

Chapter 16-462 WAC

GRAPE PLANTING STOCK—REGISTRATION AND CERTIFICATION

WAC

16-462-010	Grape planting stock program—General.
16-462-015	Definitions.
16-462-020	Requirements for participation in the grape planting stock program.
16-462-021	Requirements for registered blocks.
16-462-022	Requirements for certified planting stock.
16-462-025	Foundation, registered, and certified grape planting stock—Inspections.
16-462-030	Certified grape planting stock—Application and fees.
16-462-035	Certified grape planting stock—Tagging and identity.
16-462-050	Certified grape planting stock—Requirements.
16-462-055	Certified grape planting stock—Grades and standards.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

16-462-001	Promulgation. [Order 1397, § 16-462-001, filed 4/7/75; Order 1193, § 16-462-001, filed 4/19/71; Order 1084, § 16-462-001, filed 4/2/68.] Repealed by 86-08-078 (Order 1883), filed 4/2/86. Statutory Authority: Chapter 15.14 RCW.
16-462-040	Grades and standards. [Order 1084, § 16-462-040, filed 4/2/68.] Repealed by Order 1193, filed 4/19/71.
16-462-045	Effective date. [Order 1397, § 16-462-045, filed 4/7/75; Order 1193, § 16-462-045, filed 4/19/71.] Repealed by 99-12-025, filed 5/25/99, effective 6/25/99. Statutory Authority: Chapter 15.14 RCW.
16-462-060	Certified grape nursery stock—Aseptic shoot tip propagation. [Statutory Authority: Chapter 15.14 RCW. 90-10-043, § 16-462-060, filed 4/27/90, effective 5/28/90.] Repealed by 99-12-025, filed 5/25/99, effective 6/25/99. Statutory Authority: Chapter 15.14 RCW.

WAC 16-462-010 Grape planting stock program—

General. (1) Grapevines or parts of grape plants may be designated as registered stock or certified stock, if they and the stock from which they were produced have been inspected, indexed, and tested in accordance with procedures and requirements outlined in this chapter and found to be in compliance with all standards and requirements established in this chapter.

(2) The issuance of a state of Washington plant tag, stamp, or other document under this chapter means only that the tagged, stamped or otherwise documented planting stock has been subjected to standards and procedures described in this chapter and determined to be in compliance with its standards and requirements. The department disclaims all expressed or implied warranties, including without limitation, implied warranties of merchantability and fitness for particular purpose, regarding all plants, plant parts, and plant materials under this chapter.

(3) The department is not responsible for disease, genetic disorders, off-type, failure of performance, mislabeling, or otherwise, in connection with this chapter. No grower, nursery dealer, government official, or other person is authorized to give any expressed or implied warranty, or to accept financial responsibility on behalf of the department regarding this chapter.

(12/15/10)

(4) Participation in the grape planting stock certification program is voluntary.

[Statutory Authority: Chapters 15.14 and 34.05 RCW. 06-19-009, § 16-462-010, filed 9/8/06, effective 10/9/06. Statutory Authority: Chapter 15.14 RCW. 99-12-025, § 16-462-010, filed 5/25/99, effective 6/25/99; 86-08-078 (Order 1883), § 16-462-010, filed 4/2/86; Order 1193, § 16-462-010, filed 4/19/71; Order 1084, § 16-462-010, filed 4/2/68.]

WAC 16-462-015 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise:

"Certified grape planting stock" means vines, rooted cuttings, cuttings or grafted plants taken or propagated directly from foundation vines or registered vines in compliance with the provisions of this chapter.

"Department" means the department of agriculture of the state of Washington.

"Director" means the director of the department of agriculture or the director's designee.

"Foundation block" means a planting of grapevines established, operated and maintained by Washington State University, or other sources approved in writing by the director, that are indexed and found free from viruses designated in this chapter and that are not off-type.

"Index" means testing for virus infection by making a graft with tissue from the plant being tested to an indicator plant, or by any other testing method approved by the department.

"Indicator plant" means any herbaceous or woody plant used to index or determine virus infection.

"Mother vine" means a grapevine used as a source for propagation material.

