those who are not informed about such matters.

We are not independent with respect to Arkansas Cotton Grower's Organization, Inc. d/b/a Arkansas Boll Weevil Eradication Foundation.

Landmark PLC

Little Rock, Arkansas
October 30, 2025

Landmark PLC, Certified Public Accountants

200 W Capitol Ave, Ste 1700 | Little Rock, AR 72201 | Telephone (501) 375-2025 | Fax (501) 375-8704 | www.landmarkcpas.com

Arkansas Boll Weevil Eradication Foundation
(a d/b/a of Arkansas Cotton Grower's Organization, Inc.)

Financial Statements

Arkansas Boll Weevil Eradication Foundation
STATEMENT OF FINANCIAL POSITION
September 30, 2025

ASSETS

Current Assets	
Cash and cash equivalents	\$ 810,862
Certificates of deposits	3,832,359
Prepaid insurance	24,353
Grower assessment receivable	29,675
Operating lease right-of-use assets	<u>42,766</u>
Total Current Assets	<u>4,740,015</u>
Property and Equipment	
Vehicles	319,561
Equipment	16,585
Computer hardware & software	104,128
Office furniture and equipment	11,141
Website development	48,874
Less: Accumulated depreciation	<u>(330,794)</u>
Total Property and Equipment, Net	<u>169,495</u>
TOTAL ASSETS	<u><u>\$ 4,909,510</u></u>

LIABILITIES AND NET ASSETS

Current Liabilities	
Accounts payable	\$ 48
Operating lease liability-current	<u>11,929</u>
Total Current Liabilities	<u>11,977</u>
Long Term Liabilities	
Operating lease liability-noncurrent	<u>30,838</u>
Total Long Term Liabilities	<u>30,838</u>
Total Net Assets - Without Donor Restrictions	<u>4,866,695</u>
TOTAL LIABILITIES AND NET ASSETS	<u><u>\$ 4,909,510</u></u>

Arkansas Boll Weevil Eradication Foundation
STATEMENT OF ACTIVITIES
For the Nine Months Ended September 30, 2025

	Actual	Budget	Variance
REVENUE, GAINS AND OTHER SUPPORT			
Assessments	\$ 1,460,391	\$ 1,650,000	\$ (189,609)
Interest income	113,083	37,500	75,583
Assessment Adjustments	(833)	-	(833)
Penalties	14,745	-	14,745
	1,587,386	1,687,500	(100,114)
EXPENSES			
Salaries and benefits	314,454	363,535	(49,081)
Building and facility	2,936	7,000	(4,064)
Depreciation	46,860	46,860	-
Insurance expense	33,323	37,500	(4,177)
Vehicle expense	40,548	52,167	(11,619)
Utilities	3,722	5,250	(1,528)
Data/Telephone	9,082	18,000	(8,918)
Office supplies and expense	8,438	15,500	(7,062)
Rent	11,250	11,250	-
Professional fees	78,247	97,000	(18,753)
Travel	8,982	6,640	2,342
Rebate checks to growers	610,273	611,500	(1,227)
Meals	2,769	2,040	729
Bank charges	9,670	5,182	4,488
Other operating expenses	1,864	3,450	(1,586)
	1,182,418	1,282,874	(100,456)
CHANGE IN NET ASSETS - WITHOUT DONOR RESTRICTIONS	404,968	404,626	342
NET ASSETS - BEGINNING OF PERIOD	4,461,728		
NET ASSETS - END OF PERIOD	\$ 4,866,695		

Arkansas Boll Weevil Eradication Foundation
STATEMENT OF FUNCTIONAL EXPENSES
For the Nine Months Ended September 30, 2025

	<u>Program</u>	<u>Management and General</u>	<u>Total</u>
Salaries, benefits & payroll taxes	\$ 220,118	\$ 94,336	\$ 314,454
Vehicle maintenance & gasoline	40,548	-	40,548
Insurance	28,325	4,998	33,323
Utilities & telephone	3,201	9,603	12,804
Depreciation	41,237	5,623	46,860
Professional fees	-	78,247	78,247
Travel & meals	1,347	7,635	8,982
Office supplies	7,172	1,266	8,438
Rent	2,813	8,438	11,250
Rebate to grower's	610,273	-	610,273
Meals	2,312	457	2,769
Bank charges	-	9,670	9,670
Other operating expenses	4,008	792	4,800
Total	\$ 961,353	\$ 221,065	\$ 1,182,418

Arkansas State Plant Board
Arkansas Boll Weevil Eradication Foundation

2025 Assessment Summary

Current As Of 11/5/2025 4:10:09 PM

+1.2 acres

	SOUTHWEST	SOUTHEAST	CENTRAL	RIDGE	DELTA	STATEWIDE
Total Acres per Zone	9,179.3	122,021.7	130,635.5	88,556.4	136,405.4	486,798.3
Total Assessment per Zone	\$27,537.90	\$366,065.85	\$391,906.88	\$265,666.39	\$409,217.88	\$1,460,394.90
Total Penalties by Zone	\$78.70	\$3,332.46	\$4,627.94	\$2,712.06	\$27,433.74	\$38,184.90
Credits From 2024	\$0.00	\$0.00	\$1.80	\$0.70	\$0.80	\$3.30
SubTotal Paid by Zone	\$27,616.60	\$375,298.60	\$396,803.53	\$268,627.72	\$412,688.55	\$1,481,035.00
Surcharge Paid by Zone	\$8.50	\$296.12	\$172.18	\$809.11	\$441.27	\$1,727.18
Total Paid by Zone	\$27,625.10	\$369,203.82	\$396,705.20	\$269,183.26	\$412,840.30	\$1,475,557.68
Balance Due by Zone	(\$8.50)	\$194.48	(\$172.18)	(\$805.51)	\$23,810.53	\$23,018.82
Percent Received	100.03%	99.95%	100.04%	100.30%	94.18%	98.42%

Entities That Owe

Tax Id	Name	Total Acres	Total Assessment	Total Penalty	SubTotal	Surcharge	Total Payment	Account Summary	Total Credit
HQT000686	JERRY JONES FARM	136.5	\$409.50	\$289.00	\$0.00	\$0.00	\$0.00	\$698.50	\$0.00
HQT002169	JAIRUS HICKS	107.7	\$323.10	\$231.40	\$0.00	\$0.00	\$0.00	\$554.50	\$0.00
HQT002535	CHARLES PERRY FARMS GEN PARTNERSHIP	129.6	\$388.80	\$275.20	\$0.00	\$0.00	\$0.00	\$664.00	\$0.00
HQT002829	NETA BIBBS	1,432.6	\$4,297.80	\$2,881.20	\$0.00	\$0.00	\$0.00	\$7,179.00	\$0.00
HQT002942	JHD PLANTING COMPANY LLC	1,275.5	\$3,826.50	\$2,567.00	\$0.00	\$0.00	\$0.00	\$6,393.50	\$0.00
HQT003022	BUTLER PLANTING CO	646.8	\$1,940.40	\$1,309.60	\$0.00	\$0.00	\$0.00	\$3,250.00	\$0.00
HQT003176	HB FARMS LLC	294.6	\$883.80	\$605.20	\$0.00	\$0.00	\$0.00	\$1,489.00	\$0.00

Arkansas Boll Weevil Eradication Foundation

Benefits Comparison

Provided by Stephens Insurance, LLC

October 30, 2025

The Stephens logo consists of the word "Stephens" in a white, serif font, centered within a dark gray rectangular background.

