



**RULE-MAKING ORDER**  
**(RCW 34.05.360)**

Adm Order 5086

**CR-103** (10/1/89)

**Agency:** Department of Agriculture

- Permanent Rule
- Emergency Rule

**(1) Date of adoption:** 10/25/95

**(2) Purpose:** Response to industry request for rule-making to update and make uniform Washington State Certification Standards with standards of the state of Idaho.

**(3) Citation of existing rules affected by this order:** WAC 16-316-525, 16-316-715 and 16-316-727

Repealed:

Amended: X

Suspended:

**(4) Authority for adoption:**

Statute: RCW 15.49.005, 15.49.310, 15.49.370(3), and 15.49.370(4)

Other Authority:

**(5.1) PERMANENT RULE ONLY**

Pursuant to notice filed as WSR 95-18-062 on 9/1/95 (date).

Describe any changes other than editing from proposed to adopted version:

**(5.2) EMERGENCY RULE ONLY**

Pursuant to RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

**(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?:**

- Yes
  - No
- If yes, explain:

**(6) Effective date of rule:**

**Permanent Rules**

- 31 days after filing
- Other (specify)\*:

\*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required.)

**Emergency Rules**

- Immediately
- Later (specify):

CODE REVISER USE ONLY

CODE REVISER'S OFFICE  
STATE OF WASHINGTON  
FILED

OCT 25 1995

TIME: 9:51  
WSR 95-22030

**Name (Type or Print)**

Jim Jesernig

**Signature**

**Title**

Director

**Date**

10/25/95

AMENDATORY SECTION (Amending Order 5019, filed 11/23/93, effective 12/24/93)

WAC 16-316-525 Buckwheat--Chickpea--Field pea--Lentil--Millet--Soybean--Sorghum--Small grain--Eligible variety and stock seed.

Kind	Variety
Barley, spring	Belford, Camelot (P), Columbia (P), <u>Colter</u> , Coughbar, Crest, Crystal, Exel, Gallatin, Harrington, Klages, Horsford, <u>Maranna</u> , <u>Medallion (P)</u> , Menuet (P), Melody (P), Meltan (P), <u>Morex</u> , Nancy (P), Russell, Steptoe, Baronesse (P), WestBred Gustoe (P), ( <del>WestBred Medallion (P)</del> ) WestBred Sprinter (P), Whitford (P)
Chickpea	<u>Dwelle</u> y, Myles, Sanford, Sara
Barley, winter	Boyer, <u>Eight-Twelve</u> , Hesk, Hundred, Kamiak, Showin
Buckwheat, spring	Manor, Mancan
Field pea	<u>Alaska 81</u> , Garfield, Latah, Umatilla
Lentil	Brewer, Crimson, Red Chief
Oat, spring	Monida, Otana, Park,
Rye, winter	Puma, Rymin
Wheat, spring	<u>Alpowa</u> , Butte 86, <u>Calorwa</u> , Centenial, Dirkwin, Edwall, ( <del>Fielder</del> ) <u>Klasic (P)</u> , Nomad (P), ( <del>Owens</del> ) Penawawa, Spillman, Treasure, Wadual, <u>Wadual 94</u> , Wakanz, Wampum, <u>Wawawai</u> , WestBred 906R (P), ( <del>WestBred 911 (P)</del> ) WestBred 926 (P), <u>WestBred 936 (P)</u> , WestBred Express (P), WestBred Sprite, <u>WestBred Vanna (P)</u> , Yecora Rojo
Wheat, winter	Andrews, <u>Banner (P)</u> , Basin (P), Batum, Blizzard, Buchanan, Cashup (P), Daws, <u>Durheim's Pride (P)</u> , Eltan, Gene, Hatton, Hill-81, <u>Hoff</u> , Hyak, John, Kmor, Lewjain, <u>MacVicar</u> , Madsen, Malcolm, <u>Meridian</u> , Moro, Nugaines, <u>Quantum 542 (P)</u> , Rely, Rod, <u>Rohde</u> , Sprague, Stephens, ( <del>Syringa</del> ) Tres, ( <del>Tyee</del> ) Weston
Triticale, spring	Juan, Victoria, Grace, <u>Trical 2700 (P)</u>
Triticale, winter	<u>Celia</u> , Flora, ( <del>XR066A (P)</del> ) Stan I (P), <u>Trical 6600 (P)</u> , <u>Trical Jenkins (P)</u> , <u>Trical 102 (P)</u> , <u>Trical Stan II (P)</u> , <u>Trical XTO-65 (P)</u> , Whitman

(P) means proprietary

The eligibility of other varieties may be approved by the certifying agency.

Foundation seed is eligible to produce registered seed or certified seed.

Registered seed is eligible to produce certified seed.

Certified seed is not eligible for recertification.

AMENDATORY SECTION (Amending Order 5019, filed 11/23/93, effective 12/24/93)

**WAC 16-316-715 Miscellaneous field and seed inspection standards.** (1) The field inspection will be made:

(a) For field pea and chickpea (garbanzo bean) - when seedcrop is in full bloom and at maturity;

(b) For lentil - when seedcrop is in full bloom and at maturity;

(c) For soybean - when seedcrop is in full bloom and/or of mature color;

(d) For open pollinated sorghum - when seedcrop is in full bloom, and optionally again when seedcrop begins to show mature color;

(e) For hybrid sorghum - two inspections during bloom and one inspection after seed begins to show mature color.

(f) For small grains - when seedcrop is fully headed and of mature color.

(g) For millet - one inspection during bloom and one inspection after seed begins to show mature color.

(h) For buckwheat - one inspection when seedcrop is in full bloom.

