

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Agriculture
(agency name)

Administrative Order No. 1873

(1) I, C. Alan Pettibone, director of Washington State Department of Agriculture

do promulgate and adopt at Olympia, WA (place)

the annexed rules relating to:

ONION WHITE ROT QUARANTINE IN CHAPTER WAC 16-470.

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

This action is taken pursuant to Notice No. 85-15-054 and 85-19-002 filed with the code reviser on 7/17/85 & 9/5/85. These rules shall take effect: [X] thirty days after they are filed with the code reviser 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 this 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 the emergency is:

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

(3) Pursuant to the requirements of RCW 34.04.026 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 17.24 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(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.

APPROVED AND ADOPTED

September 25

19 85

By

C. Alan Pettibone

Director

Title

[Form CR-7: Rev. 7/23/82]

STATE OF WASHINGTON FILED

SEP 25 1985

CODE REVISER'S OFFICE

WSR 85-20-043

NEW SECTION

WAC 16-470-300 QUARANTINE--ONION WHITE ROT DISEASE. The director finds that onion white rot disease is detrimental to the onion industry of Washington state and a quarantine is established to prevent the spread and introduction of onion white rot disease within noninfested areas of Washington state.

NEW SECTION

WAC 16-470-310 ONION WHITE ROT DISEASE--AREA UNDER ORDER. The area under quarantine for onion white rot disease includes Adams, Franklin, and Grant counties.

NEW SECTION

WAC 16-470-320 ONION WHITE ROT DISEASE--RESTRICTIONS--CONTROL--PREVENTION--SANITATION. The following restrictions are declared to be the proper methods for the control and prevention of the introduction of onion white rot disease which shall be used in the quarantine area described in WAC 16-470-310:

(1) No person shall import into the quarantine area for the purpose of planting or propagation bulbs, sets, or seedlings of onion, garlic, leek, chive, shallots, or other Allium spp. except those produced in and shipped from any area of this state or other states where onion white rot is not known to occur, and each shipment shall be certified to be free from white rot disease by the origin state department of agriculture.

(2) Except as provided in this chapter, no person shall in any manner import or move soil, machinery, tools, or equipment into the quarantine area, which have been previously used in any manner on fields outside the quarantine area where the host plants named in subsection (1) of this section have been cultivated. Machinery, tools or equipment may be imported or moved into the quarantine area with prior approval from the department: PROVIDED, That the soil, machinery, tools or equipment are cleaned and sterilized to the satisfaction of the department prior to movement into the quarantine area. The cleaning shall include the thorough removal of all dirt by the use of steam under pressure. Sterilization shall be accomplished by the use of steam. For the purposes of this section, "machinery, tools or equipment" includes but is not limited to vehicles, farm trucks, harvesters, and tillage equipment.

(3) The department may stop the movement of any machinery, tools, or equipment into or within the quarantine area which have not been cleaned and sterilized as provided in this section.

(4) No person shall knowingly import into the quarantine area livestock which have been pastured on irrigated fields known to be infested with white rot or have been fed white rot infested plant parts; nor shall white rot infested plant parts be imported into the quarantine area for livestock feed; nor shall white rot infested plant parts found in the quarantined area be fed to livestock. No restrictions are imposed by this quarantine on livestock moving to feed lots, sale yards, or exhibition sites (such as fairgrounds, shows, etc.) in the quarantined area.

NEW SECTION

WAC 16-470-330 ONION WHITE ROT DISEASE--ENFORCEMENT. (1) The department may inspect any onions or onion planting areas within the quarantine area during any time of the year to determine whether the disease organism is present. If the department finds that any onions, whether they are being transported, or any fields are infested with the disease organism, the department may seize any infested onions which are separated from the land on which grown, or by written order direct the control and eradication of an infestation. The written order shall be mailed or hand delivered to the onion grower or field owner.

(2) Movement of infested onions within the quarantine area or removal of infested onions from the quarantine area shall be carried out only with the department's prior approval and under its supervision.

(3) Control and eradication methods used shall be only those approved by the department and Washington State University and may include:

(a) The destruction of any infested onions;

(b) A directive that a specific part or all of any infested area be taken out of onion production;

(c) A directive that any infested area be fenced, properly diked to prevent off-flow of irrigation or rainwater, and planted to an approved crop which will prevent soil erosion and will not require annual tillage;

(d) Prohibit the pasturing of animals on any infested area;

(e) A directive that equipment, tools and machinery used on an infested area be cleaned and sterilized as described in WAC 16-470-320 prior to removal from the area.

NEW SECTION

WAC 16-470-340 ONION WHITE ROT DISEASE--RESEARCH. The department may, with the consent of the owner, allow use of an infested growing area as an experimental plot by Washington State University for onion white rot research. Use of the growing area for research shall be subject to the prior approval of, and supervised by the department.