The rates and benefits provided are subject to change based on the effective date, final enrollment, and demographics of your employees. This quote is based on information provided by PerfectQuote, Inc., an application that provides pricing comparisons and quotation estimates for illustrative purposes. This quote is not a proposal nor offer of insurance from an insurer. Final rates, coverage, and insurability will be determined by the insurance company that issues the policy. Please review additional disclaimers that apply to this quote as provided herein.

MEDICAL - Effective Date: 1/1/2026	Current	Renewal	Option 1
Carrier	QualChoice	QualChoice	QualChoice
Plan Name	ARP0080	ARP0080	Gold Classic 1000-1
In Network			
Deductible Single	\$1,000	\$1,000	\$1,000
Deductible Family	\$3,000	\$3,000	\$2,000
Deductible Type	Fulfillment	Fulfillment	Embedded
Coinsurance	20%	20%	20%
OOP Max Single	\$3,000	\$3,000	\$6,000
OOP Max Family	\$9,000	\$9,000	\$12,000
Inpatient Facility	20% after deductible	20% after deductible	20% after deductible
Outpatient Surgery	20% after deductible	20% after deductible	20% after deductible
Copays			
Office Copay	\$20	\$20	\$25
Specialist	\$35	\$35	\$50
Urgent Care	\$35	\$35	\$25
ER	20% after deductible	20% after deductible	20% after deductible
RX			
Tier 1	\$7	\$7	\$20
Tier 2	\$30	\$30	\$60
Tier 3	\$50	\$50	\$120
Tier 4	\$100	\$100	\$400
Tier 5	n/a	n/a	\$400
Out of Network			
Deductible Single	\$2,000	\$2,000	\$2,000
Deductible Family	\$6,000	\$6,000	\$4,000
Coinsurance	40%	40%	40%
OOP Max Single	\$6,000	\$6,000	\$12,000
OOP Max Family	\$18,000	\$18,000	\$24,000
Inpatient Facility	40% after deductible	40% after deductible	40% after deductible
Outpatient Surgery	40% after deductible	40% after deductible	40% after deductible
Enrollment			
Employee Only	4	4	4
Employee Spouse	1	1	1
Employee Child(ren)	0	0	0
Family	0	0	0
Monthly Premiums	Age Rated	Age Rated	Age Rated
Monthly Premium	\$6,731.32	\$7,148.64	\$6,212.95
Change From Current	---	\$417.32 (6.20%)	-\$518.37 (-7.70%)
Annual Premium	\$80,775.84	\$85,783.68	\$74,555.40
Change From Current	---	\$5,007.84 (6.20%)	-\$6,220.44 (-7.70%)

DENTAL - Effective Date: 1/1/2026	Current	Renewal
Carrier	Arkansas Blue Cross Blue Shield	Arkansas Blue Cross Blue Shield
Plan Name	Elite 1000-PV5002	Elite 1000-PV5002
In Network		
Annual Maximum	\$1,000	\$1,000
Deductible Single	\$50	\$50
Deductible Family	\$150	\$150
Prev / Basic / Major	100% / 80% / 50%	100% / 80% / 50%
Waiting Period Major	n/a	n/a
Endodontic Oral Surgery	80%	80%
Periodontic Oral Surgery	50%	50%
Ortho Coinsurance	50%	50%
Waiting Period	n/a	n/a
Ortho Lifetime Max	\$1,000	\$1,000
Rollover Threshold	\$500	\$500
Rollover Amount	\$350	\$350
Rollover Account Limit	\$1,000	\$1,000
Enrollment		
Employee Only	2	2
Employee Spouse	2	2
Employee Child(ren)	0	0
Family	0	0
Monthly Premiums		
Employee Only	\$28.55	\$29.98
Employee Spouse	\$57.65	\$60.54
Employee Child(ren)	\$73.95	\$77.65
Family	\$100.76	\$105.77
Monthly Premium	\$172.40	\$181.04
Change From Current	---	\$8.64 (5.01%)
Annual Premium	\$2,068.80	\$2,172.48
Change From Current	---	\$103.68 (5.01%)

Proposed Rulemaking

Title

Promulgated by:
State Plant Board

Title 2. Agriculture

Chapter II. State Plant Board, Department of Agriculture

Subchapter A. Generally

Part 23. Rules on Catfish Processors in Arkansas

Subpart 1. Generally

2 CAR § 23-101. ~~General purpose and intent.~~ [Repealed]

~~—(a) The Arkansas Catfish Processor Fair Practices Act of 1987, § 2-6-101 et seq., charges the State Plant Board with the responsibility of registering, auditing, and regulating those catfish processors who receive or purchase catfish from producers.~~

~~—(b) The principal objective and intent of this law is to provide any catfish producer who delivers catfish to a processor in Arkansas some measure of protection from unlawful or fraudulent processing and payment practices.~~

2 CAR § 23-102. ~~Organization and designation of duties.~~ [Repealed]

~~—(a) The Arkansas Catfish Processor Fair Practices Act, § 2-6-101 et seq., will be administered as a section of the Division of Marketing of the State Plant Board.~~

~~—(b) The Director of Marketing and the Manager of the Public Grain Warehouse Section are designated the authority and duties assigned by the Commissioner in Acts 1987, No. 365, and will be carried out under general supervision from the Commissioner in Acts 1987, No. 365, and Acts 1967, No. 434, as amended, the Arkansas Administrative Procedure Act, § 25-15-201 et seq.~~

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2 CAR § 23-103. Registration. ~~[Repealed]~~

~~—(a) All "persons" as defined by law engaged in the handling, storing, preparing, manufacturing, packaging, or holding of catfish products shall register with the State Plant Board.~~

~~—(b) The registration shall be for a period of one (1) year, which runs from July 1 through June 30 of each year.~~

~~—(c)(1) Registration shall be on forms provided by the State Plant Board.~~

~~—(2) Each registration form shall be accompanied by a financial statement and a certificate of fact.~~

~~—(3) The financial statement shall be a signed report of a certified public accountant or a registered public accountant which must be a representation of an examined audit report, review report, or a compilation report.~~

2 CAR § 23-104. Security. ~~[Repealed]~~

~~—(a)(1) Catfish processors who elect to pay for the fish they purchase as specified in Acts 1987, No. 365, § 5(1)(b), taking up to fourteen (14) days to pay, shall provide security in the form of:~~

~~—(A) Cash;~~

~~—(B) Bond;~~

~~—(C) Certificate of deposit;~~

~~—(D) Letter of credit; or~~

~~—(E) Such other evidences of security as authorized by the State Plant Board.~~

~~—(2) Processors who elect to pay for fish the day of delivery, per Section 5(1)(a), or as specified in a written contract or agreement, per Section 5(1)(c), are exempt from this section.~~

~~—(b)(1) The issuing institution of a bond, certificate of deposit, letter of credit, or any other securities shall not cancel the security unless a thirty day written notice of~~

~~cancellation is sent by certified mail to the Director of the State Plant Board, P.O. Box 1069, Little Rock, AR 72203.~~

~~————(2) Cancellation notice must be received at least thirty (30) days prior to the cancellation or termination date of said security.~~

