

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

EMERGENCY ORDER NO. 890

EFFECTIVE June 19, 1962

STATE OF WASHINGTON
FILED
JUN 19 1962
CODE REVISER'S OFFICE
DOCKET # 505 FILE # 18

**RULES AND STANDARDS FOR THE REGISTRATION OF FRUIT TREES AND
THE CERTIFICATION OF FRUIT TREE NURSERY STOCK**

I, Joe Dwyer, Director of Agriculture, by virtue of the authority vested in me under Chapter 15.14 RCW, do promulgate the following emergency regulations relating to the registration of fruit trees and certification of fruit tree nursery stock.

The adoption of this Emergency Order No. 890 providing for registration of fruit trees and certification of fruit tree nursery stock is necessary for the immediate preservation of the public health, safety, and general welfare. It is necessary that this Order become effective immediately so that the registration of fruit trees and the certification of fruit tree nursery stock may take place within the 1962 growing season.

Trees may be registered as root-stock and top-stock sources for the propagation of certified nursery stock when inspected, tested and found to be true-to-name and discernibly free from virus and virus-like diseases by procedures outlined in this program. Registration and/or certification does not imply any warranty on the part of the Department or any employee thereof.

Participation in this program shall be voluntary.

Regulation 1. Definitions:

- (a) "Virus infected (affected)" means presence of a virus(es) in a plant or plant part.
- (b) "Virus-like" means a disorder of genetic or non-transmissible origin.
- (c) "Off-type" means not true-to-name.
- (d) "Indicator plant" means any herbaceous or woody plant used to index or determine virus infection.
- (e) "Index" means to determine virus infection by means of inoculation from the plant to be tested to an indicator plant or by any other method.
- (f) "Registered tree" means that a registration number has been assigned by the Department to a tree that has been inspected and tested in accordance with the provisions of this program.
- (g) "Scion-block" means a planting of registered trees which serves as a source of scionwood for the propagation of "Washington certified fruit trees."
- (h) "Seed-block" means a planting of registered seed trees which serves as a source of seed for producing rootstock used in the propagation of "Washington certified fruit trees".

- (i) "Stool bed" means a clonal planting of registered trees for the specific purpose of producing vegetatively propagated root-stock used in the propagation of "Washington certified fruit trees."
- (j) "Washington certified fruit trees" means nursery grown trees propagated by using top-stock from registered trees and root-stock originating from registered trees.

Regulation 2. Requirements:

- (a) Applicant: The applicant nurseryman shall be responsible, subject to the approval of the Department, for the selection of the location and the proper maintenance of registered plantings being grown under the provisions of this program. The applicant nurseryman shall be responsible for maintaining the identity of all nursery stock entered in this program in a manner approved by the Department. Any planting entered in this program shall be kept in a thrifty growing condition and free of plant pests.

There shall be no budding, grafting, or top-working of registered trees in any scion-block, seed-block or stool bed.

Any plant found to be affected by a virus or virus-like disease or if off-type shall be removed and destroyed immediately from any planting following notification by the Department.

- (b) Prunus scion-block:

- (1) Location: A Prunus scion-block shall be located not less than 150 feet from any non-registered plant of Prunus species.

The ground in a scion-block and for a distance of 20 feet surrounding it shall be kept either clean cultivated or in an approved, properly controlled, ground cover. Registered scion-block trees shall be planted and maintained in a manner and at sufficient distance that branches of different varieties do not overlap. Registered scion-block trees shall not be used for propagation purposes until trueness-to-name has been established by the Department. Each tree shall bear a permanent registration number.

- (2) Acceptability: The root-stock and top-stock sources of the scion-block trees shall have originated from foundation trees established at the Moxee Plant Introduction and Quarantine Station. If the tree is scion-rooted, its source shall have met the above requirements. Only registered trees shall be permitted in the scion-block.

- (c) Prunus seed-block:

- (1) Location: Isolation is preferable but not required for trees used for seed source only.

The ground in a seed-block and for a distance of 20 feet surrounding the seed-block shall be kept clean cultivated or in an approved, controlled, ground cover. Each tree shall bear a permanent registration number.

