

ARKANSAS STATE PLANT BOARD

Minutes

March 10, 2026

9:30 a.m.

The Arkansas State Plant Board met on March 10, 2026, at the Arkansas Department of Agriculture, 1 Natural Resources Drive, Little Rock, AR.

Chairman Reynold Meyer called the quarterly meeting to order.

Member(s) present: Bruce Alford, Sammy Angel, Kyle Baltz, Jon Bierbaum, George Dunklin, Garrett Frost, David Gammill, Dr. Ken Korth, Reynold Meyer, Matthew Miles, Robin Ralston, Travis Senter, Dr. Nathan Slaton, Sam Stuckey, Robert Thorne, Caleb Wall, David Wallace, Jr., Shane West

Member(s) absent: Nathan Reed

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

1. **Opening comments and introductions**

Chair Meyer welcomed new board member, Caleb West, representing the pest control industry. Chair Meyer then welcomed all who were in attendance and asked each member to introduce themselves and state who they represent.

2. **Consider the minutes of the December 8, 2025, Plant Board meeting, and the January 14, 2026, Special Called Plant Board meeting**

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

Motion carried.

3. **Plant Industries report**

Seats gave an update on the Plant Industries division.

- There are 183 filled positions, 82 part-time employees, and 8 unfilled positions.
- There are currently six rules in the rule making promulgation process.
- Pesticide licensing update.
- There are three events planned in the next month for abandoned pesticide collection:
 - Crossett and Crittenden County
 - White and Jackson Counties
 - Clay and Greene Counties

- There are two Section 18 submissions that are in the process of being approved for Keenali and Courier SC.
- Reviewing all internal processes to identify opportunities for greater efficiency.
- Reviewing rules and legislative proposals that require action.

Seats announced that March has been declared peanut month and invited the board and attendees to participate in a peanut proclamation event in the lobby at 11:00 this morning.

4. **Pest Control report**

Committee Chair Dr. Korth stated the Pest Control Committee did not meet this quarter and has nothing to report.

5. **Pesticide Committee report**

Committee Chair Dunklin stated the Pesticide Committee met this morning and would present minutes for approval at the next meeting.

Susie Nichols, Division Manager, provided a program update. From 2017–2026, the division handled 4,438 case files and complaints. Current licensing includes 115 dealer licenses, 32 bulk dealer licenses, 901 total commercial licenses, 307 noncommercial licenses, and 338 private applicator licenses. There are no private pilots licensed as aerial applicators. Seventy-seven individuals were newly certified, and 976 were recertified. The program oversees 13,982 registered products and 21 firms operating a total of 43 drones.

Nichols presented pesticide enforcement actions reviewed at the meeting held this morning and presented the committee's recommendations. **Attachment 1**

Items 1-15 – warning letters

Moved by Angel, seconded by Miles to approve the committee's recommendations as presented.

Frost recused on items 1, 13, 14, and 15.

Motion carried.

Items 16 through 23 – signed consent agreements

Moved by Dunklin, seconded by Angel to approve the committee's recommendations as presented.

Frost recused on items 16, 17, 18, 19, 22, and 23.

Motion carried.

Items 24 through 26 – signed egregious eligible consent agreements

Moved by Miles, seconded by Frost to approve the committee's recommendations as presented.

Motion carried.

Items 27 through 49 – signed warning settlement agreements

Moved by Dunklin, seconded by Frost to approve the committee's recommendations as presented.

Motion carried.

Nichols presented the public comments received for the proposed Arkansas Rules Governing Pesticide Use. **Attachment 2**

Region 6 SLA Kaput Feral Hog Bait Survey Responses. **Attachment 3**

Kaput Feral Hog Bait label. **Attachment 4**

Black bear harvest by county for 2023. **Attachment 5**

Oklahoma – State Limited Use Pesticide. **Attachment 6**

Texas – State Limited Use Pesticide. **Attachment 7**

Ryan Farney, coordinator of the feral hog program, noted that while the bait can be effective when used properly, it is not a standalone solution for hog eradication. He emphasized that the Feral Hog Task Force does not recommend for or against the product, but if approved by the Plant Board, the proposed guidelines should be adopted. Farney added that, in his view, the most effective control method combines baiting with USDA aerial gunning efforts.

Richard Poche, owner of Scimetrix, Inc., stated they have been working on the Kaput product for approximately 18 years. He presented some background information on the product and answered questions from the board.

Proposed pesticide rule. **Attachment 8**

Moved by Dunklin, seconded by Stuckey to amend the proposed rule on page 31, (3)(D) to read as follows: Restricted use pesticide dealers must have a copy of the applicator's license and manufacturer's training certificate on file.

Motion carried.

Nichols stated the over-the-top dicamba products were submitted for federal registration and approved. In addition, Arkansas has rules in place with further restrictions for the products.

Chair Meyers asked comparatively where the Arkansas rules are more restrictive than the federal label.

Nichols stated the following:

- Dealers are required to be licensed to sell and purchase dicamba
- Commercial, noncommercial, and private application of dicamba containing pesticides requires an applicator license to purchase/use, and to maintain application records for three years
- Dicamba specific training is required and provided by the registrant
- July 1 through October 31 there is no agricultural use applications allowed in Arkansas
- April 16 through October 31, pre-plant burndown applications prohibited, except for in-crop dicamba products
- April 16 through June 30, application of in-crop dicamba products is allowed with the following restrictions. One mile buffer in all directions from University/USDA research stations. One half mile buffer in all directions from certified crops and specialty crops. One quarter mile buffer in all directions from non-dicamba tolerant crops
- Glyphosate tank mixes prohibited

Representatives from the following manufacturers were in attendance via Zoom to answer questions from the board:

- Bayer – product name is Stryax - Amanda Albers
- BASF – product name is Engenia - Kerrie Ihnen
- Syngenta – product name is Tavium Plus Vapor Grip Technology – Tammy Tyler

Kerrie Ihnen covered the main changes that were made to the label for dicamba products for 2026. **Attachment 9**

6. **Bureau of Standards Committee report**

Committee Chair Ralston stated the Bureau of Standards Committee met February 5, 2026. **Attachment 10**

The committee reviewed and approved 33 civil penalty violations.

- Eight for expired or no decal; seven first violations and one second violation
- Eleven for misrepresentation of pricing; three first violations, three second violations, three third violations and two multiple violations
- Thirteen for water contamination in the fuel; all first violations
- One flashpoint failure; first violation

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

Motion carried.

Moved by Ralston, seconded by Stuckey to approve the minutes of the February 5, 2026, meeting minutes as presented.

Motion carried.

7. **Boll Weevil Eradication Program report**

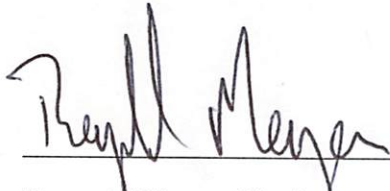
Committee Chair Stuckey stated the Boll Weevil Eradication Sub-Committee met February 24, 2026. **Attachment 11**

The committee reviewed and approved the projected 2022–2026 cash flow, a \$1.00-per-acre grower rebate, a \$3.00 per-acre assessment fee for the 2026 crop, and the 2025 Delta invoice totaling \$209,210.82.

Moved by Stuckey, seconded by Angel to approve the recommendations of the committee as presented, and the minutes as presented.

Motion carried.

Meeting adjourned.



Reynold Meyer, Chairman

Kyle Baltz, Secretary

Pesticide Committee Meeting - March 10, 2026 at 8:00 a.m.

WARNING LETTERS

Item	Case #	Name/Company Name	Date of Violation	Violation	Penalty Level	Staff Recommendation
1	22-0017	Brandt Bottoms	April 5, 2022	Buffer Zone	Level I Minor	Warning Letter
2	22-0058	Darrell Wayne Spencer	May 1, 2022	Drift	Level I Minor	Warning Letter
3	22-0064	Joseph C. Henderson	May 23, 2022	Drift	Level I Minor	Warning Letter
4	22-0149	Clayton Henry Hensley	Unknown	Drift - Class H	Level I Minor	Warning Letter
5	22-0149	Clayton Henry Hensley	Unknown	Buffer Zone - Class H	Level I Minor	Warning Letter
6	22-0149	Clayton Henry Hensley	Unknown	Record Keeping - Class H	Level I Minor	Warning Letter
7	22-0149	Clayton Henry Hensley	Unknown	No Training Certificate - Class H	Level I Minor	Warning Letter
8	22-0214	James Hunter Cole	June 26, 2022	Drift - Class H	Level I Minor	Warning Letter
9	22-0214	James Hunter Cole	June 26, 2022	Buffer Zone - Class H	Level I Minor	Warning Letter
10	22-0214	James Hunter Cole	June 26, 2022	Record Keeping - Class H	Level I Minor	Warning Letter
11	22-0287	Joe Wayne Christian	June 17, 2022	Drift - Class H	Level I Minor	Warning Letter
12	22-0287	Joe Wayne Christian	June 17, 2022	Buffer Zone - Class H	Level I Minor	Warning Letter
13	23-0061	Matthew G. Wheeler	March 28, 2023	Drift - Class H	Level I Minor	Warning Letter
14	23-0130	Craig Austin Crider	May 5, 2023	No Training Certificate - Paraquat	Level I Minor	Warning Letter
15	23-0268	Nicholas H. Bagley	September 15, 2023	Drift	Level I Minor	Warning Letter

Class F = all 2,4-D and 2,4-D containing pesticides Class H = all pesticides containing dicamba

SIGNED CONSENT AGREEMENTS

Item	Case #	Name/Company Name	Date of Violation	Violation	Penalty Level	Staff Recommendation
16	22-0017	Brandt Bottoms	April 5, 2022	Drift - Class F	Level III Major	\$800
17	22-0023	Ronny Rogers	April 4, 2022	Drift	Level II Major	\$600
18	22-0023	Ronny Rogers	April 4, 2022	Buffer Zone	Level II Major	\$600
19	22-0052	James Daniel Tidwell	April 28, 2022	Drift	Level II Major	\$600
20	22-0214	James Hunter Cole	June 27, 2022	Buffer Zone - Class H	Level II Major	\$600
21	22-0214	James Hunter Cole	June 27, 2022	Record Keeping - Class H	Level II Major	\$600
22	22-0322	Matthew Elden Burkhammer	August 19, 2022	Drift	Level II Major	\$600
23	22-0363	Charles Steven Bright	September 7, 2022	Drift	Level IV Major	\$900

SIGNED EGREGIOUS ELIGIBLE CONSENT AGREEMENTS

Item	Case #	Name/Company Name	Date of Violation	Violation	Penalty Level	Staff Recommendation
24	20-0437	Lecell Wade Harris	Unknown	Drift - Class H	Level I Egregious	\$3,125
25	20-0437	Lecell Wade Harris	Unknown	Use During Prohibited Period - Class H	Level I Egregious	\$3,125
26	20-0437	Lecell Wade Harris	Unknown	Record Keeping - Class H	Level I Egregious	\$3,125

SIGNED WARNING SETTLEMENT AGREEMENTS

Item	Case #	Name/Company Name	Date of Violation	Violation	Penalty Level	Agreed Action
27	19-0123	Robert Keith Harrell	May 31, 2019	Drift	Level III Major	Warning
28	19-0124	Robert Keith Harrell	May 31, 2019	Drift	Level IV Major	Warning
29	19-0234	Harvey E. Roach	Unknown	Use During Prohibited Period - Class H	Level I Egregious	Warning
30	19-0256	Kyle M. Carr	Unknown	Use During Prohibited Period - Class H	Level I Egregious	Warning
31	19-0321	Kevin Earl Mooney	Unknown	Drift - Class H	Level I Egregious	Warning
32	19-0321	Kevin Earl Mooney	Unknown	Use During Prohibited Period - Class H	Level I Egregious	Warning
33	19-0321	Kevin Earl Mooney	Unknown	Record Keeping - Class H	Level I Egregious	Warning
34	19-0334	Kevin Earl Mooney	Unknown	Drift - Class H	Level II Egregious	Warning
35	19-0334	Kevin Earl Mooney	Unknown	Use During Prohibited Period - Class H	Level II Egregious	Warning
36	19-0334	Kevin Earl Mooney	Unknown	Record Keeping - Class H	Level II Egregious	Warning
37	20-0204	Justin Edward Blackburn	May 25, 2020	Drift - Class H	Level I Minor	Warning
38	20-0204	Justin Edward Blackburn	May 25, 2020	Off Label Use - Class H	Level I Major	Warning
39	20-0204	Justin Edward Blackburn	May 25, 2020	Record Keeping - Class H	Level II Major	Warning
40	20-0437	J.R. Simplot, Qulin, MO	March 27, 2020	No Restricted Use Pesticide Dealer License	Level I Major	Warning
41	21-0191	James Gary Shepard	Unknown	Use During Prohibited Period - Class H	Level I Egregious	Warning
42	21-0191	James Gary Shepard	June 29, 2021	Record Keeping - Class H	Level I Minor	Warning
43	21-0191	James Gary Shepard	June 29, 2021	No Training Certificate - Class H	Level I Minor	Warning
44	21-0252	Tommy R. Hobson	July 8, 2021	Drift - Class F	Level I Major	Warning
45	21-0252	Tommy R. Hobson	July 8, 2021	Buffer Zone - Class F	Level I Major	Warning
46	21-0252	Tommy R. Hobson	July 8, 2021	No Training Certificate - Class F	Level I Major	Warning
47	21-0252	Tommy R. Hobson	July 8, 2021	No Private Applicator License - Class F	Level I Major	Warning
48	21-0252	Delta Grow Seed Company, Inc.	June 3, 2021	No Restricted Use Pesticide Dealer License	Level I Major	Warning
49	21-0252	Delta Grow Seed Company, Inc.	June 3, 2021	Sale to an Unlicensed Individual - Class F	Level I Major	Warning

Class F = all 2,4-D and 2,4-D containing pesticides Class H = all pesticides containing dicamba

Pesticide Committee Meeting
March 10, 2026
08:00 A.M.

WARNING LETTERS

CF22-0017 Brandt Bottoms (Buffer Zone)

The Plant Board alleged Mr. Brandt Bottoms, Commercial Applicator, made an aerial application of Roundup PowerMAX 3 and Salvo to 120 acres in the Luker field for burndown on April 05, 2022 for Mr. Weston Esau. The evidence shows the application was made within approximately 30 feet of Mr. Cooper's property which would be inside the 100 foot buffer zone requirement for Roundup PowerMAX 3; thus, this is considered a buffer zone violation. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

CF22-0058 Darrell Wayne Spencer (Drift)

The Plant Board alleged Mr. Darrell Wayne Spencer, Private Applicator, made a ground application of Envy K-Six and Verdict to 45 acres of corn at planting in the Wind over Store field on May 01, 2022. The evidence shows this application drifted off target onto Ms. Harp's property. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

CF22-0064 Joseph C. Henderson (Drift)

The Plant Board alleged Mr. Joseph C. Henderson, Private Applicator, made a preemergence ground application of Valor EZ to 22 acres of peanuts in the N-3 field on May 23, 2022. The evidence shows this application drifted off target onto Mr. Scott's cotton. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

CF22-0149 Clayton Henry Hensley (Drift – Class H)

The Plant Board alleged Mr. Clayton Henry Hensley, Private Applicator with Hensley Farms, made an application of an unknown product containing dicamba to soybeans in the Hall 80 field on an unknown date. The evidence shows this application drifted off target onto Mr. Brown's sweet potatoes. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

CF22-0149 Clayton Henry Hensley (Buffer Zone – Class H)

The Plant Board alleged Mr. Clayton Henry Hensley, Private Applicator with Hensley Farms, made an application of an unknown product containing dicamba to soybeans in the Hall 80 field on an unknown date. The evidence shows the application was made within 30 feet of Mr. Brown's non dicamba-tolerant sweet potatoes which would be inside the ¼ mile buffer zone requirement for Class H Products; thus, this is considered a buffer zone violation. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

CF22-0149 Clayton Henry Hensley (Record Keeping – Class H)

The Plant Board alleged Mr. Clayton Henry Hensley, Private Applicator with Hensley Farms, made an application of an unknown product containing dicamba to soybeans in the Hall 80 field on an unknown date. The evidence shows Mr. Hensley failed to keep the proper records by not recording the application. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

CF22-0149 Clayton Henry Hensley (No Training Certificate – Class H)

The Plant Board alleged The Plant Board alleged Mr. Clayton Henry Hensley, Private Applicator with Hensley Farms, made an application of an unknown product containing dicamba to soybeans in the Hall 80 field on an unknown date. Mr. Hensley could not provide the training certificate required for the application. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

CF22-0214 James Hunter Cole (Drift – Class H)

The Plant Board alleged Mr. James Hunter Cole, Private Applicator, made a postemergence ground application of Xtendimax to 80 acres of soybeans in the Airport field on June 26, 2022. The evidence shows this application drifted off target onto Mr. Lamb's soybeans. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

CF22-0214 James Hunter Cole (Buffer Zone – Class H)

The Plant Board alleged Mr. James Hunter Cole, Private Applicator, made a postemergence ground application of Xtendimax to 80 acres of soybeans in the Airport field on June 26, 2022. The evidence shows the application was made within 60 feet of Mr. Lamb's non dicamba-tolerant soybean field which would be inside the ¼ mile buffer zone requirement for Class H Products; thus, this is considered a buffer zone violation. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

CF22-0214 James Hunter Cole (Record Keeping – Class H)

The Plant Board alleged Mr. James Hunter Cole, Private Applicator, made a postemergence ground application of Xtendimax to 80 acres of soybeans in the Airport field on June 26, 2022. The evidence shows Mr. Cole failed to keep the proper records by not recording the total amount applied, receipts of purchase, product label, sensitive crops and certain plants awareness, start and finish time, and the mandatory volatility and drift reduction adjuvants. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

CF22-0287 Joe Wayne Christian (Drift – Class H)

The Plant Board alleged Mr. Joe Wayne Christian, Private Applicator, made a postemergence ground application of Xtendimax, Volacept, and Traverse D to 140 acres of soybeans in the Wiggs SW field on June 17, 2022. The evidence shows this application drifted off target onto Mr. Cureton's soybeans. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

CF22-0287 Joe Wayne Christian (Buffer Zone – Class H)

The Plant Board alleged Mr. Joe Wayne Christian, Private Applicator, made a postemergence ground application of Xtendimax, Volacept, and Traverse D to 140 acres of soybeans in the Wiggs SW field on June 17, 2022. The evidence shows the application was made within 100 feet of Mr. Cureton's non dicamba-tolerant soybean field which would be inside the ¼ mile buffer zone requirement for Class H Products; thus, this is considered a buffer zone violation. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

CF23-0061 Matthew G. Wheeler (Drift – Class H)

The Plant Board alleged Mr. Matthew G. Wheeler, Commercial Applicator, made an aerial application of Diablo and AgSaver Glyphosate 53.8% to 460 acres in the Brian's 160 field for burndown on March 28, 2023 for Ms. Paige Dills. The evidence shows this application drifted off target onto Mr. Carter's lawn and trees. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

CF23-0130 Craig Austin Crider (No Training Certificate - Paraquat)

The Plant Board alleged Mr. Craig Austin Crider, Commercial Applicator, made an aerial application of Paraquat Concentrate (EPA Reg. #82542-3) to 160 acres in the North Glass field for burndown on May 05, 2023 for Swifton Farms. Mr. Crider could not provide an EPA approved Paraquat training certificate required for the application. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

CF23-0268 Nicholas H. Bagley (Drift)

The Plant Board alleged Mr. Nicholas H. Bagley, Commercial Applicator, made a postemergence aerial application of Paraquat 3SL and Surfactant to 63.03 acres of soybeans in the Wildy E#1 field on September 15, 2023 for Sullivan Legacy LLC. The evidence shows this application drifted off target onto Mr. Towery's property. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Minor violation. The proposed enforcement action for this violation is a Warning Letter.