~~——(c)(1) All renewal or replacement bonds, certificates of deposit, letters of credit, or other securities specified by the board shall be in the board office five (5) business days prior to the effective cancellation or termination date of said security.~~

~~————(2)(A) If renewal or replacement documents are not received within the five-day time frame, the original security shall be drawn on by the board staff.~~

~~————(B) All monies received from the drawing shall be held by the board for the purpose of paying producers and/or secured creditors for nonpayment by the processor.~~

~~(d)(1) The minimum security shall be set at twenty thousand dollars (\$20,000) for any person or persons, as defined by law, deemed as being a processor.~~

~~————(2)(A) All bonds or combinations of securities shall be set at a rate of twenty cents (20¢) per pound of catfish purchased by the processor.~~

~~————(B) Increments of security shall be set in the following amounts:~~

LBS. OF CATFISH PURCHASED PER MONTH	AMOUNT OF SECURITY
0 - 99,00	\$20,000
100,000 - 199,0	\$40,000
200,000 - 299,0	\$60,000
300,000 - 399,0	\$80,000
400,000 - 499,0	\$100,000
500,000 - 599,0	\$120,000
600,000 - 699,0	\$140,000
700,000 - 799,0	\$160,000
800,000 - 899,0	\$180,000
900,000 - 999,0	\$200,000
Amounts Over - 1,000	Maximum \$250,000

~~—(e) Security documents shall be included with registration forms.~~

2 CAR § 23-105. ~~Contracts or agreements between producers and buyers.~~ [\[Repealed\]](#)

~~—(a) Catfish processors who elect to pay for the fish they purchase as specified in Acts 1987, No. 365, § 5(1)(c), written contracts and agreements, shall have their contracts/agreements prepared in advance and approved by the State Plant Board.~~

~~—(b)(1) Each contract/agreement shall contain:~~

~~—(A) A statement informing the producer or seller that he is relinquishing all rights and title to the buyer or processor upon delivery of catfish; and~~

~~—(B) A lien holder statement.~~

~~—(2) The Director of the State Plant Board may require any additional information deemed necessary to protect the interest of the producer or seller or secured creditor in these transactions.~~

~~—(c) All contracts/agreements shall be prenumbered with no duplication of numbers.~~

2 CAR § 23-106. ~~Scales for weighing catfish.~~ [\[Repealed\]](#)

~~—(a) As a matter of fair practice, all scales used for the weighing of catfish by a processor shall be calibrated, tested, and officially approved by the Arkansas Bureau of Standards.~~

~~—(b) It shall be the duty of the catfish processor to contact the bureau annually for the testing and approval of their scales used for weighing catfish.~~

~~—(c) If a processor's scale is not approved, the processor shall not engage in the business of buying catfish from producers.~~

2 CAR § 23-107. ~~Weigh tickets.~~ [\[Repealed\]](#)

~~—(a) Weigh tickets used for the weighing of catfish shall be prenumbered and in the form prescribed by the State Plant Board.~~

~~—(b) All records shall be maintained on a daily basis by the catfish processor which the board deems necessary for auditing purposes.~~

~~—(c) The board shall require changes in weigh tickets and other record keeping forms anytime deemed necessary while auditing and regulating catfish processors.~~

2 CAR § 23-108. Auditing. [\[Repealed\]](#)

~~—(a) Auditors of the State Plant Board's Public Grain Warehouse Section shall audit the records of Arkansas catfish processors periodically to determine:~~

~~—(1) Volume of catfish purchased;~~

~~—(2) Payment of producers as specified, contracted, or agreed to; and~~

~~—(3) Solvency of the processor, under Acts 1987, No. 365, § 6.~~

~~—(b) All registrants shall maintain on a daily basis bookkeeping records required by the State Plant Board as deemed necessary for auditing purposes.~~

Stricken language would be deleted from and underlined language would be added to the Code of Arkansas Rules.

Proposed Rulemaking

Title

Promulgated by:
State Plant Board

Title 2. Agriculture

Chapter II. State Plant Board, Department of Agriculture

Subchapter C. Pesticides

Part 70. Arkansas Rules on Pesticide Use

Subpart 1. Generally

2 CAR § 70-101. Title.

(a) The following rules of the State Plant Board, written pursuant to the Arkansas Pesticide Use and Application Act, Arkansas Code § 20-20-201 et seq., and the Arkansas Pesticide Control Act, Arkansas Code § 2-16-401 et seq., shall be known as "The Arkansas Rules On Pesticide Use".

(b) Promulgation of this part repeals all provisions of the State Plant Board's current rules entitled "Arkansas Rules On 2,4-D, 2,4-DB, MCPA, And Other State Restricted Use Herbicides" effective December 31, 2002.

2 CAR § 70-102. Purpose.

(a) Pesticides are valuable to the state's agricultural production and to the protection of people and the environment from insects, rodents, weeds, and other forms of life which may be pests; ~~but~~ but, it is essential to the public health and welfare that they be regulated to prevent adverse effects on human life and the environment.

(b) However, at times certain pesticides present problems that were unanticipated by the:

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- (1) Manufacturer;
- (2) Grower; or
- (3) Applicator.

(c) The purpose of this part is to provide additional mechanisms, other than denying registration of a product in Arkansas, to minimize the adverse effects of certain pesticides to:

- (1) Plants, including forage plants, or adjacent or nearby lands;
- (2) Wildlife in the adjoining or nearby areas;
- (3) Fish and other aquatic life in waters in reasonable proximity to the area to be treated; and
- (4) Humans, animals, or beneficial insects.

2 CAR § 70-103. Definitions.

As used in this part:

(1) "Buffer zone" means the distance an applicator must maintain between the field or area of application and a protected subject inside of which the subject pesticide may not be applied;

(2) "Custom applicator" means a commercial applicator that applies pesticides assigned the Class E or Class F designation;

(3) "Desirable vegetation" means any type of vegetation:

(A) ~~The~~ For which the pesticide label specifically identifies for protection;

(B) For which the product is not labeled; or

(C) For which the owner/manager desires protection from the deposition of pesticides; and

(4) "Drift" means off-target movement of a pesticide onto desirable vegetation, waterways, or where human health or the environment may be adversely impacted, that occurs as a result of pesticide application.

2 CAR § 70-104. General.

(a)(1) The effective date of this part shall be January 1, 2003, and shall apply to all

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products registered for 2003.

(2) From that time forward, all pesticides registered for sale in the State of Arkansas shall be classified as:

(A) Class A;

(B) Class B;

(C) Class C;

(D) Class D;

(E) Class E;

(F) Class F;

(G) Class G;

(H) Class H; ~~or~~

(I) Class I; or

(J) Class J.

(3) Such designation shall remain the same unless changed by the State Plant Board by promulgation of a rule so changing the designation.

(4)(A) ~~Whatever designation is assigned to a product by the board, p~~Product dealers, users, and applicators must comply with the restrictions for ~~the~~ a product's assigned class as designated by the Board.

(B) Such restrictions will apply to product uses allowed as a result of Section (18) or Section 24(c) actions under FIFRA, except where the requirements on the label are clearly more restrictive than the board's requirements, in which case the more restrictive requirement must be followed.

(b)(1) The designations in this part apply to all pesticide products registered in the State of Arkansas.

(2) The use restrictions itemized in this part are intended to be in addition to the product label.