(2) Any condition or practice which permits or causes contamination of the seedcrop, such as failure to prevent seed formation in bindweeds, Canada thistle or jointed goatgrass, or excess weeds, or mechanical field mixing, shall be cause for rejection upon inspection for field standards. Except: Fields of chickpea, lentil, and field pea will not be rejected for allowing seed formation of bindweed or Canada thistle. Fields rejected for jointed goatgrass at first inspection are not eligible for reinspection and shall remain ineligible for any production of certified classes of small grain seed until a reclamation procedure, as specified in subsection (3) of this section has been completed. Fields rejected for other causes will remain eligible for reinspection.

(3) The jointed goatgrass reclamation procedure shall include the following:

(a) Each grower shall develop a reclamation plan for his/her affected fields. Such a plan shall be based on the most current recommendations of Pacific Northwest scientists and Washington State University cooperative extension as well as good management practices. Such plan may include use of certified seed, spring cropping practices, and late tilling and planting. No particular program is specified or endorsed and compliance with such program does not assure eligibility for the production of certified classes of small grain seed. Such eligibility shall be based solely upon

results of field inspections as provided in (a) through (e) of this subsection.

(b) The rehabilitation and inspection program duration shall be three years for irrigated land and five years for dryland without production of certified small grain seed and the first year of certified seed production thereafter.

(c) Annual inspections of the affected fields shall be conducted by the Washington State Crop Improvement Association (WSCIA) during the prescribed rehabilitation period at such time that the jointed goatgrass would be most visible.

(d) Following the prescribed period of rehabilitation and during the first certified seed production year, a minimum of three field inspections shall be conducted by WSCIA.

(e) Should jointed goatgrass be found during any inspection as provided in (c) and (d) of this subsection, the rehabilitation program shall be determined to be unsuccessful or the field shall be declared ineligible and the rehabilitation and inspection program for that field shall begin again at year one of the procedure.

(4) No prohibited noxious weed seeds are permitted upon inspection for seed standards.

(5) Germination minimum refers to germination when sampled.

(6) If chemically controllable seed-borne diseases are noted upon inspection for field standards and seed standards for small grains, treatment of seed is required.

(7) Concerning wild oat, isolated patches and borders must be removed or clearly marked so as to avoid harvesting with the rest of the field. If rejected, a reinspection will be necessary to assure clean-up efforts have been satisfactory. Spot checks will occur on fields where heavy patches or contaminated borders were noted. Harvesting these areas with the rest of the field will be cause for rejection of the entire field.

AMENDATORY SECTION (Amending Order 5045, filed 5/27/94, effective 6/27/94)

**WAC 16-316-727 Chickpea standards.** (1) Chickpea - land, isolation, and field standards:

CLASS	((LAND ISOLATION		— OFF-TYPE	OTHER-CROP	ASCOCHYTA BLIGHT
	MINIMUM YEARS***	MINIMUM FEET	MAXIMUM PLANTS/ACRE	MAXIMUM PLANTS/ACRE	
Foundation	3	100*	None found	None found**	None found
Registered	3	100*	10	10**	None found
Certified	1	25*	20	20**	None found

\* Reduce to three feet isolation from fields producing a class of certified seed of the same variety. In addition, field must be isolated from small grain fields by three feet. To prevent mechanical mixing of swathed chickpea seederops, the planting of small grains between fields, except for three feet isolation, is recommended.



~~\*\* Refers to vetch except that no Austrian pea or rye is permitted~~  
~~\*\*\* Field must not have grown Austrian pea for ten years.~~

(2) Chickpea seed standards:

CLASS	OFF-TYPE	PURE SEED	INERT	OTHER CROP	WEED	GERMINATION
	MAXIMUM	MINIMUM	MAXIMUM	MAXIMUM	MAXIMUM	MINIMUM
	%	%	%	%	%	%
Foundation	None found	99.00	1.00	None found	None found	85.00
Registered	None found	99.00	1.00	None found	0.25**	85.00
Certified	0.03	99.00	1.00	0.10*	0.25**	85.00

\* No vetch, Austrian pea or rye is permitted.  
 \*\* Other tolerance for weed seed:

	OBJECTIONABLE WEED SEED MAXIMUM
Registered	1/lb
Certified	2/lb

FIELD STANDARDS

Land Requirements (1) (minimum years)	Isolation (min feet)	Off-type (plants/acre)	Other Crop (2) (plants/acre)	Noxious (3) Weeds	Ascochyta Blight (4) (plants/acre)
Class					
Foundation	3	100	none found	none found	none found
Registered	3	50	5	none found	none found
Certified	3	25	10	none found	10

- (1) Shall not have been planted to chickpeas for three years, unless the previous crop is of the same variety and passed certification field standards of the same or higher generation.
- (2) Inseparable other crops.
- (3) Prohibited, restricted, and other weeds difficult to separate must be controlled.
- (4) None found in all classes of nontolerant varieties. Planting seedstock shall be treated with Thiabendazole (2-(4-triazoyl) benzimidazole).

FIELD INSPECTION

Foundation and registered class fields must have two field inspections. One at bloom stage and one at late pod stage. Certified class fields must have one inspection at bloom stage plus another at pod stage if ascochyta blight is observed during the bloom stage inspection.

SEED STANDARDS

Class (7)	Pure seed	Inert	Other crop	Weed seed	Germination
Foundation	99.00%	1.0%	none found	none found	85%
Registered	99.00%	1.0%	none found	none found	85%
Certified	99.00%	1.0%	2 seeds/lb (5)	2 seeds/lb (6)	85%

- (5) None found for Austrian pea, rye, or vetch.
- (6) None found for nightshade berries or prohibited noxious weed seeds.
- (7) All classes shall be treated with Thiabendazole (2-(4-thiazoyl) benzimidazole at the labeled rate.)