"Off-type" means appearing under visual examination to be different from the variety listed on the application for registration and certification, or exhibiting symptoms of a genetic or nontransmissible disorder.

"Registered block" means a planting of registered grapevines maintained by a nursery and used as a source of propagation material for certified grapevines.

"Registered vine" means any vine propagated from a foundation block approved by the director, identified to a single vine source, and registered with the Washington state department of agriculture, in compliance with provisions of this chapter.

"Tissue culture" means aseptically removing a vegetative shoot tip from growth arising from a dormant cutting from a foundation plant or from green growth (i.e., softwood) from a foundation plant during the growing season and aseptically transferring this shoot tip to a suitable vessel containing an appropriate culture medium.

"Virus-like" means a graft-transmissible disorder with symptoms resembling a characterized virus disease, includ-

[Ch. 16-462 WAC—p. 1]

ing, but not limited to, disorders caused by viroids and phytoplasmas.

[Statutory Authority: Chapters 15.14 and 34.05 RCW. 11-01-092, § 16-462-015, filed 12/15/10, effective 1/15/11; 06-19-009, § 16-462-015, filed 9/8/06, effective 10/9/06. Statutory Authority: Chapter 15.14 RCW. 02-11-100, § 16-462-015, filed 5/20/02, effective 6/20/02; 99-12-025, § 16-462-015, filed 5/25/99, effective 6/25/99; 86-08-078 (Order 1883), § 16-462-015, filed 4/2/86; 78-10-072 (Order 1583), § 16-462-015, filed 9/27/78; Order 1397, § 16-462-015, filed 4/7/75; Order 1193, § 16-462-015, filed 4/19/71; Order 1084, § 16-462-015, filed 4/2/68.]

WAC 16-462-020 Requirements for participation in the grape planting stock program. (1) The applicant shall be responsible, subject to the approval of the department, for the selection of the location and the proper maintenance of registered blocks and planting stock.

(2) The applicant must maintain records identifying the foundation source of registered vines and certified planting stock. The applicant must make these records available to the department upon request.

(3) The applicant shall take suitable precautions in cultivation, irrigation, movement and use of equipment, and in other farming practices, to guard against spread of soil-borne pests to planting stock entered in this program. The applicant shall keep all registered blocks and certified planting stock clean cultivated except for approved cover crops.

(4) Following notification by the department the applicant shall remove and destroy immediately any registered vine or certified planting stock found to be off-type or affected by a virus or virus-like disease or a quarantine pest.

[Statutory Authority: Chapters 15.14 and 34.05 RCW. 11-01-092, § 16-462-020, filed 12/15/10, effective 1/15/11; 06-19-009, § 16-462-020, filed 9/8/06, effective 10/9/06. Statutory Authority: Chapter 15.14 RCW. 02-11-100, § 16-462-020, filed 5/20/02, effective 6/20/02; 99-12-025, § 16-462-020, filed 5/25/99, effective 6/25/99; 86-08-078 (Order 1883), § 16-462-020, filed 4/2/86; 78-10-072 (Order 1583), § 16-462-020, filed 9/27/78; Order 1193, § 16-462-020, filed 4/19/71; Order 1084, § 16-462-020, filed 4/2/68.]

WAC 16-462-021 Requirements for registered blocks. (1) All registered grapevines must be identified by the number assigned to the single vine source in the foundation block from which they were taken.

(2) With the exception of practices allowed in subsections (3), (4), and (5) of this section, registered plants must be propagated directly from cuttings taken from a foundation block.

(3) Plants propagated from a foundation block by tissue culture and grown entirely under laboratory or greenhouse conditions may serve as a source of softwood cuttings or shoot tip culture used to establish a registered block or registered grapevines.

(4) Registered grapevines may be propagated from other registered grapevines within the same registered block for the purpose of increasing the size of the registered block or for replacement grapevines, if the mother vine was propagated directly from a foundation vine.

(5) Participating nurseries must obtain a permit from the department to propagate registered grapevines from other registered grapevines for the purpose of establishing or increasing other registered blocks within the nursery. All of the following conditions must be complied with:

(a) The mother vines were propagated directly from foundation vines;

(b) Propagation occurs under controlled conditions adequate to prevent the introduction of pests; and

(c) The mother vine is no more than two years old, or the department has determined the mother vine is free of regulated viruses.

