Chapter 16-470 WAC
QUARANTINE—AGRICULTURAL PESTS

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

16-470-015 Penalties. [Statutory Authority: Chapters 15.60 and 17.24 RCW. 88-16-016 (Order 1978), § 16-470-015, filed 7/25/88. Statutory Authority: Chapter 17.24 RCW. 85-15-007 (Order 1862), § 16-470-015, filed 7/8/85; 84-10-039 (Order 1822), § 16-470-015, filed 5/1/84, effective 7/1/84.] Repealed by 00-23-098, filed 11/21/00, effective 12/22/00. Statutory Authority: Chapter 17.24 RCW.

16-470-100 Quarantine—Apple maggot and plum curculio—Area under order. [Statutory Authority: RCW 17.24.041. 98-12-091, § 16-470-100, filed 6/2/98, effective 7/3/98; 97-09-098, § 16-470-100, filed 4/23/97, effective 5/24/97. Statutory Authority: Chapter 17.24 RCW. 91-03-115 (Order 2071), § 16-470-100, filed 1/23/91, effective 2/23/91; 90-24-034 (Order 2064), § 16-470-100, filed 11/30/90, effective 12/31/90; 86-07-020 (Order 1881), § 16-470-100, filed 3/12/86; 85-15-007 (Order 1862), § 16-470-100, filed 7/8/85; 84-10-039 (Order 1822), § 16-470-100, filed 5/1/84, effective 7/1/84.] Repealed by 01-14-075, filed 7/3/01, effective 8/3/01. Statutory Authority: Chapter 17.24 RCW.

16-470-110 Commodities under quarantine—Apple maggot hosts and carriers. [Statutory Authority: Chapter 17.24 RCW. 85-15-007 (Order 1862), § 16-470-110, filed 7/8/85; 84-10-039 (Order 1822), § 16-470-110, filed 5/1/84, effective 7/1/84.] Repealed by 01-14-075, filed 7/3/01, effective 8/3/01. Statutory Authority: Chapter 17.24 RCW.

16-470-120 Apple maggot and plum curculio quarantine restrictions—Interior/exterior. [Statutory Authority: Chapter 17.24 RCW. 85-15-007 (Order 1862), § 16-470-120, filed 7/8/85; 84-10-039 (Order 1822), § 16-470-120, filed 5/1/84, effective 7/1/84.] Repealed by 01-14-075, filed 7/3/01, effective 8/3/01. Statutory Authority: Chapter 17.24 RCW.

16-470-200 Quarantine—Honey bee tracheal mite. [Statutory Authority: Chapter 17.24 RCW. 86-07-020 (Order 1881), § 16-470-200, filed 3/12/86. Statutory Authority: Chapters 17.24 and 15.60 RCW. 85-15-008 (Order 1863), § 16-470-200, filed 7/8/85.] Repealed by 90-20-001 (Order 2053), filed 9/20/90, effective 10/21/90. Statutory Authority: Chapter 17.24 RCW.

16-470-210 Articles under quarantine—Honey bee tracheal mite hosts and carriers. [Statutory Authority: Chapters 17.24 and 15.60 RCW. 85-15-008 (Order 1863), § 16-470-210, filed 7/8/85.] Repealed by 90-20-001 (Order 2053), filed 9/20/90, effective 10/21/90. Statutory Authority: Chapter 17.24 RCW.

16-470-220 Honey bee tracheal mite—Area under quarantine—Exterior. [Statutory Authority: Chapters 17.24 and 15.60 RCW. 85-15-008 (Order 1863), § 16-470-220, filed 7/8/85.] Repealed by 90-20-001 (Order 2053), filed 9/20/90, effective 10/21/90. Statutory Authority: Chapter 17.24 RCW.

16-470-230 Honey bee tracheal mite—Restrictions. [Statutory Authority: Chapters 17.24 and 15.60 RCW. 85-15-008 (Order 1863), § 16-470-230, filed 7/8/85.] Repealed by 90-20-001 (Order 2053), filed 9/20/90, effective 10/21/90. Statutory Authority: Chapter 17.24 RCW.

16-470-240 Honey bee tracheal mite—Enforcement. [Statutory Authority: Chapters 15.60 and 17.24 RCW. 86-14-097 (Order 1896), § 16-470-240, filed 7/2/86.] Repealed by 90-20-001 (Order 2053), filed 9/20/90, effective 10/21/90. Statutory Authority: Chapter 17.24 RCW.

16-470-500 Apple ermine moth—Quarantine. [Statutory Authority: Chapter 17.24 RCW. 87-04-027 (Order 1916), § 16-470-500, filed 1/30/87.] Repealed by 92-06-024, filed 2/25/92, effective 3/27/92. Statutory Authority: Chapters 15.13 and 17.24 RCW.

16-470-510 Apple ermine moth—Area under quarantine. [Statutory Authority: Chapter 17.24 RCW. 87-04-027 (Order 1916), § 16-470-510, filed 1/30/87.] Repealed by 92-06-024, filed 2/25/92, effective 3/27/92. Statutory Authority: Chapters 15.13 and 17.24 RCW.

16-470-520 Apple ermine moth—Commodities under quarantine. [Statutory Authority: Chapter 17.24 RCW. 87-04-027 (Order 1916), § 16-470-520, filed 1/30/87.] Repealed by 92-06-024, filed 2/25/92, effective 3/27/92. Statutory Authority: Chapters 15.13 and 17.24 RCW.

