

State of Washington

Department of Agriculture

(agency name)

Administrative Order No. 1603

(1) I, Bob J. Mickelson, director of Department of Agriculture

do promulgate and adopt at Olympia, WA (place)

the annexed rules relating to:

Varieties eligible for seed certification in WAC 16-316-790, WAC 16-316-800, WAC 16-316-810, WAC 16-316-820, WAC 16-316-830, WAC 16-316-840, WAC 16-316-0042 and WAC 16-316-0057.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. WSR 79-03-052 filed with the code reviser on March 6, 1979. Such rules shall take effect:

- [X] pursuant to RCW 34.04.040(2).
[] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, find that an emergency exists and that the foregoing order 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 public interest. A statement of the facts constituting such emergency is:

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04. (1977 c 19 § 2) that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in statement (a), (b), or (c) as appropriate):

[X] (a) This rule is promulgated pursuant to RCW 15.49 and is intended to administratively implement that statute.

[] (b) This rule is promulgated pursuant to RCW which directs that the

(agency) has authority to implement the provisions of

(name of act or RCW citation)

[] (c) This rule is promulgated under the general rule-making authority of the

(agency)

as authorized in RCW

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

(5) This order after being first recorded in the order register of this agency is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON APPROVED AND ADOPTED April 30 19 79 FILED

APR 30 1979

By [Signature] Deputy Director

Title

CODE REVISER'S OFFICE WSR 79-03-065

AMENDATORY SECTION (Amending Order 1568, filed 3/1/78)

WAC 16-316-790 VARIETIES ELIGIBLE FOR SEED CERTIFICATION. (1) Following are the lists of varieties eligible and certification scheme:

* These varieties are certified on a limited generation basis where:

Foundation seed is eligible to produce certified seed;
Certified seed is not eligible for recertification.

** These varieties are certified on the generation basis where:

Foundation seed is eligible to produce registered seed;
Registered seed is eligible to produce certified seed;
Certified seed is not eligible for recertification.

*** These varieties are not certified on a generation basis:

Certified seed is eligible to produce certified seed.

p = Proprietary

pat = Patent

pvp = Plant Variety Protected

pvpV = Plant Variety Protected plus to be sold by variety name only as a class of certified seed.

(2) As the list of varieties is subject to change, other varieties may be eligible upon approval of the certifying agency.

AMENDATORY SECTION (Amending Order 1575, filed 5/10/78)

WAC 16-316-800 GRASS VARIETIES ELIGIBLE. (1) Following are the grass varieties eligible and the certifying scheme for each:

Bentgrass: (subject to poa annua quarantine)	Astoria Colonial*** Highland Colonial** Seaside Creeping*** Emerald Creeping**
Big Bluegrass:	Sherman**
Canada Bluegrass: (subject to poa annua quarantine)	Reubens**pat
<u>Canby Bluegrass:</u>	<u>Canbar**</u>
Kentucky Bluegrass: (subject to poa annua quarantine)	A20-6*p A-34 (Bensun)**p Adelphi**pat Baron**pat Birka*p Bonnieblue (Pac)**pat Bono (Birdie)*p Cheri (Golf)*p Cougar* Delta* Fylking**pat Georgetown**p Geronimo*p Glade**pat <u>Holiday*p</u> Kenblue* I-13**p

Majestic**pat
 Merion**
 Newport**
 Nugget*
 Parade*p
 Park**
 Plush*p
 ((Prate**p))
 Ram I*p
 S-21**p
 Touchdown*pvp
 Troy**p
 Victa*p

Meadow Brome

Mountain Brome:
 Smooth Brome:

Regar**
 Bromar**
 Baylor*p
 Blair*p
 Manchar**
 Sac**
 Saratoga*
 Tioga*

Deertongue:
 (subject to poa annua
 quarantine)
 Fescue:
 (subject to poa annua
 quarantine - except tall
 fescue)

Cascade Chewings**
 ((Dawson-Red*p)) Jamestown
Chewings*p
 ((Novorubra-Red*p))
 ((Pennlawn-Red*)) Durar_Hard**
 ((Alta-Tall**)) Scaldis_Hard*pvp
 ((Wintergreen-Red*))
 ((Scaldis-Hard*pvp)) Dawson_Red*p
 ((Ruby-Red*p)) Novorubra_Red*p
 ((Durar-Hard**)) Pennlawn_Red*
 ((Covar-Sheep**)) Ruby_Red*p
 ((Fawn-Tall*)) Wintergreen_Red*

Orchardgrass:

Covar_Sheep**
Alta_Tall**
Fawn_Tall*
 Latar**
 Pennlate*
 Potcmac*

Indian Ricegrass

Perennial Ryegrass:
 (subject to poa annua
 quarantine)

Nezpar**
 Cropper*(([P])) p
 Diplomat*pvpV
 NK-100*p
 Yorktcwn*pvpV
 Norlea*p
 Pennfine*pvpV
 Pelo**p
 Yorktown II*pvpV
 Manhattan*p ((Timothy:))

