

WAC 16-301-570 Penalties for violating the crucifer seed quarantine. (1) When the director determines that crucifer seed or a crucifer production area is infected with a regulated disease, the director may issue a quarantine order or notice of destruction. A violation of this chapter may also result in either a quarantine order or notice of destruction as determined by the director and the rules regulating the crucifer seed quarantine. Any costs associated with complying with a notice of destruction or quarantine order is the sole responsibility of the owner and not the responsibility of the department.

(2) The director may issue a notice of destruction:

(a) The notice of destruction will identify the property or seed lot affected.

(b) The notice of destruction will order the destruction of regulated articles or prescribe the terms of entry, inspection, partial destruction and/or treatment of regulated articles.

(c) The notice of destruction may prescribe control measures or other requirements needed to prevent the infection of adjacent properties with a regulated disease.

(d) To ensure that the affected parties comply with the measures required to eliminate a disease caused by regulated pathogens, the director will notify the owner and seed company representatives, if known, regarding the methods of destruction to be used, the extent of the destruction and the safeguards being implemented to prevent the spread of the disease.

(3) The director may order the quarantine of any regulated article or planting area. The director will:

(a) Determine the quarantine conditions;

(b) Determine if a quarantine extension is warranted; and

(c) Prescribe sanitary precautions that will prevent the spread of the suspected regulated disease.

(4) To prevent the spread of the suspected regulated disease, persons entering the quarantined area must follow the sanitary precautions in WAC 16-301-560(5). Entry into the quarantined area is restricted to:

(a) The owner;

(b) Department employees;

(c) University personnel or other plant pathology specialists; and/or

(d) Persons authorized in writing by the director.

(5) Fields placed under a quarantine order:

(a) Must enter the Washington state phytosanitary inspection program as required under WAC 16-301-240 with all inspection costs borne by the owner.

(b) May be subject to additional inspection, control, isolation, or destruction requirements if the director determines they are needed to prevent the spread of regulated pathogens.

(6) Any owner violating the requirements of this crucifer seed quarantine is subject to the civil and/or criminal penalties as established in chapters 15.49 and/or 17.24 RCW.

[Statutory Authority: RCW 15.49.005, 17.24.041, and chapter 34.05 RCW. WSR 16-14-068, § 16-301-570, filed 7/1/16, effective 10/1/16. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and 17.24.021, and chapter 34.05 RCW. WSR 14-20-050, § 16-301-570, filed 9/25/14, effective 10/26/14. Statutory Authority: Chapters 15.49, 17.24, and 34.05 RCW. WSR 06-01-111, § 16-301-570, filed 12/21/05, effective 1/21/06.]