

TRANSMITTAL OF RULES ADOPTED

FROM: AGRICULTURE  
(Name of Agency)

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

The enclosed rules Permanent rules  , being Order No. 1484  
Emergency rules

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

Grass seed certification standards and recognition of  
Tetrazolium tests.

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

pursuant to Notice No. \_\_\_\_\_ ① filed with the code reviser  
on \_\_\_\_\_ ② were regularly adopted as permanent rules of  
(date)  
this agency at \_\_\_\_\_ on \_\_\_\_\_ 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 \_\_\_\_\_ 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 Olympia, Washington on 9/8/76 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 eighth day of September 1976.



Agriculture  
(AGENCY)  
Art G. Lorenz  
By

Assistant Supervisor, Grain & Chemical  
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.  
[Order 9, filed 9/25/74, eff. 10/25/74] [Form CR-2: Rev. 9/21/74]

STATE OF WASHINGTON  
DEPARTMENT OF AGRICULTURE  
Emergency Order No. 1484  
(Supersedes Orders 1362 & 1418)  
Effective September 8, 1976

I, Stewart Bledsoe, director of agriculture of the state of Washington, by virtue of the authority vested in me under chapter 15.49 RCW and 34.04 RCW do hereby promulgate the following emergency regulations relating to grass seed certification.

The adoption of this emergency order is necessary so that the new fee schedule will be effective in time for this season's grass seed crop certification work. These regulations were discussed at two previous hearings during the summer of 1976 and were continued to this last hearing for adoption. It is the request of the seed industry present at this hearing to make these new fees effective as soon as possible.

WAC 16-316-340 GRASS SEED CERTIFICATION STANDARDS. The general seed certification standards are basic and together with the list of varieties eligible and the following specific regulations, constitute the standards for grass seed certification. (See specific regulations for bentgrass standards).

WAC 16-316-350 CERTIFICATION FEES. (1) SEEDLING APPLICATIONS: Due within sixty days after planting: PROVIDED, That such applications may be accepted after due date at the discretion of the certifying agency upon payment of the late seedling penalty fee.

(a) Seedling Application Fee:

Per variety, per grower..... \$10.00

(b) Late Seedling Penalty Fee (per kind):..... \$10.00

This additional fee shall be charged for seedling applications received more than sixty days after planting.

(c) Seedling Producing Application Fee:

Per variety, per grower..... \$10.00

Required of seedling fields to be harvested for certification the year of planting. Notification of seedling field to be harvested for certification and required fees are due July 1: PROVIDED, That such application may be accepted after due date with \$10.00 late penalty fee at the discretion of the certifying agency.

(2) RENEWAL APPLICATIONS: Due May 1: PROVIDED, That such applications may be accepted after due date at the discretion of the certifying agency upon payment of the late renewal penalty fee.

(a) Renewal Application Fee:

Per variety, per grower..... \$10.00

(b) Late Renewal Penalty Fee (per kind):..... \$10.00

This additional fee shall be charged for renewal applications received after May 1.

(3) REINSPECTION: (each field)..... \$10.00

If a field is rejected for certification, the grower may apply for reinspection after the cause for rejection is corrected. Only two reinspections are permitted for each field each year.

(4) INSPECTION & FINAL CERTIFICATION FEES: (All fees based on 100 pounds). Inspection and final certification fees will be based on pounds sampled and billed upon completion of required tests (Option A). However, those dealers requesting sampling and tagging privileges and/or participation

in Option B must sign a Memorandum of Agreement that shall expire on June 30 each year. Memorandum may be terminated by the director if processor violates certification standard or requirements of memorandum.

(a) Option A: When based on pounds sampled, and billed at completion of required laboratory tests, the fees shall be:

(i) Inspection and final certification fee.....\$ 0.60 per 100 pounds. (If no seed is tagged, 20¢ of the final certification fee is refundable upon request).

(ii) Resampling if required.....\$ 0.15 per 100 pounds. Fees not applicable if lot has met Washington seed certification standards on previous certified sample and lot was remilled to improve quality.

(iii) Service fee for out-of-state origin.....\$ 0.30 per 100 pounds.

(iv) Blend fee shall be as established by blend regulation, and in addition to above fees. However, blend fee not applicable to salvage blends.

(v) Payment of fees shall be the responsibility of the person signing the application. However, processor may assume this responsibility.

(b) Option B: When based on pounds tagged after required laboratory tests are completed, the fees shall be:(per 100 lbs.)

(i) Inspection and final certification fee..... \$ 1.00 (Minimum fee)..... \$10.00

(ii) Service fee for out-of-state origin..... \$ 0.75

(iii) Blend fee (in addition to fee established by blend regulation) shall be as follows, and payable upon completion of blend on total weight of blend:

(a) Washington origin certified seed used in blend..\$ 0.95

(b) Out-of-state origin certified seed used in blend\$ 0.70

PROVIDED, That those fees listed in (a) and (b) above are not applicable to certified seed that is tagged and sealed, and on which final fees have been paid.

