

TRANSMITTAL OF RULES ADOPTED

FROM: Department of Agriculture
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98501

The enclosed Permanent rules , being order No. 1229
Emergency rules
relating to (Name of rules or description of subject matter)

Ornamental Deciduous Plants, Nursery Stock Standards

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 3302 ^① filed with the code reviser
on 12/21/71 ^② were regularly adopted as permanent rules of this
(date)
agency at Olympia, Washington, on 1/24/72 and are herewith
(place) (date)
filed in the office of the code reviser pursuant to chapter 34.04
RCW. The effective date of such rules shall be 2/24/72. ^③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of
these rules 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 the public interest,
were regularly adopted as emergency rules of this agency at
_____ on _____ and are herewith filed in
(place) (date)
the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter
34.04 RCW and of the Open Public Meetings Act of 1971, chapter
42.30 RCW (1971 ex.s. c 250) have been fulfilled.

Dated this twenty-fourth day of January 1972.

STATE OF WASHINGTON
FILED
JAN 24 1972
CODE REVISER'S OFFICE
D KET # 388 FILE # 24

Department of Agriculture
(AGENCY)
Cameron S. Adams
By CAMERON S. ADAMS
Acting Director of Agriculture
Title

- ① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
- ② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
- ③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING: RCW 34.04.040. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.

Chapter 16-427

ORNAMENTAL DECIDUOUS PLANTS, NURSERY STOCK STANDARDS

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 1229
(Superseding Order No. 1085)

ORNAMENTAL DECIDUOUS PLANTS, NURSERY STOCK STANDARDS
Effective February 24, 1972

NEW

WAC 16-427-001 PROMULGATION. This promulgation relates to WAC 16-427-001, WAC 16-427-010, WAC 16-427-015, WAC 16-427-020, WAC 16-427-025, WAC 16-427-030, WAC 16-427-040, WAC 16-427-050, WAC 16-427-060, and WAC 16-427-070.

I, Cameron S. Adams, acting director of agriculture of the state of Washington, by virtue of the authority vested in me under chapter 15.13 RCW and after due notice and public hearing held in Olympia, Washington, on January 17, 1972, pursuant to chapters 42.30 and 34.04 RCW, do hereby promulgate the following regulations relating to ornamental deciduous plants, nursery stock standards.

AMD

WAC 16-427-010 GRADES AND STANDARDS. Use of Washington grades is optional. If these grades are used, however, the plants must meet the grade specifications.

(1) "Washington Grade No. 1" shall consist of live ornamental plants which are vigorous, well formed, of good color, and free from dead branches and injury.

(2) "Washington Grade No. 2" shall consist of live ornamental plants which are vigorous, fairly well formed, of good color, and free from dead branches and damage.

(3) "Washington Specimen Grade" shall consist of any plants which by special treatment, size, trimming, training, or by special cultivation or grafting, or that differ from the true type shall be classified as they would grade except for form.

NEW

WAC 16-427-015 TOLERANCE. In order to allow for variations incident to proper grading and handling, not more than 2 percent, by count, of any lot may be below the requirements of this grade: PROVIDED, That a lower tolerance may be established by written contract between the parties concerned.

AMD

WAC 16-427-020 SIZE TERMS. (Shrubs)

(1) Height Measurement. Dwarf and Semi-Dwarf shrubs: State height in inches up to 24 inches, usually in 3 inch series. Example: 3 to 6". Larger than 24 inches, state height in feet with 1/2 foot series. Example: 2 to 2-1/2'.

Strong growing shrubs: Grade in a 6 inch series up to 24 inches. Example: 12 to 18". Over 24 inches by single foot series up to 6 feet; then in double feet above 6 feet. Example: 8 to 10'.

A container is not a size term.