- (2) Acceptability: The root-stock and top-stock sources of the seed-tree shall have originated

from foundation trees established at the Moxee Plant Introduction and Quarantine Station. If the tree is scion-rooted, its source shall have met the above requirements. Only registered trees shall be permitted in the seed-block.

(d) Nursery stock:

- (1) Location: Nursery stock being grown for certification shall be planted sufficiently apart to maintain its identity and shall be kept clean cultivated. It shall be designated as to root-stock, top-stock, and interstock sources. There shall be no re-budding or re-grafting of nursery row stock unless such stock is re-worked with budwood from the same registered scion-tree.
- (2) Grades: All nursery stock shall comply with the grades and standards for Washington certified fruit trees as listed in Regulation 6.
- (3) Tagging: All nursery stock meeting the requirements of this program when sold shall have the variety, interstock and root-stock designated as follows: variety/interstock/rootstock.
- (4) Acceptability: All nursery stock meeting the requirements of this program shall be known as Washington certified fruit trees.

Regulation 3. Inspection and testing procedures:

Inspection and testing procedures prescribed in this program may be made only by the Department and shall be conducted in a manner and at times determined as suitable. In the indexing procedures required, the Department may approve the substitution of other indicator plants or methods or may approve indexing on a fewer number of indicator plants, if the plant being tested is itself a good indicator for a particular disease.

- (a) A registered cherry scion-tree shall be tested as follows:
 - (1) by indexing on Prunus serrulata var. Shiro-fugen each year,
 - (2) by indexing on Prunus avium var. Bing every other year.
 - (3) by indexing on Prunus avium var. Sam every other year.

The Bing and Sam cherry shall be on Prunus mahaleb root-stock. The tests shall be observed for two successive growing seasons. Each registered cherry scion-tree shall be given at least two visual inspections each year, one being near fruit maturity.

- (b) A registered cherry seed-tree shall be indexed on Prunus serrulata var. Shiro-fugen every other year and tests observed for portions of two growing seasons. Each registered cherry seed-tree shall be given at least two visual inspections each year.

- (c) A registered prune or plum scion-tree shall be tested as follows:
- (1) by indexing on Prunus serrulata var. Shiro-fugen each year.
 - (2) by indexing on Prunus avium var. Bing every other year.
 - (3) by indexing on Prunus persica var. Elberta every other year.

The Bing cherry shall be on Prunus mahaleb root-stock. The tests shall be observed for two successive growing seasons. Each registered prune or plum scion-tree shall be given at least two visual inspections each year, one being near fruit maturity.

- (d) A registered prune or plum seed-tree shall be indexed on Prunus serrulata var. Shiro-fugen every other year and test observed for portions of two growing seasons. Each registered prune or plum seed-tree shall be given at least two visual inspections each year.

- (e) Inspections of nursery stock for certification:

- (1) At least one visual inspection shall be made of nursery root-stock in a planting for certification during the first growing season.

At the request of the Department any undesirable root-stock shall be rogued before propagation. At least two visual inspections shall be made of nursery stock during the growing season following bud or graft placement.

- (2) The Department shall refuse certification in part or all of a planting if plants have been propagated from registered trees determined to be affected by a virus or virus-like disease or if other requirements of this program have not been met.

Regulation 4. Application and fees:

- (a) Application: The applicant nursery man shall furnish to the Department all information pertinent to the operation of this program and shall give his consent to the Department to take propagating wood from any tree for testing purposes.

Trees registered and used under the provisions of the Washington State Nursery Improvement Program shall be deemed useable as registered scion-trees and seed-trees if they meet the requirements outlined in this program.

Application for inspection and indexing of registered scion and seed trees and for inspection of nursery stock for certification must be filed with the Department by June 1 of each year accompanied by a \$40.00 application fee.

- (b) Inspection and indexing fees as follows:

- (1) For inspection and indexing of registered scion trees, \$2.00 each.
- (2) For inspection and indexing of registered seed trees, \$1.00 each.

- (3) For inspection and indexing of a registered stool bed, 10 cents per lineal foot.
- (4) For inspection of nursery stock for certification, 3 cents per certified nursery tree sold.

