

Chapter 16-481 WAC

GRAPE INSECT PESTS

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

16-481-040	Regulated products. [Order 384, § 4, effective 3/30/43.] Repealed by 91-21-042, filed 10/11/91, effective 11/11/91. Statutory Authority: Chapters 15.13 and 17.24 RCW.
16-481-075	Violations—Penalties. [Statutory Authority: Chapters 15.13 and 17.24 RCW. 91-21-042, § 16-481-075, filed 10/11/91, effective 11/11/91.] Repealed by 04-17-035, filed 8/10/04, effective 9/10/04. Statutory Authority: Chapters 15.13, 17.24, and 34.05 RCW.

WAC 16-481-010 Establishing quarantine. Grape phylloxera and the vine mealybug are insect pests injurious to grapevines. Grape phylloxera can cause severe reductions in grape yield and ultimately the death of the grapevine. This pest is widely distributed throughout the United States and the world. The vine mealybug injures grapevines by damaging grape bunches and transmitting grape viruses. Introductions of these pests into the state of Washington through infested grapevines, rootstock, and plant cuttings or on contaminated grape cultivation or harvesting equipment could have a severe economic impact on the Washington grape industry. The director, under the authority provided in chapters 17.24 and 15.13 RCW, has established a quarantine to prevent their introduction into the state.

[Statutory Authority: Chapters 15.13, 17.24, and 34.05 RCW. 04-17-035, § 16-481-010, filed 8/10/04, effective 9/10/04. Statutory Authority: Chapters 15.13 and 17.24 RCW. 91-21-042, § 16-481-010, filed 10/11/91, effective 11/11/91; Order 384, § 1, effective 3/30/43.]

WAC 16-481-015 Definitions. "Department" means the Washington state department of agriculture.

"Director" means the director of the Washington state department of agriculture or the director's authorized representative.

"Grape phylloxera" means the insect *Daktulosphaira vitifoliae* (Fitch) of the order *Homoptera* and family *Phylloxeridae*.

"Hardwood cutting" means a cutting from a grapevine taken during the period of dormancy and not including portions of the trunk of the plant produced during previous growing seasons.

"Infested area" means all states and territories of the United States and all areas outside the United States.

"Softwood cutting" means any cutting taken when the grape plant is not fully dormant.

(8/10/04)

"Vine mealybug" means the insect *Planococcus ficus* (Signoret) of the order *Homoptera* and family *Pseudococcidae*.

[Statutory Authority: Chapters 15.13, 17.24, and 34.05 RCW. 04-17-035, § 16-481-015, filed 8/10/04, effective 9/10/04. Statutory Authority: Chapters 15.13 and 17.24 RCW. 91-21-042, § 16-481-015, filed 10/11/91, effective 11/11/91.]

WAC 16-481-020 Quarantine area. There is established under this chapter, an external quarantine area for grape phylloxera and vine mealybug including all states and territories of the United States and all territories outside the United States.

[Statutory Authority: Chapters 15.13, 17.24, and 34.05 RCW. 04-17-035, § 16-481-020, filed 8/10/04, effective 9/10/04. Statutory Authority: Chapters 15.13 and 17.24 RCW. 91-21-042, § 16-481-020, filed 10/11/91, effective 11/11/91; Order 384, § 2, effective 3/30/43.]

WAC 16-481-025 Regulated products. Products regulated under the grape insect pests quarantine include:

(1) All grapevines, rootstock, and softwood cuttings, rooted or not. Hardwood cuttings meeting the definition in WAC 16-481-016 and dried grapevines used for ornamental purposes are exempt from the requirements in this chapter.

(2) All equipment that has been used for cultivation or harvesting of grapes in a quarantine area.

[Statutory Authority: Chapters 15.13, 17.24, and 34.05 RCW. 04-17-035, § 16-481-025, filed 8/10/04, effective 9/10/04. Statutory Authority: Chapters 15.13 and 17.24 RCW. 91-21-042, § 16-481-025, filed 10/11/91, effective 11/11/91.]

WAC 16-481-030 Conditions governing shipments—External. (1) Each shipment of grapevines, grape rootstock and/or softwood cuttings from an infested area must be accompanied by a certificate issued by the plant protection organization in the state or country of origin stating that:

(a) The grapevines, rootstock and/or softwood cuttings were grown in and shipped from an area known to be free from grape phylloxera and vine mealybug; or

(b) The grapevines, rootstock or softwood cuttings were grown under an approved sterile media system; or

(c) For small shipments (five hundred articles or less), softwood cuttings were carefully inspected by an authorized inspector and were found to be free from grape phylloxera and vine mealybug; or

(d) The grapevines, rootstock, and/or softwood cuttings were subject to one of the two treatments outlined in subsection (2) of this section or such additional methods as may be determined to be effective and are approved in writing by the director and were stored in a manner after treatment that would prevent reinfestation.