Timothy:

Champlain*
 Climax*
Clair*
 Pronto*p

Wheatgrass:

((Whitmar)) Whitmar Beardless**
 Fairway Crested*
 Nordan Crested**
 Amur Intermediate***
 Greenar
 Intermediate**
 Oahe Intermediate*
 Tegmar Intermediate*
 Siberian**
 Greenleaf Pubescent*
 Luna Pubescent**
 Topar Pubescent**
 Primar Slender**
 Sodar Streambank**
 Critana Thickspike**
 Alkar Tall**

(2) VARIETY RESTRICTIONS. (a) Pennlate Orchardgrass: Life of stand limited to six years. Maximum of three seed crops on foundation.

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

(c) Deertongue: Life of stand limited to six years.

((~~*-These-varieties-are-certified-on-a-limited-generation-basis where:~~

~~----Foundation-seed-is-eligible-to-produce-certified-seed;
 ----Certified-seed-is-not-eligible-for-recertification.~~

~~-----**--These-varieties--are--certified--on--the--generation--basis where:~~

~~----Foundation-seed-is-eligible-to-produce-registered-seed;
 ----Registered-seed-is-eligible-to-produce-certified-seed;
 ----Certified-seed-is-not-eligible-for-recertification.~~

~~-----***--These-varieties-are-not-certified-on-a-generation-basis:
 ----Certified-seed-is-eligible-to-produce-certified-seed.~~

p-----=Proprietary

pat-----=Patent

pvp-----=Plant-Variety-Protected

pvpV-----=Plant--Variety--Protected--plus--to-be-sold-by-variety-name only-as-a-class-of-certified-seed)

AMENDATORY SECTION (Amending Order 1575, filed 5/10/78)

WAC 16-316-810 RED CLOVER VARIETIES ELIGIBLE. (1) Following are the red clover varieties eligible and the certification scheme for each:

Arlington*	Lakeland*
Chesapeake*	
E-688*p	Pennscott*
Florex*pvp	((<u>Prosper</u> *)) <u>Prosper_I</u> *p
Florie*([p])p	Redland*pvp
Hamidori*p	
Kenland*	(([<u>Redman</u> *p])) <u>Redman</u> *p
Kenstar*pvpV	<u>Ruby</u> **p
	<u>Tristan</u> *p

(2) VARIETY RESTRICTIONS. Kenstar: No seed production permitted year of seeding.

((~~*-These-varieties-are-certified-on-a-limited-generation-basis where:~~

----Foundation-seed-is-eligible-to-produce-certified-seed;
 ----Certified-seed-is-not-eligible-for-recertification;

-----**--These--varieties--are--certified--on--the--generation-basis
 where:

----Foundation-seed-is-eligible-to-produce-registered-seed;
 ----Registered-seed-is-eligible-to-produce-certified-seed;
 ----Certified-seed-is-not-eligible-for-recertification;

-----***-These-varieties-are-not-certified-on-a-generation-basis;
 ----Certified-seed-is-eligible-to-produce-certified-seed;

p-----Proprietary

pat-----Patent

pvp-----Plant-Variety-Protected

pvpV-----Plant-Variety-Protected-plus-to-be--sold--by--variety--name
 only-as-a-class-of-certified-seed)

AMENDATORY SECTION (Amending Order 1575, filed 5/10/78)

WAC 16-316-820 ALFALFA VARIETIES ELIGIBLE. (1) Following are the alfalfa varieties eligible and the certification scheme for each:

A-24**p	Saranac*
A-59**p	Saranac AR*pvpV
Agate*	SX10*p
	<u>SX-418*p</u>
Anchor*pvp	Team*
<u>Answer*p</u>	
Apalachee*	Tempo*p
<u>Aquarius*p</u>	
Apollo*pvp	Thor*p
Arc*	Titan*p
Arnim*p	
Atlas*pvp	
Atra-55*p	Vernal*
	Vanguard*pvp
Baker*pvpV	Vista*p
	<u>Voris A77*p</u>
<u>Blazer*p</u>	WL-220*p
	Warrior*p
	Washoe*
Citation*pvp	Weevlchek*p
Conquest*p	
Dawson*	
Delta**	
Dupuits*p	WL-215*p
G-777*p	WL-219*p
Glacier*p	WL-307*p
Gladiator*p	WL-318*p
	<u>120*p</u>
Honeyeye*pvpV	123*p
Iroquois*	
Ladak**	521*p
Ladak 65*p	520*p
Liberty**	
Marathon*p	530*p
Mesilla**	
Narragansett**	
<u>Nomad**</u>	
Nugget*pvp	
Olympic*pvp	
<u>Peak*p</u>	

Phytor*p
 Polar I*p
Primal*p
 Ramsey*p
 Ranger**

(2) VARIETY RESTRICTION.