(c) A refund or credit will be issued for the percent of the blend lot not tagged. (For example, if 40% of the blend is not tagged, 40% of the fees charged under Option B above is refundable). Requests for refunds must be made by June 30 following final disposition of the blend.

(iv) Payment of fees shall be the responsibility of the processor. A processor choosing this program shall handle all certified grasses in his warehouse under this program for the entire crop year. Upon termination or non-renewal of Option B Memorandum of Agreement, processor shall be responsible for Option A fees on all certified seed not tagged at termination date.

(5) Fees for services such as O.E.C.D. and sod quality, etc., shall be in addition to the fees listed in these standards.

(6) Purity and Germination test fees shall be as established by the director of agriculture.

(7) Fees for resampling, retagging, or services not listed in this order shall be the most applicable fee established by the director of agriculture.

(8) Fees for reissue of tags shall be \$0.05 per tag with a minimum fee of \$5.00.

WAC 16-316-355 LAND REQUIREMENTS. (1) A field to be planted with breeder seed for the production of foundation

seed must not have grown or have been seeded to the same species, sub-species, variety, or strain of grass during the preceding five years. The field must be planted in spaced rows.

(2) A field to be planted with foundation seed for the production of registered seed must not have grown or have been seeded to the same species, sub-species, variety, or strain of grass during the preceding three years.

(3) A field to be planted with foundation, registered, or certified seed for the production of certified seed must not have grown or have been seeded to the same species, sub-species, variety or strain of grass during the preceding year unless the previous planting was of the same species, sub-species, variety, or strain and eligible to produce foundation, registered, or certified seed.

(4) Reseeding of a field because of failure or partial failure of the first seeding may be done with permission of the seed branch.

(5) Grasses of the same kind growing in fence rows and other areas adjacent to the field must be controlled to prevent blooming.

WAC 16-316-356 VARIETY RESTRICTIONS. (1) Pennlate Orchardgrass: Life of stand limited to six years. Maximum of three seed crops on foundation.

(2) Pennfine Perennial Ryegrass: Maximum of two seed crops on foundation, four seed crops on certified.

(3) Pennstar Kentucky Bluegrass: Life of stand limited to six years.

(4) Deer Tongue: Life of stand limited to six years.

WAC 16-316-360 ISOLATION REQUIREMENTS. (1) A seed field to be eligible for the production of foundation, registered or certified seed must be isolated from any other variety or strain of the same species in accordance with the requirements in the following table:

Symbol for Type of Reproduction	Minimum Isolation Distance Required For Fields Producing:		
	Foundation	Registered	Certified
Strains at least			15 feet
80% Apomictic - - - A	60 feet	30 feet	clean fallow
Highly Self-Fertile			15 feet
Species - - - - - S	60 feet	30 feet	clean fallow
All Cross-Pollinated			
Species - - - - - C	900 feet	300 feet	165 feet

(2) Isolation required between different classes of the same variety of cross-pollinated (c) species:

Class Seed Planted	Class Seed Produced	Distance Required From Nearest Field Producing
Breeder	Foundation	Registered----150 feet
"	"	Certified-----225 feet
Foundation	Registered	Certified----- 75 feet

(3) Isolation requirements between classes of the same variety of apomictic (A) and self-fertile (S) species is as



rules). Grass seed must be free of the seed of prohibited noxious weeds.

(c) A tolerance of .5% will be allowed for samples containing weedy bromus spp., provided the total of all other weed seeds does not exceed .3%.

(d) A 3% tolerance of other Kentucky bluegrass varieties will be allowed in Merion (Note: containing minimum 92% Merion). In a Kentucky bluegrass other than Merion, 2% of varieties other than the variety certified will be allowed. In Canada bluegrass 2% Kentucky bluegrass will be permitted.

(e) A standard tetrazolium (200 seed) test may be used in lieu of germination test.

(f) A tolerance of .8% will be allowed in registered and certified wheatgrass containing small grain seed, providing the total of all other crop seed does not exceed .1% for registered class and .5% for certified class.

(g) Acceptable maximum fluorescence allowed:

Variety	Foundation	Registered	Certified
NK-100	3 - 12%	----	3 - 12%
Norlea	2%	----	5%
Pelo	1%	2%	5%
Pennfine	0 - 1%	----	0 - 3%
Cropper	To be determined		
NK-200	0	----	3%
Yorktown	0	0	2%

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

*Stewart Bledsoe*

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STEWART BLEDSOE  
Director of Agriculture

Signed at Olympia, WA

Date: 9/8/76