16-470-530 Apple ermine moth quarantine—Restrictions—Requirements. [Statutory Authority: Chapter 17.24 RCW. 87-04-027 (Order 1916), § 16-470-530, filed 1/30/87.] Repealed by 92-06-024, filed 2/25/92, effec-

tive 3/27/92. Statutory Authority: Chapters 15.13 and 17.24 RCW.

16-470-600 Quarantine—Varroa mite. [Statutory Authority: Chapters 15.60 and 17.24 RCW. 88-16-016 (Order 1978), § 16-470-600, filed 7/25/88.] Repealed by 92-06-023, filed 2/25/92, effective 3/27/92. Statutory Authority: Chapters 15.60 and 17.24 RCW.

16-470-605 Varroa mite—Regulated articles. [Statutory Authority: Chapters 15.60 and 17.24 RCW. 88-16-016 (Order 1978), § 16-470-605, filed 7/25/88.] Repealed by 92-06-023, filed 2/25/92, effective 3/27/92. Statutory Authority: Chapters 15.60 and 17.24 RCW.

16-470-610 Varroa mite—Area under quarantine—Exterior. [Statutory Authority: Chapters 15.60 and 17.24 RCW. 88-16-016 (Order 1978), § 16-470-610, filed 7/25/88.] Repealed by 92-06-023, filed 2/25/92, effective 3/27/92. Statutory Authority: Chapters 15.60 and 17.24 RCW.

16-470-615 Varroa mite—Conditions governing the movement of regulated articles into Washington state. [Statutory Authority: Chapters 15.60 and 17.24 RCW. 88-16-016 (Order 1978), § 16-470-615, filed 7/25/88.] Repealed by 92-06-023, filed 2/25/92, effective 3/27/92. Statutory Authority: Chapters 15.60 and 17.24 RCW.

16-470-620 Varroa mite—Attachment and disposition of certificates. [Statutory Authority: Chapters 15.60 and 17.24 RCW. 88-16-016 (Order 1978), § 16-470-620, filed 7/25/88.] Repealed by 92-06-023, filed 2/25/92, effective 3/27/92. Statutory Authority: Chapters 15.60 and 17.24 RCW.

16-470-625 Varroa mite—Treatment. [Statutory Authority: Chapters 15.60 and 17.24 RCW. 88-16-016 (Order 1978), § 16-470-625, filed 7/25/88.] Repealed by 92-06-023, filed 2/25/92, effective 3/27/92. Statutory Authority: Chapters 15.60 and 17.24 RCW.

16-470-630 Varroa mite—Area under quarantine—Interior. [Statutory Authority: Chapters 15.60 and 17.24 RCW. 88-16-016 (Order 1978), § 16-470-630, filed 7/25/88.] Repealed by 92-06-023, filed 2/25/92, effective 3/27/92. Statutory Authority: Chapters 15.60 and 17.24 RCW.

16-470-635 Varroa mite—Restrictions—Interior. [Statutory Authority: Chapters 15.60 and 17.24 RCW. 88-16-016 (Order 1978), § 16-470-635, filed 7/25/88.] Repealed by 92-06-023, filed 2/25/92, effective 3/27/92. Statutory Authority: Chapters 15.60 and 17.24 RCW.

16-470-800 Establishing quarantine for longhorned beetles of the genus Anoplophora. [Statutory Authority: Chapter 17.24 RCW. 02-09-099, § 16-470-800, filed 4/17/02, effective 5/18/02.] Repealed by 06-24-125, filed 12/6/06, effective 1/6/07. Statutory Authority: Chapters 17.24 and 34.05 RCW.

16-470-810 Prohibiting possession, transportation or distribution of living beetles of the genus Anoplophora. [Statutory Authority: Chapter 17.24 RCW. 02-09-099, § 16-470-810, filed 4/17/02, effective 5/18/02.] Repealed by 06-24-125, filed 12/6/06, effective 1/6/07. Statutory Authority: Chapters 17.24 and 34.05 RCW.

16-470-820 What is the area under quarantine for citrus longhorned beetle? [Statutory Authority: Chapter 17.24 RCW. 02-09-099, § 16-470-820, filed 4/17/02, effective 5/18/02.] Repealed by 06-24-125, filed 12/6/06, effective 1/6/07. Statutory Authority: Chapters 17.24 and 34.05 RCW.

16-470-830 Prohibition on moving living plants from the area under quarantine for citrus longhorned beetle. [Statutory Authority: Chapter 17.24 RCW. 02-09-099, § 16-470-830, filed 4/17/02, effective 5/18/02.] Repealed by 06-24-125, filed 12/6/06, effective 1/6/07. Statutory Authority: Chapters 17.24 and 34.05 RCW.

16-470-840 Prohibition on moving wood and prunings from the area under quarantine for citrus longhorned beetle. [Statutory Authority: Chapter 17.24 RCW. 02-09-099, § 16-470-840, filed 4/17/02, effective 5/18/02.] Repealed by 06-24-125, filed 12/6/06, effective 1/6/07. Statutory Authority: Chapters 17.24 and 34.05 RCW.