(6) Prior to planting registered vines, the growing area and its contiguous borders of not less than ten feet must be tested for the presence of the nematodes *Xiphinema* and *Longidorus*, which can be virus vectors. If either nematode is detected, the growing area must be fumigated in accordance with rates and practices recommended by Washington State University. This treatment must be carried out under the supervision of the department.

(7) Registered blocks must be located at least one hundred feet from noncertified or nonregistered grapevines. This does not apply to registered stock grown in a fully enclosed greenhouse, screenhouse or laboratory, providing the facility does not contain noncertified grapevines.

[Statutory Authority: Chapters 15.14 and 34.05 RCW. 11-01-092, § 16-462-021, filed 12/15/10, effective 1/15/11; 06-19-009, § 16-462-021, filed 9/8/06, effective 10/9/06. Statutory Authority: Chapter 15.14 RCW. 02-11-100, § 16-462-021, filed 5/20/02, effective 6/20/02; 99-12-025, § 16-462-021, filed 5/25/99, effective 6/25/99.]

WAC 16-462-022 Requirements for certified planting stock. (1) Certified planting stock, including all components of budded or grafted plants, must be propagated from cuttings taken from registered or foundation grapevines.

(2) Cuttings from registered blocks must be sorted and kept separate by variety and selection number or clone.

(3) Treatment to control nematodes and other soil-borne pests may be required at any time by the department.

(4) All certified planting stock other than greenhouse grown plants must comply with the grades and standards for Washington certified grape planting stock as listed in WAC 16-462-055.

(5) Certified stock must be separated from noncertified grapevines by one of the following distances. This requirement does not apply to certified stock grown in a fully enclosed greenhouse, screenhouse or laboratory, providing the facility does not contain noncertified grapevines.

(a) Ten feet for any land treated to control nematodes; or

(b) Twenty feet for land not specifically treated to control nematodes.

(6) Certification is based solely on compliance with the requirements prescribed in WAC 16-462-050 and other requirements of this chapter.

[Statutory Authority: Chapters 15.14 and 34.05 RCW. 11-01-092, § 16-462-022, filed 12/15/10, effective 1/15/11. Statutory Authority: Chapter 15.14 RCW. 02-11-100, § 16-462-022, filed 5/20/02, effective 6/20/02; 99-12-025, § 16-462-022, filed 5/25/99, effective 6/25/99.]

WAC 16-462-025 Foundation, registered, and certified grape planting stock—Inspections. (1) Inspections and indexing of registered grapevines and certified planting stock will be performed by the department at times determined to be suitable for the detection of virus and virus-like disease symptoms. Washington State University will inspect and index the foundation block.

(2) The department will index registered grapevines by methods consistent with those utilized by the Washington State University grapevine foundation program.

(3) The department will conduct at least two inspections of registered grapevines during each growing season.

(4) The department will inspect certified planting stock at least three times per year, twice during the growing season and once during or after harvest.

(5) The department will refuse or withdraw registration or certification for any planting stock that is infested or infected with any regulated pest.

[Statutory Authority: Chapters 15.14 and 34.05 RCW. 11-01-092, § 16-462-025, filed 12/15/10, effective 1/15/11; 06-19-009, § 16-462-025, filed 9/8/06, effective 10/9/06. Statutory Authority: Chapter 15.14 RCW. 02-11-100, § 16-462-025, filed 5/20/02, effective 6/20/02; 99-12-025, § 16-462-025, filed 5/25/99, effective 6/25/99; 86-08-078 (Order 1883), § 16-462-025, filed 4/2/86; Order 1193, § 16-462-025, filed 4/19/71; Order 1084, § 16-462-025, filed 4/2/68.]

WAC 16-462-030 Certified grape planting stock—Application and fees. (1) The applicant shall furnish all information requested on the application form and shall give consent to the department to take samples from any planting stock enrolled in the program as registered or certified grapevines for inspection or indexing.

(2) Application for registration and certification shall be filed with the department by January 1 of each year accompanied by a one hundred seventy-five dollar application fee.

(3) Inspection, phytosanitary certification, indexing and testing fees are due upon completion of services.

