

RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)



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| Agency: Agriculture | <input checked="" type="checkbox"/> Permanent Rule <input type="checkbox"/> Emergency Rule |
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(1) Date of adoption: January 11, 1991

(2) Purpose: To prevent the spread of Chrysanthemum White Rust Disease in the state of Washington by establishing an interior quarantine.

(3) Citation of existing rules affected by this order:
 Repealed:
 Amended:
 Suspended:

(4) Authority for adoption:
 Statute: Chapter 17.24 RCW, Insect Pests and Plant Diseases
 Other Authority:

(5.1) **PERMANENT RULE ONLY**
 Pursuant to notice filed as WSR 90-23-056 on November 19, 1990 (date).
 Describe any changes other than editing from proposed to adopted version:

(5.2) **EMERGENCY RULE ONLY**
 Pursuant to RCW 34.05.350 the agency for good cause finds:
 (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
 (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

 Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
 Yes No If yes, explain:

(6) Effective date of rule:

| Permanent Rules | Emergency Rules |
|--|--|
| <input checked="" type="checkbox"/> 31 days after filing | <input type="checkbox"/> Immediately |
| <input type="checkbox"/> Other (specify) _____* | <input type="checkbox"/> Later (specify) _____ |

* (If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

JAN 11 1991

TIME 8:35 ^{AM} _{PM}

WSR 91-03-046

| | |
|---|-----------------|
| NAME (TYPE OR PRINT) C. Alan Pettibone | DATE 1/11/91 |
| <i>C. Alan Pettibone</i> | |
| TITLE Director | |

NEW SECTION

WAC 16-471-010 DEFINITIONS. The definitions set forth in this section shall apply throughout this chapter, unless the context otherwise requires:

(1) "Director" means the director of agriculture of this state, or a duly authorized representative.

(2) "Department" means the Washington state department of agriculture.

(3) "Interior quarantine" means a quarantine within the state of Washington established against the movement of designated plant pests, life stages, their hosts, and possible carriers from areas identified by the Washington state department of agriculture.

NEW SECTION

WAC 16-471-015 PENALTIES. Any person who violates or fails to comply with any rule adopted under RCW 17.24.020 through 17.24.100 shall be guilty of a misdemeanor, and for a second and each subsequent violation of the same rule, shall be guilty of a gross misdemeanor.

NEW SECTION

WAC 16-471-020 QUARANTINE--CHRYSANTHEMUM WHITE RUST DISEASE. An interior quarantine is established under chapter 17.24 RCW against the disease known as chrysanthemum white rust disease, *Puccinia horiana* P. Henn. Chrysanthemum white rust is a serious fungal disease which threatens chrysanthemums, an important floral and ornamental crop, and is not known to occur in the United States.

NEW SECTION

WAC 16-471-030 AREA UNDER QUARANTINE. Real or personal properties within the state of Washington:

(1) On which the department has identified chrysanthemum white rust or which is identified as a recipient of infected plants; and

(2) Where the occupants and owners of those properties have been notified by the department of the chrysanthemum white rust infestation or the receipt of infected plants, and the conditions and requirements of this quarantine as provided in WAC 16-471-080.

NEW SECTION

WAC 16-471-040 REGULATED ARTICLES. The following are regulated articles and are hereby declared to be hosts or possible carriers of chrysanthemum white rust disease and shall not be moved from the area under quarantine either directly, indirectly, diverted or reconsigned, except as provided for in WAC 16-471-050:

(1) Plant or plant parts of any susceptible chrysanthemum species including but not limited to the following:

| COMMON NAME | SCIENTIFIC NAME |
|------------------------|------------------------------------|
| Nippon daisy | C. nipponicum |
| Florists chrysanthemum | C. morifolium (syn. C. sinense) |
| High daisy | C. uliginosum |
| (No Common Name) | C. arcticum |
| | C. shiwogiku |
| | C. pacificum |
| | C. makinoi |
| | C. indicum (syn. C. japonicum) |
| | C. yezoeuse |
| | C. koreanum |
| | C. boreale |
| | C. yosinagathum |

- (2) Soil, humus, compost, manure, planting media, or rooting media.
- (3) Tools and implements used in chrysanthemum cultivation.
- (4) Any other products, articles, or means of conveyance, of any character whatsoever, when it is determined by the director that they present a hazard of spread of chrysanthemum white rust disease and the person in possession thereof has been so notified.

NEW SECTION

WAC 16-471-050 CONDITIONS GOVERNING THE MOVEMENT OF REGULATED ARTICLES FROM AN AREA UNDER QUARANTINE. Regulated articles are prohibited movement from the area under quarantine except that tools and implements used in chrysanthemum cultivation that may have come in contact with infected plants or contaminated soil may be moved if:

- (1) Disinfected by washing with steam or high pressure hot water; and
- (2) Protected from further contact with infected plants or contaminated soil.

NEW SECTION

WAC 16-471-060 PLANT AND PLANT PARTS TO BE DESTROYED OR TREATED--INTERVAL BEFORE REPLANTING. (1) All plants and plant parts of chrysanthemum species listed in WAC 16-471-040(1) found in the area under quarantine shall be (a) destroyed by incineration, burial in lime pits, or heat treatment; or (b) otherwise treated in a manner prescribed by the director.

(2) Following the destruction or treatment of the current stand of all chrysanthemum plants or plant parts, no susceptible chrysanthemum species shall be planted or grown in the area under quarantine for a period of at least two months unless prior written authorization is obtained from the director.

NEW SECTION

WAC 16-471-070 SPECIAL PERMITS AND COMPLIANCE AGREEMENTS. The director may issue special permits or enter into compliance agreements

allowing the movement of regulated articles covered in WAC 16-471-040 not otherwise eligible for movement from the area under quarantine, subject to conditions and provisions which the director may prescribe to prevent the escape or spread of chrysanthemum white rust disease.

NEW SECTION

WAC 16-471-080 NOTICE OF QUARANTINE--NOTICE OF DESTRUCTION. When the director finds real or personal property as described in WAC 16-471-030(1) the director shall issue a written notice of quarantine to the owners and occupants thereof. The notice shall identify the property under quarantine, order the prompt destruction of susceptible species of chrysanthemum plants, and direct treatment of any other regulated articles.