(3) ~~However, w~~Where the label is more restrictive than the applicable restrictions listed in this part, then the label shall be followed.

(4) Each successive class designation in this part includes the restrictions defined in the designations that precede it.

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2 CAR § 70-105. Product classification.

The following represents the product classifications assigned to pesticides currently registered under Arkansas law:

(1)(A) Class A.

(B) All registered pesticides not otherwise assigned below;

(2) Class B;

(3) Class C;

(4) Class D;

(5) Class E;

(6)(A) Class F.

(B) All 2,4-D and 2,4-D-containing pesticides, MCPA;

(7)(A) Class G.

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

(8)(A) Class H.

(B) All pesticides containing dicamba; ~~and~~.

(9)(A) Class I.

(B) Quinclorac, see Attachment 1; ~~and~~.

(10)(A) Class J.

(B) All pesticides containing warfarin when used only as a feral hog (*Sus scrofa*) toxicant.

2 CAR § 70-106. Class A.

(a)(1) All pesticides when registered in the State of Arkansas shall be classified as Class A unless research or experience has shown that certain potential problems may be inherent with the use of the product.

(2) Such knowledge may be as a result of but not limited to:

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- (A) Research findings;
- (B) Findings of other state and federal agencies; or
- (C) Experience of the State Plant Board.

(3) In such cases the board may, by rule, place the product in another class.

(b)(1) Products with this classification must be used in accordance with the label restrictions and other restrictions, if any, imposed by board rules other than this part.

(2) Documentation of equipment set-up must be maintained by the commercial applicator on forms provided by the board [Department](#) and made available to the board [Department](#) upon request.

(3)(A) Insecticides that are intended to be applied in low volume (LV) or ultra low volume (ULV), and product label guidelines require droplet sizes designated as "fine" or smaller in accordance with the August 1999 issue of the ASAE S572 report entitled Spray Nozzle Classification by Droplet Spectra, shall not be required to comply with the board's rules regarding spray droplet size.

(B) Said products must comply with the product label.

2 CAR § 70-107. Class B.

(a) Products with this designation shall be used in accordance with:

- (1) All other applicable federal or state laws and the rules written pursuant thereto;
- (2) The label registered with the State of Arkansas, ~~rules promulgated by the State Plant Board;~~
- (3) The applicable restrictions identified for Class A; and
- (4) The following additional restrictions.

(b) If enforcement action is taken against a commercial, noncommercial, or private applicator regarding drift of a product with this designation or a buffer zone violation, a part of the enforcement action will require the applicator to:

- (1) Attend a drift control training class administered by the board [Department](#) ; or
- (2) Other training that is acceptable to the board.

2 CAR § 70-108. Class C.

(a) Products with this designation shall be used in accordance with:

(1) All other applicable federal or state laws and the rules written pursuant thereto;

(2) The label registered with the State of Arkansas;

(3) The applicable restrictions identified for Class A and Class B; and

(4) The following additional restrictions.

(b)(1) All commercial equipment used to apply pesticides with this designation must be in compliance with the application equipment set-up requirements specified for herbicide applications contained in the rules written pursuant to the Pesticide Use and Application Act, as amended, Arkansas Code § 20-20-201 et seq., prior to the initial application.

(2) The ~~State Plant Board~~ Department is to verify compliance with the set up that was originally authorized.

(3) If the application equipment is modified, it must again be authorized to be in compliance with the requirements for herbicide application contained in the before-referenced rules.

(4) The ~~board~~ Department will inspect all application equipment each year that is used to apply products with the Class C designation.

(5) A fee of twenty-five dollars (\$25.00) shall be charged for each ~~board~~ Department inspection.

(c) Applications of products with this designation with equipment that is not acceptable to or has not been inspected by the ~~board~~ Department will be a violation of this part.

2 CAR § 70-109. Class D.

(a) Products with this designation shall be used in accordance with:

(1) All other applicable federal or state laws and the rules written pursuant thereto;

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- (2) The label registered with the State of Arkansas;
- (3) The applicable restrictions identified for Class A, Class B, and Class C; and
- (4) The following additional restrictions.

(b)(1) Applications may be made only when the wind is not blowing in the direction of:

- (A) Desirable vegetation;
- (B) Waterways; or
- (C) Where human health or the environment may be adversely impacted.

(2) Where desirable vegetation, waterways, or human health and the environment cannot be protected by ensuring they are not downwind from the application site, then, unless a greater distance is required by the label or other applicable state or federal rules, a three hundred-foot minimum buffer zone must be maintained between the protected entity (desirable vegetation, waterway, etc.) and the sprayed area.

2 CAR § 70-110. Class E.

(a) Products with this designation shall be used in accordance with:

- (1) All other applicable federal or state laws and the rules written pursuant thereto;
- (2) The label registered with the State of Arkansas;
- (3) The applicable restrictions identified for Class A, Class B, Class C, and Class D; and
- (4) The following additional restrictions.

(b) **Dealers requirements.**

(1)(A) Before selling, offering for sale, or distributing pesticides with this designation in packages of more than one quart (1 qt.), a dealer must be a licensed restricted use pesticides dealer.

(B) A dealer may sell, offer for sale, or distribute only those pesticides that are registered in the state.

(2)(A) Each branch of a license holding dealer which also sells or distributes

these products must have a dealer's license.

(B) 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)(A) Dealers must keep a record of each sale or distribution of products with this designation to custom or private applicators or dealers in containers of more than one quart (1 qt.) on forms available from, or approved by, the ~~State Plant Board~~

Department

(B) Entries in the record shall be made at the time of sale or distribution and shall include the:

- (i) Date of the purchase;
- (ii) Name, address, and license or permit number of the purchaser;

and

- (iii) Name and address of the delivery location.

(C) The complete brand name and quantity of the product shall also be recorded. These records shall be:

- (i) Kept by the dealer for two (2) years from the date of sale; and
- (ii) Made available for inspection by the ~~board~~ Department ~~or its~~

~~representative~~ upon request.

(4)(A) The sale or distribution of products with this classification in containers of more than one quart (1 qt.) to any firm or person other than a dealer or a custom or private applicator holding a current and valid license or permit is prohibited.

(B) Dealer must have a copy of the custom applicator's license on file.

(5) Nonresidents of Arkansas shall designate and maintain a resident agent in this state for service of process.

(c) Requirements for custom application.

(1) The application of products with the Class E or Class F designation shall be known as custom application.

(2)(A) To be eligible to apply products with the Class E or Class F designation, a commercial application firm must obtain a firm's custom applicator permit from the

~~board~~ Department prior to making any applications.

(B) Said permit must designate an operator-in-charge whose responsibility is to supervise all custom applications made by the firm.

(3) Issuance of the permit shall be conditioned on the following:

(A)(i) Commercial aerial application firms must have a firm's commercial applicator license issued by the ~~board~~ Department to apply pesticides in Arkansas.

(ii)(a) All pilots that apply pesticides for the firm must have an individual commercial applicator pilot license (with category) issued by the ~~board~~.

Department

(b) The firm must have a copy of all individual commercial applicator pilot licenses held by pilots employed by the firm.

(iii)(a) Commercial aerial application firms that wish to apply products with the Class E or Class F designation must obtain a firm's custom applicator permit from the ~~board~~. Department

(b) The firm's permit must designate at least one (1) of its licensed individual commercial applicators that has passed the custom applicator test as an operator-in-charge.