(4) Fees for inspection, phytosanitary certification, and testing shall be assessed at the appropriate rate established in chapters 16-401 and 16-470 WAC. Mileage for inspections and other on-site services shall be charged at a rate established by the state office of financial management.

[Statutory Authority: Chapters 15.14 and 34.05 RCW. 06-19-009, § 16-462-030, filed 9/8/06, effective 10/9/06. Statutory Authority: Chapter 15.14 RCW. 02-11-100, § 16-462-030, filed 5/20/02, effective 6/20/02; 00-01-149, § 16-462-030, filed 12/21/99, effective 1/21/00; 99-12-025, § 16-462-030, filed 5/25/99, effective 6/25/99; 93-17-022 (Order 5001), § 16-462-030, filed 8/11/93, effective 9/11/93; 86-08-078 (Order 1883), § 16-462-030, filed 4/2/86; 78-10-072 (Order 1583), § 16-462-030, filed 9/27/78; Order 1397, § 16-462-030, filed 4/7/75; Order 1193, § 16-462-030, filed 4/19/71; Order 1084, § 16-462-030, filed 4/2/68.]

WAC 16-462-035 Certified grape planting stock—Tagging and identity. (1) Certification tags issued by the department must be securely attached by the grower to each certified planting stock, including rooted cuttings, cuttings and grafted plants.

(2) Any person selling Washington certified grape planting stock is responsible for the identity of such planting stock. Persons issued tags authorized by this chapter must account by variety for stock produced and sold. They must keep and allow the department to inspect and copy records necessary to verify this.

[Statutory Authority: Chapters 15.14 and 34.05 RCW. 06-19-009, § 16-462-035, filed 9/8/06, effective 10/9/06. Statutory Authority: Chapter 15.14 RCW. 99-12-025, § 16-462-035, filed 5/25/99, effective 6/25/99; 86-08-078 (Order 1883), § 16-462-035, filed 4/2/86; Order 1193, § 16-462-035, filed 4/19/71; Order 1084, § 16-462-035, filed 4/2/68.]

WAC 16-462-050 Certified grape planting stock—Requirements. Certified plants must be free of grapevine fanleaf virus, grapevine leafroll-associated viruses, grapevine corky bark disease agent, grapevine rupestris stem pitting

virus, arabis mosaic virus, tomato ringspot virus, grape phylloxera, and vine mealy bug. It must also be free of root knot nematode, crown gall and other visible diseases or serious pest injuries.

[Statutory Authority: Chapters 15.14 and 34.05 RCW. 06-19-009, § 16-462-050, filed 9/8/06, effective 10/9/06. Statutory Authority: Chapter 15.14 RCW. 02-11-100, § 16-462-050, filed 5/20/02, effective 6/20/02; 99-12-025, § 16-462-050, filed 5/25/99, effective 6/25/99; 86-08-078 (Order 1883), § 16-462-050, filed 4/2/86.]

WAC 16-462-055 Certified grape planting stock—Grades and standards. All field-grown certified stock offered for sale must be bundled in accordance with commercial practice and correctly identified by one or more legible printed labels.

(1) Grades for rooted cuttings are as follows:

(a) Grade No. 1 must have one live cane at least nine inches long and must be well rooted.

(b) Grade No. 2 must have one live cane at least six inches long and must be well rooted.

(2) Cuttings must have at least three buds and be at least nine inches long. The basal bud must be within one-half inch of the basal end.

(3) Two-year plants shall meet the same standard as rooted cutting Grade No. 1.

(4) In order to allow for variations incident to proper grading and packing, not more than a combined total of five percent by count, of the plants or cuttings in any lot may fail to meet the requirements of the grades set forth in this section.

[Statutory Authority: Chapters 15.14 and 34.05 RCW. 06-19-009, § 16-462-055, filed 9/8/06, effective 10/9/06. Statutory Authority: Chapter 15.14 RCW. 02-11-100, § 16-462-055, filed 5/20/02, effective 6/20/02; 99-12-025, § 16-462-055, filed 5/25/99, effective 6/25/99; 86-08-078 (Order 1883), § 16-462-055, filed 4/2/86.]