SIGNED CONSENT AGREEMENT

CF22-0017 Brandt Bottoms (Drift – Class F)

The Plant Board alleged Mr. Brandt Bottoms, Commercial Applicator, made an aerial application of Roundup PowerMAX 3 and Salvo to 120 acres in the Luker field for burndown on April 05, 2022 for Mr. Weston Esau. The evidence shows this application drifted off target onto Mr. Cooper's property. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level III Major violation. Mr. Bottoms agrees to a Civil Penalty of \$800 for settlement of the allegation.

CF22-0023 Ronny Rogers (Drift)

The Plant Board alleged Mr. Ronny Rogers, Commercial Applicator, made an aerial application of Cornerstone 5 Plus, Reviton, and Destiny to 1085 acres in the Tim 9-10, Tim 8, and Tim 11 fields for burndown on April 04, 2022 for Mr. Tim Garrett. The evidence shows this application drifted off target onto Mr. Cox's property. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level II Major violation. Mr. Rogers agrees to a Civil Penalty of \$600 for settlement of the allegation.

CF22-0023 Ronny Rogers (Buffer Zone)

The Plant Board alleged Mr. Ronny Rogers, Commercial Applicator, made an aerial application of Cornerstone 5 Plus, Reviton, and Destiny to 1085 acres in the Tim 9-10, Tim 8, and Tim 11 fields for burndown on April 04, 2022 for Mr. Tim Garrett. The evidence shows the application was made joining Mr. Cox's property; which would be inside the 100 foot aerial buffer zone requirement for Cornerstone 5 Plus; thus, this is considered a buffer zone violation. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level II Major violation. Mr. Rogers agrees to a Civil Penalty of \$600 for settlement of the allegation.

CF22-0052 James Daniel Tidwell (Drift)

The Plant Board alleged Mr. James Daniel Tidwell, Commercial Applicator, made an aerial application of Buccaneer Plus and Sharpen to 182 acres in fields 63, 64, and 65 for burndown on April 28, 2022 for Sandage Farms. The evidence shows this application drifted off target onto Mr. Hoskyn's rice. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level II Major violation. Mr. Tidwell agrees to a Civil Penalty of \$600 for settlement of the allegation.

CF22-0214 James Hunter Cole (Buffer Zone – Class H)

The Plant Board alleged Mr. James Hunter Cole, Private Applicator, made a postemergence ground application of Xtendimax to 20 acres of soybeans in the Nebbie field on June 27, 2022. The evidence shows the application was made within 120 feet of Mr. Lamb's non dicamba-tolerant soybean field which would be inside the ¼ mile buffer zone requirement for Class H Products; thus, this is considered a buffer zone violation. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level II Major violation. Mr. Cole agrees to a Civil Penalty of \$600 for settlement of the allegation.

CF22-0214 James Hunter Cole (Record Keeping – Class H)

The Plant Board alleged Mr. James Hunter Cole, Private Applicator, made a postemergence ground application of Xtendimax to 20 acres of soybeans in the Nebbie field on June 27, 2022. The evidence shows Mr. Cole failed to keep the proper records by not recording the total amount applied, receipts of purchase, product label, sensitive crops and certain plants awareness, and the mandatory volatility and drift reduction adjuvants. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level II Major violation. Mr. Cole agrees to a Civil Penalty of \$600 for settlement of the allegation.

CF22-0322 Matthew Elden Burkhammer (Drift)

The Plant Board alleged Mr. Matthew Elden Burkhammer, Commercial Applicator, made a postemergence aerial application of Liberty 280 SL to 45.49 acres of cotton in the CR-4 field August 19, 2022 for Pecan Partnership. The evidence shows this application drifted off target onto Mr. Copeland's property. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level II Major violation. Mr. Burkhammer agrees to a Civil Penalty of \$600 for settlement of the allegation.

CF22-0363 Charles Steven Bright (Drift)

The Plant Board alleged Mr. Charles Steven Bright, Commercial Applicator, made a postemergence aerial application of Gramoxone SL and Pilot's Choice to 230.62 acres of soybeans in the Wood Lot, Knight 56, Loves 70, and Loves 3 fields for Mr. Tim Griggs on September 07, 2022. The evidence shows this application drifted off target onto Ms. Green's property. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level IV Major violation. Mr. Bright agrees to a Civil Penalty of \$900 for settlement of the allegation.

SIGNED EGREGIOUS ELIGIBLE CONSENT AGREEMENT

CF20-0437 Lecell Wade Harris (Drift – Class H)

The Plant Board alleged Mr. Lecell Wade Harris, Private Applicator, made a postemergence application of an unknown product containing dicamba to soybeans in the Fletchers field on an unknown date. The evidence shows this application drifted off target onto soybeans in the neighboring field. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Egregious Eligible violation. Mr. Harris agrees to a Civil Penalty of \$3,125 for settlement of the allegation.

CF20-0437 Lecell Wade Harris (Use During Prohibited Period – Class H)

The Plant Board alleged Mr. Lecell Wade Harris, Private Applicator, made a postemergence application of an unknown product containing dicamba to soybeans in the Fletchers field on an unknown date. The evidence shows the application was made during the prohibited period of May 26th through October 31st. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Egregious Eligible violation. Mr. Harris agrees to a Civil Penalty of \$3,125 for settlement of the allegation.

CF20-0437 Lecell Wade Harris (Record Keeping – Class H)

The Plant Board alleged Mr. Lecell Wade Harris, Private Applicator, made a postemergence application of an unknown product containing dicamba to soybeans in the Fletchers field on an unknown date. The evidence shows Mr. Lecell Wade Harris failed to keep the proper records by not recording the application. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Egregious Eligible violation. Mr. Harris agrees to a Civil Penalty of \$3,125 for settlement of the allegation.

SIGNED SETTLEMENT AGREEMENT

CF19-0123 Robert Keith Harrell (Drift)

The Plant Board alleged Mr. Brian Harrell, operating under Mr. Robert Keith Harrell's Private Applicator License, made a postemergence ground application of Liberty and Roundup Powermax II to 40.68 acres of cotton on May 31, 2019. The evidence shows this application drifted off target onto Mr. Danny Finch's soybean field. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level III Major violation. Mr. Robert Harrell agrees to a Level I Warning for settlement of the allegation.

CF19-0124 Robert Keith Harrell (Drift)

The Plant Board alleged Mr. Brian Harrell, operating under Mr. Robert Keith Harrell's Private Applicator License, made a postemergence ground application of Liberty and Roundup Powermax II to 38.6 acres of cotton (Handcock Field) on May 31, 2019. The evidence shows this application drifted off target onto Mr. Finch's soybean field. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level IV Major violation. Mr. Robert Harrell agrees to a Level I Warning for settlement of the allegation.

CF19-0234 Harvey E. Roach (Use During Prohibited Period – Class H)

The Plant Board alleged Mr. Harvey E. Roach, Private Applicator, made an application of an unknown product containing dicamba to soybeans on an unknown date. The evidence shows the application was made during the prohibited period of May 26th through October 31st. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Egregious Eligible violation. Mr. Roach agrees to a Level I Warning for settlement of the allegation.

CF19-0256 Kyle M. Carr (Use During Prohibited Period – Class H)

The Plant Board alleged Mr. Kyle M. Carr, Private Applicator, made an application of an unknown product containing dicamba to soybeans on an unknown date. The evidence shows the application was made during the prohibited period of May 26th through October 31st. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Egregious Eligible violation. Mr. Carr agrees to a Level I Warning for settlement of the allegation.

CF19-0321 Kevin Earl Mooney (Drift – Class H)

The Plant Board alleged Mr. Kevin Earl Mooney, Private Applicator, made an application of an unknown product containing dicamba to soybeans on an unknown date. The evidence shows this application drifted off target onto the Avery's soybeans. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Egregious Eligible violation. Mr. Mooney agrees to a Level I Warning for settlement of the allegation.

CF19-0321 Kevin Earl Mooney (Use During Prohibited Period – Class H)

The Plant Board alleged Mr. Kevin Earl Mooney, Private Applicator, made an application of an unknown product containing dicamba to soybeans on an unknown date. The evidence shows the application was made during the prohibited period of May 26th through October 31st. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Egregious Eligible violation. Mr. Mooney agrees to a Level I Warning for settlement of the allegation.

CF19-0321 Kevin Earl Mooney (Record Keeping – Class H)

The Plant Board alleged Mr. Kevin Earl Mooney, Private Applicator, made an application of an unknown product containing dicamba to soybeans on an unknown date. The evidence shows Mr. Mooney failed to keep the proper records by not recording the application. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Egregious Eligible violation. Mr. Mooney agrees to a Level I Warning for settlement of the allegation.

CF19-0334 Kevin Earl Mooney (Drift – Class H)

The Plant Board alleged Mr. Kevin Earl Mooney, Private Applicator, made an application of an unknown product containing dicamba to soybeans on an unknown date. The evidence shows this application drifted off target onto the Cothran's soybeans. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level II Egregious Eligible violation. Mr. Mooney agrees to a Level I Warning for settlement of the allegation.

CF19-0334 Kevin Earl Mooney (Use During Prohibited Period – Class H)

The Plant Board alleged Mr. Kevin Earl Mooney, Private Applicator, made an application of an unknown product containing dicamba to soybeans on an unknown date. The evidence shows the application was made during the prohibited period of May 26th through October 31st. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level II Egregious Eligible violation. Mr. Mooney agrees to a Level I Warning for settlement of the allegation.

CF19-0334 Kevin Earl Mooney (Record Keeping – Class H)

The Plant Board alleged Mr. Kevin Earl Mooney, Private Applicator, made an application of an unknown product containing dicamba to soybeans on an unknown date. The evidence shows Mr. Mooney failed to keep the proper records by not recording the application. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level II Egregious Eligible violation. Mr. Mooney agrees to a Level I Warning for settlement of the allegation.

CF20-0204 Justin Edward Blackburn (Drift – Class H)

The Plant Board alleged Mr. Justin Edward Blackburn, Private Applicator, made a postemergence ground application of Engenia and Boundary rinsate to soybeans on May 25, 2020 in the behind orchard field. The evidence shows this application drifted off target onto Mr. Dodd's pecan orchard. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Minor violation. Mr. Blackburn agrees to a Level I Warning for settlement of the allegation.

CF20-0204 Justin Edward Blackburn (Off Label Use – Class H)

The Plant Board alleged Mr. Justin Edward Blackburn, Private Applicator, made a postemergence ground application of Engenia and Boundary on May 25, 2020 from 4:30 p.m. to 6:30 p.m. to 150 acres in the North of Pines field and at 8:00 p.m. applied the Engenia and Boundary rinsate to soybeans in the behind orchard field. The evidence shows these applications violated the application period restrictions for Engenia by occurring within two hours of sunset (8:09 p.m.); thus, this is considered a label violation. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Major violation. Mr. Blackburn agrees to a Level I Warning for settlement of the allegation.

CF20-0204 Justin Edward Blackburn (Record Keeping – Class H)

The Plant Board alleged Mr. Justin Edward Blackburn, Private Applicator, made a postemergence ground application of Engenia and Boundary rinsate to soybeans on May 25, 2020 in the behind orchard field. The evidence shows Mr. Blackburn failed to keep the required records for application by not recording the crop planting date, start and finish times, size of area treated, application timing, sensitive areas sensitive crops, and Residential Awareness, buffer requirement, air temperature, wind speed, and direction. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level II Major violation. Mr. Blackburn agrees to a Level I Warning for settlement of the allegation.

CF20-0437 J.R. Simplot, Qulin, MO (No Restricted Use Pesticide Dealer License)

The Plant Board alleged J.R. Simplot in Qulin, MO distributed Havoc Amine (a State Restricted Use Pesticide) on March 27, 2020 to Mr. Wade Harris and delivered the product to Crockett, AR. The evidence shows J.R. Simplot in Qulin, MO was not duly licensed in 2020; thus, J.R. Simplot in Qulin, MO distributed a State Restricted Use Pesticide without being duly licensed as a Restricted Use Pesticide Dealer. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as Level I Major violation. J.R. Simplot in Qulin, MO agrees to a Level I Warning for settlement of the above listed allegations.

CF21-0191 James Gary Shepard (Use During Prohibited Period – Class H)

The Plant Board alleged Mr. James Gary Shepard, Private Applicator, made an application of an unknown product containing dicamba to soybeans on an unknown date. The evidence shows the application was made during the prohibited period of July 1st through October 31st. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Egregious Eligible violation. Mr. Shepard agrees to a Level I Warning for settlement of the allegation.

CF21-0191 James Gary Shepard (Record Keeping – Class H)

The Plant Board alleged Mr. James Gary Shepard, Private Applicator, made a postemergence ground application of Engenia and Delta Lock to ~5 acres/75 acres of soybeans in the Sims field on June 29, 2021. The evidence shows Mr. Shepard failed to keep the proper records by not recording the EPA registration number, the total amount applied, finish time, training requirement, receipts of purchase, product label, sensitive areas, sensitive crops, and residential awareness, spray buffer requirement, spray system cleanout, and nozzle selection. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Minor violation. Mr. Shepard agrees to a Level I Warning for settlement of the allegation.

CF21-0191 James Gary Shepard (No Training Certificate – Class H)

The Plant Board alleged Mr. James Gary Shepard, Private Applicator, made a postemergence ground application of Engenia and Delta Lock to ~5 acres/75 acres of soybeans in the Sims field on June 29, 2021. The evidence shows Mr. James Gary Shepard could not provide an EPA approved training certificate required for the application. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Minor violation. Mr. Shepard agrees to a Level I Warning for settlement of the allegation.

CF21-0252 Tommy R. Hobson (Drift – Class F)

The Plant Board alleged Mr. Tommy R. Hobson made a postemergence ground application of Enlist One and Noventa to 40 acres of soybeans in the Grandma 40 field on July 08, 2021. The evidence shows this application drifted off target onto Mr. Brantley's cotton. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Major violation. Mr. Hobson agrees to a Level I Warning for settlement of the allegation.

CF21-0252 Tommy R. Hobson (Buffer Zone – Class F)

The Plant Board alleged Mr. Tommy R. Hobson made a postemergence ground application of Enlist One and Noventa to 40 acres of soybeans in the Grandma 40 field on July 08, 2021. The evidence shows the application was made approximately 528 feet from Mr. Brantley's cotton which would be inside the 1 mile buffer zone requirement for ground applications of Class F Products; thus, this is considered a buffer zone violation. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Major violation. Mr. Hobson agrees to a Level I Warning for settlement of the allegation.

CF21-0252 Tommy R. Hobson (No Training Certificate – Class F)

The Plant Board alleged Mr. Tommy R. Hobson made a postemergence ground application of Enlist One and Noventa to 40 acres of soybeans in the Grandma 40 field on July 08, 2021. Mr. Hobson could not produce a 2021 Arkansas Training and Certification Program for Enlist One and Enlist Duo Herbicide Certificate required for the application. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Major violation. Mr. Hobson agrees to a Level I Warning for settlement of the allegation.

CF21-0252 Tommy R. Hobson (No Private Applicator License – Class F)

The Plant Board alleged Mr. Tommy R. Hobson made a postemergence ground application of Enlist One and Noventa to 40 acres of soybeans in the Grandma 40 field on July 08, 2021. The evidence shows Mr. Tommy Hobson was not licensed as a Private Applicator by the Arkansas Department of Agriculture at the time of application. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Major violation. Mr. Hobson agrees to a Level I Warning for settlement of the allegation.

CF21-0252 Delta Grow Seed Company, Inc. (No Restricted Use Pesticide Dealer License)

The Plant Board alleged Delta Grow Seed Company, Inc. distributed Enlist One Herbicide (a State Restricted Use Pesticide) to Mr. Tommy Hobson on June 03, 2021. The evidence shows Delta Grow Seed Company, Inc. was not duly licensed in 2021; thus, Delta Grow Seed Company, Inc. distributed a State Restricted Use Pesticide without being duly licensed as a Restricted Use Pesticide Dealer. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Major violation. Delta Grow Seed Company, Inc. agrees to a Level I Warning for settlement of the allegation.

CF21-0252 Delta Grow Seed Company, Inc. (Sale to an Unlicensed Individual – Class F)

The Plant Board alleged Delta Grow Seed Company, Inc. distributed Enlist One Herbicide (a State Restricted Use Pesticide) to Mr. Tommy Hobson on June 03, 2021. The evidence shows that Mr. Hobson did not have a valid Private Applicator License at the time of purchase; thus, Delta Grow Seed Company, Inc. distributed a Class F (State Restricted Use Pesticide) to an unlicensed individual. The Arkansas State Plant Board's Pesticide Enforcement Response Rule's Penalty Matrix defines this violation as a Level I Major violation. Delta Grow Seed Company, Inc. agrees to a Level I Warning for settlement of the allegation.



Sarah Huckabee Sanders
Governor

ARKANSAS DEPARTMENT OF AGRICULTURE

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

Attachment 2



Wes Ward
Secretary of Agriculture

ARKANSAS RULES GOVERNING PESTICIDE USE, 2 CAR Pt. 70

PUBLIC COMMENTS

Comment Date: 12/17/2025

Commenter Name: McClintock, Michael

Comment:

I am a rancher in North Arkansas and I support the use of Kaput for feral hog control.
Mike McClintock
Harrison, Ar

Comment Date: 12/18/2025

Commenter Name: Brixie, Cole

Comment:

Dear Arkansas Department of Agriculture,

I strongly oppose the proposed amendments to 2 CAR Pt. 70 that would allow the sale and use of warfarin (Kaput) as a feral hog toxicant through the creation of Class J pesticides.