16-470-850 Exemption for articles in transit. [Statutory Authority: Chapter 17.24 RCW. 02-09-099, § 16-470-850, filed 4/17/02, effective 5/18/02.] Repealed by 06-24-125, filed 12/6/06, effective 1/6/07. Statutory Authority: Chapters 17.24 and 34.05 RCW.

16-470-860 Disposal of articles regulated under longhorned beetle quarantine. [Statutory Authority: Chapter 17.24 RCW. 02-09-099, § 16-470-860, filed 4/17/02, effective 5/18/02.] Repealed by 06-24-125, filed 12/6/06, effective 1/6/07. Statutory Authority: Chapters 17.24 and 34.05 RCW.

16-470-870 Special permits—Longhorned beetle. [Statutory Authority: Chapter 17.24 RCW. 02-09-099, § 16-470-870, filed 4/17/02, effective 5/18/02.] Repealed by 06-24-125, filed 12/6/06, effective 1/6/07. Statutory Authority: Chapters 17.24 and 34.05 RCW.

16-470-910 Schedule of fees and charges—Applicable fees and charges—Effective June 30, 1999. [Statutory Authority: Chapter 17.24 RCW. 99-12-035, § 16-470-910, filed 5/26/99, effective 6/26/99; 92-07-023, § 16-470-910, filed 3/10/92, effective 4/10/92.] Repealed by 99-21-049, filed 10/18/99, effective 11/18/99. Statutory Authority: Chapter 17.24 RCW.

16-470-911 Schedule of fees and charges—Applicable fees and charges—Effective June 30, 2001. [Statutory Authority: Chapters 17.24 and 15.14 RCW. 01-11-033, § 16-470-911, filed 5/8/01, effective 6/8/01. Statutory Authority: Chapter 17.24 RCW. 99-22-076, § 16-470-911, filed 11/2/99, effective 12/3/99; 99-12-035, § 16-470-911, filed 5/26/99, effective 6/26/99.] Repealed by 03-10-082, filed 5/6/03, effective 6/30/03. Statutory Authority: Chapters 17.24 and 34.05 RCW.

16-470-915 Schedule of fees and charges—Fees for post entry inspection services—Effective June 30, 1999. [Statutory Authority: Chapter 17.24 RCW. 99-12-035, § 16-470-915, filed 5/26/99, effective 6/26/99; 92-07-023, § 16-470-915, filed 3/10/92, effective 4/10/92.] Repealed by 99-21-049, filed 10/18/99, effective 11/18/99. Statutory Authority: Chapter 17.24 RCW.

16-470-916 Schedule of fees and charges—Fees for post entry inspection services—Effective June 30, 2001. [Statutory Authority: Chapters 17.24 and 15.14 RCW. 01-11-033, § 16-470-916, filed 5/8/01, effective 6/8/01. Statutory Authority: Chapter 17.24 RCW. 99-12-035, § 16-470-916, filed 5/26/99, effective 6/26/99.] Repealed by 03-10-082, filed 5/6/03, effective 6/30/03. Statutory Authority: Chapters 17.24 and 34.05 RCW.

16-470-920 Schedule of fees and charges—Miscellaneous fees—Effective June 30, 1999. [Statutory Authority: Chapter 17.24 RCW. 99-12-035, § 16-470-920, filed 5/26/99, effective 6/26/99; 92-07-023, § 16-470-920, filed 3/10/92, effective 4/10/92.] Repealed by 99-21-049, filed 10/18/99, effective 11/18/99. Statutory Authority: Chapter 17.24 RCW.

WAC 16-470-010 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.

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

(5) "Commercial orchard" means an orchard in which fruit is grown for commercial purposes and with the use of approved and accepted integrated pest management programs pursuant to statutes, guidelines or rules approved by the agricultural extension service or regulatory officials of the state of origin.

(6) "Commercial fruit" means fruit that is:

(a) Grown in a commercial orchard and commercially packed and labeled;

(b) Fruit grown in a commercial orchard and destined to a commercial processing plant or packing plant.

(7) "Phytosanitary certificate" means a certificate issued by a government agency under authority of state or federal statute, which declares or establishes the pest status of a shipment of plants or plant parts under accepted inspection or sampling procedures. Phytosanitary certificates are patterned after model certificates of the International Pest Protection Convention.

(8) "Pest free area" means an officially identified area in which a target pest is not established and which is maintained in such a manner as to prevent establishment of the target pest.

(9) "Plant protection organization" means an agency established by a government to discharge functions such as inspection of plants and plant products for pests, issuing phytosanitary certificates, and other actions specified in this rule.

[Statutory Authority: Chapter 17.24 RCW. 01-14-075, § 16-470-010, filed 7/3/01, effective 8/3/01; 00-23-098, § 16-470-010, filed 11/21/00, effective 12/22/00. Statutory Authority: Chapters 15.60 and 17.24 RCW. 88-16-016 (Order 1978), § 16-470-010, filed 7/25/88. Statutory Authority: Chapter 17.24 RCW. 86-07-020 (Order 1881), § 16-470-010, filed 3/12/86; 85-15-006 (Order 1861), § 16-470-010, filed 7/8/85; 84-10-039 (Order 1822), § 16-470-010, filed 5/1/84, effective 7/1/84.]