Regulation 5. Tagging and identity:

- (a) Tagging: The Department will issue a certificate covering nursery grown trees that meet the requirements of this program and authorize the use of official certification tags for the identification of such trees.
- (b) Identity: Any person selling certified plant stock or Washington certified fruit trees is responsible for the identity of the stock bearing each tag and for such nursery stock meeting the requirements of this program. Persons issued tags authorized by the program shall account for stock produced and sold and keep such records as may be necessary.

Regulation 6. Grades and Standards for Washington certified fruit tree nursery stock

All trees should have reasonably straight bodies according to habit of growth and be well rooted. Caliber to be taken two inches above the collar or bud. Height to be taken from the collar if grafted or from the union of the bud and stock if budded.

The caliber shall govern, height being intended to represent average height of most varieties. Slow growing kinds may fall short of height specified.

All certified fruit trees offered for sale are to be bundled in accordance with commercial practice and shall be identified by one or more printed labels (3/4") per unit.

Grades for branched trees:

The nine-sixteenths and eleven-sixteenths should have three or more side branches. The five-sixteenths and seven-sixteenths a minimum of two side branches.

<u>Caliber (in inches)</u>	<u>Minimum Heights</u>	<u>Caliber (in inches)</u>	<u>Minimum Heights</u>
APPLE --Standard		PEAR--Standard	
11-16 to 1	4½ ft. and up	11-16 and up	4½ ft. and up
9-16 to 11-16	4 ft. and up	9-16 to 11-16	4 ft. and up
7-16 to 9-16	3 ft. and up	7-16 to 9-16	3 ft. and up
5-16 to 7-16	2 ft. and up	5-16 to 7-16	2 ft. and up
APRICOT		PLUM	
11-16 and up	4 ft. and up	11-16 and up	4½ ft. and up
9-16 to 11-16	3 ft. and up	9-16 to 11-16	4 ft. and up
7-16 to 9-16	2½ ft. and up	7-16 to 9-16	3 ft. and up
5-16 to 7-16	2 ft. and up	5-16 to 7-16	2 ft. and up
CHERRY--sweet		PEACH	
11-16 and up	4½ ft. and up	11-16 and up	4½ ft. and up
9-16 to 11-16	4 ft. and up	9-16 to 11-16	4 ft. and up
7-16 to 9-16	3 ft. and up	7-16 to 9-16	3 ft. and up
5-16 to 7-16	2 ft. and up	5-16 to 7-16	2 ft. and up

CHERRY--Sour

11-16 and up 3½ ft. and up
 9-16 to 11-16 3 ft. and up
 7-16 to 9-16 2½ ft. and up
 5-16 to 7-16 2 ft. and up

APPLE--Dwarf

9-16 and up 3½ ft. and up
 7-16 to 9-16 2½ ft. and up
 5-16 to 7-16 2 ft. and up

QUINCE

9-16 and up 3½ ft. and up
 7-16 to 9-16 3 ft. and up
 5-16 to 7-16 2 ft. and up

PEAR--Dwarf

9-16 and up 3½ ft. and up
 7-16 to 9-16 3 ft. and up
 5-16 to 7-16 2 ft. and up

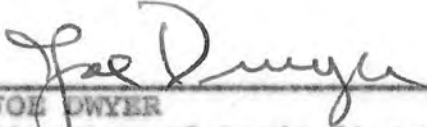
Grades for one-year whips or whips partially branched (apples, pears, cherries, plums, peaches, nectarines, apricots and quince). One year standard fruit trees, semi-dwarf and dwarf.

¾ inch and up
 ⅝ inch to ¾ inch
 ½ inch to ⅝ inch

⅜ inch to ½ inch
 ¼ inch to ⅜ inch

RCW 15.14.140 STATES: "It shall be unlawful for any person to sell, offer for sale, hold for sale, label, identify, represent or to advertise any planting stock as being certified, registered, foundation or breeder planting stock unless it has been inspected by the Director and he has issued a certificate stating that such planting stock has met the requirements of this act and rules adopted hereunder and that it is properly identified and labeled."

I hereby certify that the foregoing is a true and correct copy of the emergency regulation promulgated by the Department of Agriculture.



 JOE DWYER
 Director of Agriculture
 State of Washington

Signed at Olympia, Washington

Date: June 19, 1962