Using a first-generation anticoagulant poison on a large, free-ranging species is unsafe and irresponsible. Warfarin is non-selective and creates a high risk of non-target poisoning to wildlife, livestock, pets, hunting dogs, and scavengers through both direct exposure and secondary poisoning. Once deployed, poisoned bait and animals cannot be controlled or recovered, making enforcement and containment unrealistic.

The environmental risks far outweigh any questionable benefit. Toxicant-based hog control has repeatedly failed to produce meaningful, long-term population reduction, while causing collateral damage to ecosystems and undermining public trust in pesticide regulation.

Arkansas should focus on proven control methods such as trapping, coordinated hunting efforts, and landowner cooperation—not the widespread introduction of anticoagulant poisons into the environment.

I urge the Department to reject the proposed amendments creating Class J pesticides for warfarin use on feral hogs.

Sincerely,
Cole Brixie

Comment Date: 12/18/2025

Commenter Name: Bryant, Daniel

Comment:

Dear Sir,

My name is Daniel Bryant.

I live in the small southeast Arkansas town of New Edinburg. Since probably the early 2000s we've experienced a huge increase in the numbers of feral hogs. From seeing one or two a year we now see that many in any given week, and sometimes many more. It's rare that I go into my woods that I don't see hog sign such a rooting or mud rubbed on trees. They constantly rut up my pastures and low areas, eat all available acorns, and devour any bait I put out for deer. The deer heard on my property has decreased each year even though we rarely harvest more than two or three. I'm afraid they're being out competed for food. Please allow Kaput to be used to manage hogs in Arkansas. We can't control them through trapping and shooting. I know because I've trapped and killed over 200 in the last ten years and still have more than ever.

Thank you
Daniel Bryant
New Edinburg
Sent from my iPhone

Comment Date: 12/18/2025

Commenter Name: Clark, Julia

Comment:

To Whom it May Concern,

The proposed amendments to Arkansas Rules on Pesticide Use to include sale and use of Warfarin as a feral hog toxicant is deeply concerning. It is an inefficient proposal to control Arkansas' problem of feral hog overpopulation, as it would ultimately be detrimental to other species of wildlife that call Arkansas home, such as squirrels, raccoons, opossums, and other rodent-classified wildlife, not to mention long-term effects on larger wildlife.

The use of Warfarin as a form of overpopulation control is, by and large, a poor idea and not sustainable when long-term effects are taken into consideration. Rather than using a pesticide, it would be better for the state of Arkansas to provide an incentive program for the harvest of feral hogs. Whether that is monetary, or even a rewards-based program that could award something like entries into a draw-hunt such as Choctaw Island, it would certainly cause more people to be intentional about reducing the feral hog population.

In short, as a hunter and outdoorswoman who enjoys spending time in our Natural State, I ask that this amendment be rejected.

Sincerely,

Julia Clark

Comment Date: 12/18/2025

Commenter Name: Crowder, Kevin

Comment:

To whom it may concern. I am writing to comment on proposed rule changes for the use of pesticides against feral hogs. I own 440 acres in northern Arkansas county. I have trapped extensively and over the past 10 years have removed 500-1000 pigs off of this land. I feel like i am qualified to say that trapping is no solution. We need the kaput in the worst way. I am not interested in control I am interested in eradication. These things are a plague. They are destroying the riparian area along lagrue bayou. They compete for food with the native deer on my land and wreak havoc in the crop fields adjoining my land. Pesticide is the only solution. If i let up trapping for 6 months i have numbers right back where i started. In addition, assuming i was able to trap and remove every pig on my place and the

surrounding area all it takes to replace them is one dog hunter to move a sow and boar back in and the cycle starts again. I have killed a pig on my place with a gps tracking collar attached to it by dog hunters so im not guessing about catch and release of these things. Its happening. I fully support this method at least on private lands. We have needed it for years and no longer need to focus on control. Complete eradication is the only solution. Please don't Let the opinion of people who seek the recreation of hunting these things interfere with what has to be done from a biological and financial standpoint. Thank you for allowing me to comment.

Comment Date: 12/18/2025

Commenter Name: Devazier, Heath

Comment:

ABSOLUTELY NOT!!! The use of poison to control the feral hog population is the worst possible solution to use. There is no way to control it that other gave animals don't get it or don't eat animals that have died from the poison. What other impacts on the environment and ecosystem will occur? Will it leech into our waterways? What happens if a hog has infested it, and then before dying is killed by a hunter whose family then consumes it? Take the handcuffs off of hunters and allow them to actually hunt, chase with dogs, and trap them on public property and watch the population decrease. Open the wma's up to permit hunters to allow the use of dogs to catch and kill. There are many acceptable solutions to the feral hog problem, but warfarin is not one of them.

Heath Devazier (a hunter and concerned citizen)

Comment Date: 12/18/2025

Commenter Name: Dollarhide, Kelly

Comment:

Warfarin? A blood thinner. Let's just dump it in the environment because that's not dangerous-come on.

Comment Date: 12/18/2025

Commenter Name: Fairris, Gage

Comment:

I do not agree with this way to manage hogs. Nor do I believe it to be humane. Or safe for other animals. Not to mention my family has been hunting wild hogs for generations. I would hate for one of my rights and privilege get taken away because some believe the animal is a nuisance. For many people hunting hogs is a way of life! And I think this should be taken into consideration.

Sent from my iPhone

Comment Date: 12/18/2025

Commenter Name: Green, Cody

Comment:

Good morning, as an avid hunter and outdoorsman I enjoy the opportunity's we have hunting wild game in the great state of Arkansas. While I completely agree we need to step up and take action on the wild hog issue. I do believe using a pesticide is absolutely the WRONG way to approach the problem. I want to state that I am 100% against using poison for the hogs . I believe other wildlife will reap the effect of this dangerous idea. I fear loss of other abundant wildlife that is trying to thrive. I would love to see a complete open season on PUBLIC lands and be able to use dogs to hunt these animals. We have honest hard working hounds men that would love the opportunity to work there dogs and enjoy the outdoors with family while taking care of these pest. Not to mention many Arkansas natives use this wild hog meat to feed there family's. I would love to speak to someone VIA phone or in person if they have any questions!

Sent from my iPhone

Comment Date: 12/18/2025

Commenter Name: Goin, Todd

Comment:

Hello,

As an Arkansas resident and licensed pesticide applicator, I am well
Aware of what “unanticipated consequences”
There can be when using pesticide.

I cannot see a way that using warfarin to control wild hogs would ever only be effective
against hogs. Many many other animals would likely fall victim to this poison

Please put me down as against this rule change
Todd Goin

Sent from my iPhone

Comment Date: 12/18/2025

Commenter Name: Mauro, Michael

Comment:

To whom it may concern,

The use of warfarin on feral pigs in the wild is a thought process bordering on mental illness. It poses a serious danger to wildlife up and down the food chain, including people that harvest them and actually utilize them as a food source. There is no set of regulations that can guarantee to mitigate the accidental exposure or ingestion of affected feral pigs, nor is there any rule that can ensure applications will be done correctly in every instance. Escape from pen traps is not at all uncommon, and use of animal specific procedures would be a waste of time and money with little impact on the population. I would remind you that there is valid science and common sense that prohibits the use of cyanide guns and poison baits in the wild for these very reasons. While feral pig control is a very important concern in areas of the state, biologists might better concentrate on species specific reproductive control measures, or others. The risks far outweigh the benefit.

Comment Date: 12/18/2025

Commenter Name: McClintock, Terry

Comment:

Why would Ar Fish and Game even think about poison? A lot of animals eat the same thing hogs do. Then the animals die and there ya go scavengers eat the animals and they die. Trapping is the way to go, but like the Harold Alexander WMA the traps are there but haven't been set in who knows how long. They can't work if they aren't set and taken care of (baited, set, and run) it makes a big difference in the population.

Comment Date: 12/18/2025

Commenter Name: Meeks, James

Comment:

Sent from my iPhone

This pesticide has beet proved and tested, land owners need help to get rid of these out of control pests! This is another tool in the toolbox. We also need trapping and allow hunters to hunt and fine those who are turning hogs lose in the wild. It is not going to be a fix all but it is one more tool to help the land owners

Comment Date: 12/18/2025

Commenter Name: Miles, Colby

Comment:

I am writing in regards to amending the proposal to start use of pesticides. I believe it would be a very bad idea to introduce any kind of poison to our wildlife hogs included. Hogs are no doubt a big nussiance for land owner. They are also a great food source for lots people and should not be poisoned but better controlled. Allowing people to freely hunt hogs at night and with dogs year around will do more help than poisoning. I myself hunt all east polk County for hogs on multiple farms. I have been in reach with multiple organizations to get a trap paid for but they will not even answer the phone. We hunt these hogs with thermals and dogs and it is the only successful way to move them besides traps. The AGFC once had a program to help land owners buy hog traps but they failed miserably and I don't know of ANY land owners that had help purchasing one. I have a freezer full of wild hog meat and deer that helps our family be able make it. The hogs and deer are a very important food source for alot of Americans and introducing any type of poison into the food sources

seems like a horrible and wasteful idea. Introduce a bounty? I have homeowners paying me to kill these hogs off their properties and they should not have too.

Comment Date: 12/18/2025

Commenter Name: Mosley, Billy

Comment:

Warfarin should not be used to poison any animals that could be consumed by humans. It's not possible to contain a wild animal to a safe area that there is not a 100% possibility of accidental contamination of humans or other wildlife. Traps are good source of pollution control and eliminate the possibility of poisoning humans or desired animals.

Comment Date: 12/18/2025

Commenter Name: Pangle, Pam

Comment:

Dear Committee Members,

I am extremely concerned about the proposed use of Warfarin (Kapt) anywhere on our lands. My husband has required Warfarin daily for over 15 years now, and I know first hand just how dangerous it can be - from potentially bleeding to death (inside the brain, mostly) to how severely he bleeds from the smallest of scratches. I frequently wonder if he may need stitches when he comes in with a new cut because of all of the blood. As for effects on pets, have you ever seen a cat eat a mouse that has been poisoned with warfarin? They are fine one moment, and literally dead the next.

Should this practice of using warfarin on the land were to be approved, we all will begin to see the impact of all kinds of animals dying in a very inhumane way - bleeding to death.

Although I understand the damage that these hogs cause (I raised pigs on my little home/farm), I am also highly aware of the damages warfarin and drugs in this class cause to all beings, not just hogs. Coyotes, scavenger birds, and other predatory animals will all be exposed to the warfarin when they feed on one of those hogs - not to mention any "unintentional" exposure to animals that may feed on the same vegetation or even nearby.

Here are just a few articles so you can begin to understand what will be 'unleashed' should this be allowed:

"Butterflies, bumble bees, honey bees, hummingbirds and moths are immensely fond of anise hyssop and it's particularly noted as being a splendiferous plant for bees." [Bees, butterflies, hummingbirds, moths](#)
[Bee, hummingbird, butterfly magnet](#)

[Coyotes and dogs](#)

[Mice, rodents](#)

This doesn't even begin to address what warfarin in our waterways will do to this area - you know, "The Natural State". It will become known as the place to come to watch birds die in mid-flight, dead animals all over our roadways and unsafe lands and waterways. That will be our future should this class of drugs enter our systems.

[Bass](#)

[Beavers](#)

So, as you can see, all kinds of animals - wild and domesticated have potential to be affected by the use of this class of drugs. All of these animals and pets all will be at risk should this be allowed.

By the way, the State should also be required to restrict all hunting in any area where this class of drugs may be used, as the effects of the warfarin could be transferred to people when they eat any wild game that may have ingested said drug. We don't need our hunters and our fishermen, in our "Natural State", dying because they ate the venison, fish or whatever else they may have harvested in our wonderful state.

I urge you to not use this class of drugs on any property, waterway, plants/roots, or ground. The results will be devastating.

Pam Pangle
Marion County, Arkansas

--

May we all find Peace one day at a time.

Comment Date: 12/18/2025

Commenter Name: Price, Brandon

Comment:

Concerned about use of toxins/pesticides! I understand the destruction they cause, but they are also food for hunters and the use of poisons no matter what species their meant for cause more problems then they solve. And increase the risk of other animals that feed on the hogs being poisoned as well including but not limited to people as well! Could a reward be offered for every pig killed, similar to the incentive to catch invasive fish?? Wouldn't need to be much to amp up citizen involvement! State wide eradication effort before resulting to poison control efforts. Call all farmers and hunters to kill every single pig in sight or we have to use poisoned bait! I believe you will have great results! Please no poison. Thank you for you time.

Comment Date: 12/18/2025

Commenter Name: Pickett, Phillip

Comment:

Notice of Proposed Rule Change, Comment Period, and Public Hearing: Amendments to Rules on Pesticide Use.

I am a heavy user of Spring River/Harold E. Alexander WMA and the feral hogs are as bad as I've ever seen them right now. Please do whatever needs to be done, be it warfarin, remove WMA restrictions on hunting them, allow night hunting of them on WMA's, bounties or whatever it takes, but something has to be done!

I wouldn't jump in heavy on the warfarin, but maybe do trial bait sites. use a drone for observations, literally watch the results of its use. If it's a positive result, continue its usage, if it's negative, discontinue its use, but something needs to be done with the feral hogs.

Comment Date: 12/18/2025

Commenter Name: Pride, Lynn

Comment:

While feral hogs present a large problem, I am concerned about what might happen to other wildlife that may eat the carcasses of the dead poisoned hogs. Won't the warfarin or other poisons kill animals that eat the hogs?

Thanks,
Lynn Pride
Sent from my iPhone

Comment Date: 12/18/2025

Commenter Name: Reynolds, Charlie

Comment:

Mr. Ford,

Poison is indiscriminate, there is no way to guarantee that hogs and hogs alone will ingest this poison. The use of these warfarin based pesticides have been on the decline, due in part to their impact on non target species of wildlife. The only sensible way to control the invasive hog problem is to lift the ludicrous restrictions on WMAs and incentivize hunters to kill as many hogs as possible.

Sincerely,

Charlie Reynolds
Owner
Reynolds Production Company, LLC
ReynoldsProduction@outlook.com
Cell : 870-833-0355

Comment Date: 12/18/2025

Commenter Name: Sanders, Randy

Comment:

I'm totally against using any kind of chemicals to remove fatal hogs or any other wildlife . I believe it will kill other wildlife and in the long run will affect humans. It will end up in our water ways and in our crops we will be consuming it aswell in the end .

Comment Date: 12/18/2025

Commenter Name: Shat-Williams, Cindy K.

Comment:

Absolutely NO! The residue in hogs that have been eating the chemical will be passed onto other animals and humans. You will wipe out other animals and kill people who continue to hunt wild hogs for food. Polluting the environment and poisoning anything in the food chain is not ethical or proper way to control a problem. Open year round hunting. Let private landowners use traps. Open a season for dog hunters that will not affect deer hunting season. If poisoning worked other states would already be using that to control hog populations.

Warfarin, has been shown to be passed onto other predators after mice and rats eat it. You must be very un-educated to even consider this. The first time a human dies you'll be responsible. When someones high dollar dogs die, you'll be responsible. You knowingly poisoning hogs and causing other deaths is the same as premeditated murder and if you knowingly proceed with this ignorant course of action I hope the death penalty for premeditated murder is what you get.

Cindy K. Shat-Williams

Comment Date: 12/18/2025

Commenter Name: Skates, Dusty

Comment:

Please vote no to Code § 20-20-206, we do not need pesticides use in our , OUR the tax paying citizens who the National forest belong to, Forrest or land. Open up more dog hunting for hogs on public land. Make it to where they have to kill the hog.

Comment Date: 12/18/2025

Commenter Name: Smith, Gary

Comment:

I manage a 1400ac ranch which borders the little river wma. If the wma would allow hunters to hunt the hogs with dogs or even trap them. We could put a big big dent in them. My boss bought me a trap and I have caught over 750 pigs in the last few years. If we could trap on the wma that number would be a lot higher. I've tried to get the game and fish to help me trap them and as usual, it's like crickets. Never hear a word from them.

Gary Smith
903-748-2912

Comment Date: 12/18/2025

Commenter Name: Steinmetz, Frank

Comment:

Yes, my concern is if you are going to poison feral hogs what others animals/wildlife will be affected?

This doesn't sound like a wise decision to me.

Comment Date: 12/18/2025

Commenter Name: Strasser, Matthew

Comment:

Poisoning hogs is a bad idea. We aren't going to get rid of hogs, nobody ever has, so why not manage them like the game animal they are? Open the WMAs year round for hog hunting with rifle, archery, spear, etc depending on the WMA. Put a statewide bounty on hogs. Allow sporting families with deep Arkansas roots to run hog dogs. Allow locals to trap on public land. Remove the restrictions and let the people benefit from the overabundance of wild hogs in Arkansas.

This poison does not break down and disappear when the hogs die; it is ingested by scavengers (dogs, coyotes, bobcats, raptors) or Arkansans who consume the hog and unknowingly consume toxins.

Comment Date: 12/18/2025

Commenter Name: Sykes, Lynn

Comment:

I completely disagree with the use of pesticides for hog removal. This is a problem because you discourage and ban hog hunting on State lands. This will also kill other wildlife. Trapping needs to increase. There are better options that don't harm other wildlife.

Sent via the Samsung Galaxy S10, an AT&T 5G Evolution capable smartphone

Comment Date: 12/18/2025

Commenter Name: Tuggle, Garrett

Comment:

Absolutely not.

What we need is state-sponsored hog bounties and state-sponsored USDA licensed processing facilities where hobby hunters and bounty hunters can haul the hogs in, get paid so much per ear, and turn the meat in to be processed and sold as a cheap local source of meat or pet food.

This is the only way to ultimately turn this costly nuisance into an economic tool.

Comment Date: 12/19/2025

Commenter Name: Crowder, Kevin

Comment:

I am writing to fully support the rule change allowing the use of kaput against feral hogs. I own 440 acres in northern Arkansas county. i have been attempting control with trapping for 10 years. we have removed between 500 and 1000 pigs from this place. Tapping is not a solution to this problem. I have stopped trapping for 8 months and numbers are again out of control. Please allow landowners to use this tool. Hogs are destroying the riparian area along Lagrue bayou and wreaking havoc on the adjoining crop fields. When used appropriately this could end the problem in my area altogether. with the benefits to the environment far out weighing the risks.

Comment Date: 12/19/2025

Commenter Name: Crowder, Roy

Comment:

I fully support using pesticides for controlling feral hogs.
Sent from my iPhone

Comment Date: 12/19/2025

Commenter Name: Crowder, Roy

Comment:

I fully support using pesticides to control/eradicate feral hogs. The damage that is done by them to the environment is devastating not to mention the billions of dollars in damages that they cause.