WAC 16-470-020 Quarantine—Gypsy moth—Area under order. (1) Interior quarantine. Real and personal properties within Washington state and adjacent properties where the department has identified multiple gypsy moth life stages and where occupants and/or owners of those properties have been notified by the department of the gypsy moth infestation and to the effect that the subject property is under quarantine pursuant to chapter 16-470 WAC rules and requirements.

(2) Exterior quarantine. All areas of the United States and Canada that are declared high risk by the United States Department of Agriculture, animal, plant, health inspection service, plant protection and quarantine.

(3) The following definition shall apply to WAC 16-470-020 through 16-470-060: "Gypsy moth (*Lymantria dispar*)" means a lepidopterous insect of the family Lymandriidae which in the larval stage defoliates many species of trees and shrubs.

[Statutory Authority: Chapter 17.24 RCW. 86-07-020 (Order 1881), § 16-470-020, filed 3/12/86; 84-10-039 (Order 1822), § 16-470-020, filed 5/1/84, effective 7/1/84.]

WAC 16-470-030 Quarantine/gypsy moth hosts and carriers. The following articles and commodities are placed under quarantine when located within or originating from an area as described in WAC 16-470-020:

(1) Trees, shrubs with persistent woody stems, Christmas trees and parts of such trees and shrubs (except seeds, fruits and cones).

(2) Timber and building materials, including but not limited to such items as lumber, planks, poles, logs, firewood, pulpwood, fencing and building blocks.

(3) Mobile homes, recreational vehicles, trailers, boats, camping gear, and associated equipment.

(4) Outdoor household articles including but not limited to such items as furniture, toys, garden tools, garden machinery, animal houses.

(5) Any other items or means of conveyance not covered above when that item or conveyance presents a hazard of the spread of any life stage of gypsy moth.

[Statutory Authority: Chapter 17.24 RCW. 84-10-039 (Order 1822), § 16-470-030, filed 5/1/84, effective 7/1/84.]

WAC 16-470-040 Gypsy moth quarantine restrictions—Interior. Items under quarantine are prohibited movement from the area under quarantine except as follows:

(1) Any item under quarantine may be inspected and certified for movement by a department inspector if, in the inspector's judgment, it is free of all stages of gypsy moth. Any item that in the judgment of the department inspector is too large or for other reasons cannot be adequately inspected for all stages of gypsy moth will not be certified except as indicated in WAC 16-470-040 (3) and (4).

(2) Garden prunings from trees and shrubs may be moved under Washington state department of agriculture permit to the city or county dumps where such material is to be buried, incinerated, composted, or otherwise treated or handled in a manner that is approved by a department inspector and does not pose a hazard to the spread of gypsy moth life stages. A department permit is not necessary for such material picked up by city or county vehicles or trucking companies under contract to haul such material to county approved facilities for disposal.

(3) Any item which cannot be adequately inspected as stated in WAC 16-470-040(1) may be moved from the quarantine area if cleaned or treated as prescribed by the director and in a manner satisfactory to the department inspector. Such items cleaned or treated shall be certified by a department inspector before movement from the quarantine area.

(4) Department inspectors may also certify items for movement when in their judgment the item has not been exposed to infestation, or has not been exposed to infestation after being properly inspected, cleaned or treated.

(5) Expense of cleaning or treatment of articles or commodities for gypsy moth shall be the responsibility of the person in possession of the articles or commodities, or the consignee in case of commercial shipment by common carriers of household goods.

[Statutory Authority: Chapter 17.24 RCW. 84-10-039 (Order 1822), § 16-470-040, filed 5/1/84, effective 7/1/84.]

WAC 16-470-050 Gypsy moth quarantine restrictions—Exterior. Quarantined articles and commodities are prohibited entry into Washington state except as follows:

(1) Articles and commodities covered originating in the area under quarantine may enter this state: Provided, That the articles or commodities are accompanied by a certificate issued by an authorized agricultural official in the state or province of origin which contains the following information:

(a) The designation of the articles and commodities.

(b) The county and state or province of origin.

(c) A statement verifying that all the articles and commodities were inspected for all stages of gypsy moth, and:

(i) They originated in noninfested premises in the area under quarantine and have not been exposed to gypsy moth while in the area under quarantine; or

(ii) Upon inspection, they were found to be free of any stage of gypsy moth; or

(iii) They were treated at origin under the direction of an agricultural official to destroy any stage of gypsy moth; the

method of treatment used and the date of the treatment shall also be stated; or

(iv) They were grown, produced, manufactured, stored or handled in such a manner that no stage of gypsy moth would be transmitted on them.

(d) The original or facsimile signature of the authorized agricultural official.

(2) The certificate required under WAC 16-470-050(1) may be issued by a private enterprise: Provided, That the enterprise has been approved by the director, or by the United States Department of Agriculture, animal and plant health inspection service, plant protection and quarantine as having employees who have successfully completed a training program approved by the director or the United States Department of Agriculture, conducted by private organizations or state government officials, in the inspection for and treatment of gypsy moth; and the inspection and any treatment was performed, and the certificate issued by, one of those employees.

(3) Any certificate issued by a private enterprise shall contain the information required in WAC 16-470-050(1): Provided, That the statement relating to treatment at origin in WAC 16-470-050 (1)(c) shall verify that the articles and commodities were treated at origin by an employee who has successfully completed an approved training program in the inspection for and treatment of gypsy moth; and the signature required in WAC 16-470-050 (1)(d), shall be that of the employee issuing the certificate.