(2) Root Spread - Bare Root Nursery Grown. Roots of deciduous shrubs shall be well branched and fibrous, and bare root shrubs shall have minimum root spreads as follows:

Size of plant	up to 21-24"	2 to 3'	4 to 5'	5 to 6'
Min. root spread	10"	11"	14"	18"
				6 to 8'
				20"

(3) Type of Shrubs.

Type 1 - Dwarf and Semi-Dwarf

6 to 9"	shrubs shall have no less than 2 stems, 6" & up
9 to 12"	shrubs shall have no less than 3 stems, 9" & up
12 to 15"	shrubs shall have no less than 4 stems, 12" & up
15 to 18"	shrubs shall have no less than 4 stems, 15" & up
18 to 21"	shrubs shall have no less than 5 stems, 18" & up
21 to 24"	shrubs shall have no less than 5 stems, 21" & up
2 to 2-1/2'	shrubs shall have no less than 6 stems, 2' & up
2-1/2 to 3'	shrubs shall have no less than 7 stems, 2-1/2' & up

Examples:

Berberis thunbergi 'Crimson Pygmy'
 Deutzia (dwarf forms)
 Potentilla fruticosa
 Spirea 'Anthony Waterer'

Type 2 - Semi Dwarf

6 to 9"	shrubs shall have no less than 2 stems, 6" & up
9 to 12"	shrubs shall have no less than 3 stems, 9" & up
12 to 15"	shrubs shall have no less than 3 stems, 12" & up
15 to 18"	shrubs shall have no less than 3 stems, 15" & up
18 to 21"	shrubs shall have no less than 3 stems, 18" & up
21 to 24"	shrubs shall have no less than 3 stems, 21" & up
2 to 2-1/2'	shrubs shall have no less than 4 stems, 2' & up
2-1/2 to 3'	shrubs shall have no less than 4 stems, 2' & up

Examples:

Azalea (deciduous)
 Berberis thunbergi
 Cornus alba 'Sibirica'
 Rosa multiflora setigera

Type 3 - Strong Growing

6 to 12"	shrubs shall have no less than 2 stems, 6" & up
12 to 18"	shrubs shall have no less than 3 stems, 12" & up
18 to 24"	shrubs shall have no less than 3 stems, 18" & up
2 to 3'	shrubs shall have no less than 3 stems, 2' & up
3 to 4'	shrubs shall have no less than 4 stems, 3' & up
4 to 5'	shrubs shall have no less than 5 stems, 4' & up

Examples:

Chaenomeles
 Forsythia (all varieties)
 Hydrangea
 Philadelphus virginialis
 Prunus (bush forms)
 Symphoricarpos albus
 Syringa chinensis
 Viburnum tomentosum

Type 4 - Strong Growing, Light Structure

6 to 12"	shrubs shall have no less than 1 stem, 6" & up
12 to 18"	shrubs shall have no less than 2 stems, 12" & up
18 to 24"	shrubs shall have no less than 2 stems, 18" & up
2 to 3'	shrubs shall have no less than 2 stems, 2' & up
3 to 4'	shrubs shall have no less than 3 stems, 3' & up
4 to 5'	shrubs shall have no less than 4 stems, 4' & up

Examples:

Cotinus coggygria
Syringa vulgaris
Tamarix

Type 5 - Sumac (Rhus)

- 1-1/2 to 2' Shrubs with 1 or more stems shall be 1-1/2' & up in ht, 5/16" cal.
- 2 to 3' Shrubs with 1 or more stems shall be 2' & up in ht, 3/8" cal.
- 3 to 4' Shrubs with 1 or more stems shall be 3' & up in ht, 1/2" cal.
- 4 to 5' Shrubs with 1 or more stems shall be 4' & up in ht, 5/8" cal.
- 5 to 6' Shrubs with 1 or more stems shall be 5' & up in ht, 7/8" cal.