Comment Date: 12/19/2025

Commenter Name: Hance, Jesse

Comment:

I am reading that the Agricultural division in Arkansas is planning possibly to kill feral hogs with pesticides. This is outrageous and would be a huge problem for many reasons. First off, consumers (human and animal) possibly eating contaminated meat, and poison getting into the environment via streams and soil. A better way of reducing numbers of feral hogs quickly is to open season on them year round. It is a win-win. People will be able to eat organic meat, it saves \$ which would be spent on pesticides, saves our environment (which has a direct effect on human and wildlife health), and will greatly reduce the population of these guys. People are already poisoned enough by so many other factors in these modern times. To me, it is unjust. Thank you for hearing me out!

Comment Date: 12/19/2025

Commenter Name: Hayes, Rex

Comment:

Hello,

I am writing to oppose the use of Kaput® (warfarin-based poison) in Arkansas and to ask for clarification on its risks.

I am concerned about unintended poisoning of wildlife, especially scavengers and predators that may feed on poisoned feral hogs or carcasses. I would like to understand how these risks are being addressed in real-world conditions.

I am also concerned about the impact on hunters and people who eat feral hogs. In particular:

What is the Arkansas Game and Fish Commission's position on the risk to hunters who may harvest hogs that have consumed poison?

How will hunters know where bait has been used?

How will the state ensure that harvested hogs are safe to eat?

Given these concerns, I urge Arkansas agencies to prohibit or strictly limit the use of Kaput® and to focus on feral hog control methods that do not risk wildlife, hunters, or public confidence in wild game.

Thank you for your time and consideration.

Sincerely,
Rex Hayes

Comment Date: 12/19/2025

Commenter Name: Pittaway, Ken

Comment:

I am absolutely opposed to using poisons to control feral hogs. I eat a couple of feral hogs each year.

I am quite concerned that poisons will affect other animals including myself.

Ken Pittaway
90 Rustic Sunset Trl
Gassville, AR. 72635
432-557-0885

Comment Date: 12/19/2025

Commenter Name: Tharp, Leann

Comment:

This is dangerous to other wildlife and there is entirely too much room for potential exposure to other animals including the deer population.

I do not support the use of Coumadin to manage the overpopulation of feral

Hogs in Arkansas

Leann Tharp

Sent from my iPhone

Comment Date: 12/19/2025

Commenter Name: Wood, Kevin

Comment:

The following are my personal comments and do not necessarily reflect the position of NativState.

Warfarin is a known toxicant to American Black Bears (*Ursus americanus*).

"2 CAR § 70-115. Class J. (c) Requirements for commercial, noncommercial, and private applicators.

(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."

These restrictions are wholly inadequate to protect black bears from inadvertent consumption of warfarin toxicants.

- There are several counties where the bear season is open, but no bears have been harvested. This is more a function of the season structure (quota), than the absence of bears.
- The harvest reports for 2024 and 2025 are not publicly available on the AGFC website. Those data may further restrict the counties where warfarin use would be prohibited. Restrictions based on data that are not readily available could lead to landowners and other users unintentionally violating the proposed statute.
- There are bears present in counties where the bear season is closed. These bears are even more vulnerable to toxicant exposure due to poor quality habitat. They would be more likely to feed at a bait station than bears in high quality habitat where natural foods are more abundant.
- Black bears are not true hibernators and can be active outside of the April - November timeframe proposed. I have personally captured bears outside of dens during the proposed usage period.

Furthermore, the requirements set forth by the label of Kaput Feral Hog Bait are impractical, if not impossible.

"SURVEILLANCE AND FOLLOW-UP: Dead hogs may begin to appear in or near the treatment areas within 5 to 7 days after bait placement. Applicators must return to the treatment site within 4 days after the first bait placements were made, and at 2- to 4-day intervals thereafter during the baiting program, to inspect the site for evidence of dead or dying feral hogs. All carcasses found must be disposed of properly. Carcasses may be buried on site. Burial may minimize feral hog

disease transmission to humans, domestic animals, and other wildlife. If burial is not practical and other disposal methods are allowed by State and local authorities, carcasses may be disposed of by other methods. Continue to monitor the treatment area for dead or dying feral hogs for at least two weeks after the removal of all bait from the hog feeders."

- Feral hogs are known to travel long distances. They could easily move off of the property where they were poisoned, leaving the carcasses available for consumption by other non-target animals.
- Are other means of disposal authorized by the State?
- Is allowing an animal to bleed to death over a 5-7 day period ethical treatment?

Between the restrictions based on black bears and the following label restrictions, there are very few areas of the state where it would be legal to use the toxicant.

"USE RESTRICTIONS: This product may only be used to control feral hogs (*Sus scrofa*) on pastures, rangeland, forests, and non-crop areas."

The risks to non-target wildlife seem to greatly outweigh any possible benefits of using the toxicant.

We only need to look at the history of the United States to solve the feral hog problem. Before game agencies existed, any wildlife that was economically valuable was quickly and efficiently pushed to extinction or near extinction. When feral hogs become economically valuable through the open market, or through a very lucrative bounty system, the problem will be solved. In the meantime, we do not need to poison our wildlife by using toxicants that will only have marginal effects to the feral hog population.

Kevin Wood, CWB ®, CSE
Project Wildlife Biologist
Certified Wildlife Biologist ®
Certified Senior Ecologist, Ecological Society of America
Cell: 479-739-1145
NativState.com

Comment Date: 12/20/2025

Commenter Name: Kelly, Jim

Comment:

How can you protect the safety of hunting dogs and peoples pets?

Jim Kelly
Sent from my iPhone

Comment Date: 12/20/2025

Commenter Name: McElfish, Christine

Comment:

These pesticides do not need to be used. Why not go back to where we can hunt them with each season that is open. Hogs won't be the only ones affected by this. Other animals will as well. I had a video from about 5-6 years ago of a bear that was terrible. Seen several more. Posted video forestry seen and now video is completely gone from my Facebook account. You can say it's mange all you want but we the people know this is just another form of government trying to control us supporting ourselves by hunting. Let people hunt them. Many will love this it's free meat that can feed families.

Sent from my iPad

Comment Date: 12/20/2025

Commenter Name: Riley, Keith

Comment:

No to the pesticides for hog removal open up all wma and private lands for dog hunters will thin the population quickly !!!! No need for stinking bodies laying around and rotting when lots of folks would love to have the meat !

Comment Date: 12/20/2025

Commenter Name: Smith, Rusty

Comment:

Please make Kaput legal ASAP. Feral hogs are destroying the environment and wildlife habitat.

Sent from my iPhone

Comment Date: 12/21/2025

Commenter Name: Bland, Greg

Comment:

I am absolutely opposed to the poisoning of feral hogs.
I could spend several paragraphs describing my concerns but will just refer you to my first sentence.
Greg Bland

Comment Date: 12/21/2025

Commenter Name: Cassinelli, Anthony

Comment:

I am for the approval of hog poison being legalized in Arkansas. They are causing millions of dollars in crop damage to Arkansas farmers.
Sent from my iPhone

Comment Date: 12/21/2025

Commenter Name: Denniston, Tom

Comment:

please do what TX does for Hog control. The hogs are very destructive Poison is the only answer.

Comment Date: 12/21/2025

Commenter Name: McCoy, Thomas

Comment:

If this "proposal" is anything like the surveys the AGFC sends out, you have already made up your mind on what you're going to do. This is just a manipulation tactic to make the public think their opinion matters. BUT... I strongly oppose poisoning hogs. The USDA has received \$5.32 million since 2019 for feral hog control, and the last article posted to the AGFC website showed less than 16,000 hogs have been removed as a result of that money. Meanwhile, hunters are blamed for not controlling populations on WMA's even though we have been banned from intentional hog hunting on WMA's since 2006. We've heard trapping is the way and shooting hogs only scatters them, but traps sit empty for years at a time while helicopter joyrides are taken to do what we are restricted from doing. The hypocrisy is infuriating. Ya'll have had 2 decades without intentional hunting and have done nothing but blame hunters for your lack of results. Poisoning is lazy and unethical. So again, I strongly oppose the use of poisons, if that matters. I have been in contact with Ryan Farney, the feral hog program coordinator for Arkansas about this, but I will extend the same offer to whomever reads this; I will attend whatever meeting and let my voice be heard to stop this absolute overreach and abuse of power. It has to stop.

Sincerely,

An angry Arkansas Sportsman

Thomas McCoy

Cell: 479-970-7548

Comment Date: 12/21/2025

Commenter Name: Werner, Michael

Comment:

Dear Sir,

We don't need warfarin blood thinners out in the environment. What happens to the hog after he dies in the middle of the woods? The coyotes, raccoons, foxes, rats and especially Bald eagles will eat the carcass. What could go wrong?

Sincerely,

Michael Werner

Comment Date: 12/22/2025

Commenter Name: Richardson, Jimmy

Comment:

Not a good idea at all, in fact a terrible idea. Arkansas hunters should be utilized instead. In addition to being received well by the public it will be much safer and will cost less. If you're just looking to spend money put a bounty on the hogs harvested.

Thanks,

Jimmy

Comment Date: 12/22/2025

Commenter Name: Talbert, Jennifer

Comment:

I am writing in support of the hog poison rules and regulations. These animals are so destructive and breeding so fast we need something to rid our lands of the horrid animals. Thank you
Jennifer Talbert

Comment Date: 12/23/2025

Commenter Name: Lowrance, Sidney

Comment:

Our farm is Searcy County, Arkansas just one air mile north of court house at Martin Box at end of Windsor Hill. We have 314 acres. I have trapped and killed 136 total hogs. Our farm is very close in air miles to Buffalo Nation River. I read other states use pesticide. I am a

retired NRCS district conservation with over 30 plus years. If other states use pesticide to slow or control feral hogs Arkansas should also.

Comment Date: 12/26/2025

Commenter Name: Johnson, Glenanne

Comment:

Please do not allow the pesticide for hog control and instead issue hunting seasons to control the population. We do not need more environmental damage to the many well water resources and natural lakes that usace uses for water supply.

Comment Date: 1/02/2026

Commenter Name: Wright, Dan

Comment:

Dan Wright
President

January 2, 2026

Arkansas Department of Agriculture
Attn: Matthew M. Ford
1 Natural Resources Drive
Little Rock, AR 72202

Re: Sale and Use of Warfarin as a Pesticide

Dear Mr. Ford,

The Arkansas Farm Bureau supports the use of toxicants, including Kaput, as a necessary tool for the eradication of feral hogs in our state. Feral hogs cause significant damage to crops, pastureland, infrastructure, and natural ecosystems. Farmers and ranchers need access to a full range of tools and flexibility to make decisions that best fit their operations. Access to scientifically vetted products like Kaput is essential to protecting their livelihoods

and mitigate further losses. Arkansas Farm Bureau has the following comments regarding the proposed rules for Class J pesticides or pesticides containing warfarin when used as a hog toxicant.

We are concerned with the proposed restriction in Section (c)(1)(A), which prohibits the use of Class J pesticides in any county where black bears have been harvested since 2023. This blanket restriction not only lacks scientific justification but also appears arbitrary and capricious. This concern is further supported by data from the Arkansas Game and Fish Commission's Black Bear Harvest Reports. Since 2013, fourteen counties have been added to the list of counties with at least one documented black bear harvest. Under the proposed rule, even a single bear harvested after 2023 would immediately prohibit the use of Class J pesticides in that county moving forward—regardless of whether bear activity is sustained or isolated. For example, Drew County consistently reports high numbers of feral hogs removed through coordinated eradication efforts, according to the Arkansas Feral Hog Eradication Task Force¹. Because the proposed rule includes no mechanism to reassess or remove counties once added, it is reasonable to expect that more counties will continue to be added over time. This highlights a fundamental flaw in the rule where counties with minimal bear activity and significant feral hog pressure are being regulated in a way that will essentially deny them a much-needed tool for eliminating feral hogs on agricultural lands.

We are also concerned about the seasonal restriction in Section (c)(1)(B), which prohibits use in all non-bear counties from April 1 through November 30. This restriction removes access to a critical tool during peak agricultural months, where feral hog damage is often most severe. More importantly, it impose limitations even in counties where there is no evidence of black bear presence. Imposing a fixed seasonal ban, rather than implementing site-specific risk assessments or adaptive management plans, unnecessarily limits producers' options without corresponding scientific support.

The Kaput Feral Hog Bait label directs applicators to monitor bait feeders every 2 to 4 days once treatment has begun, to ensure hog activity and reduce the risk of spillage or non-target exposure. Since label-specific training is already required under Section ©(2)(A), we recommend that the curriculum include guidance on identifying signs of black bear presence. Applicators should be trained to recognize indicators such as tracks, scat, or trail camera footage, and instructed to suspend use immediately if such signs are observed. This would provide a site-level safeguard that supports wildlife protection without implementing blanket restrictions at the county level.

We urge the State Plant Board to revise the proposed rule to allow for more flexible, science-based management of feral hog toxicants. It is in the best interest of Arkansas farmers and ranchers to have access to any and all methods of effective eradication tools to manage one the most destructive invasive species in the state.

Sincerely,

[Signature]

Dan Wright, President
Arkansas Farm Bureau Federation

DW/kw

¹In the absence of official population estimates, the number of hogs removed through coordinated eradication efforts, such as those reported by the Arkansas Feral Hog Eradication Task Force, is the best available indicator of feral hog pressure on the landscape.

Comment Date: 1/05/2026

Commenter Name: Comas, Bella

Comment:

Regarding Warfarin against feral hogs.

Catching them processing the meat and sending them to the main food bank in Little Rock and distributing all to non profit food shelters for the needy. My Native Brothers taught me when you harvest meat you thank the creator and use every part of the buffalo. Nothing goes to waste. Poisoning good meat is a waste. I'm part of a hunger alliance program to feed the hungry.

Thank you,
Fairfield Bay Councilwoman
ARML Advisory Council
Bella Comas

Comment Date: 1/05/2026

Commenter Name: McAlpine, John

Comment:

Attention Matthew M. Ford
Chief Legal Counsel, Arkansas Department of Agriculture

Comments on 2 CAR § 70-115. Class J.

Feral hogs are a nuisance and costly invasive species; all control efforts should be considered.

If pesticides containing warfarin when used as a feral hog (*Sus scrofa*) toxicant are going to be legalized in Arkansas, several factors should be considered.

1. Is the 2023 bear report for harvested bears the best map to ban the future use of the product? Several counties are not included that have had bears harvested in past years. These include but are not limited to Benton, Conway, Jackson, and Siever Counties. In south Arkansas there are bears in many more counties that have not had an open season long enough to harvest bears in.
2. Kaput's Hog Stopper Feeder is reported as "Field tested for use in bear territory." If this is true then why even worry about the bears that have been harvested in some counties. Many of these counties that have harvested have the most feral hog problems.
3. Kaput's label indicates that hogs should be buried. In most cases in Arkansas finding dead hogs and burying them is not a practical solution in most cases.
4. Is Class J only going to be Warfarin? Or should this be widened to consider other poisons for feral hogs such as sodium nitrite hog control that is being tested by EPA now. I would also imagine that other hog poisons will be coming to the market in the future.
5. Are we willing to accept collateral damage from use of poisons in the wild? Typically, we have only used poisons around inhabited or improved areas.
6. Recommendations to allow poisoning of feral hogs in all areas of the state provided that no bears are visiting the bait site prior to applying the poison in the approved feeder. It might be beneficial to only allow commercial applicators to install bait stations with poisons. This might have a better chance of getting the feral hogs buried and have a better chance of any other potential issues that come up. There should also be a reporting requirement of secondary poisoning with no penalty to the reporter as long as the label and rules are followed. Tracking the effectiveness will be necessary to defend the continual use of this in the future.

Comments on Tree Injection Permit

1. Tree Injection Permit should be reconsidered and put under the Forest Pest Control license. Using Class E or F herbicides on an individual stem injection has low risk to herbicide moving off site and causing damage. The total volume and acreage covered is minimal.
2. Several of the herbicides used are not a Class E or F herbicide. The wording for needing the permit is for all tree injection applications.

3. The \$10 permit for each injection device is about as much as the cost of the squirt bottle and machete used for injection. This \$10 per device is an unreasonable permit fee.
4. Louisiana pesticide application law for 2-4-D products used in forestry with single tree injection is covered under the forestry application permit.
5. Recommendation is to consider tree injection under the Forest Pest license and remove the fees for tree injection devices.

Comments for Use of Paraquat

1. The use of Paraquat has increased in the last several years in Southeast Arkansas. During this time we have seen a significant amount of damage to pine and cypress trees in the delta region from paraquat that is offsite.
2. Arkansas Department of Agriculture – Forestry Division conducted a study (2024) that approximately 65% of the samples they collected tested positive for paraquat. This is a strong indication that paraquat is either being applied appropriately or that current regulations are not adequate to ensure that the applied pesticide is staying on site.
3. Millions of dollars of commercial timber crops have been killed and many yard trees have been killed also.
4. Forestry Division's report could also indicate likely offsite movement of paraquat could be having regular contact with residents and wildlife in adjacent and nearby areas to the application area.
5. Recommendations to consider would be to restrict the application to ground application and not allow aerial application. This should limit the amount of offsite movement from Paraquat.

Please let me know if you have any questions or need clarification on any of my comments.

John McAlpine, RF, ACF, MAI

149 Old Highway 13
Monticello, AR 71655
Cell: (870) 723-0151

Comment Date: 1/08/2026

Commenter Name: Winnat, James & Winnat, Linda

Comment:

TO THE ATTENTION OF MATTHEW M. FORD

1 Natural Resources Drive
Little Rock, Arkansas

We have a farm in Newton County that is within the boundary of the Ozark National Forest. We are pleased to have the opportunity to comment on the pesticide use of Warfain for the control of feral hogs. As you may know, where we live the country is thinly populated rough, steep and ideal habitat for feral hogs.

We have been suffering damage from feral hogs for the past twenty plus years.

If it had not been for the Arkansas Game and Fish commission trapping and helping to control the feral hogs, we would have suffered untold pasture and hay field damage. The problem we have had is often times a single boar hog that comes in to the area and stays for several days. He may leave and then come back doing a great amount of damage to the pasture area. Most often these boars are trap shy and will not go near a trap. The Arkansas Game and Fish personnel do not have the time to set a trap, keep it baited and keep watch for a single trap shy hog. I realize there is a concern about black bear coming into contact with the Warfain bait feeders. This situation can be mitigated using several methods. For example, the Hog-stopper feeder should be placed using the same bait material without the Warfain. This feeder should be monitored daily using a trail camera. After observing no bears for several days, the warfain could be placed using only enough to lethal for a single hog. This feeder, with the Warfain, should be monitored daily with a trail camera. If bears are seen in the area of the feeder, of course, the feeder should be removed. The Arkansas Game and fish personnel should be updated while the feeder is in user.

