

FROM: Department of Agriculture
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG. (Southwest Corner, Ground Floor)
OLYMPIA 98504

The enclosed rules Permanent rules , being Order No. 1476
Emergency rules

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

European Corn Borer Quarantine

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

pursuant to Notice No. 5936 ^① filed with the code reviser
on 5/19/76 ^② were regularly adopted as permanent rules of
(date)
this agency at Olympia on 7/2/76 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 8/2/76 ^③

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

pursuant to its finding in the attached administrative order,
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
(place) (date)
are herewith filed in 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 have been fulfilled.

Dated this second day of July 1976.

STATE OF WASHINGTON
FILED
JUL 2 1976
CODE REVISER'S OFFICE
DOCKET #177 FILE #29

Department of Agriculture
(AGENCY)
Stewart Bledsoe
By Stewart Bledsoe
Director
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.



STATE OF WASHINGTON

OFFICE OF THE GOVERNOR

OLYMPIA

DANIEL J. EVANS
GOVERNOR

A PROCLAMATION BY THE GOVERNOR

WHEREAS, it has been determined that the present requirements of the European Corn Borer Quarantine No. 607 (revised) present some restrictions to interstate commerce in the movement of dry corn into the state of Washington or through the state of Washington for export; and

WHEREAS, the other eleven western states have modified their quarantines to eliminate the abovementioned restrictions; and

WHEREAS, it is no longer feasible to have official certificates signed by state officials.

NOW, THEREFORE, I, Daniel J. Evans, Governor of the state of Washington hereby proclaim and establish a quarantine to become effective August 2, 1976, setting forth the rules allowing agents to issue official certificates for corn.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia, this second day of July, A.D., nineteen hundred and seventy-six.



Governor of the State of Washington

BY THE GOVERNOR:



Secretary of State

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
Olympia

ORDER NO. 1476 (AMENDING ORDER NO. 607)
PERTAINING TO THE EUROPEAN CORN BORER
EFFECTIVE AUGUST 2, 1976

New WAC 16-478-00101 PROMULGATION

(1) Whereas, it has been determined that the present requirements of the European Corn Borer Quarantine No. 607 present some restrictions to interstate commerce in the movement of dry corn into the state of Washington or through the state of Washington for export;

(2) Now, therefore, I, Stewart Bledsoe, director of agriculture of the state of Washington, by virtue of authority vested in me by RCW 17.24.030 hereby amend WAC 16-478-050 to set forth the rules allowing agents to issue official certificates for corn.

Amd WAC 16-478-050 RESTRICTIONS

(1) Certification required on shelled grain and seed. Except as provided in (2) below, and effective immediately, all shelled grain and seed of corn, broomcorn, sorghums, and Sudan grass, grown in or shipped from the infested area described in WAC 16-478-030 above, arriving in the state of Washington from the area under quarantine as described in WAC 16-478-020 above, will be admitted into the state of Washington only provided each lot or shipment is accompanied by an official certificate (see (6) below) of the state or district from which shipped, affirming either that said grain or seed has been passed through a 1/2 inch mesh screen or less or otherwise cleaned prior to loading and is believed to be free from stalks, cobs, stems or other portions of plants or fragments capable of harboring larva of the European corn borer and further, that the car or truck was free from such plants or fragments at the time of loading, or affirming that said grain or seed has been fumigated with methyl bromide at the rate of 4 pounds per 1000 cubic feet for 16 hours at 60 degrees temperature, EXCEPT THAT shelled grain and seed of corn, broomcorn, sorghums, and Sudan grass grown in and shipped from the states under quarantine and not excepted in WAC 16-478-020 above, will be admitted into the state of Washington provided each such shipment or lot is accompanied by an official certificate (see (6) below) of the state where produced affirming that all grain or seed covered by said certificate is a product of said state wherein no European corn borer is known to exist and that its continued identity has been maintained to assure no blending or mixing with grain, seed, plants, or portions thereof produced in or shipped from infested areas herein described.

(2) Small lots, and packages of seed admitted without certificate. Individual shipments or lots of one hundred pounds or less of clean shelled grain and seed covered by this regulation, or comprised of packages of less than ten pounds, are hereby exempted from the certification requirements of (1) above and will be admitted into this state subject to inspection and freedom from other plant parts, fragments, and debris capable of harboring European corn borer.

(3) Stalks, ears, cobs, or other parts, fragments or

debris of corn, broomcorn, sorghums, and Sudan grass admitted under disinfection or treatment certificate.