(c)(1) All pilots making custom applications must have an individual commercial applicator pilot license with authorization to apply Class E or Class F products.

(2) Said authorization is obtained by passing a custom applicator written test administered by the ~~board~~; Department;

(B)(i) Commercial ground application firms must have a firm's commercial applicator license issued by the ~~board~~. Department

(ii) At least one (1) person working for the firm must have an individual commercial applicator license (with category) issued by the ~~board~~.

Department

(iii)(a) Commercial ground application firms that wish to apply products with the Class E or Class F designation must obtain a firm's custom application permit.

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(b) The firm's permit must designate at least one (1) of its licensed individual commercial applicators that has passed the custom applicator test as an operator-in-charge;

(C) The application vehicle must be covered by a current certificate of inspection as required in 2 CAR § 70-107;

(D)(i) Licensed commercial application firms that do tree injection work only, do not need a firm's custom applicator permit to apply products with the Class E or Class F designation.

(ii) For such firms, a tree injector's permit is required.

(iii) ~~However, the~~ firm's tree injector permit must designate at least one (1) of the firm's licensed individual commercial applicators that has passed the tree injector test administered by the ~~board~~ Department as an operator-in-charge;

(E)(i) A deposit of two hundred and fifty dollars (\$250) shall be made with the ~~board~~ Department by the custom application firm, except that those persons doing tree injector work exclusively will deposit ten dollars (\$10.00) per tree injector, up to a maximum of two hundred and fifty dollars (\$250).

(ii)(a) Said deposit shall be returned at the expiration of the permit upon request unless the custom applicator is found in violation of the board's rules or suffers cancellation of his or her custom applicator's permit.

(b) ~~In which case the~~ deposit will be retained by the ~~board~~ Department to supplement cost recovery of inspection and administration incidental to such finding;

(F)(i)(a) A deposit of funds as described in subdivision (c)(3)(E) of this section and proof of financial responsibility, as described below is required.

(b) Nonresidents of Arkansas shall designate and maintain a resident agent in this state for service of process.

(c) Custom application permits, custom application authorizations, and tree injector permits shall expire December 31 of each year.

(ii) Financial responsibility in the minimum of one hundred thousand dollars (\$100,000) shall be maintained by the custom application firm or tree injection

firm during the term of his or her permit, with proof of such financial responsibility submitted to the ~~board~~ Department.

(iii) Proof of financial responsibility shall consist of one (1) of the following:

(a)(1) The deposit of a certificate of insurance or insurance policy not to exceed five thousand dollars (\$5,000) deductible from an insurer or surplus line broker authorized to do business in Arkansas insuring the custom application firm and any of its agents against liability for injury resulting from the application of products with this designation.

(2) If a claim is made on this type of policy, then the policy must not expire for at least six (6) months after the expiration of the permit;

(b) A letter of credit from a bank located in Arkansas guaranteeing financial responsibility;

(c) A surety bond; or

(d) An escrow account with a bank located in Arkansas;

(G)(i) Application for a permit must be made on forms furnished by the ~~board~~ Department accompanied by the following fees:

(a)(1) Aerial custom application firms must pay an annual application processing fee of one hundred fifty dollars (\$150) plus fifty dollars (\$50.00) for each operator-in-charge.

(2) Pilots making custom applications must pay an annual application processing fee of thirty-five dollars (\$35.00) for authorization to apply products in Class E and Class F;

(b) Ground custom application firms must pay an annual application processing fee of one hundred fifty dollars (\$150) plus fifty dollars (\$50.00) for each operator-in-charge; and

(c) Applicants for a tree injector's permit must pay an annual application processing fee of fifty dollars (\$50.00) plus fifty dollars (\$50.00) for each operator-in-charge.

(ii)(a) ~~Should, at any time, a~~ A custom application firm be left without

an operator-in-charge or a pilot with an individual commercial applicator pilot license with authorization to apply products with the Class E or Class F designation, either because of invalidation of the permit or for any other reason, ~~such~~ shall automatically invalidate the have its custom applicator's firm permit. Invalidated.

(b) It shall be a violation of this part for an individual or firm to act as a custom applicator that is not licensed to do so by the ~~board~~ Department;

(H)(i) The ~~board or its authorized representative or representatives~~ Department may refuse issuance, after a hearing, of a custom applicator's permit to any applicant when such applicant has been found in violation of this part four (4) times in a three-year period.

(ii) Such applicant may appeal to the board.

(iii) All requests for an appeal must be made in accordance with the board's policy on appealing a decision;

(I)(i) All equipment used for custom application of the products with this designation must have a decal provided by the ~~board~~ Department affixed to the device in a location where it can be easily seen by a ~~board~~ Department representative employee and protected from removal or disfigurement by work activity.

(ii) This decal may only be affixed to equipment that meets the requirements set out in this part and other applicable rules promulgated by the board.

(iii) Use of equipment for custom application that does not have a current decal will be a violation of this part.

(iv) Decals are not transferable between equipment.

(v) Each decal shall be issued at a cost of fifty dollars (\$50.00).

(vi)(a) Subsequent to issuance of a decal, the equipment on which the decal is to be attached will be subject to inspection by the ~~board~~. Department

(b) Equipment found not meeting the requirements set out by this part or other applicable rules promulgated by the board will be issued a stop use order that will be released by the ~~board~~ Department once the ~~board~~ Department is satisfied that the equipment meets the set up requirements of the applicable rules.

(c) The applicator will also be considered in violation of the

board's rules on pesticide application and be subject to the required enforcement action.

(vii) All decals and permits expire on December 31 of each year.

(viii) Equipment used to apply pesticides with this designation shall not be used for the application of other pesticides that do not carry this designation or the Class F designation unless the following has been done:

(a) The vehicle must be thoroughly decontaminated;

(b)(1) The tank must be thoroughly rinsed and the rinsate disposed of in accordance with the label.

(2) If the label does not address rinsate disposal, the rinsate should be collected and disposed of in accordance with applicable state and federal disposal laws; and

(c)(1) The entire spray or application system must be replaced or decontaminated using the best available technology such that a sample taken from the successive pesticide tank load would contain no detectable concentration of the previous product.

(2) Where research has established a concentration below which no adverse effects occur and that concentration level is not a violation of state or federal law or rules written pursuant to such laws, then that established concentration will be acceptable.

(3) Compliance with this provision in no way exempts the product user from compliance with any other responsibility imposed by state or federal law or regulation written pursuant thereto.

(4)(A) Pesticide application equipment must have a leak-free valve that is painted hunter orange from which a sample can be taken.

(B) Aircraft must have a sample valve located at the low point in the spray system.

(C) Ground application equipment must have a sample valve located in the pressure by-pass line;

(J)(i)(a) All firms desiring to do custom application work must have a

custom application permit to do so. Said permit must designate an operator-in-charge.

(b) Eligibility as operator-in-charge will be conditioned on the following:

(1) Achieving a score of seventy percent (70%) or better on an examination administered by the ~~board~~ Department;

(2) Pilots must hold a valid Federal Aviation Administration pilot's commercial certificate;

(3) Applicant may not have more than four (4) enforcement actions indicated on the ~~board's~~ Department's records in the ~~three (3)~~ two (2) years prior to the date of testing; and

(4) The fee for each test shall be thirty-five dollars (\$35.00).