In light of the problem that we have experienced with the single trap shy hogs, I am requesting the Arkansas Department of Agriculture to allow the use of Warfain bait feeders in the area where it becomes necessary to control a single feral hog. This would be of a great help to landowners when this type of control is necessary

I have included some warfain research on feral hogs and wild life. It becomes obvious, when used correctly, there is no danger to non-target species including black bears I have high lighted some interesting areas.

Sincerely
James Winnat
HC 62, Box 281A
Ozone, AR 72854
Ph 870-428-5580

Comment Date: 1/13/2026

Commenter Name: Coburn, Dana

Comment:

To Whom It May Concern:

Please accept the following comments on the DRAFT 2 CAR Sections 70-115:

- General
 - Who regulates/who are the "boots on the ground" for implementation of this regulation? May want to include this in a table at the beginning of the document
 - Who oversees the "regulators" - info to include in a table
 - Who does the public go to for questions/complaints/recourse? May also want to consider including this information in a table.
 - Table of punishable offenses, civil and criminal, for each pesticide - this needs to be clear and up front.
- Specific
 - 2 CAR Sections 70-115. Class J. (C)(2) - Who provides the training? What are the requirements for training on pesticide use? How often does the training take place and is there an annual requirement for refresher training?
 - 2 CAR Section 70-112. Class G. (e) - In general, failure to comply clause - why is this clause not in each of the sections (i.e. for each pesticide)? Should consider putting in each section. As stated above, consider a table or chart with list of each civil and criminal penalty for each punishable offense.

I have a strong concern over the use of pesticides for feral hog control. Please ensure you've thought this through, the 2nd, 3rd, 4th order of impacts - what happens if this pesticide is ingested by an animal that isn't a feral hog? How do you respond to that breach? What about watershed pollution? What happens if this pesticide gets into a watershed, specifically one that provides municipal and industrial water supply?

Thank you for accepting comments.

Dana Coburn
danac772025@outlook.com

Comment Date: 1/13/2026

Commenter Name: Hopper, James

Comment:

Good Morning,

My name is James Hopper. I am a property owner in north central Arkansas. I am writing to say that I am against using warfarin to poison feral hogs in Arkansas. The Arkansas Game and Fish Commission article, "Arkansas battles feral hog invasion: A timeline of eradication efforts" written by Randy Zellers on 5-14-25, states that the Feral Hog Eradication Task Force and the USDA Feral Swine Control Project has been showing positive results by eliminating 13,000 feral hogs.

I am concerned that poisoning with warfarin will have trickle-down effects, damaging the rest of the ecosystem, including other animals that eat the bait, scavengers that eat the dead carcass and humans who eat the feral hogs that have already been poisoned several days prior to when the hunter or trapper killed them.

My recommendation would be to continue to trap with the Feral Hog Eradication Task Force and not add any additional poison to the ecosystem.

Respectfully Submitted,

James Hopper

Summary of Comments from Supporters of the Arkansas Farm Bureau

Dates:

1/06/2026:

Acre, Chris	Felts, Jeff	Hill, Kallem	Patton, James
Billiot, Sue	Fletcher, Marion	Knoedl, Mike	Petrus, John
Boles, Jack	Free, Daniel	Lewis, Billy	Plyler, Caleb
Carlson, Dusty	Freeze, Mike	Lockhart, Mark	Sansom, Jennifer
Davis, Chuck	Griffin, Jackie	Mason, Everett	Shepherd, Keith

Davis, Tyler	Groce, Bill	McKenzie, Kevin	Sorrells, Tommy
Dodgen, William	Hayes, Jodee	Meeks, James	Smith, Todd
Evans, Jack	Harris, Brian	Morgan, Steven	Steed, Phillip
Evans, Kelli	Hess, Tom	Pattie, Joe	Swears, Caleb

Sweat, Chris
 Thrash, Joe
 Tull, Sarah
 Walker, Delbert
 Weisenfels, Brian
 Young, Tommy

1/07/2026:

Boyd, Stephen
 Gifford, Cliff
 Hare, Randy
 Hill, Erin
 Lockeby, Colin
 Rojas, Catrinia
 Smith, Rudty

1/08/2026:

Groves, Chase
 Groves, Krystal
 Harvey, Mariea
 Jones, Steven
 Patton, James

1/09/2026:

Penturf, Jim

Example Comment:

As a farmer, I wish to express my appreciation to the Arkansas Department of Agriculture and the State Plant Board for acknowledging the vital role of feral hog management and for advancing the approval of warfarin (Kaput). Feral hogs inflict substantial harm on crops, pastures, and properties, and I support that farmers should have access to every possible tool that suits their needs.

While I understand the need to protect wildlife, I believe that the current rule, as proposed, would make it exceedingly difficult for farmers to utilize the product. The broad prohibitions at the county level and the restrictions during crucial times of need render Kaput impractical. The proposed regulations impose excessive limitations on responsible application.

I applaud your collaboration with stakeholders in developing these rules and encourage you to revise the regulations to provide more allowances while upholding wildlife protections. I am convinced that we can collaborate to safely implement this significant solution for controlling invasive species and safeguarding wildlife.

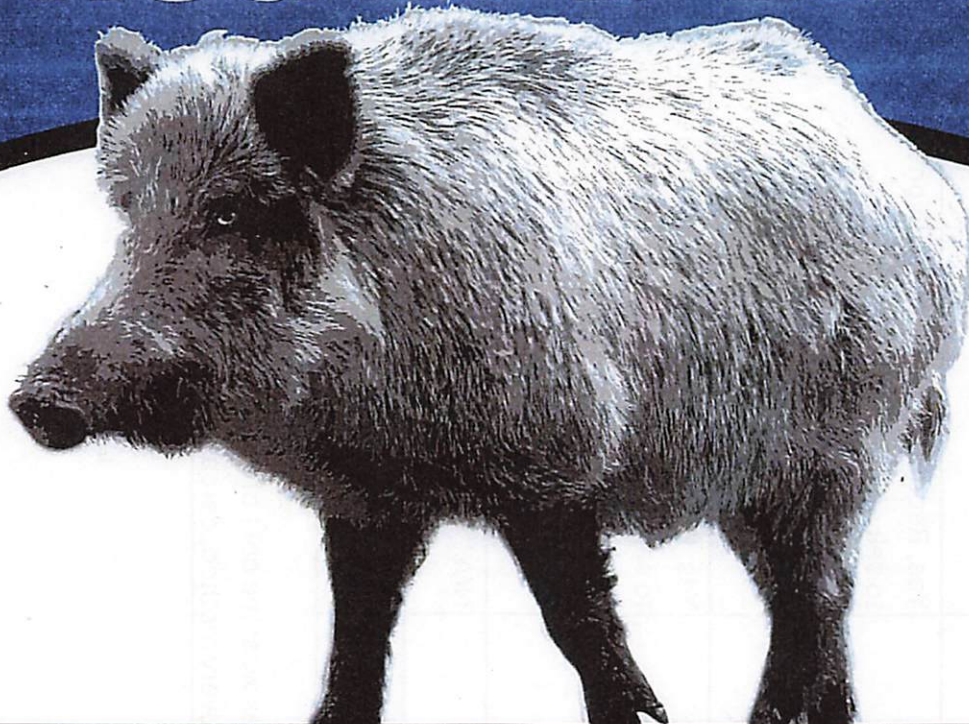
Region 6 SLA Kaput Feral Hog Bait Survey Responses

	Is the product registered for use?	State Restrictions?	Off target issue?	Feedback from product users?
Oklahoma	Yes	Yes, Require Dealer License to sell and Applicator license to apply. Manufacturer training	None reported	Expense to purchase product.
Texas	Yes	Yes, Require Dealer License to sell and Applicator license to apply. Manufacturer training	None reported	Product is labor intensive. Difficulty conditioning hogs. Feeders are expensive and often get damaged. Surveillance and followup for carcass disposal.
New Mexico	No	N/A	None reported	N/A
Louisiana	No	N/A	None reported	N/A

SFIREG discussion among states was: the cost of the product, label compliance, and enforcement (such as conditioning hogs, delivery method, carcass disposal, etc.)

Kaput[®]

FERAL HOG BAIT



NET WT. 25 LBS (11.34 KG)

ACTIVE INGREDIENT:

Warfarin (CAS Number 81-81-2)	0.005%
OTHER INGREDIENTS	99.995%
TOTAL	100.000%

EPA Reg. No. 72500-26
EPA Est. 72500-CO-1

Keep Out of Reach of Children

CAUTION

See back panel for First Aid and Precautionary Statements.

FIRST AID

If Swallowed:

- Call a poison control center or doctor immediately for treatment advice.
- Have person sip a glass of water if able to swallow.
- Do not induce vomiting unless told to do so by the poison control center or doctor.
- Do not give anything by mouth to an unconscious person.

NOTE TO PHYSICIAN

Contains Warfarin, an anticoagulant. If swallowed, this material may reduce the clotting ability of the blood and cause bleeding. For humans that have ingested this product and/or have obvious poisoning symptoms (bleeding or prolonged prothrombin times), give Vitamin K1, intramuscularly or orally.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. For medical emergencies call your poison control center at 1-800-222-1222.

THIS PRODUCT FORMULA INCLUDES A BLUE DYE THAT WILL IMPART A BLUE COLOR TO THE FATTY TISSUES OF HOGS THAT HAVE EATEN THE BAIT

PRECAUTIONARY STATEMENTS

Hazards to Humans

CAUTION: Harmful if swallowed. Any person who handles the bait and retrieves carcasses or unused bait following application of this product should wear protective gloves. Gloves will help protect against stains from the blue color and from the diseases feral hogs may spread to humans, domestic animals, and other wildlife.

Personal Protective Equipment (PPE)

Applicators and other handlers should wear long-sleeved shirt, long pants, gloves, socks and shoes. Follow manufacturer's instructions for cleaning and maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Environmental Hazards

Do not apply this product directly to water, to areas where surface water is present or to intertidal areas below the mean high-water mark. Do not contaminate water when disposing of equipment wash waters.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

READ THIS LABEL:

Read this entire label and follow all use directions and use precautions.

IMPORTANT: Do not expose children, pets, domestic animals or other non-target wildlife to this product. To help prevent accidents:

1. Store product not in use in locations out of reach of children, pets, domestic animals and wildlife.
2. Apply this product only as specified on this label.
3. Dispose of product container as well as unused, spoiled or recoverable unconsumed bait as specified on this label.

USE RESTRICTIONS: This product may only be used to control feral hogs (*Sus scrofa*) on pastures, rangeland, forests, and non-crop areas. This bait must only be applied in hog feeders equipped with heavy lids (minimum of 17 lbs. total lid weight) on bait compartments (for example, *Hog Stopper* feeders) so as to limit direct access to bait by non-target animals. Feral hogs must be conditioned to accept feed from the bait dispensers and to open the weighted lids to bait compartments.

- Do not apply this bait directly on the ground, including all types of ground surface (e.g., bare or plant-covered ground, paved surfaces, etc.). Apply this product only in hog feeders consistent with the description provided above.

GRAZING RESTRICTIONS: Do not allow livestock to graze on baited areas during the baiting program. If bait is to be applied in areas used for grazing, ensure that all livestock are removed and excluded from baited areas before applying this product and during the use of this product.

SELECTION OF BAITING SITES: Baiting sites must be consistent with the limitations set forth in the **USE RESTRICTIONS** on this label (above). Before applying this product, observe the area selected for treatment to identify where hog activity and trails are located. Look for evidence of recent activity, including hog sightings, hog damage to crops, rooting of the soil, hog wallows, and fresh hog tracks and fecal material.

PLACING AND SECURING HOG FEEDERS:

- Locate hog feeders in or near probable resting areas for hogs, including brush near streams, dense cover and tall vegetation.
- From one to three bait feeders may be used per placement location, according to the apparent number of hogs visiting the location. Three dispensers spaced no more than 10 feet apart may be used where hog numbers are excessive (e.g., if large hog family groups, or sounders, are present).
- Secure feeders in place, so that hogs cannot tip them over, by use of T-posts or by tying the feeders to trees or shrubs.

CONDITIONING HOGS TO FEEDERS:

- After the feeders are situated and secured, feral hogs must be conditioned (trained) to feed from them. To accomplish this, load the feeding compartments with a non-toxic feed, and open the lids to the feeding compartments by about 6 inches so that hogs can access this feed with little difficulty.
- To condition hogs to accept this product, use one of the following preparations as the non-toxic feed: (1) cracked or whole corn; (2) cracked or whole corn, soaked in water for 3-5 days until it has a noticeable odor; (3) cracked or whole corn treated with a commercially available hog attractant which includes scents of hog urine, fruit, or pet food; or (4) *Kapur*® Feral Hog Lure.
- Load 25 to 50 lbs. of the non-toxic feed into each hog feeder. Provide access to non-toxic feed for one (1) to three (3) weeks, until hogs are feeding readily from the bait compartments. Failure to condition hogs to feeders or ending the conditioning period too early may reduce the number of hogs taken or prolong the period of time needed for toxic baiting.

BAIT APPLICATION:

- After feral hogs have been conditioned to take non-toxic feed from bait compartments, remove all of the non-toxic feed remaining in the feeders. Add 25 to 50 lbs. of *Kapur*® FERAL HOG BAIT to each feeder and close lids to bait compartments so that hogs must lift the doors with their snouts in order to access bait. Do not load this product into feeders from which non-toxic bait was consumed during the conditioning period.

- Monitor feeders every 2 to 4 days once treatment has begun to determine whether hogs are accessing bait, to assess whether bait is being spilled around feeders, and to replenish bait, if appropriate.
- Refill feeders if bait is significantly depleted or degraded, and there still is evidence of hog activity at the feeder. As bait takes and hog numbers decline, the feeders may be monitored at 4-day intervals, but site surveillance must continue as described below. If possible, feeders should be checked at mid-day to minimize disturbance to feral hogs. Bait spilled around feeders must be collected and disposed of properly.

SURVEILLANCE AND FOLLOW-UP: Dead hogs may begin to appear in or near the treatment areas within 5 to 7 days after bait placement. Applicators must return to the treatment site within 4 days after the first bait placements were made, and at 2- to 4-day intervals thereafter during the baiting program, to inspect the site for evidence of dead or dying feral hogs. All carcasses found must be disposed of properly. Carcasses may be buried on site. Burial may minimize feral hog disease transmission to humans, domestic animals, and other wildlife. If burial is not practical and other disposal methods are allowed by State and local authorities, carcasses may be disposed of by other methods. Continue to monitor the treatment area for dead or dying feral hogs for at least two weeks after the removal of all bait from the hog feeders.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. **Pesticide Storage:** Store in original container in a cool, dry place inaccessible to children, pets, domestic animals, and other wildlife. **Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility. **Container Handling:** Non-refillable container. Do not reuse or refill this container. Offer container for recycling, if available, or reconditioning, if appropriate. Otherwise, dispose of empty container in a sanitary landfill.

WARRANTY

To the extent consistent with applicable law, Manufacturer and Seller make no warranty, express or implied, concerning the use of this product other than indicated on the label. Buyer or user assumes all risk of use and/or handling of this material when such use/handling is contrary to label instructions.

Patent Pending
Made In USA

Manufactured by:

Scimetrix
LTD. CORP.

Pest Management Solutions

P.O. Box 1045, Wellington, CO 80549-1045

(970) 482-1330

customerservice@kapurproducts.com

Label Version 04/05/2018

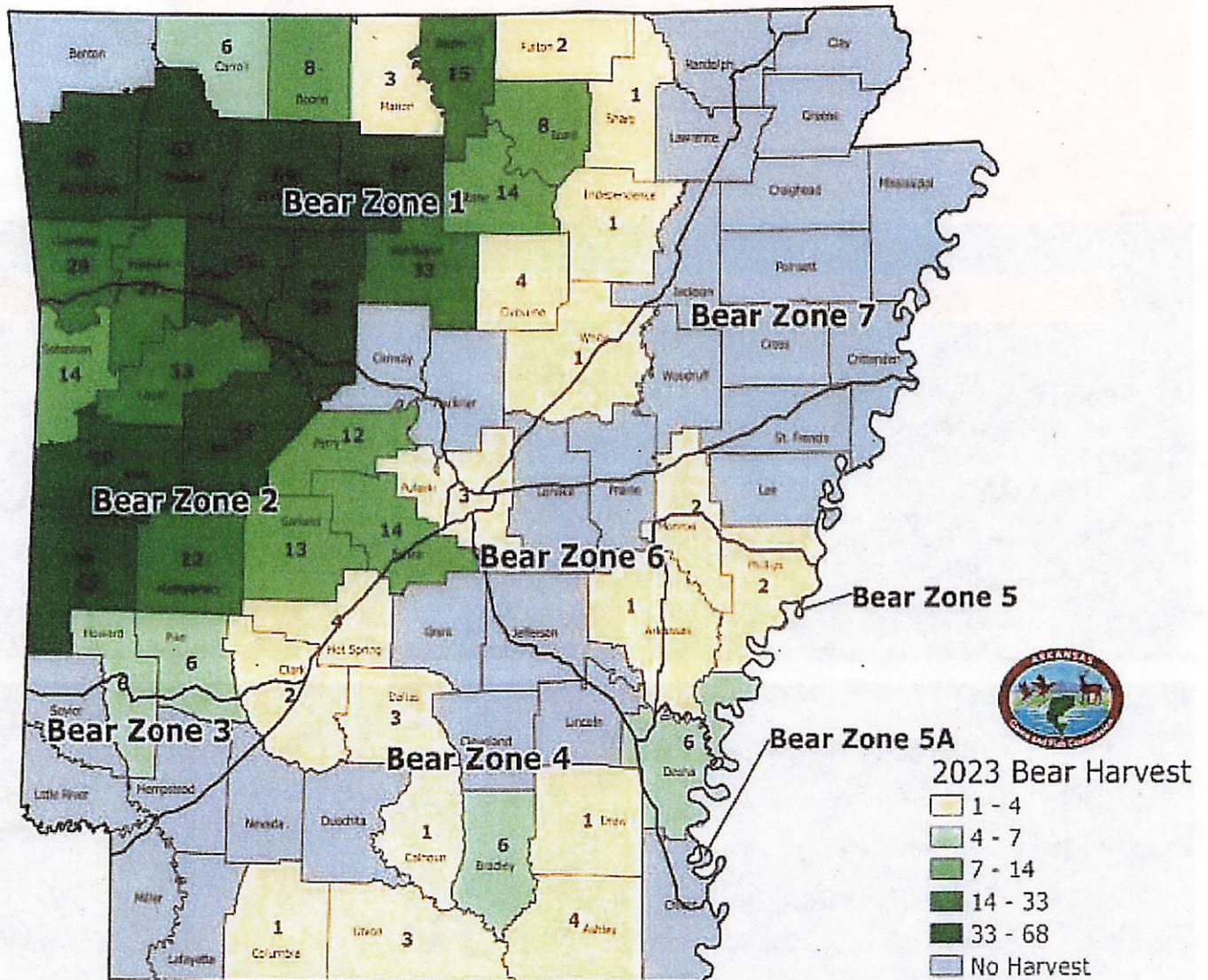


FERAL HOGS:

-  **Transfer 30+ Diseases to Humans and Animals**
 -  **Destroy Crops and Natural Resources**
 -  **Kill Endangered and Threatened Species**
-

***Blue Indicator Dye
will begin to appear
in hog's fatty tissues
approx. 3 hours after
bait consumption***

Figure 3. Black Bear harvest by county for 2023.