Stalks, ears, cobs, or other parts, fragments or debris of corn, broomcorn, sorghums, and Sudan grass grown in or shipped from the area under quarantine imported as such or as packing or otherwise, will be admitted into the state of Washington only provided each lot or shipment is accompanied by an official certificate (see (6) below) of the state from which shipped affirming that all stalks, ears, cobs, or other parts, fragments, or debris of such plants accompanied thereby have been fumigated with methyl bromide at the rate of 3 pounds per 1000 cubic feet for 4 hours at 60 degrees, or have been sterilized or disinfected by a method and in a manner prescribed by the director of agriculture of the state of Washington, except that stalks, ears, cobs, or other parts, fragments, or debris of said plants grown in and shipped from states not listed in the infested area described in WAC 16-478-030 above will be admitted into the state of Washington provided each shipment or lot is accompanied by an official certificate (see (6) below) of the state where produced affirming that such product is a product of said state wherein no European corn borer is known to exist and that continued identity has been maintained to assure no handling or storage in association with stalks, ears, cobs, or other parts, fragments, or debris of such plants grown in or shipped from infested areas herein described.

(4) Certification required on certain vegetable and ornamental plants and plant products produced in or shipped from infested area. Beans in the pod, beets, celery, bell pepper fruits, endive, Swiss chard, and rhubarb (cut or plants with roots), cut flowers and entire plants of aster, chrysanthemum, calendula, cosmos, hollyhock, marigold, zinnia, Japanese hop, dahlia, (except tubers without stems) and gladiolus (except corms without stems), produced in or shipped from the infested area described in WAC 16-478-030 above will be admitted into the state of Washington only provided each lot or shipment is accompanied by an official certificate (see (6) below) signed by an inspector of the Bureau of Entomology and Plant Quarantine of the United States department of agriculture or by the duly authorized official of the state where produced, affirming either that all such plants, products or cut flowers in the accompanying shipment or lot have been inspected and found free from infestation by the European corn borer or have been grown in a greenhouse in which all host plants have been regularly inspected during the growing season and no evidence of European corn borer was found, or that such plants, products or cut flowers have been fumigated with methyl bromide at a rate of 3 pounds per 1000 cubic feet at 60 degrees temperature for 4 hours. No restrictions are placed by this regulation on the entry into this state of such vegetable and ornamental plants and plant products produced in and shipped from any state not listed in WAC 16-478-030 above.

(a) Certification requirements above are waived on individual shipments or lots of certain restricted vegetables, ornamental plants and plant products under and subject to the following conditions:

(i) In lots or shipments of 10 pounds or less, beans in the pod, beets, bell peppers, endive, Swiss chard and rhubarb (cut or plants with roots.)

(ii) During the period November 30 to May 1, divisions without stems of the previous year's growth, rooted cuttings, seedling plants and cut flowers of the aster, chrysanthemum,

calendula, cosmos, hollyhock, marigold, zinnia and Japanese hop.

(5) Manufactured or processed products exempt from restrictions. No restrictions are placed by this quarantine upon the movement of the restricted products herein defined which are processed or manufactured in such a manner as to eliminate all danger of carrying the pest herein quarantined against.

(6) Official certificates. Official certificates must be issued by the duly authorized official, or his agent, of the federal agency, state, or district, as designated, and must be signed or countersigned by him. Each certificate shall set forth, in addition to the specific facts required in (1) to (4) above, the kind and quantity of the commodity constituting the shipment or lot, method of shipment, the railway car number or license number in the case of trucks, and the names and addresses of the shipper and consignee. Fumigation certificates shall also set forth the materials used, the dosage schedule, temperature, and the period of exposure, and date of treatment.

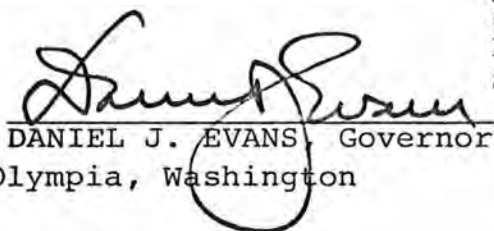
EFFECTIVE DATE This order shall take effect on and after August 2, 1976.

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



Stewart Bledsoe
Director of Agriculture
State of Washington

APPROVED:


DANIEL J. EVANS, Governor

Signed at Olympia, Washington

Date July 2, 1976