

State of Washington

Department of Agriculture

(agency name)

Administrative Order No. 1655

(1) I, Errett Deck, deputy, director of Department of Agriculture

do promulgate and adopt at Olympia, Washington (place)

the annexed rules relating to:

Alfalfa certification standards in WAC 16-316-240.

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

This action is taken pursuant to Notice No. WSR 79-07-116 filed with the code reviser on July 3, 1979. 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):

- [X] (a) This rule is promulgated pursuant to RCW 15.49 and is intended to administratively implement that statute.
[] (b) This rule is promulgated pursuant to RCW which directs that the

has authority to implement the provisions of (agency)

(name of act or RCW citation)

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

as authorized in RCW (agency)

(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 ADOPTED August 31 19 79

FILED

AUG 31 1979

By [Signature] Deputy Director of Agriculture Title

[Form CR-7: Effective 12/1/77]

CODE REVISER'S OFFICE WSR 79-09-104



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

DEPARTMENT OF AGRICULTURE

406 General Administration Building, Olympia, Washington 98504

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

- (a) This rule relates to alfalfa certification standards in the State of Washington (statutory authority RCW 15.49).
- (b) This rule change establishes an option of isolation zone concept
- (c)

Department of Agriculture	Department of Agriculture
Grain and Chemical Division	Seed Branch
Art G. Losey	Robert Eschbach
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Olympia, Wa	Yakima, Wa
753-5062	575-2750
- (d) Proponents: Department of Agriculture
Opponents: None
- (e) No agency comments.

AMENDATORY SECTION (Amending Order No. 1453, filed 5/13/76)

WAC 16-316-240 ISOLATION REQUIREMENTS (1) Alfalfa for certification shall be isolated from all other alfalfa varieties or fields of the same alfalfa variety not meeting varietal purity requirements for certification as follows:

Class Being Produced	Fields less than five acres	Fields five acres or more
Foundation	900 feet	600 feet
Registered	450 feet	300 feet
Certified	165 feet	165 feet

(2) Isolation between different classes (generations) of the same variety shall be as follows:

Class Being Produced	Distance Required from Fields Planted with:	Fields less than 5 acres	Fields 5 acres or more
Foundation	Foundation or Registered	225 feet	150 feet
Registered	Registered or Certified	115 feet	75 feet
Certified	Certified	75 feet	45 feet

(3) In cases where an adjoining field is planted with a different variety of alfalfa, or alfalfa of a lower class, isolation may be obtained by measuring off the required strip in the certified field. This isolation strip may be mowed for hay or it may be harvested for uncertified seed under the following conditions:

(a) The grower must apply for certification of the entire field and clearly stake off the isolation strip. The entire field must pass all certification requirements, except for isolation at time of inspection. The field report will show rejection due to lack of isolation.

(b) The grower may harvest either the certified portion of the field, or the uncertified isolation strip first and deliver this portion to the processing plant. After this seed is weighed and lotted in, the grower will request a reinspection of the uncut portion. After reinspection, if everything is in order, the field will be passed and the remainder of the field can then be harvested.

(4) Isolation is not required when the isolation zone is less than ten percent of the entire field being certified: PROVIDED, That there is a clear (3m) line of demarcation between adjacent varieties. The isolation zone is the area calculated by the length of the common border with other varieties by average width of the certified field falling within the 50m isolation distance requirement.