

State of Washington

DEPARTMENT OF AGRICULTURE

(agency name)

Administrative Order No. 1583

(1) I, Bob J. Mickelson, director of Department of Agriculture

do promulgate and adopt at Department of Agriculture, Olympia (place)

the annexed rules relating to: grape plant certification as applied to identification of grape nursery stock, transfer of planting stock between participants in the grape plant certification program and increase in registration fee, WAC 16-462-015, 16-642-020, 16-462-030

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 78-08-103 filed with the code reviser on 8/1/78. Such rules shall take effect:

- [x] pursuant to RCW 34.04.040(2).
at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04. (1977 c 19 § 2) that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in statement (a), (b), or (c) as appropriate):

(a) This rule is promulgated pursuant to RCW 15.14 and is intended to administratively implement that statute.

(b) This rule is promulgated pursuant to RCW which directs that the

(agency) has authority to implement the provisions of

(name of act or RCW citation)

(c) This rule is promulgated under the general rule-making authority of the (agency)

as authorized in RCW

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

(5) This order after being first recorded in the order register of this agency is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON APPROVED AND ADOPTED September 27 1978 FILED

SEP 27 1978

By [Signature] Deputy Director

Title

CODE REVISER'S OFFICE WSR 78-10-072

AMENDATORY SECTION (Amending Order 1397, filed 4/7/75)

WAC 16-462-015 DEFINITIONS. (1) "Virus infected (affected)" means presence of a virus(es) in a plant or plant part.

(2) "Virus-like" means a disorder of genetic or nontransmissible origin.

(3) "Off-type" means not true-to-name.

(4) "Indicator plant" means any herbaceous or woody plant used to index or determine virus infection.

(5) "Index or indexing" means to determine virus infection by means of inoculation from the plant to be tested to an indicator plant; or by any other method.

(6) "Registered vine" means that in a mother block and/or foundation block a number has been assigned by the department to a grape vine that has been inspected and tested virus free in accordance with the provisions of this program.

(7) "Foundation block" means a planting of grape vines established, operated and maintained by Washington State University, that are indexed to be free from (~~soil-borne~~) viruses and that are true-to-name. Cuttings to establish mother blocks will be furnished to the applicants by the Washington State Department of Agriculture. Written requests for foundation material must be received by the Department of Agriculture before (~~November-15~~) December 1 of each year.

(8) "Mother block" means a planting of grape vines for which propagating material originated directly from the Washington State University foundation block or first generation plants originating from such stock. The mother blocks will be maintained by the nurserymen and provide propagating wood to produce Washington certified grape nursery stock. (~~Participants--in-the-program-must-obtain-permission-from-the-Washington-State-Department-of-Agriculture-prior-to--transfer-of-mother-block-planting-stock-from-one-participant-to-another.~~)

(9) "Washington certified grape nursery stock" means vines, rooted cuttings and cuttings taken or propagated directly from foundation or mother blocks and certified in accordance with the provisions of this program. Certified plants grown in a greenhouse may be used for one growing season to propagate additional certified plants.

AMENDATORY SECTION (Amending Order 1193, filed 4/19/71)

WAC 16-462-020 REQUIREMENTS. (1) Applicant. (a) The applicant nurseryman shall be responsible, subject to the approval of the department, for the selection of the location and the proper maintenance of mother blocks and nursery stock. He shall be responsible for maintaining the identity of all nursery stocks and mother block vines, and for keeping all plants in a thrifty growing condition and free of plant pests.

(b) He shall take suitable precautions in cultivation, irrigation, movement and use of equipment, and in other farming practices, to guard against spread of soil-borne pests to plantings entered under this program. He shall keep all areas clean cultivated except for (~~fall~~) cover crops.

(c) He shall remove and destroy immediately, following notification by the department, any registered vine or nursery plant found to be affected by a virus or virus-like disease or is off-type.

(d) The applicant agrees to make available to commercial grape growers, following the establishment of a mother block, at least (~~75%~~) seventy-five percent of certified cuttings or plants of each variety available each year.

(2) Location. The foundation block, all mother blocks and nursery stock shall be located at least 100 feet from any land on which noncertified grape vines have been grown within the past (~~10~~) ten years.

(3) General. (a) Plants in the mother blocks shall be spaced at a minimum of 6 to 10 feet in the row, and rows 10 feet apart, with 16 to 20 feet between varieties in the row. These spacing requirements will not apply to mother blocks established in a greenhouse.

(b) Cuttings from each mother block (~~(vine--must--be--marked--and kept--separate--during--the--growing--season)~~) variety and selection number must be identified and kept separate during the growing season.

(c) Treatment to eliminate soil-borne pests may be required.

(d) All nursery stock other than greenhouse grown plants shall comply with the grades and standards for Washington certified grape nursery stock as listed in the order for grades and standards.

(e) Certified stock shall remain in the nursery no more than two growing seasons.

(f) The state of Washington Department of Agriculture makes no warranty, expressed or implied, or representation as to the freedom from disease or quality of grape planting stock. An inspection tag will be attached by the plant grower. Certification is based solely on visual inspections of sample plants of this lot which were found to meet tolerances prescribed in chapter 16-462 WAC. Certification of this lot does not represent the freedom from disease or quality of any other lot of grape planting stock. Inspection reports of all lots of grape planting stock entered for certification can be inspected at the Department of Agriculture, Olympia, Washington. For a more detailed description of the certification requirements, read chapter 16-462 WAC.

AMENDATORY SECTION (Amending Order 1397, filed 4/7/75)

WAC 16-462-030 APPLICATION AND FEES. (1) Application. (a) The applicant nurseryman shall furnish information requested and shall give his consent to the department to take plants or plant parts from any planting for inspection or testing purposes.

(b) Application for inspection must be filed with the department by January 1 of each year accompanied by a (~~(\$40.00)~~) one hundred dollar application fee.

(c) Inspection fees established are payable upon completion of the work to be done and are for the sole purpose of defraying expenses incurred in the inspection, approval, registration, and certification procedures provided.

(d) Payment for inspection of mother blocks and nursery stock for registration and certification must be made upon completion of the inspection. Billing to the nurseryman to be made by the plant industry division.

(2) Inspection fees. (a) The inspection tags shall be furnished by the department of agriculture.

(b) The mother block and nursery stock inspection fee shall be in accordance with chapter 16-400 WAC as adopted or hereafter amended, entitled Horticultural Inspection Fees, WAC 16-400-210, hourly charge, and WAC 16-400-250, entitled mileage.



STATE OF  
WASHINGTON

Dixy Lee Ray  
Governor

DEPARTMENT OF AGRICULTURE

406 General Administration Building, Olympia, Washington 98504

September 27, 1978

For purposes of legislative review of agency rules, the following statement is submitted:

- (a) This rule concerns certification of grape nursery stock, RCW 15.14
- (b) This rule sets identification requirements of grape nursery stock, identifies certification warranty and increases registration fee.
- (c) Department of Agriculture  
Division of Plant Industry  
C. T. Nielsen and A. R. Hurd  
418 General Administration Bldg., Olympia  
753-5052
- (d) Proponents: Maynard Huenefeld, Sunnyside, WA  
Wayne Martin, Sunnyside, WA  
Opponents: None
- (e) Agency comments: None