(4) The certificate required in WAC 16-470-050(1) shall be securely attached to the outside of the container containing the articles or commodities, or securely attached to the article or commodity itself if not in a container, or securely attached to the consignee's copy of the weighbill or other shipping document.

(5) Any article or commodity covered in WAC 16-470-030 which originated in the area under quarantine and is not accompanied by the certificate required may:

(a) Enter Washington, if, in the determination of the department, the article or commodity is:

(i) Cleaned or treated to destroy gypsy moth at the point of entry; or

(ii) Cleaned or treated to destroy gypsy moth in the county of destination, under the supervision of the department, prior to release of the article or commodity. Any shipment containing articles or commodities to be cleaned or treated in the county of destination shall be sealed at point of entry or origin and held under quarantine in that county until the treatment or cleaning is to occur.

(b) Be refused entry in Washington, if, in the opinion of the department inspector that:

(i) Cleaning or treatment to destroy gypsy moth at the point of entry would interfere with the movement of interstate commerce; and/or

(ii) Cleaning or treatment to destroy gypsy moth in the county of destination presents a high risk of dissemination of gypsy moth during transit or it is not possible to effectively clean or treat due to lack of facilities and/or needed equipment or lack of personnel in that county.

(c) Expense of cleaning or treatment of articles and commodities for gypsy moth at point of arrival in Washington state, or in the county of destination shall be the responsibility of the person in possession of the articles and commodities or the consignee in the case of commercial shipment by common carrier of household goods.

(6) No certificate is required for movement into Washington of articles and commodities covered in WAC 16-470-030 that originated outside an area under quarantine when the point of origin is clearly indicated, their identify has been maintained and they have been safeguarded against infestation by gypsy moth while in the area under quarantine.

[Statutory Authority: Chapter 17.24 RCW. 84-10-039 (Order 1822), § 16-470-050, filed 5/1/84, effective 7/1/84.]

WAC 16-470-060 Special permits. The director may issue special permits admitting articles or commodities covered in WAC 16-470-030 not otherwise eligible for entry from the area under quarantine, subject to such conditions and provisions deemed necessary for protection of Washington agriculture.

[Statutory Authority: Chapter 17.24 RCW. 84-10-039 (Order 1822), § 16-470-060, filed 5/1/84, effective 7/1/84.]

WAC 16-470-101 Establishing quarantine for apple maggot and plum curculio. Apple maggot (*Rhagoletis pomonella*) and plum curculio (*Conotrachelus nenuphar*) are insects with a larval (worm) stage that develops within fruit. These insects are capable of attacking many fruit crops grown in Washington. Apple maggot is not established in significant portions of the major fruit production areas east of the Cascade Mountains, and plum curculio is not established anywhere in the state. An increased range for either insect would cause decreased environmental quality and economic loss to the agricultural industries of the state by increasing production inputs and jeopardizing foreign and domestic markets. The director of agriculture, pursuant to chapter 17.24 RCW, has determined that the regulation and/or exclusion of fresh fruits grown or originating from areas infested with apple maggot or plum curculio is necessary to protect the environmental quality and agricultural crops of the state.

[Statutory Authority: Chapters 17.24 and 34.05 RCW. 06-14-004, § 16-470-101, filed 6/22/06, effective 8/1/06. Statutory Authority: Chapter 17.24 RCW. 01-14-075, § 16-470-101, filed 7/3/01, effective 8/3/01.]

WAC 16-470-103 Definitions. The following definitions shall apply to WAC 16-470-101 through 16-470-130:

(1) "Established" means present in a country, state, county or other area, multiplying and expected to continue.

(2) "Threatened with infestation" means that any life stage of apple maggot or plum curculio has been found within one-half mile of an orchard or other production site, including any portion of an orchard outside or beyond the one-half mile area. Orchards or production sites in a quarantined area, which are not surveyed by a plant protection organization, are considered to be threatened with infestation. An orchard or other production site will be removed from threatened with infestation status, if control measures are performed at the detection site, and survey by the department shows no further detection(s) within the one-half mile area around the orchard or other production site throughout the subsequent full growing season.

[Statutory Authority: Chapters 17.24 and 34.05 RCW. 05-09-005, § 16-470-103, filed 4/7/05, effective 8/15/05. Statutory Authority: Chapter 17.24 RCW. 01-14-075, § 16-470-103, filed 7/3/01, effective 8/3/01.]

WAC 16-470-105 Area under order for apple maggot—Pest free area—Quarantine areas. (1) A pest free area for apple maggot is declared for the following portions of Washington state:

(a) Counties of Adams, Asotin, Benton, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Lincoln, Okanogan, Pend Oreille, Stevens, Walla Walla, and Whitman.

(b) The portion of Kittitas County designated as follows: Beginning at the point where Interstate Highway No. 90 crosses longitude 120°31' W; thence southerly to the Kittitas-Yakima County line; thence easterly along the county line to the Columbia River; thence northerly along the Columbia River to Interstate Highway No. 90; thence westerly along Interstate Highway No. 90 to the point of beginning.

(c) Yakima County, except for the area designated in subsection (2)(c) of this section.