(ii) Pilots and operators-in-charge shall be responsible for notifying the ~~board~~ Department of the name and location of employment prior to starting work; and

(K)(i) The custom application firm must maintain records of each application of products with this and the Class F designation.

(ii) Said records must be retained at the principal Arkansas office of the custom application firm as indicated on the firm license for a period of ~~three (3)~~ two

(2) years and be available for inspection by a ~~board representative.~~ the Department.

(iii) The records shall include at a minimum the following information:

(a) Name and address of the person or persons in control of the crops, plant, etc;

(b)(1) Location of the crop, plants, etc. treated.

(2) Location description must include:

(A) County;

(B) Nearest town;
(C) Physical address if available; and
(D) GPS or map coordinates of the primary entrance to the field;

(c) Date, start time, and ending time of the application;

(d)(1) Wind speed and direction at the start and ending times of the application and the type of instrument used to measure wind speed and direction.

(2) The location of instrument at time of reading (preferably "field of application") must also be recorded;

(e) Complete brand name and United States Environmental Protection Agency 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 and the firm's custom application equipment number assigned to it by the ~~board~~ [Department](#);

(h) Distance from and direction to any susceptible crops within a one-mile radius of the treated crop; and

(i) Name of the application vehicle operator.

(d) Requirements for noncustom application of products in this class.

(1) Whether designated as "restricted" by the United States Environmental Protection Agency or not, products in containers of more than one quart (1 qt.) with this class designation and the Class F designation may not be purchased by or sold to persons who do not have a current commercial, noncommercial, or private applicator's license.

(2) All applications of products with this designation by private applicators must be in accordance with the applicable application conditions required of the custom applicator.

(3)(A) The private applicator must maintain records of each application of products with this and the Class F designation.

(B) Said records must be:

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- (i) Retained for a period of ~~three (3)~~ two (2) years; and
 - (ii) Available for inspection by a ~~board representative~~: the Department
- (C) The records shall include at a minimum the following information:
- (i) Name and address of the person or persons in control of the crops, plant, etc;
 - (ii)(a) Location of the crop, plants, etc. treated.
 - (b) Location description must include:
 - (1) County;
 - (2) Nearest town;
 - (3) Physical address, if available; and
 - (4) GPS reading or map coordinates of the primary entrance to the field;
 - (iii) Date, start time, and ending time of the application;
 - (iv)(a) Wind speed and direction at the start time and ending time of the application and type of instrument used to measure wind speed and direction.
 - (b) The location of instrument at time of reading (preferably "field of application") must also be recorded;
 - (v) Complete brand name and United States Environmental Protection Agency registration number of the material used;
 - (vi) Number of acres and type of crop to which the material was applied;
 - (vii)(a) Type of equipment used.
 - (b) If the product was applied by a custom applicator, record the firm's custom application equipment number assigned to the equipment used by the ~~board~~ Department;
 - (viii) Distance from and direction to any susceptible crops within a one-mile radius of the treated crop; and
 - (ix) Name of the application vehicle operator.

(e) **Exemptions.**

- (1)(A) The licensing requirements of this part do not apply to:

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(i) The United States Department of Agriculture, the Arkansas experiment stations, and other state or federal agencies;

(ii) Ornamental and turf weed control;

(iii) Company demonstrations with ground equipment; or

(iv) Sales of fertilizer, soil conditioners, or similar products containing registered products with this designation and packaged for home use.

(B) Provided that nothing in this section shall be construed as exempting custom applicators from the provisions of this part when making applications for the agencies listed herein or exempting any such agency acting as a dealer from the dealer requirements.

(2) Products with the Class E or Class F designation that are not designated as restricted use products by the United States 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 applicators 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.

2 CAR § 70-111. Class F.

(a) Products with this designation shall be used in accordance with:

(1) All other applicable federal or state laws and the rules written pursuant thereto;

(2) The label registered with the State of Arkansas;

(3) The applicable requirements identified for Class A, Class B, Class C, Class D, and Class E; and

(4) The following additional restrictions.

(b) Dealers may not store or transport products with this designation in the same room or vehicle with seeds, other pesticides that do not have this designation, or

fertilizers, except in leak-proof containers not to be opened while in storage, and must observe all other precautions necessary to prevent contamination of these products.

(c) The use of esters of the products with this designation, except low-volatile esters, is prohibited.

(d) No product with this designation may be applied within one-fourth (1/4) mile of susceptible crops at any time except as otherwise indicated by this part.

(e) From April 16 through September 15 of each year, the following conditions shall apply:

(1) Pesticides labeled for agricultural use that contain the active ingredient or ingredients 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;

(2)(A) Where no viable alternative is believed to exist, an annual permit may be obtained from the ~~State Plant Board~~ [Department](#) to allow an exemption to these restrictions.

(B) Said ~~The~~ [permit](#) must be obtained prior to application and will require a permit application fee in the amount of one hundred dollars (\$100).

(C) The application for the permit must be on forms authorized by the ~~board~~ [Department](#).

(D) This exemption is conditioned on the producer complying with the following requirements:

(i) The permittee must have the permit in his or her possession prior to making the application and it must be made available to the ~~board or its designee~~ [Department](#) upon request;

(ii) For each application the following information must be recorded:

(a) A physical description of the location of the field;

(b) Date of the application;

(c) Start time and stop time for each load applied to the field;

(d)(1) Wind speed (may not be less than two miles per hour (2 m.p.h.), wind direction, ambient temperature, and precipitation condition at ten-minute

intervals during the application of each load.

(2) Said The measurements must be made at the field of application; and

(e) The producer must be present during the application and sign the document containing the information;

(iii) The above information must be filed with the ~~board's~~ Department Pesticide Section along with a GPS map of the application to the field within ten (10) days of the date of application;

(iv) Applications made within four (4) miles of susceptible crops (defined as cotton when applying 2,4-D) must be done when the wind is blowing at least two miles per hour (2 m.p.h.) away from the susceptible crop;

(v)(a) Rice levee spraying shall not require a permit in Cross, Poinsett, Clay, Greene, Craighead, Crittenden, St. Francis, Lee, Phillips, and Mississippi counties west of the approximate north-south center line of Crowley's Ridge.

(b) However, subdivisions (e)(2)(D)(ii)(a) – (e) and (e)(2)(D)(iv) of this section must be complied with.

(c) The records for each application must be maintained by the producer for a period of ~~three (3)~~ two (2) years and be made available to the ~~board~~ Department upon request ~~by a board representative~~.

(d) The application device must:

(1) Generate a spray with a droplet spectrum such that no more than ten percent (10%) of the spray droplets are smaller than three hundred (300) microns;

(2) The boom width may not exceed ten feet (10');

(3) During application, the spray nozzle height may not exceed thirty inches (30") above the top of the levee; and

(4) The spray vehicle may not exceed eight miles per hour (8 m.p.h.).

(e) No 2,4-D esters may be used;

(3) In the remainder of the state, the following conditions shall apply:

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(A) A buffer zone between the field to be treated and susceptible crops (susceptible crop 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;

(B) Applications made within four (4) miles of susceptible crops must be done when the wind is blowing at least two miles (2 m.p.h.) per hour away from the susceptible crop; and

(C)(i) 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.