(2) Acceptable treatments shall include:

(a) Hot water treatment. Dormant, rooted grapevines or rootstock shall be washed to remove all soil or other propaga-

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tive media. Dormant rooted plants or rootstock shall be immersed in a hot water bath for a period of not less than three minutes nor more than five minutes at a temperature of not less than 125 degrees F. (52 degrees C.) nor more than 130 degrees F. (55 degrees C.) at any time during immersion; or

(b) Methyl bromide fumigation. Grapevines, rootstock or softwood cuttings may be treated by methyl bromide fumigation. Fumigation shall be in an approved gastight fumigation chamber, equipped with a heating unit, fan for dispersal of gas and clearing the chamber of gas after fumigation, and interior thermometer readable from the outside. Fumigation shall be with a dosage of two pounds (0.908 kg.) of methyl bromide per one thousand cubic feet (twenty-eight cubic meters) for a period of three hours at a temperature of between 65 degrees F. (18.3 degrees C.) and 70 degrees F. (21.1 degrees C.). The fan shall be operated for a period of ten minutes after the injection of the gas.

(3) All shipments of grapevines, rootstock and/or softwood cuttings from an infested area shall be plainly marked with the contents on the outside of the package or container as "grapevines," "grape rootstock," or "grape cuttings."

(4) Notification requirements of WAC 16-481-060 are met.

[Statutory Authority: Chapters 15.13, 17.24, and 34.05 RCW. 04-17-035, § 16-481-030, filed 8/10/04, effective 9/10/04. Statutory Authority: Chapters 15.13 and 17.24 RCW. 91-21-042, § 16-481-030, filed 10/11/91, effective 11/11/91; Order 384, § 3, effective 3/30/43.]

WAC 16-481-050 Equipment cleaning requirements.

(1) All equipment used for cultivation or harvesting of grapes in grape insect pests quarantine areas outside the state or infested properties within the state must be thoroughly washed or steam cleaned to remove all soil and plant material prior to entry into the state of Washington. Such equipment shall be subject to inspection by authorized inspectors of the department of agriculture.

(2) Any equipment found to be in violation of the cleaning requirement shall be subject to detention by the department until such equipment is thoroughly cleaned at the expense of the owner or shipper or provision made to transport the equipment directly out of the state.

[Statutory Authority: Chapters 15.13, 17.24, and 34.05 RCW. 04-17-035, § 16-481-050, filed 8/10/04, effective 9/10/04. Statutory Authority: Chapters 15.13 and 17.24 RCW. 91-21-042, § 16-481-050, filed 10/11/91, effective 11/11/91; Order 384, § 5, effective 3/30/43.]

WAC 16-481-060 Notification requirements. The plant protection division of the department of agriculture shall be notified by United States mail or telefacsimile to: Plant Protection Division, Washington State Department of Agriculture, 1111 Washington St. S.E., P.O. Box 42560, Olympia, WA 98504-2560; fax 360-902-2094, prior to the shipment of grapevines and/or cuttings under the grape insect pests quarantine into this state from an infested area. Such notice shall include, but not be limited to, the approximate number of the grapevines, rootstock and/or softwood cuttings; the shipper; the consignee; the method of treatment used, if applicable; and the approximate date of delivery.

[Statutory Authority: Chapters 15.13, 17.24, and 34.05 RCW. 04-17-035, § 16-481-060, filed 8/10/04, effective 9/10/04. Statutory Authority: Chapters

15.13 and 17.24 RCW. 91-21-042, § 16-481-060, filed 10/11/91, effective 11/11/91; Order 384, § 6, effective 3/30/43.]

WAC 16-481-070 Disposition of products shipped in violation of this quarantine—Violations. Any shipment of grapevines, rootstock, and/or softwood shipped into or entering the state of Washington from an infested area and not accompanied by the required certificate and/or not complying with the notification requirement in WAC 16-481-060 shall be returned to the point of origin, or destroyed at the option and expense of the owner or owners, or their responsible agent or agents.

[Statutory Authority: Chapters 15.13, 17.24, and 34.05 RCW. 04-17-035, § 16-481-070, filed 8/10/04, effective 9/10/04. Statutory Authority: Chapters 15.13 and 17.24 RCW. 91-21-042, § 16-481-070, filed 10/11/91, effective 11/11/91; Order 384, § 7, effective 3/30/43.]