(d) Chelan County, except for the area designated in subsection (2)(d) of this section.

(2) A quarantine for apple maggot is declared for the following portions of Washington state:

(a) Counties of Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Klickitat, Lewis, Mason, Pacific, Pierce, Snohomish, Spokane, Skagit, Skamania, Thurston, Wahkiakum, and Whatcom.

(b) Kittitas County, except for the area designated in subsection (1)(b) of this section.

(c) The portion of Yakima County designated as follows: Beginning at the northeastern corner of Yakima County on the west bank of the Columbia River; thence southerly along the Columbia River to the Yakima-Benton County line; thence southerly along the county line to latitude N46°30'; thence west to longitude W120°20'; thence north to latitude N46°30.48'; thence west to longitude W120°25'; thence north to latitude N46°31.47'; thence west to longitude W120°28'; thence north to latitude N46°32'; thence west to longitude W120°36'; thence south to latitude N46°30'; thence west to longitude W120°48'; thence southerly to the Klickitat-Yakima County line; thence westerly along the county line to the Yakima-Skamania County line; thence northerly along the county line to the Lewis-Yakima County line; thence easterly and northerly along the county line to the Pierce-Yakima County line; thence northerly and easterly along the county line to the Kittitas-Yakima County line; thence easterly and southerly along the county line to the west bank of the Columbia River and the point of beginning.

(d) The portion of Chelan County designated as follows: Beginning at the point where the northern boundary of the county crosses longitude W120°43.02' following the longitudinal line due south to the fork of Highway 207 and Chiwawa Loop Road; thence south following the eastern edge of Highway 207 which becomes Beaver Valley Road and then Chumstick Highway; thence southeast along the eastern edge of Highway 2 to the point where the northern ridgeline of Boundary Butte drops to meet Highway 2; thence southerly, following the ridgeline of Boundary Butte gaining in elevation into the Stuart Range to the highest point of McClellan Peak; thence due south from McClellan Peak to the southern boundary of the county; thence following the county line west, then north, and then east to the beginning point.

(3) A quarantine for apple maggot is declared for all states or foreign countries where apple maggot is established. The area under quarantine includes, but is not limited to, the states of Idaho, Oregon, Utah, and California, and, in the eastern United States, all states and districts east of and including North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas, and any other areas where apple maggot is established.

[Statutory Authority: RCW 17.24.041 and chapter 34.05 RCW. 12-13-053, § 16-470-105, filed 6/15/12, effective 7/16/12. Statutory Authority: Chapters 17.24 and 34.05 RCW. 09-18-086, § 16-470-105, filed 9/1/09, effective 10/2/09; 06-14-004, § 16-470-105, filed 6/22/06, effective 8/1/06; 05-09-005, § 16-470-105, filed 4/7/05, effective 8/15/05; 04-09-027, § 16-470-105, filed 4/13/04, effective 8/16/04. Statutory Authority: Chapter 17.24 RCW. 01-14-075, § 16-470-105, filed 7/3/01, effective 8/3/01.]

WAC 16-470-108 Distribution of infested or damaged fruit is prohibited. Regulated commodities described in WAC 16-470-111 and 16-470-125(2) that are known or found to be infested or damaged by apple maggot or plum curculio may not be distributed, sold, held for sale, or offered for sale, unless the fruit has undergone cold storage treatment, in compliance with WAC 16-470-113 (1)(a) and (b) or 16-470-127 (1)(a) and (b), and the necessary certificate has been issued by the appropriate plant protection organization.

[Statutory Authority: Chapter 17.24 RCW. 01-14-075, § 16-470-108, filed 7/3/01, effective 8/3/01.]

WAC 16-470-111 What commodities are regulated for apple maggot? All fresh fruit of apple (including crab apple), cherry (except cherries that are commercial fruit), hawthorn (haw), pear (except pears that are commercial fruit from California, Idaho, Oregon, Utah, and Washington), plum, prune, and quince are regulated under quarantine for apple maggot.

[Statutory Authority: Chapters 17.24 and 34.05 RCW. 06-14-004, § 16-470-111, filed 6/22/06, effective 8/1/06. Statutory Authority: Chapter 17.24 RCW. 01-14-075, § 16-470-111, filed 7/3/01, effective 8/3/01.]

WAC 16-470-113 What do you need to ship commodities regulated for apple maggot from a state under quarantine into the pest free area for apple maggot? Shipment of regulated commodities, as described in WAC 16-470-111, from an area under quarantine, as described in WAC 16-470-105(3), into the pest free area for apple maggot, as described in WAC 16-470-105(1), is prohibited, unless at least one of the following conditions is met:

(1) The shipment is accompanied by an official certificate issued by the plant protection organization of the state of origin evidencing at least one of the following:

(a) The shipment is composed of apples, which have undergone cold treatment for a continuous period of at least ninety days. During this ninety days, the temperature within the storage room must be maintained at thirty-seven and nine-tenths (37.9) degrees Fahrenheit or less.

(b) The shipment is composed of regulated commodities, which have undergone cold treatment for a continuous period of forty days or more. During this forty days, the temperature within the storage room must be maintained at thirty-two (32) degrees Fahrenheit or less.

(c) The shipment is composed of regulated commodities from Oregon, Idaho, or Utah, certified by the state of origin in compliance with WAC 16-470-122.