(a) Baker: The length of stand, including the year of establishment, shall not exceed the following:

- ((a)) (i) breeder seed, 2 years;
- ((b)) (ii) foundation seed, 3 years with a fourth year option dependent on breeder approval;
- ((c)) (iii) certified seed, 6 years both inside and outside the area of adaptation.

(b) Ranger: Length of stand shall not exceed 6 years.

(*-These-varieties-are-certified-on-a-limited-generation-basis where:

- Foundation-seed-is-eligible-to-produce-certified-seed;
- Certified-seed-is-not-eligible-for-recertification;

-----**--These-varieties--are--certified--on--the--generation--basis where:

- Foundation-seed-is-eligible-to-produce-registered-seed;
- Registered-seed-is-eligible-to-produce-certified-seed;
- Certified-seed-is-not-eligible-for-recertification;

-----***-These-varieties-are-not-certified-on-a-generation-basis:----Certified-seed-is-eligible-to-produce-certified-seed:

p-----=Proprietary

pat-----=Patent

pvp-----=Plant-Variety-Protected

pvpv-----=Plant-Variety-Protected-plus-to-be-sold-by-variety-name only-as-a-class-of-certified-seed)

AMENDATORY SECTION (Amending Order 1575, filed 5/10/78)

WAC 16-316-830 BEAN VARIETIES ELIGIBLE. ((††)) Following are the bean varieties eligible and the certification scheme for each:

Red Mexican:	Bigbend** Rufus**
Pinto:	U of I 114***
Pink:	Gloria** Rcza** ((Sutter**)) Viva**
Small White:	Chief** Aurora** Bonus**
Kidney:	Royal Red**
Snap Bean:	Yakima** Apcllo**

(*-These-varieties-are-certified-on-a-limited-generation-basis where:

- Foundation-seed-is-eligible-to-produce-certified-seed;
- Certified-seed-is-not-eligible-for-recertification;

-----**--These--varieties--are--certified--on--the--generation--basis where:

- Foundation-seed-is-eligible-to-produce-registered-seed;
- Registered-seed-is-eligible-to-produce-certified-seed;
- Certified-seed-is-not-eligible-for-recertification;

-----***-These-varieties-are-not-certified-on-a-generation-basis:----Certified-seed-is-eligible-to-produce-certified-seed:

p-----=Proprietary

pat-----Patent
 pvp-----Plant-Variety-Protected
 pvpV-----Plant-Variety-Protected-plus-to-be--sold--by--variety--name
 only-as-a-class-of-certified-seed))

AMENDATORY SECTION (Amending Order 1575, filed 5/10/78)

WAC 16-316-840 WHITE CLOVER AND TREFOIL VARIETIES ELIGIBLE.
 (({+})) Following are the varieties eligible and the certification
 scheme for each:

Merit Ladino Clover*
 Pilgrim Ladino Clover*
 Tillman White Clover**

Cascade Birdsfoot Trefoil**
 Viking Birdsfoot Trefoil**

((*-These-varieties-are-certified-on-a-limited-generation-basis
 where:
 ----Foundation-seed-is-eligible-to-produce-certified-seed;
 ----Certified-seed-is-not-eligible-for-recertification.

-----**--These--varieties--are--certified--on--the--generation-basis
 where:
 ----Foundation-seed-is-eligible-to-produce-registered-seed;
 ----Registered-seed-is-eligible-to-produce-certified-seed;
 ----Certified-seed-is-not-eligible-for-recertification.

-----***-These-varieties-are-not-certified-on-a-generation-basis:
 ----Certified-seed-is-eligible-to-produce-certified-seed.

p-----Proprietary
 pat-----Patent
 pvp-----Plant-Variety-Protected
 pvpV-----Plant-Variety-Protected-plus-to-be--sold--by--variety--name
 only-as-a-class-of-certified-seed))

REPEALER

The following sections of the Washington Administrative Code are
 repealed:

- (1) WAC 16-316-0042 PROMULGATION.
- (2) WAC 16-316-0057 PROMULGATION.



For the purpose of legislative review of agency rules, the following statement is submitted:

- (a) This rule relates to the seed regulations in Washington state (statutory authority RCW 15.49).
- (b) Revision of regulations concerning production, certification and distribution of seed. These changes include a 15 percent increase in seed testing fees; amendments in seed certification, quarantine, phytosanitary, noxious weed seed programs, clover, alfalfa, grass, bean, pea, lentil, soybean, small grain, tree seed, sod quality, blending, the O.E.C.D. program; and, admendments to restricted noxious weed seed list.
- (c) Department of Agriculture
Grain and Chemical Division
Art G. Losey
406 General Admin. Bldg.
Olympia, WA 98504
753-5062
- Robert Eschbach
2015 So. 1st Street
Yakima, WA 98903
575-2750
- (d) Proponents:
- Department of Agriculture
Ted Dion
Les Clemmons
Jack McGillis
- Duward Massey
Bob Johnson
- Opponents: None
- (e) None