

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Agriculture

(agency name)

Administrative Order No. 1611

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

do promulgate and adopt at Olympia, WA (place)

the annexed rules relating to:

Bean seed certification in WAC 16-316-270, WAC 16-316-275, WAC 16-316-280, WAC 16-316-285 and WAC 16-316-290.

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

This action is taken pursuant to Notice No. WSR 79-03-060 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 1979 FILED

APR 30 1979

By [Signature] Deputy Director

Title

CODE REVISER'S OFFICE

WSR 79-05-067

AMENDATORY SECTION (Amending Order 1500, filed 4/11/77)

WAC 16-316-270 CERTIFICATION FEES. (1) Applications: Due July 1, however, may be accepted after due date at the discretion of the certifying agency.

- (a) Application fee:  
Per variety, per grower..... \$10.00
- (b) Acreage fee:  
(i) One Inspection: (per acre)..... \$ 1.00

For certification of Great Northern, Red Mexican, Pinto and Pink Beans.

- (ii) Two Inspections: (per acre)..... \$ 1.50

Includes windrow inspection which is required for: Certification of Snap Beans(~~7~~-Small-White-Beans) and Kidney Beans; Phyto-Sanitary Certificates; Eligibility for shipment into Idaho.

(iii) Acreage fee is refundable if acreage is withdrawn before inspection. Fifty cents of the \$1.50 acreage fee for two inspections is refundable if the second inspection is not made.

- (c) Late application penalty fee:..... \$10.00

This additional fee shall be charged per grower for applications received after July 1.

- (2) Reinspection: (each field)..... \$((~~40.00~~))  
20.00

If a field is rejected for reasons other than bacterial diseases at the first inspection, the grower may apply for reinspection after the cause for rejection has been corrected. Only two reinspections are permitted for each field each year.

- (3) ((~~Sampling-Fee--{per-100-lbs.}.....\$-0.05~~))

- (a) ~~Minimum-Fee:.....\$40.00~~

Production fee (-) includes sampling and tagging per

cwt.: ((~~per-100-lb.}..... \$ ((~~0.45~~))0.20~~))

The ((~~sampling--and~~)) production fees are billed at completion of tests. If none of the seed is tagged, 10% of the ((~~45~~)) 20% cwt. production fee charged is refundable.

- (4) Purity & Germination tests:..... Fees as established by the director of agriculture.

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

AMENDATORY SECTION (Amending Order 1454, filed 5/13/76)

WAC 16-316-275 LAND REQUIREMENTS. (1) A field to be eligible for the production of certified seed must not have been planted to beans of the same variety and strain the preceding three years(~~7-unless-the-previous--crops--were--under--certification--and--free--of--bacterial-blight~~)). This requirement is waived if the previous crop was of the same variety and of a certified class equal or superior to that of the crop seeded. The field to be planted must have been free of bacterial diseases the previous two years.

(2) A field will not be eligible for production of certified seed for more than two consecutive years.

AMENDATORY SECTION (Amending Order 1454, filed 5/13/76)

WAC 16-316-280 FIELD TOLERANCES. Field tolerances shall be as follows:

(1)

Field Producing

	Found- ation	Regis- tered	Certi- fied
Other varieties or off-type plants	none	0.1%	0.2%
Other crops	none	0.1%	0.1%
Total seed-borne diseases	none	0.5%	1.5%
Bacterial bean blights and wilt	none	none	none
Anthracnose	none	none	none
Mosaic seed-borne	none	0.5%	0.5%

(2) Snap beans (~~((7--small--white7))~~) and kidney beans grown under sprinkler irrigation will not be eligible for certification. Further snap and kidney beans shall be isolated by 1320 feet from known bacterial blight.

(3) Fields must be rogued of weeds, off-type plants, volunteer plants, and plants showing symptoms of seed-borne diseases. Excessive night-shade shall be a cause for rejection.

(4) A field to be eligible for certification must have clean, cultivated boundaries at least ten feet wide.

(5) Excessive weeds, poor stands, lack of vigor, or any other condition which is apt to make inspection inaccurate may be cause for rejection of the field.

AMENDATORY SECTION (Amending Order 1454, filed 5/13/76)

WAC 16-316-285 INSPECTION REQUIREMENTS. Inspection requirements shall be as follows: (1) When (~~(the-plants-are-at-the-3rd-leaf--stage and--when--plants-are-full-grown)~~) factors affecting certification are most evident. The (~~(3rd)~~) 2nd inspection, when required, shall be a windrow inspection.

(2) A greenhouse test may be required if the certifying agency deems it necessary.

(3) The combined results of field inspections, laboratory test, and greenhouse test, when required, will determine final certification.

AMENDATORY SECTION (Amending Order 1454, filed 5/13/76)

WAC 16-316-290 SEED STANDARDS. Seed standards shall be as follows:

(1)

Purity		Found- ation	Regis- tered	Blue Tag Certi- fied
Pure seed	(Min.)	98%	98%	98%
Other crops & varieties	(Max.)	none	none	2/100 lbs.
Badly damaged <u>seed</u>	(Max.)		2%	2%
Inert matter	(Max.)		2%	2%
Splits & cracks	(Max.)		2%	2%

Purity	Foundation	Registered	Blue Tag Certified
Weed seed	(Max.)	none	none
Germination (minimum)		85%	85%

(2) Total inert matter, splits and cracks, and badly damaged seed shall not exceed 2% except for foundation ((seed)) class.

(3) Test reports will show percent of discolored beans for information only.

(4) Rough handling of bean seed in the combine or cleaning plant reduces germination materially. Precautions must be taken against such treatment and the seed safeguarded against high drops.



STATE OF  
WASHINGTON

Dixy Lee Ray  
Governor

DEPARTMENT OF AGRICULTURE

406 General Administration Building, Olympia, Washington 98504

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