Type 6 - Privet (Hedging)

- 6 to 12" Ligustrum in variety shall have 2 stems or more 6" & up.
- 12 to 18" Ligustrum in variety shall have 2 stems or more 12" & up.
- 18 to 24" Ligustrum in variety shall have 3 stems or more 18" & up.
- 2 to 3' Ligustrum in variety shall have 4 stems or more 2' & up.
- 3 to 4' Ligustrum in variety shall have 5 stems or more 3' & up.

SIZE TERMS. (Deciduous, Shade and Flowering Trees)

(1) Height Measurement. Height shall be given in single foot units up to 6'. Example: 5 to 6'. Over 6' height shall be given in double foot units. Example: 6 to 8', 12 to 14'. (Except type 3 which will have 1' increments.)

(2) Caliper Measurement. Caliper of the trunk shall be measured 6" above ground level except in budded or grafted stock, in which case it shall be measured 2 to 3" above the bud collar or graft.

(3) Height Relationship to Caliper. Height measurement shall be expressed as average height range. The tables in type 1 show the average height range and also the maximum heights permitted.

(4) Type of Trees.
Type 1 - Shade Trees

<u>Caliper</u>	<u>Average Height</u>	<u>Maximum Height</u>
5/8 to 3/4"	5 to 6'	8'
3/4 to 1"	6 to 8'	10'
1 to 1-1/4"	8 to 10'	12'
1-1/4 to 1-1/2"	10 to 12'	14'
1-1/2 to 2"	12 to 14'	16'

Examples:

Acer platanoides
Betula
Fraxinus
Populus
Salix
Zelkova

Type 2 - Slower Growing Shade Trees. Trees of slower growth which will not usually attain the height measurement in relation to caliper as in type 1. The height should, however, be not less than two-thirds the height in relation to caliper given for type 1.

Examples:

Liquidamber styraciflua
Laburnum
Malus 'Hopa'
Quercus rubra
Prunus thunbergi

Type 3 - Small Upright and Small Flowering Trees. This is a broad group including small trees as well as usual forms of plants which may be grown as a clump or shrub. For single stem plants the minimum relationship of caliper and height will be as follows:

<u>Caliper</u>	<u>Height Range</u>
3/8 to 1/2"	3 to 4'
1/2 to 5/8"	4 to 5'
5/8 to 3/4"	5 to 6'
3/4 to 7/8"	6 to 7'
7/8 to 1"	7 to 8'

Examples:

Acer circinatum
Cercis canadensis
Malus 'Bechtel'

Type 4 - Small Spreading Trees. This is a broad group including small spreading trees of a dwarf habit of growth and certain large shrubs grown in tree or multiple stem form.

<u>Height</u>	<u>Branching</u>
2 to 3'	4 or more branches
3 to 4'	5 or more branches
4 to 5'	7 or more branches
5 to 6'	8 or more branches

Examples:

Acer palmatum (and varieties)
Cornus florida
Magnolia stellata

(5) Spread of Roots - Nursery Grown Trees, Bare Root. All bare root trees shall have a well branched root system characteristic of the plant named which has been developed by proper cultural treatment, transplanting, root pruning, etc. The following table represents the approved minimum root spread for nursery grown shade trees.

<u>Caliper</u>	<u>Average Height</u>	<u>Min. Root Spread or Length</u>
1/2 to 3/4"	5 to 6'	12"
3/4 to 1"	6 to 8'	16"
1 to 1-1/4"	8 to 10'	18"
1-1/4 to 1-1/2"	8 to 10'	20"
1-1/2 to 1-3/4"	10 to 12'	22"
1-3/4 to 2"	10 to 12'	24"
2 to 2-1/2"	12 to 14'	28"
2-1/2 to 3"	12 to 14'	32"
3 to 3-1/2"	14 to 16'	38"
3-1/2 to 4"	14 to 16'	40"

NEW

WAC 16-427-025 BALLED AND BURLAPPED AND CONTAINER GROWN.

