



RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/10/97)

Agency: Department of Agriculture

- Permanent Rule
- Emergency Rule
- Expedited Adoption
- Expedited Repeal

(1) Date of adoption: December 6, 2000

(2) Purpose: To amend the existing rule regarding onion white rot quarantine to update its structure and terminology to meet international standards for quarantines, to incorporate clear and readable format, and to reflect current industry and program conditions.

(3) Citation of existing rules affected by this order:

- Repealed:
- Amended: WAC 16-470-300, -310, -320, -330
- Suspended:

(4) Statutory authority for adoption: Chapter 17.24 RCW
Other Authority:

PERMANENT RULE ONLY (Including EXPEDITED ADOPTION)

Adopted under notice filed as WSR 00-20-108 on October 4, 2000 (date).
Describe any changes other than editing from proposed to adopted version: None

EMERGENCY RULE ONLY

Under 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:

EXPEDITED REPEAL ONLY

Under Preproposal Statement of Inquiry filed as WSR _____ on _____ (date)

(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
or Expedited Repeal | Emergency Rules |
| <input checked="" type="checkbox"/> 31 days after filing | <input type="checkbox"/> Immediately |
| <input type="checkbox"/> Other (specify) _____ | <input type="checkbox"/> Later (specify) |

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

Name (Type or Print)

Jim Jesemig

Signature

Title
Director

Date
December 6, 2000

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

DEC 6 2000

TIME 3:34 AM/PM AM

WSR 01-01-013

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	Amended	Repealed
Federal rules or standards:	New	Amended	Repealed
Recently enacted state statutes:	New	Amended	Repealed

The number of sections adopted at the request of nongovernmental entity:

New	Amended	Repealed
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The number of sections adopted in the agency's own initiative:

New	<u>1</u>	Amended	<u>4</u>	Repealed
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>1</u>	Amended	<u>4</u>	Repealed
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The number of sections adopted using:

Negotiated rule making:	New	Amended	Repealed		
Pilot rule making:	New	Amended	Repealed		
Other alternative rule making:	New	<u>1</u>	Amended	<u>4</u>	Repealed

AMENDATORY SECTION (Amending Order 1881, filed 3/12/86)

WAC 16-470-300 Quarantine--Onion white rot disease. ~~((+))~~
Onion white rot is a potentially devastating disease of onions and closely related species, which causes greatly decreased yields and reduced storage quality. It is spread primarily by movement of contaminated water, soil, equipment, tools, machinery, and infested plants and plant parts. Onion white rot disease is caused by *Sclerotium cepivorum*, a fungus. Once a field is infested, the disease remains indefinitely in the soil. The director finds that onion white rot disease is detrimental to the onion industry of Washington state and establishes a quarantine ((is established)) to prevent ((the spread)) introduction and ((introduction)) spread of ((onion white rot)) the disease ((caused by *Sclerotium cepivorum*, a fungus,)) within noninfested areas of Washington state.

~~((2)) The following definition shall apply to WAC 16-470-300 through 16-470-340. "Onion" means any *Allium* spp. including but not limited to onion, garlic, leek, chive, or shallots.))~~

NEW SECTION

WAC 16-470-305 Onion white rot disease--Definitions. The following definitions apply to WAC 16-470-300 through 16-470-340:

(1) "Onion" means any plant of the *Allium* genus, including, but not limited to, onion, garlic, leek, chive and shallots.

(2) "Pest-free area for onion white rot" means Adams, Franklin and Grant counties.

AMENDATORY SECTION (Amending Order 1873, filed 9/25/85)

WAC 16-470-310 Onion white rot disease--Area under order. The area under exterior quarantine for onion white rot disease ~~((includes Adams, Franklin, and Grant counties))~~ is all states of the United States. The area under interior quarantine for onion white rot disease is all counties of Washington state.

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))~~ pest-free area ~~((described in WAC 16-470-310))~~ for onion white rot:

(1) No person shall import onion bulbs, sets or seedlings into the ~~((quarantine))~~ pest-free area for onion white rot 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))~~ must be certified to be free from white rot disease by the ~~((origin))~~ pest protection organization of the state ~~((department of agriculture))~~ where the onion planting stock was produced.

(2) Except as provided in this chapter, no person shall in any manner import or move soil, machinery, tools, or equipment into the ~~((quarantine))~~ pest-free area ~~((, which))~~ for onion white rot. If the soil, machinery, tools, or equipment have been previously used in any manner ~~((on))~~ in fields outside the ~~((quarantine))~~ pest-free area ~~((where the host plants named in subsection (1) of this section have been cultivated))~~ for onion white rot. Machinery, tools or equipment may be imported or moved into the ~~((quarantine))~~ pest-free area for onion white rot with prior approval from the department ~~((: Provided, That))~~. The soil, machinery, tools or equipment ~~((are))~~ must be cleaned and ~~((sterilized))~~ sanitized to the satisfaction of the department prior to movement into the ~~((quarantine))~~ pest-free area for onion white rot. The cleaning shall include the thorough removal of all ~~((dirt))~~ soil and debris by the use of steam under pressure. ~~((Sterilization shall))~~ Sanitation must be accomplished by the use of steam or other methods approved by the department. 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))~~ pest-free area ~~((which have))~~ for onion white rot of any machinery, tools or equipment that has not been cleaned and ~~((sterilized))~~ sanitized as provided in this section.

(4) No person shall knowingly import into the ~~((quarantine))~~ pest-free area for onion white rot livestock which have been pastured on irrigated fields known to be infested with white rot or which have been fed white rot infested plant parts ~~((, nor shall))~~. Onion white rot infested plant parts may not be imported into the quarantine area for livestock feed ~~((, nor shall))~~. Onion white rot infested plant parts found in the ~~((quarantined))~~ pest-free area for onion white rot may not be fed to livestock. No restrictions are imposed by this ~~((quarantine))~~ section on livestock moving to

feed lots, sales, or exhibition sites (such as fairgrounds, shows, etc.) in the ~~((quarantined))~~ pest-free area for onion white rot.

AMENDATORY SECTION (Amending Order 1873, filed 9/25/85)

WAC 16-470-330 Onion white rot disease--Enforcement. (1) The department may inspect any onions or onion planting areas within the ~~((quarantine))~~ pest-free area for onion white rot 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 in onions at any stage of production or transportation or in land, the department may seize any infested onions which are separated from the land on which they were 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))~~ pest-free area for onion white rot or removal of infested onions from the ~~((quarantine))~~ pest-free area ~~((shall))~~ for onion white rot must be carried out only with the department's prior approval and under its supervision.

(3) Control and eradication methods that may be used ~~((shall be only))~~ are limited to those approved by the department ~~((and Washington State University and))~~. They 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))~~ Prohibiting 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))~~ sanitized as described in WAC 16-470-320 prior to removal from the area.