(d) Each lot or shipment consists of repacked fruit, which was grown outside the area under quarantine and has been identity maintained while within the area under quarantine. For repacked fruit, the certificate must show the following information:

(i) State in which the fruit was grown;

(ii) Point of repacking and reshipment;

(iii) Amount and kind of commodities comprising the lot or shipment; and

(iv) Names and addresses of the shipper and consignee.

(2) The fruit originated outside the area under quarantine for apple maggot and is a reshipment in original, unopened containers. The containers must each bear labels or other identifying marks evidencing origin outside the area under quarantine.

(3) The fruit is frozen solid.

[Statutory Authority: Chapter 17.24 RCW. 01-14-075, § 16-470-113, filed 7/3/01, effective 8/3/01.]

WAC 16-470-115 Within Washington state, what is required to ship fruit into the pest free area for apple maggot from quarantined areas? Shipment of regulated commodities, as described in WAC 16-470-111, from an area under quarantine, as described in WAC 16-470-105(2), into the pest free area for apple maggot, as described in WAC 16-470-105(1), is prohibited, unless one of the following conditions is met:

(1) The shipment is accompanied by a permit for movement of fruit issued by the department verifying one of the following:

(a) The fruit came from orchards and production sites that are not threatened with infestation; or

(b) The fruit has completed treatment as specified in WAC 16-470-118(3). If records of treatment verifying compliance with conditions specified in WAC 16-470-118(3) are made available to the department, no reinspection is required by the department.

(2) The shipment is accompanied by a permit issued by the department in fulfillment of WAC 16-470-118 (2) and (3), which specifies conditions for shipment from orchards and production sites that are infested or threatened with infestation.

[Statutory Authority: Chapters 17.24 and 34.05 RCW. 06-14-004, § 16-470-115, filed 6/22/06, effective 8/1/06. Statutory Authority: Chapter 17.24 RCW. 01-14-075, § 16-470-115, filed 7/3/01, effective 8/3/01.]

WAC 16-470-118 Within Washington state, what is required to ship fruit into, within, or through the pest free area for apple maggot from an orchard or production site that is infested or threatened with infestation? All regulated commodities, as described in WAC 16-470-111, from an orchard or production site that is infested or threatened with infestation by apple maggot must be inspected (except graded culls - See subsection (4) of this section) by the department following accepted agency standards.

(1) If regulated commodities are inspected and found free of apple maggot, the shipment must be accompanied by a permit for movement of fruit issued by the department.

(2) If regulated commodities are found to be infested with apple maggot, a permit from the department, which specifies conditions for handling and shipment, is required to transport the fruit within or through the pest free area. No permit may be issued under this subsection for transportation of regulated commodities found to be infested with apple maggot into the pest free area for apple maggot.

(3) If regulated commodities are found to be infested with apple maggot, one or more of the following treatments must be performed and verified by the department as specified in WAC 16-470-115 (1)(b) before the commodity is moved from area(s) designated or quarantined by the department:

(a) Apples (including crab apples) cold treated as specified in WAC 16-470-113 (1)(a).

(b) Regulated commodities cold treated as specified in WAC 16-470-113 (1)(b).

(c) Other methods as prescribed in writing by the department.

(4) If the shipment contains graded culls, it must comply with the conditions specified in WAC 16-470-113 (1)(a) and (b).

[Statutory Authority: Chapters 17.24 and 34.05 RCW. 06-14-004, § 16-470-118, filed 6/22/06, effective 8/1/06. Statutory Authority: Chapter 17.24 RCW. 01-14-075, § 16-470-118, filed 7/3/01, effective 8/3/01.]

WAC 16-470-122 What are the requirements to ship regulated articles from Oregon, Idaho, or Utah into the pest free area for apple maggot? Commercially grown fresh fruit from Oregon, Idaho, or Utah may be shipped into the pest free area for apple maggot if both of the subsections of this section are complied with:

(1) A permit has been agreed to by the plant protection organization of the state of origin and the department. The permits must specify that the plant protection organization of the state of origin has conducted an adequate apple maggot detection program, which includes immediate written notification to the department of detections in counties where apple maggot has not previously been detected.

(2) The plant protection organization of the state of origin certifies that the fruit originated in areas in which apple maggot is not established, was grown in a commercial orchard, and has not been placed under quarantine.

[Statutory Authority: Chapter 17.24 RCW. 01-14-075, § 16-470-122, filed 7/3/01, effective 8/3/01.]

WAC 16-470-125 Area under quarantine for plum curculio—Regulated commodities. (1) A quarantine for plum curculio is declared for any commodity named in subsection (2) of this section entering the state of Washington from any area where plum curculio is established. The area under quarantine includes, but is not limited to, the entire state of Utah, and, in the eastern United States, all states and districts east of and including the states of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas, and any other areas where plum curculio is established.

(2) The following commodities are regulated under this quarantine as possible hosts or carriers of plum curculio: All fresh fruit of apple (including crab apple), apricot, blueberry, cherry, currant, grape, hawthorn (haw), huckleberry, nectarine, peach, pear, persimmon, plum, prune, and quince.

[Statutory Authority: Chapter 17.24 RCW. 01-14-075, § 16-470-125, filed 7/3/01, effective 8/3/01.]