(1) The ball shall be solidly held together by the branched root system of the plant in natural position and shall be composed only of the medium in which the plant has actually been growing. The ball shall be securely wrapped with burlap or other packing material not injurious to plant life.

(2) Container grown nursery stock shall be established in the container with branched root system to the extremity of the container (side walls) and shall be grown in a suitable medium.

(3) Plants in pots or other container of adequate size for the size of the plant, and which have been acclimated to outside conditions, should be equal to and acceptable for field grown stock.

(4) Ball sizes should always be of a diameter and depth to encompass enough fibrous and feeding root system necessary for the full recovery of the plant named.

AMD

WAC 16-427-030 MARKING REQUIREMENTS. All ornamental deciduous plants shall be plainly and legibly labeled with stamped, mechanically printed, type-written, or hand-written letters not less than 1/4" in height, as noted below:

(1) All collected plants shall be labeled "collected" unless grown in the nursery for at least one year.

(2) When plants are on display for retail sales, one plant per block shall be tagged with correct name, size and price.

(3) All advertising of nursery stock shall include size of material advertised when the ad includes prices.

(4) On mixed blocks, each plant shall be properly labeled.

(5) Wholesale lots sold or shipped with two or more plants must have each variety and size segregated and tagged when requested by purchaser.

AMD

WAC 16-427-040 DEFINITION OF TERMS.

(1) "Deciduous plants" means plants which lose their leaves at the end of the growing season.

(2) "Height" means the height taken from the ground line to the highest contour point on the main axis and not to the tip of the shoot.

(3) "Spread" of all types shall be figured as the average spread including only to contour of the side and not the widest shoots.

(4) "Injury" means any specific defect caused by freezing heat, drought, dryness, shipping, mechanical, or chemical that causes more than temporary injury to the plant.

(5) "Damage" means any specific defect caused by freezing, heat, drought, dryness, shipping, mechanical, or chemical, which will permanently affect the appearance or growing quality of the individual plant.

(6) "Vigorous" means showing evidence of well developed active growth.

(7) "Well formed" means that plants shall conform to one of the types typical of the species or variety marked.

(8) "Fairly well formed" means that the plants shall reasonably well conform to the types typical of the species or variety marked.

(9) "A stem" is a major structural portion of a plant originating in the lower one-third of the plant.

(10) "Good color" means the typical foliage and bark coloration of a healthy plant for the area where grown.

(11) "Dryness" means the drying out of a plant or roots.

(12) "Container" means a rigid self-supporting unit used to grow or hold plant material.

Additional definitions of terms used in this order will be found in "A Technical Glossary of Horticultural and Landscape Terminology", Library of Congress card catalog number 78-165521.

WAC 16-427-050 COMPLIANCE WITH FEDERAL AND STATE LAW.

Ornamental deciduous plants, regardless of certification as to grade, must comply with the requirements and regulations of the U. S. Department of Agriculture, Agricultural Research Service, Plant Quarantine Division and state nursery laws.

AMD

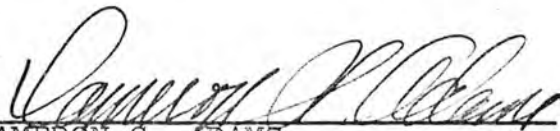
WAC 16-427-060 COLLECTED PLANTS. (1) Trees collected from native stand or established plantings must be so designated.

(2) Native plants collected and balled and burlapped from the wilds must be grown in the nursery for one year before they can be called "nursery stock". If grown less than a year in the nursery, they shall be marked "collected" as indicated in WAC 16-427-030 (1).

(3) Collected plants shall be graded in the same manner as nursery grown ornamental deciduous plants.

NEW WAC 16-427-070 EFFECTIVE DATE. This order shall take effect on and after February 24, 1972.

I hereby certify that the foregoing is a true and correct copy of the regulations promulgated.


CAMERON S. ADAMS
Acting Director of Agriculture
State of Washington

Signed at Olympia, Washington

Date: January 24, 1972