(ii) The waiver shall be developed by the ~~board~~ Department and provided to said producers by the owner or supervisor of the sprayed or treated field.

(iii) A copy of the waiver must be provided to the applicator who sprays or treats the field.

(iv) The applicator shall retain the record for a period of ~~three (3)~~ two (2) years.

(v) When making an application within the applicable buffer zone, at the time of application, the wind must be blowing away from susceptible crops; and

(4)(A) Failure to comply with the requirements for a Class F product when using a Class F product will result in enforcement action being taken against the producer and the applicator in accordance with the board's penalty matrix.

(B) Any penalty mandated by the penalty matrix may have additional civil penalty added to it to bring the amount of the assessment up to the maximum amount allowed by law.

(f)(1) Any custom applicator who violates the buffer zones defined in subsection (e) of this section shall be subject to a civil penalty as prescribed by the penalty matrix for the violation plus one thousand dollars (\$1,000).

(2) However, the total civil penalty for one (1) violation may not exceed two thousand dollars (\$2,000).

(3) Failure to comply with the decontamination requirements of 2 CAR § 70-110(c)(3)(I) before making an application of a product with a Class A, Class B, Class C,

or Class D designation inside a designated buffer zone for Class E and Class F products will be considered a buffer zone violation.

(g)(1) Products with this designation shall be applied in accordance with the application equipment set-up required for herbicide applications to field crops itemized in the rules written pursuant the Pesticide Use and Application Act, Arkansas Code § 20-20-201 et seq., as amended.

(2) Except that these conditions will apply, in addition to field crops, to:

- (A) Pastures;
- (B) Rights-of-way;
- (C) Drainage ditches; and
- (D) Brush and forest land.

(h) The wind velocity during the application shall not exceed eight miles per hour (8 m.p.h.), and the temperature may not exceed ninety degrees Fahrenheit (90° F).

(i)(1) Applications of products with this classification shall not be made unless the following condition exists:

(A)(i) 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 degrees Fahrenheit (3° F) above the morning low measured at the applicator's air strip or mixing/loading facility.

(ii) If the applicator has knowledge that the temperature measurement at his or 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; and

(B)(i) For applications made after noon, the temperature at the field of application must not have decreased more than five degrees Fahrenheit (5° F) from the afternoon high measured at the applicator's air strip or mixing/loading facility.

(ii) If the applicator has knowledge that the temperature measurement at his or 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.

(2) All temperature measurements referenced above must be maintained by the grower as well as the applicator and be made available to the ~~board~~ [Department](#) upon request.

(j) **Enlist exemption.**

(1)(A) 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:

- (i) Soybeans;
- (ii) Cotton; and
- (iii) Corn.

(B) All board restrictions on 2,4-D containing products will apply except the following:

- (i) 2 CAR § 70-111(d);
- (ii) 2 CAR § 70-111(e)(1);
- (iii) 2 CAR § 70-111(e)(2);
- (iv) 2 CAR § 70-111(e)(3); and
- (v) 2 CAR § 70-111(h); and

(C) The application window in 2 CAR § 70-111(e) shall not apply.

(2) In addition to all product label requirements, the following conditions apply:

(A) At the time of application, the wind must be blowing away from adjacent sensitive areas and nontarget susceptible crops as identified by the product label;

(B) The wind speed during the application may not exceed ten miles per hour (10 m.p.h.);

(C) The volume median diameter (VMD) of the spray droplets must be greater than three hundred (300) microns; and

(D)(i) Tank mixes will not be permitted unless research data, from a source acceptable to the board, is provided.

(ii) 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 two hundred (200) microns) by more than ten percent (10%) over that of the product alone.

(iii) However, there will be a limit of no more than ten percent (10%) of the total mix's droplets to be smaller than two hundred (200) microns.

(iv) This tank mix requirement may be waived in part or in whole by the board if no entity can be identified as an acceptable source for development of the data.

(v) Where the product label is more restrictive than the board's restrictions, then the label must be complied with.

(3)(A) Ground applications of products with this classification shall not be made to Enlist seed technologies without commercial, noncommercial, and private applicators first completing new technology certification training.

(B) New technology certification training must be obtained through the University of Arkansas Cooperative Extension Service.

(C) Upon request proof of training must be provided to the ~~board~~.

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2 CAR § 70-112. Class G.

(a)(1) Products with this designation shall be used in accordance with:

(A) All other applicable federal and state laws and rules written pursuant thereto;

(B) The label registered with the State of Arkansas;

(C) The applicable restrictions identified for Class A, Class B, Class C, and Class D; and

(D) The following additional restrictions.

(2) Products assigned to this class include only those products:

(A) Packaged in containers one (1) gallon or larger;

(B) Labeled for agricultural use; and

(C) Used in row crop and rice production and commercial right-of-way treatment.

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(b)(1) Class G products may not be applied in winds greater than ten miles per hour (10 m.p.h.), fifteen miles per hour (15 m.p.h.) if using a commercially available hooded sprayer.

(2) However, if the product label indicates a lesser wind speed should be used, then that wind speed must be used.

(c) Civil penalties assessed for each violation of the product label, applicable state or federal law, or the rules promulgated pursuant to these laws that involve a product with this classification shall be assessed at the level indicated by the State Plant Board's Enforcement Response Rules, 2 CAR pt. 73, for a restricted-use product plus, where not otherwise forbidden by state or federal law, additional civil penalties may be added to bring the amount of the assessment up to the maximum amount allowed by law.

(d) For purposes of civil penalty assessment, products named to this classification shall be considered the same as federally restricted use products if not already designated as such.

(e) Failure to comply with these requirements will be a violation of this part.

2 CAR § 70-113. Class H.

(a)(1) Products with this designation shall be used in accordance with:

(A) All other applicable federal and state laws and rules written pursuant thereto;

(B) The label registered with the State of Arkansas;

(C) The applicable restrictions identified for Class A; and

(D) The following additional restrictions.

(2) Products assigned to this class include only those products packaged in containers of more than one quart (1 qt.), labeled for agricultural use.

(b) Dealer requirements.

(1)(A) Before selling, offering for sale, or distributing pesticides with this designation in packages of more than one quart (1 qt.), a dealer must be a licensed restricted use pesticides dealer.

(B) A dealer may sell, offer for sale, or distribute only those pesticides that

are registered in the state.

(2)(A) Each branch of a license holding dealer which also sells or distributes these products must have a dealer's license.

(B) 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)(A) Dealers must keep a record of each sale or distribution of products with this designation to commercial, noncommercial, private applicators, or dealers in containers of more than one quart (1 qt.) on forms available from or approved by the ~~State Plant Board~~ [Department](#).

(B) Entries in the record shall be made at the time of sale or distribution and shall include the:

(i) Date of the purchase;

(ii) Name, address, and license or permit number of the purchaser;

and

(iii) Name and address of the delivery location.

(C) The complete brand name and quantity of the product shall also be recorded.

(D) These records shall be:

(i) Kept by the dealer for two (2) years from the date of sale; and

(ii) Made available for inspection by the ~~board or its representative~~

[Department](#) upon request.

(4)(A) The sale or distribution of products with this classification in containers of more than one quart (1 qt.) to any firm or person other than a dealer or applicator holding a current and valid license or permit is prohibited.

(B) Dealer must have a copy of the applicator's license on file.

