



RULE-MAKING ORDER (RCW 34.05.360)

CR-103 (4/25/96)

Agency: Agriculture

- Permanent Rule
- Emergency Rule
- Expedited Repeal

(1) Date of adoption: May 12, 1997

(2) Purpose: Prevention of introduction of the plant disease anthracnose of lentils into Washington.

(3) Citation of existing rules affected by this order: None

Repealed:

Amended:

Suspended:

(4) Statutory authority for adoption: 17.24.041 RCW

Other Authority:

PERMANENT RULE ONLY

Adopted under notice filed as WSR 97-05-059 on 2/19/97.

Describe any changes other than editing from proposed to adopted version: None

EMERGENCY RULE ONLY

Under 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:

EXPEDITED REPEAL ONLY

Under Preproposal Statement of Inquiry filed as WSR _____ on _____ (date)

(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:

Emergency Rules

Permanent Rules or Expedited Repeal

- 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)

Name (Type or Print)

Jim Jesernig

Signature

Title
Director

Date
May 12, 1997

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

MAY 12 1997

TIME 10:10

WSR 97-11-015

AM
PM

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New		Amended		Repealed
Federal rules or standards:	New		Amended		Repealed
Recently enacted state statutes:	New		Amended		Repealed

The number of sections adopted at the request of nongovernmental entity:

	New	5	Amended		Repealed
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The number of sections adopted in the agency's own initiative:

	New		Amended		Repealed
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

	New		Amended		Repealed
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The number of sections adopted using:

Negotiated rule making:	New		Amended		Repealed
Pilot rule making:	New		Amended		Repealed
Other alternative rule making:	New	5	Amended		Repealed

Chapter 16-473 WAC

LENTIL ANTHRACNOSE QUARANTINE

NEW SECTION

WAC 16-473-001 Promulgation--Establishing quarantine. The disease anthracnose of lentils (caused by the plant pathogen *Colletotrichum truncatum* (Schwein)) is potentially devastating to the Washington lentil crop. The disease has become established in central Canada and contiguous lentil growing areas of North Dakota and South Dakota, all of which produce lentil varieties grown in Washington. Anthracnose of lentils is a seed borne disease. In order to prevent its introduction, the director, under authority provided in chapter 17.24 RCW, establishes a quarantine.

NEW SECTION

WAC 16-473-010 Regulated articles. Regulated articles include lentils used, or intended to be used, as seed.

NEW SECTION

WAC 16-473-015 Quarantine areas. Quarantine areas are the Canadian provinces of Manitoba, Saskatchewan, and Alberta, the states of North Dakota and South Dakota, and any other states and territories of the United States and foreign countries known to have confirmed the presence of anthracnose of lentils.

NEW SECTION

WAC 16-473-020 Prohibited acts. The sale, offering to sell, transporting, disposing of, distributing and/or planting of regulated articles as defined in WAC 16-473-010 from or originating in the quarantine area as listed in WAC 16-473-015 is prohibited.

NEW SECTION

WAC 16-473-025 Permits. The director may allow, by special permit, the transportation, distribution, disposal of or planting of regulated articles, listed in WAC 16-473-010. Such permit shall specify terms and conditions, pursuant to RCW 17.24.041 and 17.24.091. Permits may be requested from the Washington state department of agriculture, plant protection program at telephone number (360) 902-2071.