OKLAHOMA- STATE LIMITED USE PESTICIDE

Kaput®
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FERAL HOG BAIT - OK


[DOWNLOAD THE OK STEWARDSHIP TRAINING PRESENTATION ▸](#)

– Kaput® Feral Hog Bait – Oklahoma State Restricted Use Product (SRU)

Kaput Feral Hog Bait is to be used to eliminate feral hogs in Oklahoma. To purchase this product through a distributor, please read entire label and you must complete a product specific training administered by Scimetrix/Kaput

What do you need to purchase the Feral Hog Bait?

- Distributor or Dealer – Must have a OK Restricted Use Pesticide Dealer License
- End Users MUST have a Commercial or Non-Commercial Applicators License with Category 1a (Agriculture Plant) or 11a (Bird & Vertebrate Animal)
- Private Applicators License
- The OK Pesticide Law requires that a person may not use a restricted-use or state-limited-use pesticides or regulated herbicides unless licensed or certified by the Oklahoma Department of Agriculture. Additionally, applicators are to keep records of pesticide applications for two years.
- Commercial applicators are required to have insurance. All applicators may obtain continuing education units (CEUs) to renew their license.
- All Applicators MUST have a copy of the Kaput Feral Hog Supplemental Label in their possession when baiting.

– Feral Hog Distribution Requirements

Distributor

- OK Restricted Use Pesticide Dealer License
- Kaput LMS Training Certification Number (by location)
- Can distributor ship to other locations? Yes, they must have the Dealer License & Training Certification number
- Must keep copies of ODAFF Licenses, Training Certifications, Sales & Transfers

Dealers

- OK Restricted Use Pesticide Dealer License
- Kaput LMS Training Certification Number
- Must keep copies of OK Applicator Licenses, Training Certifications with required records

End User

- MUST have a Commercial or Non-Commercial Applicators License with Category 1a (Agriculture Plant) or 11a (Bird & Vertebrate Animal)
- Private Applicator License
- Kaput LMS Training Certification Number
- MUST have a copy of Kaput Feral Hog Supplemental Label in their possession when baiting

State Supplemental Label for Oklahoma, classifying as “State Restricted Use” Pesticide.

Stewardship training presentation: <https://esw592i9www.exactdn.com/wp-content/uploads/2024/08/Kaput-2024-Feral-Hog-Stewardship-Training-OK-v1.pdf>

KAPUT FERAL HOG BAIT



STATE RESTRICTED USE PESTICIDE

BACKGROUND

Feral swine are a non-native invasive species in Oklahoma that are detrimental to the state's natural resources, agriculture production, and a disease risk. Kaput Feral Hog Bait can be applied by those who are licensed in one of the three following categories: Bird and Vertebrate Animal Pests, Agricultural Plant, or private applicator.

PURCHASE REQUIREMENTS

- Obtain an Agricultural Commercial or Non-Commercial License with Category 1a (Agriculture Plant) or 11a (Bird & Vertebrate Animal)
- Or obtain a Private Applicator License if applying solely for personal use and not as a service or for compensation
- All end users MUST take a training course provided by Scimetrix Ltd Corp.
- Upon successful completion of the required training, the applicator will receive a certificate, which can be used to purchase the Kaput product from the distributor

USAGE REQUIREMENTS

- Since Kaput is a restricted-use pesticide, applicators are required to keep records of its applications for two years
- All Applicators MUST have a copy of the Kaput Feral Hog Supplemental Label in their possession while baiting
- Applicators must ensure they adhere to all labeling requirements

WHERE TO PURCHASE

- Helena Chemical - *Multiple Locations*
- Nutrien Ag - *Multiple Locations*

ADDITIONAL RESOURCES

- [Record Keeping](#)
- [Oklahoma Distributors](#)

HOG STOPPER® Feeder

- Heavy Duty Construction with weighted door
- Attached pin to hold door open during conditioning phase
- Field tested for use in bear territory



US Patent #11,063,166



Kaput

FAMILY OWNED
Made in the USA

1-866-442-3467

www.KaputProducts.com

Manufactured by Scimetrix LTD Corp.
P.O. Box 1045 • Wellington, CO 80549

Feral Hog Bait Development Timeline

2000	Hogstop Community Foundation grants to Scimetrix rodent chemistry for pig control
2008	Grant awarded and pilot studies conducted with USDA and TAMU in Kingsville, TX
2009	Meeting with Texas Dept of Ag to discuss possible state label (bait label needs permit) for feral hog control
2010-16	Meetings with the EPA to make plans for developing a hog bait
2013	Applied for an Experimental Use Permit with the US EPA
2014-16	Permits issued by EPA and State of Texas to conduct field testing of baits
2015-16	Grants provided by Texas Dept of Ag for research
2017	EPA grants registration of Kaput Feral Hog Bait
2018-21	Various Studies
2022-23	Texas ASM AgriLife Extension & USDA Fish and Wildlife study 100% Lethal for Feral Hogs Road Report Here: KaputProducts.com/ FeralHogReport



FERAL HOG Bait

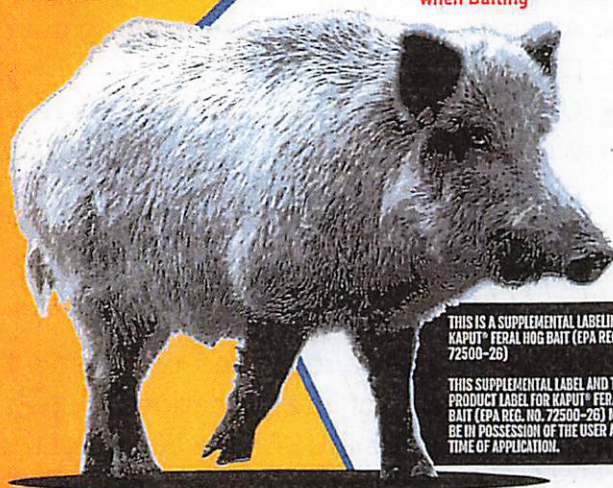
Patented Formula
11,382,325

Kaput
PRODUCTS

FAMILY OWNED
Made in the USA

SUPPLEMENTAL LABEL
OKLAHOMA STATE
RESTRICTED USE

This Supplemental Label
MUST be in your possession
when Baiting



THIS IS A SUPPLEMENTAL LABELING TO
KAPUT® FERAL HOG BAIT (EPA REG. NO.
72500-26)

THIS SUPPLEMENTAL LABEL AND THE
PRODUCT LABEL FOR KAPUT® FERAL HOG
BAIT (EPA REG. NO. 72500-26) MUST
BE IN POSSESSION OF THE USER AT THE
TIME OF APPLICATION.

www.KAPUTPRODUCTS.com
(866) 442-3467
Manufactured by Scimetrix Limited Corp.
P.O. Box 1045, Wellington, CO 80549

INNOVATIVE RODENT
CONTROL BASED ON SCIENCE

FIRST AID	
Swallowed:	- Call a poison control center or doctor immediately for treatment advice. - Have person sip a glass of water if able to swallow. - Do not induce vomiting unless told to do so by the poison control center or doctor. - Do not give anything by mouth to an unconscious person.
NOTE TO PHYSICIAN	
Contains: Warfarin, an anticoagulant. If swallowed, this material may reduce the clotting ability of the blood and cause bleeding. For humans that have ingested this product and/or have obvious poisoning symptoms (bleeding or prolonged prothrombin times), give Vitamin K1, intramuscularly or orally.	
Have the product container or label with you when calling a poison control center or doctor or going for treatment. For medical emergencies call your poison control center at 1-800-222-1222.	

THIS PRODUCT FORMULA INCLUDES A BLUE DYE THAT WILL IMPART A BLUE COLOR TO THE FATTY TISSUES OF HOGS THAT HAVE EATEN THE BAIT

AUTONARY STATEMENTS Hazards to Humans

CAUTION: Harmful if swallowed. Any person who handles the bait and retrieves carcasses or unused bait following application of this product should wear protective gloves. Gloves will help protect against stains from the blue color and from the dissolvable feral hog bait that may be spilled on the skin, clothing, or other surfaces.

Personal Protective Equipment (PPE)
Applicators and other handlers should wear long-sleeved shirt, long pants, gloves, socks and shoes.
Follow manufacturer's instructions for cleaning and maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Environmental Hazards
Do not apply this product directly to water, to areas where surface water is present, or to wetland areas below the mean high-water mark. Do not contaminate water when disposing of equipment wash waters.

DIRECTIONS FOR USE
It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

READ THIS LABEL:
Read this entire label and follow all use directions and use precautions.
IMPORTANT: Do not expose children, pets, domestic animals or other non-target wildlife to this product. To help prevent accidents:

1. Store product not in use in locations out of reach of children, pets, domestic animals and wildlife.
2. Apply this product only as specified on this label.
3. Dispose of product container as well as unused, spoiled or recoverable unconsumed bait as specified on this label.

USE RESTRICTIONS: This product may only be used to control feral hogs (*Sus scrofa*) on pastures, rangelands, forests, and non-crop areas. This bait must only be applied in hog feeders equipped with heavy lids (minimum of 17 lbs. total lid weight) on bait compartments (for example, Hog Stopper feeders) so as to limit direct access to bait by non-target animals. Feral hogs must be conditioned to accept feed from the bait dispensers and to open the weighted lids to eat the bait.

- Do not apply this bait directly on the ground, including all types of ground surface (e.g., bare or plant-covered ground, paved surfaces, etc.). Apply this product only in hog feeders consistent with the description provided above.

GRAZING RESTRICTIONS: Do not allow livestock to graze on baited areas during the baiting program. If bait is to be applied in areas used for grazing, ensure that all livestock are removed and excluded from baited areas before applying this product and during the use of this product.

SELECTION OF BAITING SITES: Baiting sites must be consistent with the limitations set forth in the USE RESTRICTIONS on the label (above). Before applying this product, observe the area selected for baiting to identify where hog activity and trails are located. Look for evidence of recent activity including hog sightings, hog damage to crops, rooting of the soil, hog wallows, and fresh hog tracks and fecal material.

PLACING AND SECURING HOG FEEDERS:

- Locate hog feeders in or near probable resting areas for hogs, including brush near forests, dense cover and tall vegetation.
- From one to three bait feeders may be used per placement location, depending on the apparent number of hogs visiting the location. Three dispensers spaced no more than 10 feet apart may be used where hog numbers are excessive (e.g., large hog family groups, or sounders are present).
- Secure feeders in place so that hogs cannot tip them over, by use of T-posts or by tying the feeders to trees or shrubs.

CONDITIONING HOGS TO FEEDERS:

- After the feeders are situated and secured, feral hogs must be conditioned (trained) to feed from them. To accomplish this, load the feeding compartments with a non-toxic feed, and open the lids to the feeding compartments by about 6 inches so that hogs can access this feed with little difficulty.
- To condition hogs to accept this product, use one of the following preparations as the non-toxic feed: (1) cracked or whole corn; (2) cracked or whole corn, soaked in water for 3-5 days until it has a noticeable odor; (3) cracked or whole corn treated with a commercially available hog attractant which includes scents of hog urine, fruit, or pet food; or (4) Kaput® Feral Hog Lure.
- Load 25 to 50 lbs. of the non-toxic feed into each hog feeder. Provide access to non-toxic feed for one (1) to three (3) weeks, until hogs are feeding readily from the bait compartments. Failure to condition hogs to feeders or ending the conditioning period too early may reduce the number of hogs that eat or probe the period of time needed for toxic baiting.

BAIT APPLICATION:

- After feral hogs have been conditioned to take non-toxic feed from bait compartments, remove all of the non-toxic feed remaining in the feeders. Add 25 to 50 lbs. of Kaput® FERAL HOG BAIT to each feeder and close lids to bait compartments so that hogs must lift the doors with their snouts in order to access bait. Do not load this product into feeders from which NO non-toxic bait was consumed during

the conditioning period.
• Monitor feeders every 2 to 4 days once treatment has begun to determine whether hogs are accessing bait, to assess whether bait is being pulled around feeders, and to replenish bait, if appropriate.
• Refill feeders if bait is significantly depleted or spoiled, and there still is evidence of hog activity at the feeder. As bait take and hog numbers decline, the feeders may be monitored at 4-day intervals, but the surveillance must continue as described below. If possible, feeders should be checked at mid-day to minimize disturbance to feral hogs. Bait spilled around feeders must be collected and disposed of properly.

SURVEILLANCE AND FOLLOW-UP: Dead hogs may begin to appear in or near the treatment areas within 5 to 7 days after bait placement. Applicators must return to the treatment site within 4 days after the first bait placements were made, and at 2- to 4-day intervals thereafter during the baiting program, to inspect the site for evidence of dead or dying feral hogs. All carcasses found must be disposed of properly. Carcasses may be buried on site. Burial may minimize feral hog disease transmission to humans, domestic animals, and other wildlife. If burial is not practical and other disposal methods are allowed by State and local authorities, carcasses may be disposed of by other methods. Continue to monitor the treatment area for dead or dying feral hogs for at least two weeks after the removal of all bait from the hog feeders.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.
Pesticide Storage: Store in original container in a cool, dry place inaccessible to children, pets, domestic animals, and other wildlife.
Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.
Container Handling: Non-refillable container. Do not reuse, or refill the container. Other container for recycling, if available, or reconditioning, if appropriate. Otherwise, dispose of empty container in a sanitary landfill.

WARRANTY

To the extent consistent with applicable law, Manufacturer and Seller make no warranty, express or implied, concerning the use of this product other than indicated on the label. Buyer or user assumes all risk of use and/or handling of this material when such use/handling is contrary to label instructions.

US Patent

11,382,325

Made in USA

Manufactured by:

Scimetrix

ATD, CORP.

Pest Management Solutions

P.O. Box 1045, Washington, CO 80449-1045

(303) 482-1330

customerservice@scimetrix.com

ACTIVE INGREDIENT:

Warfarin (CAS Number 81-81-2) 0.005%

OTHER INGREDIENTS 99.995%

TOTAL 100.000%

EPA Reg. No. 72500-26

EPA Est. 72500-C0-1



KAPUT® FERAL HOG BAIT IN OKLAHOMA IS A STATE RESTRICTED USE PRODUCT (SRU).

7 Steps to Successful Feral Hog Baiting

Read product label carefully and be certain to follow all label directions

1. **Observe** the area selected for treatment to identify where hog activity and trails are located
2. **Do not allow** livestock to graze on baited areas during baiting program
3. **Position** hog feeders in or near probable resting areas for hogs. From 1-3 feeders may be used per placement location, with feeders spaced no more than 10 ft apart in each cluster.
 - a. Feeders must be equipped with heavy lids on bait compartments (minimum of 17 lb total lid weight)
 - b. Secure each feeder with T-posts or by tying to trees/shrubs to prevent hogs from tipping them over
4. **Condition** (train) hogs to eat from feeders for 1-3 weeks, using the following non-toxic feed options: (1) cracked or whole corn; (2) cracked or whole corn, soaked in water for 3-5 days until it has a noticeable odor; (3) cracked or whole corn treated with a commercially available hog attractant which includes scents of hog urine, fruit, or pet food; or (4) Kaput® Feral Hog Lure.
 - a. Load 25 to 50 lbs of the non-toxic feed into each feeder
 - b. Open feeder lid about 6 inches so hogs can access feed
 - c. Refill as needed
 - d. Failure to train hogs to eat from feeders will lead to POOR baiting results
5. **Baiting** can begin after hogs have been successfully conditioned
 - a. Remove all non-toxic feed from feeders
 - b. Add 25-50 lbs of Kaput® Feral Hog Bait in each feeder
 - c. CLOSE LID to prevent non-target animals from accessing bait
6. **Monitor** feeders every 2 - 4 days. Collect and dispose of any spilled bait, and replenish bait if appropriate
7. **Return** to the treatment site within 4 days after initial bait placement, and then at 2 - 4 day intervals, to inspect the site for dead or dying feral hogs
 - a. All carcasses found must be disposed of properly. Carcasses may be buried on site. Burial may minimize feral hog disease transmission to humans, domestic animals, and other wildlife.
 - b. If burial is not practical and other disposal methods are allowed by State and local authorities, carcasses may be disposed of by other methods.
 - c. Carcass searches must continue at least 2 weeks AFTER the removal of all bait from hog feeders
 - d. A dye in this product will impart a blue color to the fatty tissues of hogs that have eaten the bait



MAKE CERTAIN TO FOLLOW DETAILED LABEL INSTRUCTIONS ON THE USE OF THIS PRODUCT

TEXAS- STATE LIMITED USE PESTICIDE



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FERAL HOG BAIT - TX

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- Kaput® Feral Hog Bait – Texas Special Limited Use Product (SLU)

Kaput Feral Hog Bait is to be used to eliminate feral hogs in Texas. To purchase this product through a distributor, please read entire label and you must complete a training certification through Kaput.

What do you need to purchase the Feral Hog Bait?

- Distributor or Dealer – Must have a TDA Pesticide Dealer License
- End User – Must have a TDA Commercial, Noncommercial or Private applicator license
- The Texas Pesticide Law requires that a person may not use a restricted-use or state-limited-use pesticides or regulated herbicides unless licensed or certified by the Texas Department of Agriculture. Additionally, applicators are to keep records of pesticide applications for two years. Commercial applicators are required to have insurance and register their pesticide equipment. All applicators must obtain continuing education units (CEUs) to renew their license.