(5) Nonresidents of Arkansas shall designate and maintain a resident agent in this state for service of process.

(c) Requirements for commercial, noncommercial, and private application of dicamba-containing pesticides.

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(1) From July 1 through October 31 of each year, applications of products labeled for agriculture use that contain dicamba are prohibited except applications made for:

(A) Turf, ornamental, direct injection for forestry activities and home use are allowed year round; and

(B)(i) Pasture and rangeland are allowed year round.

(ii) However, such applications must maintain buffers required in subdivision (c)(2) of this section.

(2) From April 16 through June 30, all applications for in-crop agricultural use:

(A) Must maintain a one-mile buffer, in all directions, from University of Arkansas and United States Department of Agriculture research stations;

(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; and

(C) During application, a one-fourth-mile buffer zone in all directions from non-dicamba-tolerant crops must be maintained and one-half-mile for all certified organic crops and commercially grown specialty crops (defined as a minimum of one thousand (1,000) plants or the average annual crop sales for the previous three (3) years exceeding twenty-five thousand dollars (\$25,000).

(3) From April 16 through October 31, applications of pesticides labeled for agricultural use that contain the active ingredient dicamba are prohibited for preplant (burndown) applications except:

(A) From April 16 through June 30, pesticides labeled for in-crop agricultural use, by ground, that contain the active ingredient dicamba and allow for the preplant (burndown) applications may be applied; and

(B) Such applications must maintain the requirements of buffers required in subdivision (b)(2) of this section.

(4) Training requirements.

(A)(i) Applications of products with this classification to dicamba-tolerant crops shall not be made without commercial, noncommercial, and private applicator first

completing dicamba-specific training provided by a registrant of a dicamba product for use on dicamba-tolerant crops.

(ii) Upon request, proof of training must be provided to the ~~board~~
Department.

(B)(i) Applications of products with this classification to non-dicamba crops or pasture and rangeland shall not be made without commercial, noncommercial, and private applicators first completing new technology certification training.

(ii) New technology certification training must be obtained through the University of Arkansas Cooperative Extension Service.

(iii) Upon request, proof of training must be provided to the ~~board~~
Department.

(C) Applicators must provide the proof of training required by subdivision (b)(4) of this section to pesticide dealers prior to purchase.

(5) Record keeping requirements.

(A) Applicators must maintain records of each application of products with this designation.

(B) Said records must be:

(i) Retained for a period of ~~three (3)~~ two (2) years; and

(ii) Available for inspection by a ~~board representative~~ the Department.

(C) The records shall include at a minimum the following information:

(i) Name and address of the person or persons in control of the crops, plant, etc;

(ii)(a) Location of the crop, plants, etc. treated.

(b) Location description must include:

(1) County;

(2) Nearest town;

(3) Physical address, if available; and

(4) GPS reading or map coordinates of the primary entrance to the field;

(iii) Date, start time, and ending time of the application;

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(iv)(a) Wind speed and direction at the start time and ending time of the application and type of instrument used to measure wind speed and direction.

(b) The location of instrument at time of reading (preferably "field of application") must also be recorded;

(v) Complete brand name and United States Environmental Protection Agency registration number of the material used;

(vi) Number of acres and type of crop to which the material was applied;

(vii) (a) Type of equipment used.

(b) If the product was applied by a commercial applicator, record the firm's application equipment number assigned to the equipment used by the ~~board~~; Department; and

(viii) Name of the application vehicle operator.

(d) Exemptions.

(1) The licensing requirements of this part do not apply to:

(A) The United States Department of Agriculture, the University of Arkansas experiment stations, and other state or federal agencies;

(B) Ornamental and turf weed control;

(C) Company demonstrations with ground equipment; or

(D) 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 United States 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, noncommercial, 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.

2 CAR § 70-114. Class I.

Products with this designation are those for which none of the aforementioned classifications or any combination thereof will resolve to an acceptable level the problems associated with the use of such product.

Appendix A. Attachment 1 - Quinclorac Use Restrictions

ATTACHMENT 1

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 ¹ 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 Countyline.
 - 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.
5. 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.
6. All applications of Quinclorac shall be made in accordance with the applicable drift minimization recommendations of the Spray Drift Task Force.
7. 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.
8. Quinclorac may not be sold to persons that do not possess a current Private, Commercial or Non-Commercial Applicator's License.

Link:

<https://CodeOfARRules.arkansas.gov/docs/CARCodeAppendices/Appendices/389/2CARpt.70.Attachment1.pdf>

2 CAR § 70-115. Class J.

~~Products with this designation are those for which none of the aforementioned classifications or any combination thereof will resolve to an acceptable level the problems associated with the use of such product.~~

(a)(1) Products with this designation shall be used in accordance with:

(A) All other applicable federal and state laws and rules written pursuant thereto;

(B) The label registered with the State of Arkansas;

(C) The following additional restrictions.

(b) Dealer Requirements.

(1)(A) Before selling, offering for sale, or distributing pesticides with this designation, a ~~restricted use~~ pesticide dealer must be licensed as a restricted use

pesticide dealer.

(B) A restricted use pesticide dealer may sell, offer for sale, or distribute only those pesticides registered in the state.

(2)(A) Each branch of a license holding dealer which also sells or distributes these products must have a restricted use pesticide dealer's license.

(B) Firms or distributors who take orders for these products must secure a restricted use pesticide 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)(A) Restricted use pesticide dealers must keep a record of each sale or distribution of products with this designation to commercial, noncommercial, private applicators, or dealers.

(B) Entries in the record shall be made at the time of sale or distribution and shall include the:

- (i) Date of the purchase;
- (ii) Name, address, and license number of the purchaser;
- (iii) Name and address of the delivery location;
- (iv) Complete brand name;
- (v) Quantity; and
- (vi) EPA registration number

(C) These records shall be :

- (i) Kept by the restricted use pesticide dealer for two (2) years from the date of sale; and
- (ii) Made available for inspection by the Department ~~or its representative~~ upon request.

(D) Restricted use pesticide dealers must have a copy of the applicator's license on file.

(4) Nonresidents of Arkansas shall designate and maintain a resident agent in this state for service of process.

(c) **Requirements for commercial, noncommercial, and private applicators.**

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(1)(A) Use is prohibited in any county where black bears have been harvested since 2023, per the Arkansas Game and Fish Commission Black Bear Harvest Report.

(B) Use in all other counties is prohibited from April 1-November 30.

(2) Training requirements.

(A) Use of products with this classification shall not be made without the commercial, noncommercial, or private applicator first completing label specific training provided by the registrant of the product.

(B) Upon request, proof of training must be provided to the Department ~~or its representative upon request.~~

(3) Record keeping requirements.

(A) Applicators must maintain records of each application of products with this designation.

(B) Said records must be:

(i) Retained for a period of ~~threetwo~~ (32) years; and

(ii) Available for inspection by the ~~Department or its representative~~ upon request.

(C) The records shall include at minimum the following information:

(i) Name and address of the person or persons in control of the pesticide(s);

(ii)(a) Location of the use.

(b) Location description must include:

(1) County;

(2) Nearest town;

(3) Physical address, if available; and

(4) GPS reading or map coordinate of the use site;

(iii) Date, start time, and ending time of the application;

(iv) Complete brand name and United States
Environmental Protection Agency registration number of
the material used; and

(v) Name of the licensed applicator