



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Agency: Agriculture

- Permanent Rule
- Emergency Rule

(1) Date of adoption: February 28, 1992

(2) Purpose:

To avoid conflicting language with WAC 16-494-001 through 16-494-170.

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

Repealed:

Amended: WAC 16-316-265 through 16-316-290

Suspended:

(4) Authority for adoption:

Statute: Chapter 15.49 RCW

Other Authority:

(5.1) PERMANENT RULE ONLY

Pursuant to notice filed as WSR _____ on _____ (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:

To allow bean seed growers adequate time to test potential seedstock lots for May 1 planting.

(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

- 31 days after filing
- Other (specify) _____ *
- Immediately
- 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

FEB 28 1992

TIME: 2:53 AM
WSR: 92-06-048

NAME (TYPE OR PRINT)
C. Alan Pettibone

SIGNATURE
C. Alan Pettibone, Dept Director

TITLE: Director DATE: 2/28/92

DM

NEW SECTION

WAC 16-316-265 DEFINITIONS. The following definitions apply to the entire chapter.

(1) "Person" means a natural person, individual, firm, partnership, corporation, company, society, and association, and every officer, agent, or employee thereof.

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

(3) "Director" means the director of the department of agriculture or the director's duly authorized representative.

(4) "Common bean" means *Phaseolus vulgaris* L.

(5) "Adzuki bean" means *Vigna angularis*.

(6) "Bean" means common beans and adzuki beans.

(7) "Origin" means the county within the state of Washington, or the state, territory, or country where a specific seed lot was grown.

(8) "Approved trial grounds" means a specific parcel of land approved by the director for experimental or limited production or increase of bean seed.

(9) "University" means the Washington State University, college of agriculture and home economics.

(10) "Dominant I-gene cultivar" means a cultivar which has resistance to all known strains of bean common mosaic virus (B.C.M.V.) due to the presence of the dominant I-gene. Dominant I-gene cultivars will not show mosaic mottle symptoms or transmit the virus through seed when inoculated with any strain of B.C.M.V.

(11) "Recessive I-gene cultivar" means a cultivar which may be susceptible to some strains of bean common mosaic virus and may show mosaic mottle symptoms.

(12) "Diseases" means those viral, fungal and bacterial diseases of beans enumerated in WAC 16-494-013 and any new variations or strains of these identified in the future.

(13) "Serology" means precipitation, agglutination, immunodiffusion, or labeled antibody test methods (such as ELISA) that use the specificity of antigen-antibody reactions to detect and identify antigenic substances and the organisms such as viruses and bacteria that carry them.

(14) "Official certificate" means a document issued by an official testing agency including but not limited to seed certification tags, bulk seed certification certificates, phytosanitary certificates, laboratory sanitary certificates, and other letters, tags, stamps or similar documents certifying seed quality or condition.

(15) "Seedborne viral diseases" includes bean common mosaic virus, adzuki common mosaic virus, and other similar viral diseases causing mosaic mottle and other symptoms similar to those of bean common mosaic virus.

WAC 16-316-270 BEAN SEED 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.....\$15.00

(b) Acreage fee:

(i) One inspection: (per acre).....\$ 1.75

One inspection is required for certification of Great

Northern, red Mexican, pinto, pink, and small white beans.

(ii) Two inspections: (per acre).....\$ 3.50

Includes windrow inspection which is required for:

Certification of snap beans, kidney beans, and eligibility for shipment into Idaho. For phytosanitary certification see WAC 16-316-327.

(iii) Acreage fee is refundable if acreage is withdrawn before inspection.

(c) Late application penalty fee:\$30.00

This additional fee shall be charged per grower for

applications received after July 1.

(2) Reinspection: (each field).....\$40.00

If a field is rejected for reasons other than

((bacterial)) seedborne 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) Production fee includes sampling and tagging per cwt.:
.....\$.40

The production fees shall be billed at the completion of the tests.

(4) Purity and germination tests:Fees as established by the director of agriculture.

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

(6) Bean seed entered into the certification program shall comply with bean seed quarantine rules. See WAC 16-494-001 through ((16-494-062)) 16-494-170.

AMENDATORY SECTION

(Amending Order 2078, filed 3/27/91, effective 4/27/91)
HLS

WAC 16-316-280 FIELD TOLERANCES. Field tolerances shall be as follows: (1)

	Field Producing Foundation	Registered	Certified
Other varieties or off-type plants	none <u>found</u>	0.1%	0.2%
Other crops	none <u>found</u>	0.1%	0.1%
Total seed-borne diseases	none <u>found</u>	((0.5%))	((1.5%))
		<u>none found</u>	<u>none found</u>
<u>(Except as noted in (6) below)</u>			
<u>((Bacterial bean blights and wilt</u>			
	none	none	none
<u>Anthraenose</u>	none	none	none
<u>Mosaic seed-borne</u>	none	0.5%	0.5%))

(2) Snap beans 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.

(6) Bean fields, including those planted with a dominant I-gene cultivar, showing virus-like mosaic symptoms will not be accepted as free of ((Bean Common Mosaic Virus)) seedborne virus diseases until ((plant)) seed samples are tested serologically, or with serology and a grow out test and found to be free of ((Bean Common Mosaic Virus)) seedborne virus diseases.

AMENDATORY SECTION

(Amending Order 2078, filed 3/27/91, effective 4/27/91)
HLS

WAC 16-316-285 INSPECTION REQUIREMENTS. Inspection requirements shall be as follows: (1) When factors affecting certification are most evident. The 2nd inspection, when required, shall be a windrow inspection.

(2) A ((greenhouse)) grow out test to verify presence of seedborne diseases may be required if the certifying agency deems it necessary.

(3) A serology (ELISA) test or serology plus a grow out test for ((Bean Common Mosaic Virus or Adzuki Mosaic Virus disease)) seedborne virus diseases is required to certify seed.

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

AMENDATORY SECTION

(Amending Order 2078, filed 3/27/91, eff 4/27/91)

WAC 16-316-290 SEED STANDARDS. Seed standards shall be as follows: (1)

Purity		Foundation	Registered	Blue Tag Certified
Pure seed	(Min.)	98%	98%	98%
Other crops & varieties	(Max.)	none <u>found</u>	none <u>found</u>	2/100 lbs.
Badly damaged seed	(Max.)		2%	2%
Inert matter	(Max.)		2%	2%
Splits & cracks	(Max.)		2%	2%
Weed seed	(Max.)		none <u>found</u>	none <u>found</u>

~~((Bean Common Mosaic Virus disease or Adzuki Mosaic Virus disease))~~ (Max.) none found none found ((0-0))
Seedborne virus diseases none found
 (based on an ELISA or ELISA and a grow out test)

Germination (minimum)		85%	85%
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- (2) Total inert matter, splits and cracks, and badly damaged seed shall not exceed 2% except for foundation 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.