- Feral Hog Distribution Requirements

Distributor

- TDA Pesticide Dealer License
- Kaput LMS Training Certification Number (by location)
- Can distributor ship to other locations? Yes, they must have the Dealer License & Training Certification number
- Must keep copies of TDA Licenses, Training Certifications, Sales & Transfers

Dealers

- TDA Pesticide Dealer License
- Kaput LMS Training Certification Number
- Must keep copies of TDA Applicator Licenses, Training Certifications and Sales

End User

- TDA Pesticide Applicator License
- Kaput LMS Training Certification Number

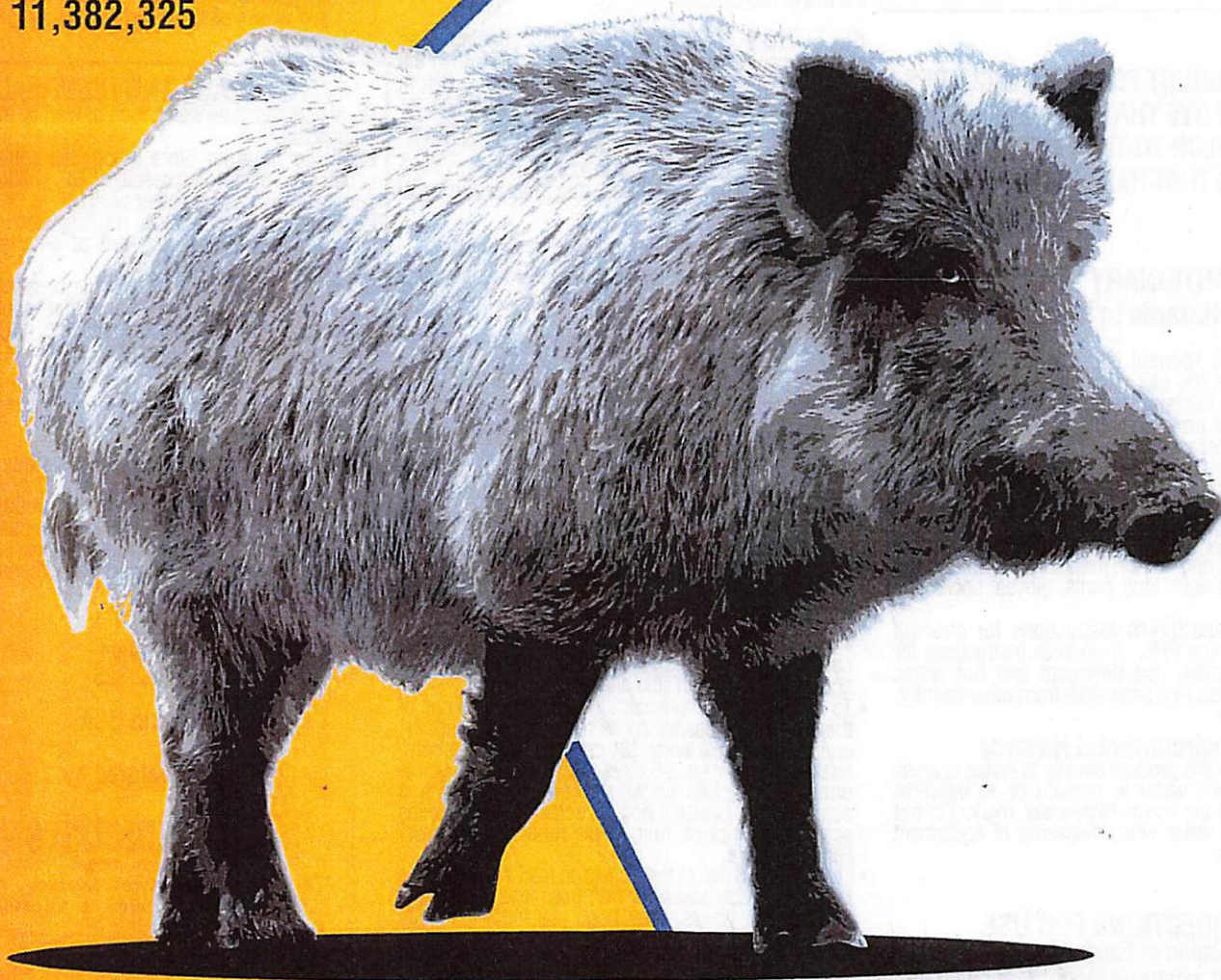
Stewardship Training Presentation:

<https://esw592i9www.exactdn.com/wp-content/uploads/2024/08/Kaput-2024-Feral-Hog-Stewardship-Training-TX-v3.pdf>

FERAL HOG Bait

Patented Formula
11,382,325

Kaput[®]
PRODUCTS



www.KAPUTPRODUCTS.com
(866) 442-3467

Manufactured by Scimetrix Limited Corp.
P.O. Box 1045, Wellington, CO 80549

**INNOVATIVE RODENT
CONTROL BASED ON SCIENCE**

FIRST AID

If Swallowed:

- Call a poison control center or doctor immediately for treatment advice.
- Have person sip a glass of water if able to swallow.
- Do not induce vomiting unless told to do so by the poison control center or doctor.
- Do not give anything by mouth to an unconscious person.

NOTE TO PHYSICIAN

Contains Warfarin, an anticoagulant. If swallowed, this material may reduce the clotting ability of the blood and cause bleeding. For humans that have ingested this product and/or have obvious poisoning symptoms (bleeding or prolonged prothrombin times), give Vitamin K1, intramuscularly or orally.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. For medical emergencies call your poison control center at 1-800-222-1222.

THIS PRODUCT FORMULA INCLUDES A BLUE DYE THAT WILL IMPART A BLUE COLOR TO THE FATTY TISSUES OF HOGS THAT HAVE EATEN THE BAIT

PRECAUTIONARY STATEMENTS

Hazards to Humans

CAUTION: Harmful if swallowed. Any person who handles the bait and retrieves carcasses or unused bait following application of this product should wear protective gloves. Gloves will help protect against stains from the blue color and from the diseases feral hogs may spread to humans, domestic animals, and other wildlife.

Personal Protective Equipment (PPE)

Applicators and other handlers should wear long-sleeved shirt, long pants, gloves, socks and shoes. Follow manufacturer's instructions for cleaning and maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Environmental Hazards

Do not apply this product directly to water, to areas where surface water is present or to intertidal areas below the mean high-water mark. Do not contaminate water when disposing of equipment wash waters.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

READ THIS LABEL:

Read this entire label and follow all use directions and use precautions.

IMPORTANT: Do not expose children, pets, domestic animals or other non-target wildlife to this product. To help prevent accidents:

1. Store product not in use in locations out of reach of children, pets, domestic animals and wildlife.
2. Apply this product only as specified on this label.
3. Dispose of product container as well as unused, spoiled or recoverable unconsumed bait as specified on this label.

USE RESTRICTIONS: This product may only be used to control feral hogs (*Sus scrofa*) on pastures, rangeland, forests, and non-crop areas. This bait must only be applied in hog feeders equipped with heavy lids (minimum of 17 lbs. total lid weight) on bait compartments (for example, *Hog Stopper* feeders) so as to limit direct access to bait by non-target animals. Feral hogs must be conditioned to accept feed from the bait dispensers and to open the weighted lids to bait compartments.

- Do not apply this bait directly on the ground, including all types of ground surface (e.g., bare or plant-covered ground, paved surfaces, etc.). Apply this product only in hog feeders consistent with the description provided above.

GRAZING RESTRICTIONS: Do not allow livestock to graze on baited areas during the baiting program. If bait is to be applied in areas used for grazing, ensure that all livestock are removed and excluded from baited areas before applying this product and during the use of this product.

SELECTION OF BAITING SITES: Baiting sites must be consistent with the limitations set forth in the **USE RESTRICTIONS** on this label (above). Before applying this product, observe the area selected for treatment to identify where hog activity and trails are located. Look for evidence of recent activity, including hog sightings, hog damage to crops, rooting of the soil, hog wallows, and fresh hog tracks and fecal material.

PLACING AND SECURING HOG FEEDERS:

- Locate hog feeders in or near probable resting areas for hogs, including brush near streams, dense cover and tall vegetation.
- From one to three bait feeders may be used per placement location, according to the apparent number of hogs visiting the location. Three dispensers spaced no more than 10 feet apart may be used where hog numbers are excessive (e.g., if large hog family groups, or sounders, are present).
- Secure feeders in place, so that hogs cannot tip them over, by use of T-posts or by tying the feeders to trees or shrubs.

CONDITIONING HOGS TO FEEDERS:

- After the feeders are situated and secured, feral hogs must be conditioned (trained) to feed from them. To accomplish this, load the feeding compartments with a non-toxic feed, and open the lids to the feeding compartments by about 6 inches so that hogs can access this feed with little difficulty.
- To condition hogs to accept this product, use one of the following preparations as the non-toxic feed: (1) cracked or whole corn; (2) cracked or whole corn, soaked in water for 3-5 days until it has a noticeable odor; (3) cracked or whole corn treated with a commercially available hog attractant which includes scents of hog urine, fruit, or pet food; or (4) *Kaput*® Feral Hog Lure.
- Load 25 to 50 lbs. of the non-toxic feed into each hog feeder. Provide access to non-toxic feed for one (1) to three (3) weeks, until hogs are feeding readily from the bait compartments. Failure to condition hogs to feeders or ending the conditioning period too early may reduce the number of hogs taken or prolong the period of time needed for toxic baiting.

BAIT APPLICATION:

- After feral hogs have been conditioned to take non-toxic feed from bait compartments, remove all of the non-toxic feed remaining in the feeders. Add 25 to 50 lbs. of *Kaput*® FERAL HOG BAIT to each feeder and close lids to bait compartments so that hogs must lift the doors with their snouts in order to access bait. Do not load this product into feeders from which no non-toxic bait was consumed during

the conditioning period.

- Monitor feeders every 2 to 4 days once treatment has begun to determine whether hogs are accessing bait, to assess whether bait is being spilled around feeders, and to replenish bait, if appropriate.
- Refill feeders if bait is significantly depleted or degraded, and there still is evidence of hog activity at the feeder. As bait take and hog numbers decline, the feeders may be monitored at 4-day intervals, but site surveillance must continue as described below. If possible, feeders should be checked at mid-day to minimize disturbance to feral hogs. Bait spilled around feeders must be collected and disposed of properly.

SURVEILLANCE AND FOLLOW-UP: Dead hogs may begin to appear in or near the treatment areas within 5 to 7 days after bait placement. Applicators must return to the treatment site within 4 days after the first bait placements were made, and at 2- to 4-day intervals thereafter during the baiting program, to inspect the site for evidence of dead or dying feral hogs. All carcasses found must be disposed of properly. Carcasses may be buried on site. Burial may minimize feral hog disease transmission to humans, domestic animals, and other wildlife. If burial is not practical and other disposal methods are allowed by State and local authorities, carcasses may be disposed of by other methods. Continue to monitor the treatment area for dead or dying feral hogs for at least two weeks after the removal of all bait from the hog feeders.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

Pesticide Storage: Store in original container in a cool, dry place inaccessible to children, pets, domestic animals, and other wildlife.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Handling: Non-refillable container. Do not reuse or refill this container. Offer container for recycling, if available, or reconditioning, if appropriate. Otherwise, dispose of empty container in a sanitary landfill.

WARRANTY

To the extent consistent with applicable law, Manufacturer and Seller make no warranty, express or implied, concerning the use of this product other than indicated on the label. Buyer or user assumes all risk of use and/or handling of this material when such use/handling is contrary to label instructions.

US Patent
11,382,325

Made in USA

Manufactured by:

Scimetrics

LTD. CORP.

Pest Management Solutions

P.O. Box 1045, Wellington, CO 80549-1045

(970) 482-1330

customerservice@kaputproducts.com

ACTIVE INGREDIENT:

Warfarin (CAS Number 81-81-2) 0.005%

OTHER INGREDIENTS 99.995%

TOTAL 100.000%

EPA Reg. No. 72500-26
EPA Est. 72500-CO-1

Patent #11,382,325

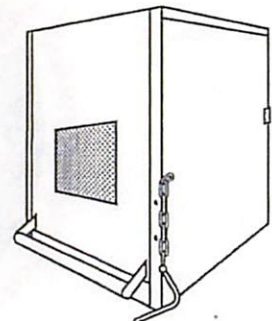
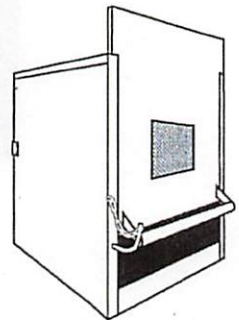


FERAL HOG BAIT IN TEAXS IS A SLU (STATE LIMITED USE) PRODUCT.

7 Steps to Successful Feral Hog Baiting

Read product label carefully and be certain to follow all label directions

1. **Observe** the area selected for treatment to identify where hog activity and trails are located
2. **Do not allow** livestock to graze on baited areas during baiting program
3. **Position** hog feeders in secluded resting areas. From 1-3 feeders may be used per placement location, with feeders spaced no more than 10 ft apart in each cluster
 - a. Feeders must be equipped with heavy lids on bait compartments (minimum of 17 lb total lid weight)
 - b. Secure each feeder with T-posts or by tying to trees/shrubs to prevent hogs tipping them over
4. **Condition** (train) hogs to eat from feeders for 1-3 weeks, using cracked or whole corn.
 - a. Load 25 to 50 lbs of the non-toxic feed into each feeder
 - b. Open feeder lid about 6 inches so hogs will find feed
 - c. Refill as needed. If corn is not being eaten, move feeders to a new location with obvious hog activity
 - d. **Failure to train hogs to eat from feeders will lead to POOR baiting results**
5. **Baiting** can begin after hogs have been successfully conditioned
 - a. Remove all non-toxic feed from feeders
 - b. Replace with 25-50 lbs of *Kaput Feral Hog Bait* in each feeder
 - c. CLOSE LID to prevent non-target animals from accessing bait
6. **Monitor** feeders every 2 – 4 days. Collect and dispose of any spilled bait, and replenish bait if appropriate
7. **Return** to the treatment site beginning 4 days after initial bait placement, and then at 2 – 4 day intervals, to perform carcass searches in the area
 - a. All carcasses found must be disposed of properly. Carcasses may be buried on site.
 - b. If burial is not possible, contact State and local authorities to determine other allowable disposal methods
 - c. Carcass searches must continue at least 2 weeks AFTER the removal of all bait from hog feeders
 - d. A dye in this product will impart a blue color to the fatty tissues of hogs that have eaten the bait



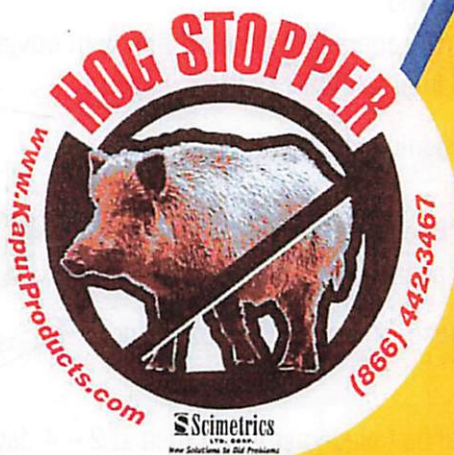
**MAKE CERTAIN TO FOLLOW DETAILED LABEL INSTRUCTIONS
ON THE USE OF THIS PRODUCT**

HOG STOPPER Feeder

- Heavy Duty Construction with weighted door
- Attached pin to hold door open during conditioning phase
- Field tested for use in bear territory



US Patent #11,083,186



Kaput®



1-866-442-3467

www.KaputProducts.com

Manufactured by Scimetrics LTD Corp.
P.O. Box 1045 • Wellington, CO 80549

Feral Hog Bait Development Timeline

2000

Hawai'i Community Foundation grant to examine rodent chemistry for pig control

2008

Grant awarded and pen studies conducted with USDA and TAMU in Kingsville, TX

2009

Meeting with Texas Dept of Ag to discuss possible state label (special local needs permit) for feral hog control

2010-16

Meetings with the EPA to review plans for developing a hog bait

2013

Applied for an Experimental Use Permit with the US EPA

2014-16

Permits issued by EPA and State of Texas to conduct field testing of baits

2015-16

Grants provided by Texas Dept of Ag for research

2017

EPA grants registration of Kaput Feral Hog Bait

2018-21

Various Studies

2022-23

Texas A&M Agrilife Extension & USDA Fish and wildlife study.
100% Lethal for Feral Hogs

Read Report Here:

KaputProducts.com/
FeralHogReport



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, 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.

(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~~ 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~~ 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:

- (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.

[Department](#)

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.

DRAFT

(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;

DRAFT

(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 -Arroso 3+3 EC -Propanil EC -Ordram 8E -Abolish 8E -Bolero EC	Aircraft Spray Wind Speed 3 to 8 mph	4 miles	1 mile
	Ground Spray Wind Speed 3 to 8 mph	1 mile	1/2 mile
b. Water diluted spray of Quinclorac herbicide applied in water alone or tank-mixed with emulsifiable concentrate formulation free herbicides such as: -Stam 80EDF -Basagran -Terra Propanil 80DF -Blazer -Wham EZ, Super Wham -Storm -Pentagon 60 WDG -Londax	Aircraft Spray Wind Speed 3 to 8 mph	1 mile	1 mile
	Ground Spray Wind Speed 3 to 8 mph	1/2 mile	1/2 mile

1. Exemption: In areas where cities have annexed blocks of agricultural land, water diluted sprays of Quinclorac may be used within or adjacent to the city limits, provided the application site is no closer than 1/2 mile to subdivisions when using ground equipment or 1 mile to subdivisions when using aircraft and no closer than 1/4 mile to established plants of the solanaceae family or established/emerged cotton.
2. No water diluted spray of Quinclorac herbicide shall be applied closer than 1/4 mile by any means to established/emerged cotton, noncommercial plantings of the solanaceae family, or closer than 1/2 mile by aircraft if the wind is blowing in the direction of such plants.
3. No water diluted spray of Quinclorac herbicide shall be applied closer than 1 mile by aircraft or 1/2 mile by ground equipment to

established, certified commercial plantings of the solanaceae family (>1,000 plants each kind) statewide.

