

State of Washington
DEPARTMENT OF AGRICULTURE
(agency name)

Administrative Order No. 1737

(1) I. M. KEITH ELLIS, director of
WASHINGTON STATE DEPARTMENT OF AGRICULTURE

do promulgate and adopt at Olympia, Washington (place)
the annexed rules relating to:

Phyto-Sanitary Certification and Fees in WAC 16-316-310; WAC 16-316-315
and WAC 16-316-326.

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

This action is taken pursuant to Notice No. WSR 81-08-059 filed with the code reviser
on April 1, 1981. Such rules shall take effect:
 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)¹ 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):

(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
RECORDED AND ADOPTED May 15 19 81
FILED

MAY 15 1981

By M. Keith Ellis
DIRECTOR OF AGRICULTURE

Title

[Form CR-7: Effective 12/1/77]

CODE REVISER'S OFFICE
WSR 81-11-021

AMENDATORY SECTION (Amending Order No. 1652, filed 8-31-79)

WAC 16-316-310 APPLICATION FOR INSPECTION AND DUE DATES.

(1) The applicant must submit an application for each field stating the disease or diseases for which inspection is requested.

(a) Due dates for applications for field inspections are as follows:

(i) Western Washington: Fall plantings.....(~~May 1~~) April 15
Spring plantings.....June 1

(ii) Eastern Washington: Fall plantings.....(~~May 1~~) April 15
Peas in Columbia Basin.....May 15
Peas East Highway 395 (Palouse).....June 15
Beans.....July 1
All other crops.....June 1

(b) Applications for crops requiring a fall inspection are due 30 days prior to inspection time and not later than September 15. Applications may be accepted after September 15 at the discretion of the Seed Branch.

(2) To be eligible for pseudomonas pisi phyto-sanitary certificate for peas or other diseases based on area surveillance, the applicant must file a report listing acreage and general location (such as block and unit if possible) before May 1.

(3) Applications received after due date will be assessed a late fee - acceptance is at the discretion of the certifying agency.

(4) Each applicant shall submit applications and/or required reports stating diseases for which inspection is to be made and the number of inspections required and/or requested.

(5) Applications must be submitted to the Seed Branch, 2015 South 1st Street, Yakima, Washington 98903, before due date with required fees.

(6) Only one kind of crop is permitted on each application.

AMENDATORY SECTION (Amending Order No. 1626, filed 4-30-79)

WAC 16-316-315 FEE AND CHARGES. (1) Fee for area and field inspection:

(a) Field Inspection (Payable with application). For each required inspection (per acre or fraction thereof).....(~~\$ 2.00~~)
\$ 4.00

(with minimum fee of (~~\$10.00~~) \$20.00 per field per inspection)

(~~"Field inspection fee" includes only one phyto-sanitary certificate per field. Additional certificates \$10.00 each.~~) An additional charge of (~~(\$50.00)~~) \$ 0.50 per acre shall be charged for each disease requested in excess of two.

(b) Area Inspection (per 100 lbs).....\$ 0.05
Billed at time certificate is issued with a minimum of (~~\$10.00~~) \$20.00 and a maximum of (~~\$100.00~~) \$150.00 per certificate.

- (2) Late Application Penalty Fee.....\$10.00
This additional fee shall be charged for each application received after due date.
- (3) Sampling fee when sampling is required:
 - (a) Beans, peas, lentils, cereal grains (per 100 lbs)...(~~(\$ 0.03)~~)
\$0.05
 - (b) Other crops (per 100 lbs).....\$ 0.15
- (4) (~~(Serology)~~) Serology test:.....Fee to be established by the State of Idaho.

An official 5 pound sample is required from each 10,000 pounds or portion thereof. Officially drawn samples will be submitted to: State Plant Pathologist, Idaho Department of Agriculture, P. O. Box 410, Twin Falls, Idaho 83301.

(5) Fees for services not listed in this order shall be set on the basis of the actual cost to the department of agriculture or the most appropriate fee established will be used.

~~((6) Nursery grow out plots, etc: Per hour.....\$12.50
Applicant will also be billed mileage fee as set by statute, plus \$8.25 per hour travel time when additional travel is required.
Attempts will be made to combine work assignments keeping additional travel to a minimum.))~~

~~((7))~~ (6) Laboratory analysis of plant material: An additional fee of (~~(\$10.00)~~) \$18.00 per field shall be charged when necessary to examine plant material in the laboratory to verify disease.

AMENDATORY SECTION (Amending Order No. 1626, filed 4-30-79)

WAC 16-316-326 PHYTO-SANITARY CERTIFICATE FOR PEAS. (1) Specific diseases of peas for which phyto-sanitary certificate will be issued:

- (a) Pseudomonas pisi (Sackett)
- (b) Pea Seed-borne Mosaic Virus - based on two field inspections.

(2) Pea seed to be eligible for a phyto-sanitary certificate stating freedom from Pseudomonas pisi (Sackett):

- (a) Based on area inspection must be free of the disease in question as determined by area inspection of at least (~~(10%)~~) ten percent of the acreage. (~~((and not less than 200 acres in each specified inspection area.))~~) The department of agriculture will also conduct a survey of county extension agents, extension pathologists, and plant pathologists at experiment stations and Washington State University. Each company desiring his production eligible must make inspections of the fields throughout the growing season. If symptoms of said disease are found, it must be reported to the Seed Branch, Department of Agriculture, 2015 South 1st Street, Yakima, Washington 98903, immediately. At the end of the growing season, and not later than September 1, each applicant must file a report with the Seed Branch, Department of Agriculture, based on company pathologist inspections and what other information he may have if the disease in question was or was not observed.

(b) Based on field inspection must be free of said disease as determined by one field inspection made during growing stage most optimum for detecting of said disease.

(3) Pea seed to be eligible for certificate stating freedom from Pea Seed-borne Mosaic Virus must be free of said disease as determined by one inspection at ((2)) two to ((4)) four weeks after seedling emergence, and second inspection ((1)) one to ((2)) two weeks before dry pod stage.

((a)) It is recommended that breeding nurseries, isolation nurseries, and/or small seed-increase plots be entered for inspection.

((b)--Phyto-sanitary-certificates-for-carryover-seed-lots-may-be obtained-by-planting-a-representative-one-pound-sample-in-isolated grow-out-plots.--Certificate-issued-will-indicate-the-basis-is-on grow-out-test--))