

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. 1230
Emergency rules

relating to (Name of rules or description of subject matter)

Ornamental Evergreen 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
KET #382 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 16-430

ORNAMENTAL EVERGREEN PLANTS, NURSERY STOCK STANDARDS

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 1230

(Superseding Order No. 1086)

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

NEW WAC 16-430-001 PROMULGATION. This promulgation relates to WAC 16-430-001, WAC 16-430-015, WAC 16-430-020, WAC 16-430-025, WAC 16-430-040, WAC 16-430-050, WAC 16-430-070, WAC 16-430-100 and WAC 16-430-110. WAC 16-430-030, WAC 16-430-080 and WAC 16-430-090 are hereby repealed.

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 evergreen plants, nursery stock standards.

AMD WAC 16-430-010 GRADES AND STANDARDS. Use of Washington grades is optional. If these grades are used, however, the plants must meet the grade specification.

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

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

(3) "Washington Specimen Grade" consists 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 16-430-015 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 16-430-020 SIZE TERMS. (1) All types of ornamental evergreen plants shall be measured using the following: 3 inch series up to 24 inch. Example: 12 - 15". 6 inch series from 24 inches to 4 feet. Example: 24 - 30". 1 foot series from 4 feet up. Example: 4 - 5'.

(2) Type of measurement to be used is as specified in WAC 16-430-060.

(3) All unbranched plants shall be so designated when spread is involved in the measurement.

(4) A container is not a size term.

NEW WAC 16-430-025 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 been actually 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 containers shall be in a container of adequate size for the size of the plant, and shall 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 16-430-040 MARKING REQUIREMENTS. All ornamental evergreen 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 16-430-050 DEFINITION OF TERMS.

(1) "Evergreen plants" means plants which maintain live foliage throughout the year.

(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) "Well foliated" means that the foliage is evenly distributed and well filled for the type typical of the species or variety.

(10) "Fairly well foliated" means that the foliage is reasonably evenly distributed and reasonably well filled for the type typical of the species or variety.

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

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

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

(14) "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.

AMD WAC 16-430-060 MEASUREMENT OF TYPES.

(1) Conifers.

(a) Type 1 - Spreading. Measurement designates spread (height not considered).

Examples: *Juniperus horizontalis* (and varieties)
Pinus mugo
Taxus baccata 'Repandens'

(b) Type 2 - Semi Spreading. Measurement designates spread (height not considered).

Examples: *Juniperus chinensis* 'Pfitzeriana', *sabina*
Taxus cuspidata

(c) Type 3 - Globe or Dwarf. Measurement designates height up to a height spread ratio of 2-1.

Examples: *Chamaecyparis obtusa* 'Nana'
Picea abies 'Nidiformis'
Thuja occidentalis 'Little Gem'

(d) Type 4 - Cone (Pyramidal). Measurement designates height which shall not be more than twice the width.

Examples: *Abies*
Cedrus deodora
Picea abies (and conical types)
Pinus (except dwarf types)

(e) Type 5 - Broad Upright. Measurement designates height. This group includes all the broader, upright growing evergreens, which develop a straight sided form with many upright branches or "leaders". The ratio of height to spread should not be less than 3 to 1.

Examples: *Cham. L.* 'Allumii'
Taxus media 'Hicksii', 'Hatfieldii'
Juniperus chinensis 'Keteleeri'

(f) Type 6 - Columnar. Measurement designates height. This group includes all the upright growing evergreens which naturally develop a straight sided form or one that tapers only slightly from the ground to a point more than half the height. The ratio of height to spread should not be less than five to one.

Examples: *Cupressus sempervirens* (Italian cypress)
Thuja occidentalis, *orientalis* (columnar type varieties)

(2) Broadleaf Evergreens.

(a) Type 1 - Spreading. Measurement designates spread (height not considered).

Examples: *Cotoneaster dammeri*
Genista 'Lydia'
Mahonia nervosa

(b) Type 2 - Semi Spreading. Measurement designates spread (height not considered).

Examples: Berberis verruculosa
Daphne odora

(c) Type 3 - Globe or Dwarf. Measurement designates height up to a height spread ratio of two-one.

Examples: Buxus sempervirens 'Truedwarf'
Ilex crenata 'Rotundifolia'

(d) Type 4 - Broad Upright. Measurement designates height. This group includes the larger growing upright "broadleaves" which vary considerably in ratio of spread to height. Material will have a height equal to if not greater than the spread, however, a greater spread is acceptable.

Examples: Abelia grandiflora
Cytisus 'Burkwoodii'
Mahonia aquifolium
Pieris japonica
Viburnum tinus

(e) Type 5 - Cone. Measurement designates height. This type includes upright broadleaf evergreens which naturally develop into a conical form. Material will have a ratio of height to spread of three to two, however, a greater spread is acceptable.

Examples: Ilex aquifolium
Camellia japonica, sasanqua (cone types)
Prunus laurocerasus (Cherry Laurel)

(3) Rhododendrons and Evergreen Azaleas. Measurement designates spread (height not considered).

AMD

WAC 16-430-070 COMPLIANCE WITH FEDERAL AND STATE LAW. Ornamental evergreen 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 16-430-100 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 16-430-040 (1).

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

NEW

WAC 16-430-110 EFFECTIVE DATE. This order shall take effect on and after February 24, 1972.

REP

WAC 16-430-030, WAC 16-430-080 and WAC 16-430-090 are hereby repealed.

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