4. In addition to the above statewide requirements, the following additional restrictions shall apply to Poinsett County.
 - a. No water diluted spray of Quinclorac herbicide shall be applied in an area from one mile west of Highway #1 to one mile east of Highway #163 from the Craighead-Poinsett County line to the Cross-Poinsett County line.
 - b. Water diluted spray of Quinclorac herbicide shall be applied only by ground equipment in the area of Poinsett County from one mile west of Highway #1 to two miles west of Highway #1 and only by ground equipment in the area of Poinsett County from one mile east of Highway #163 to Ditch #10, from the Craighead-Poinsett County line to the Cross-Poinsett County line.
 - c. No water diluted spray of Quinclorac herbicide shall be applied within 1/2 mile with ground equipment or 1 mile by aircraft of commercial plantings of the solanaceae family and towns. This buffer is extended to one mile for ground application and two miles for aerial application when Quinclorac herbicide is mixed with emulsifiable concentrate formulation herbicides.
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.**

DRAFT

(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

Attachment 9

DICAMBA UPDATES 2026

ARKANSAS STATE PLANT BOARD

March 10, 2026

Kerrie Ihnen – BASF Agricultural Solutions

Amanda Albers – Bayer CropScience

Tammy Tyler – Syngenta

MAIN CHANGES TO LABEL

- Maximum application rate cut in half
 - Maximum 2 applications of 0.5lbs dicamba per acre annually
- VRAs and DRAs
 - Approved Volatility Reduction Agent (VRA) must be added to every application (visit product website listed on label for qualified products and rates)
 - All applications require the use of an oil-emulsion Drift Reduction Agent (DRA) at a rate of 0.3% v/v of the final spray tank volume
- ESA Runoff Mitigation
 - 3 or 6* runoff/erosion mitigation points must be achieved...applicators must check Bulletins Live! Two (BLT) before applying for any additional requirements
- Temperature based application restrictions based on forecasted temperature on the day of and the day after a planned application
 - 85°F – < 95°F – DO NOT treat more than 50% of the total number of DT soybean AND DT cotton acres managed by the grower within the county within one day
 - 95°F and above – no application may be made

* 6 points required in certain geographically-specific pesticide use limitation areas (PULAs)

**Minutes of
Arkansas State Plant Board
Bureau of Standards Committee Meeting
February 5, 2026
9:30 a.m.**

Committee Members Present

Via Zoom: Bruce Alford, Sam Stuckey, Reynold Meyer, Robert Thorne, Travis Senter, Wilford Jones, Corey Seats, Sheila Carter, Vernetta Robinson, Kristin Walter

Staff Present: Nikhil Soman

Guest Present:

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

Active Chairman Bruce Alford stated the purpose of the meeting was to review violations and penalties. Active Chairman Bruce 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 November 2025 to January 2026.

- **In Attachment 1 – Table 1 cases for Expired and or No Decal(s) there are 7 (Seven) First Offenses and 1 (One) Second Offenses on Pump(s), Scale(s) or Meter(s). These are First Offenses with a \$350 penalty each, Second Offenses with a \$800 penalty each.**

A motion was made by Robert Thorne seconded by Travis Senter 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 3 (Three) First Offenses, 3 (Three) Second Offenses, 3 (Three) Third Offense, 2 (Two) multiple violations. 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 Sam Stuckey 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 13 (Thirteen) First Offense. These are First Offenses with a \$200 penalty each.**

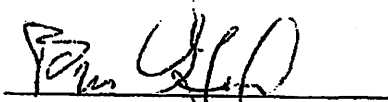
A motion was made by Sam Stuckey seconded by Robert Thorne to approve the proposed penalties against the alleged violators. Committee voted motion passed unanimously.

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

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

- The next meeting is tentatively schedule for May 5, 2026, at 9:30a via zoom.

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


Bruce Alford, Active Chairman
02/05/2026

Civil penalties issued from November 2025 to January 2026

Attachment 1 – violations

Eight – no decal or expired annual decal

Table 1

Seven first violations
One second violation

Eleven – misrepresentation of pricing

Table 2

Three first violations
Three second violations
Three third violations
Two multiple violations

Thirteen – water contamination in the fuel

Table 3

Thirteen first violations

One – flashpoint failure

Table 4

One first violation

Total: 33

Table 1 - Violation of A.C.A § 4-18-344 No annual or expired inspection decal - Eight violations							
Case file	Business name	Address	City	Inspection date	Device	Violation	Civil penalty
BS 26-0206	Caseys	408 1st Av SE	Gravette	November 17, 2025	Pump(s)	First	\$350
BS 26-0207	Triple J's	6103 Southwest Dr	Jonesboro	November 13, 2025	Pump(s)	First	\$350
BS 26-0208	Mellwood Grocery	32299 Hwy 44	Mellwood	November 4, 2025	Pump(s)	First	\$350
BS 26-0209	Rustys	527 N 4th st	West Helena	November 3, 2025	Pump(s)	First	\$350
BS 26-0210	The Short Stop	18440 Marshall	Garfield	November 12, 2025	Pump(s)	First	\$350
BS 26-0213	Toad Suck One Stop	4462 Hwy 60E	Bigelow	November 26, 2025	Pump(s)	First	\$350
BS 26-0223	Caseys	8818 Kanis	Little Rock	December 19, 2025	Pump(s)	First	\$350
BS 26-0222	Neighborhood Mini Mart	8901 Jenny Lind Rd	Fort Smith	December 17, 2025	Pump(s)	Second	\$800

Table 2 - Violation of A.C.A § 4-18-316 Misrepresentation of pricing - Eleven violations (Required accuracy 98%)							
Case file	Business name	Address	City	Inspection date	Accuracy rate	Violation	Civil penalty
BS 26-0205	Dollar General	3697 E Main	El Dorado	November 5, 2025	88%	First	\$350
BS 26-0215	Dollar General	611 US-65 S	Dumas	December 5, 2025	90%	First	\$350
BS 26-0229	Tractor Supply	2100 W Service Rd	West Memphis	December 30, 2025	78%	First	\$350
BS 26-0199	Dollar General	9800 Strong Hwy	Strong	October 29, 2025	78%	Second	\$800
BS 26-0214	Tractor Supply	1590 N Falls Blvd	Wynne	December 2, 2025	88%	Second	\$800
BS 26-0231	Dollar General	1523 E Main St	El Dorado	December 31, 2025	88%	Second	\$800
BS 26-0197	Dollar General	306 S Main	DeValls Bluff	October 22, 2025	84%	Third	\$1,350
BS 26-0201	Dollar General	9800 Strong Hwy	Strong	November 12, 2025	86%	Third	\$1,350
BS 26-0202	Lowes	2906 E Harding	Pine Bluff	October 31, 2025	64%	Third	\$1,350
BS 26-0198	Dollar General	401 Bill Foster Hwy	Cabot	October 28, 2025	84%	Multiple (Fifth)	\$2,000
BS 26-0230	Dollar General	401 Bill Foster Hwy	Cabot	December 31, 2025	90%	Multiple (Sixth)	\$2,000

Table 3 - Violation of A.C.A. § 4-108-204 (b)(1)(A) and 4-108-207 Water contamination limits Non ethanol and Diesel (1 inch) Ethanol fuel (1/4 inch) - Thirteen violations									
Case file	Business name	Address	City	Inspection date	Fuel type	Location	Water inch(s)	Violation	Civil penalty
BS 26-0200	Red Oak Station	17879 AR 16	Deer	October 15, 2025	Hwy Diesel	Storage tank	2.00	First	\$200
BS 26-0203	Conoco One Stop	1725 S Whitehead	Dewitt	October 20, 2025	E0 Premium	Storage tank	2.00	First	\$200
BS 26-0204	B's Quick Stop	601 E Runnels st	Mineral Springs	November 3, 2025	Off Road Diesel	Storage tank	2.00	First	\$200
BS 26-0211	Littlefield Express	2350 E Main	Batesville	November 18, 2025	Regular Unleaded E0	Storage tank	4.50	First	\$200
BS 26-0216	Scott Petroleum	3925 AR 130	Almyra	November 12, 2025	Hwy Diesel	Storage tank	1.38	First	\$200
BS 26-0217	White Oak	4128 Wagon Wheel Rd	Springdale	November 19, 2025	Hwy Diesel	Storage tank	1.75	First	\$200
BS 26-0218	Double Quick	402 E Armstrong	Eudora	December 01, 2025	Premium E10	Storage tank	4.00	First	\$200
BS 26-0219	Murphy USA	1817 S 8th St	Rogers	December 02, 2025	Premium E0	Storage tank	1.50	First	\$200
BS 26-0221	Stop N Shop	2223 Hwy 65	Winchester	December 09, 2025	Hwy Diesel	Storage tank	1.50	First	\$200
BS 26-0224	Gas N Go	100 N Rock st	Sheridan	December 12, 2025	Premium 93 E10	Storage tank	3.00	First	\$200
BS 26-0225	EZ Mart	505 Hwy 425 S	Monticello	December 16, 2025	Premium 93 E10	Storage tank	4.25	First	\$200
BS 26-0226	EZ Mart	205 N Hyatt	Monticello	December 16, 2025	Hwy Diesel	Storage tank	1.50	First	\$200
BS 26-0227	Flash Market	1119 S Jackson	Magnolia	December 15, 2025	Premium 93 E10	Storage tank	1.31	First	\$200

Table 4 - Violation of A.C.A § 4-108-204 (b) (1) (A) and 4-108-207 Flashpoint failure (> 125 °F) - One violation								
Case file	Business name	Address	City	Sampling date	Product	FP	Violation	Civil penalty
BS 26-0220	Mega Central Station	1806 Forrest Hills	Bella Vista	December 4, 2025	Hwy Diesel	70 °F	First	\$200

ARKANSAS BOLL WEEVIL ERADICATION PROGRAM

Projected Cash Flow
2022 - 2026

	2022	2023	2024	2025	2026
Acres	601,245	485,500	613,418	486,798	400,000
Assessments/Acre	\$3.00	\$3.00	\$3.00	\$3.00	\$3.00
Cash Inflows					
Assessments	\$ 1,851,809	\$ 1,457,189	\$ 1,840,257	1,460,395	\$ 1,200,000
Rebate to Growers	(342,268)	(598,326)	(485,683)	(604,694)	(486,798)
Interest Income	5,097	77,037	155,038	164,460	130,000
Other Income	18,475	187,562	40,332	36,167	-
Total Cash Inflows	1,533,113	1,123,463	1,549,944	1,056,328	843,202
Cash Outflows					
Capital Equipment	34,770	51,251	53,668	63,017	30,000
Data Management	12,318	13,891	19,978	6,333	18,000
Insurance Expense	40,556	41,696	46,049	42,775	46,000
Office Supplies	9,827	11,600	10,540	13,392	14,000
Professional Fees	144,285	108,560	116,562	98,080	137,000
Rent	9,600	9,600	13,200	15,000	15,000
Building & Facility	6,879	7,626	8,664	3,462	5,000
Salaries and Benefits	547,963	524,887	553,880	547,243	575,000
National Boll Weevil Protection Fund	150,311	121,432	153,355	121,700	-
Travel	6,039	9,789	6,084	11,041	15,000
Utilities - electricity/water/sewer	4,591	5,281	5,279	4,853	7,000
Telephone	8,260	6,010	4,930	6,497	7,500
Vehicle Expense	63,642	54,572	62,990	62,469	65,000
Other Operating Expenses	7,575	12,621	13,051	18,541	13,000
Subtotal Cash Outflows	1,046,616	978,816	1,068,230	1,014,402	947,500
Cost per Acre	\$ 1.74	\$ 2.02	\$ 1.74	\$ 2.08	\$ 2.37
Operating Surplus (Deficit)	486,497	144,647	481,714	41,926	(104,298)
Assessments/Accounts Receivable	(6,765)	(94,382)	42,107	71,777	
Insurance adjustment - paid vs accrued	(2,329)	1,314	(3,456)	4,929	
Accounts Payable	147,148	(145,831)	(4,406)	125,213	
Change in Fixed Assets	(84,707)	(81,353)	(4,095)	(3,983)	
Available Cash	3,333,203	3,873,048	3,697,442	4,209,306	4,449,169
Cash at End of Year	3,873,048	3,697,442	4,209,306	4,449,169	4,344,871

Arkansas Boll Weevil Eradication Foundation, Inc.
Analysis of Delta Invoice
2014-2025

Delta Acres	110,993.00	65,301.40	122,990.30	131,636.00	142,672.10	160,833.90	141,126.10	140,474.90	154,739.40	152,893.80	156,973.70	136,405.40
Total Acres	316,589.20	201,375.20	365,858.70	424,351.00	463,542.90	588,064.20	499,022.10	454,506.50	601,244.90	485,729.70	613,418.90	486,798.30
	35.06%	32.43%	33.62%	31.02%	30.78%	27.35%	28.28%	30.91%	25.74%	31.48%	25.59%	28.02%

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Overhead Expenses												
Salaries & Benefits	58,618.01	38,826.06	47,021.85	45,527.00	55,311.27	50,392.29	54,669.23	71,408.76	60,581.47	60,983.30	54,815.24	54,123.00
Repairs & Maintenance	0.00	46.05	0.00	15.51	0.00	125.40	0.00	0.00	0.00	0.00	0.00	0.00
Vehicle Expense	2,452.16	1,065.30	1,084.59	1,091.87	741.43	577.68	3,742.10	3,727.41	4,435.98	4,518.35	4,110.88	5,113.50
Insurance	17,727.95	15,567.37	14,481.23	13,531.89	12,252.55	11,580.27	10,595.47	12,240.72	10,437.67	13,124.71	11,784.00	11,985.90
Utilities/Telephone	1,810.62	1,043.76	978.77	966.35	927.53	936.92	1,156.44	1,325.14	1,181.55	1,662.26	1,350.90	1,359.85
Telephone	1,536.49	1,498.49	2,127.06	1,545.51	925.19	598.31	1,361.59	1,459.47	1,025.80	0.00	0.00	0.00
Data Management	11,027.57	2,859.18	4,095.17	12,646.94	12,006.22	3,421.21	3,260.72	4,380.70	2,913.27	4,328.96	4,878.64	1,705.90
Professional Fees	19,594.50	17,185.23	15,926.60	17,463.74	17,304.73	21,064.41	35,418.83	38,896.58	37,134.02	34,171.49	29,779.80	27,462.52
Travel	1,492.86	913.19	1,239.27	2,004.91	2,737.08	1,853.85	704.18	950.38	1,489.09	2,411.58	1,509.17	3,093.90
Office Supplies	3,392.34	2,307.51	2,625.73	2,917.86	2,528.61	2,174.80	1,662.02	2,752.59	2,455.43	3,626.62	2,691.28	3,634.58
Rent	7,686.33	3,112.99	3,227.22	2,977.97	2,954.88	2,616.20	2,714.93	2,967.08	2,470.70	3,021.81	3,377.88	4,203.14
Capital Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Litigation Settlement	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Building & Facility	2,105.85	1,329.27	6,847.33	1,099.91	716.48	885.78	578.12	1,675.11	1,770.47	2,400.43	2,217.00	970.03
National Boll Weevil Protection Fu	55,563.82	16,325.35	30,747.58	32,909.02	14,267.85	24,039.00	35,281.53	35,118.73	38,684.85	38,223.45	39,243.42	34,101.35
Other Operating Expenses	2,675.72	2,478.77	1,930.17	1,516.73	2,212.68	1,785.49	1,958.46	1,694.65	1,949.60	3,079.80	3,304.84	5,032.47
	185,684.22	104,558.52	132,332.57	136,215.21	124,886.50	122,051.61	153,103.62	178,597.32	166,529.90	171,552.76	159,063.05	152,786.15

Note: prior to 2011, Utilities and Telephone were included on the same line item.

Note: Included in 2013 professional fees are insurance reimbursements for the lawsuit settlement.

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Direct Expenses												
Trapping Supplies	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Salaries & Benefits	62,326.61	60,984.30	61,478.15	75,729.53	72,917.96	71,413.33	74,882.08	74,977.29	64,079.03	61,679.03	53,514.61	47,568.79
Repairs & Maintenance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vehicle Expense	10,985.32	12,244.38	6,392.36	3,445.95	7,631.33	6,540.31	1,903.97	1,875.76	4,445.75	5,986.95	11,667.90	7,422.13
Utilities	142.33	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Telephone	842.59	222.15	413.25	698.34	643.59	759.35	646.71	615.01	805.31	619.19	515.95	622.18
Data Management	372.88	125.71	171.36	459.14	181.64	241.92	184.03	322.13	772.67	138.25	912.98	244.99
Professional Fees	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	189.45	72.73
Travel	1,403.16	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,128.00	186.16	0.00
Office Supplies	103.61	0.00	34.92	113.20	17.35	29.27	16.26	186.51	286.47	78.36	23.39	420.98
Rent	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Meals	0.00	0.00	0.00	0.00	0.00	13.13	0.00	0.00	0.00	0.00	29.38	0.00
Other Operating Expenses	133.16	20.00	0.00	0.00	15.08	0.00	0.00	0.00	0.00	0.00	136.88	72.87
	76,309.66	73,596.54	68,490.04	80,446.16	81,406.95	78,997.31	77,633.05	77,976.70	70,389.23	70,629.78	67,176.70	56,424.67
Total	261,993.88	178,155.06	200,822.61	216,661.37	206,293.45	201,048.92	230,736.67	256,574.02	236,919.13	242,182.54	226,239.75	209,210.82

Note: prior to 2011, Utilities and Telephone were included on the same line item.



Invoice Date
2/23/2026
DELTA INVOICE 2025

Customer Name	Arkansas Department of Agriculture
Address	#1 Natural Resource Drive
City/State/ZIP	Little Rock, AR 72205
Phone	870-572-9655

	Line Item Description	Cost
Direct Expense	See Itemized List on Direct Expense page	\$ 56,424.67
Overhead Expense	See Itemized List on Overhead Expense page	\$ 152,786.15

Total	\$ 209,210.82
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Invoice Date
2/23/2026
DELTA INVOICE 2025

Customer Name	Arkansas Department of Agriculture
Address	#1 Natural Resource Drive
City/State/ZIP	Little Rock, AR 72205
Phone	870-572-9655

	Line Item Description	Cost
Direct Expense	Data Management Expense	\$ 244.99
	Gas/Vehicle Expense	\$ 7,422.13
	Office Supplies	\$ 420.98
	Professional Services	\$ 72.73
	Salaries & Benefits	\$ 47,568.79
	Shop Supplies & Tools	\$ 72.87
	Telephone	\$ 622.18

Total	\$ 56,424.67
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Invoice Date
2/23/2026
DELTA INVOICE 2025

Customer Name	Arkansas Department of Agriculture
Address	#1 Natural Resource Drive
City/State/ZIP	Little Rock, AR 72205
Phone	870-572-9655

	Line Item Description	Cost
Overhead Expense	Bank Charges	\$ 3,264.83
	Building & Facility	\$ 970.03
	Data Management/Computer Expense	\$ 1,705.90
	Dues & Registrations	\$ 667.18
	Gas/Vehicle Expense	\$ 5,113.50
	Insurance	\$ 11,985.90
	Meals	\$ 57.92
	Miscellaneous	\$ 849.70
	National Boll Weevil Protection Fund	\$ 34,101.35
	Office Supplies	\$ 3,634.58
	Postage & Shipping	\$ 192.84
	Professional Fees	\$ 27,462.52
	Rent	\$ 4,203.14
	Salaries & Benefits	\$ 54,123.00
	Travel	\$ 3,093.90
	Utilities	\$ 1,359.85

Total	\$ 152,786.15
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Arkansas Boll Weevil Eradication Foundation, Inc.
P.O. Box 2838 | West Helena | Arkansas | 72390