WAC 16-470-127 What do you need to ship commodities regulated for plum curculio into Washington? Shipment into the state of Washington of regulated commodities described in WAC 16-470-125 from states under quarantine for plum curculio is prohibited, unless one of the following conditions is met:

(1) The shipment is accompanied by an official certificate issued by the plant protection organization of the state of origin evidencing at least one of the following:

(a) The shipment consists of apples, which have undergone cold treatment for a continuous period of at least ninety days. During this ninety days, the temperature within the storage room must be maintained at thirty-seven and nine-tenths (37.9) degrees Fahrenheit or less.

(b) The shipment consists of regulated commodities, which have undergone cold treatment for a continuous period of forty days or more. During this forty days, the temperature within the storage room must be maintained at thirty-two (32) degrees Fahrenheit or less.

(c) Each lot or shipment consists of repacked fruit, which was grown outside the area under quarantine and has been identity maintained while within the area under quarantine. For repacked fruit, the certificate must show the following information:

(i) State in which the fruit was grown;

(ii) Point of repacking and reshipment;

(iii) Amount and kind of commodities comprising the lot or shipment; and

(iv) Names and addresses of the shipper and consignee.

(2) The fruit originated outside the area under quarantine for plum curculio and is a reshipment in original, unopened containers. The containers must each bear labels or other identifying marks evidencing origin outside the area under quarantine.

(3) The shipment consists of fresh fruit from Utah counties where plum curculio is established and is made in compliance with terms of a permit agreed upon by both the Utah and Washington plant protection organizations.

(4) The shipment consists of fresh fruit from Utah counties where plum curculio is not established, and all of the following conditions are complied with:

(a) The Utah plant protection organization has conducted an adequate plum curculio detection program, which includes immediate written notification to the department of detections in counties where plum curculio has not previously been detected; and

(b) The Utah plant protection organization certifies that the fruit originated in areas in which plum curculio is not established, was grown in a commercial orchard, and has not been placed under quarantine.

[Statutory Authority: Chapter 17.24 RCW. 01-14-075, § 16-470-127, filed 7/3/01, effective 8/3/01.]

WAC 16-470-130 Special permits. The director may issue special permits admitting, or allowing transportation and distribution of, regulated commodities described in WAC 16-470-111 and 16-470-125(2), which would not otherwise be eligible for entry from the area under quarantine, or for transportation or distribution, subject to conditions and provisions which the director may prescribe to prevent introduction, escape or spread of the quarantined pests.

[Statutory Authority: Chapter 17.24 RCW. 01-14-075, § 16-470-130, filed 7/3/01, effective 8/3/01; 84-10-039 (Order 1822), § 16-470-130, filed 5/1/84, effective 7/1/84.]

WAC 16-470-300 Quarantine—Onion white rot disease. Onion white rot is a potentially devastating disease of onions and closely related species, which can greatly decrease yields and reduce storage quality. It is spread primarily by movement of contaminated water, soil, equipment, tools, and machinery, and by infested onion plants and plant parts. Onion white rot disease is caused by the fungus *Sclerotium cepivorum*. Once a field is infested, the fungus remains indefinitely in the soil. The director finds that onion white rot disease is detrimental to the onion industry of Washington and establishes a quarantine to prevent introduction and spread of the disease into noninfested areas of the state.

[Statutory Authority: Chapters 17.24 and 34.05 RCW. 09-17-099, § 16-470-300, filed 8/18/09, effective 9/18/09. Statutory Authority: Chapter 17.24 RCW. 01-01-013, § 16-470-300, filed 12/6/00, effective 1/6/01; 86-07-020 (Order 1881), § 16-470-300, filed 3/12/86; 85-20-043 (Order 1873), § 16-470-300, filed 9/25/85.]

WAC 16-470-305 Onion white rot disease—Definitions. The following definitions apply to WAC 16-470-300 through 16-470-340:

(1) "Onion" means any plant of the Allium genus, including, but not limited to onion, garlic, leek, chive and shallots.

(2) "Pest-free area" means Adams, Benton, Franklin and Grant counties.

[Statutory Authority: Chapters 17.24 and 34.05 RCW. 09-17-099, § 16-470-305, filed 8/18/09, effective 9/18/09. Statutory Authority: Chapter 17.24 RCW. 01-01-013, § 16-470-305, filed 12/6/00, effective 1/6/01.]

WAC 16-470-310 Onion white rot disease—Area under order. The area under quarantine for onion white rot disease is all states of the United States and all areas of Washington outside of the pest-free area.

[Statutory Authority: Chapters 17.24 and 34.05 RCW. 09-17-099, § 16-470-310, filed 8/18/09, effective 9/18/09. Statutory Authority: Chapter 17.24 RCW. 01-01-013, § 16-470-310, filed 12/6/00, effective 1/6/01; 85-20-043 (Order 1873), § 16-470-310, filed 9/25/85.]

WAC 16-470-320 Onion white rot disease—Restrictions—Control—Prevention—Sanitation.

(1) No person shall transport onion bulbs, sets or seedlings into the pest-free area for the purpose of planting or propagation, except those that are certified free of onion white rot disease by the plant protection organization of the state of origin.

(2) Except as provided in this chapter, no person shall bring machinery, tools, or equipment, previously used in onion production, into the pest-free area unless the machinery, tools, or equipment have been cleaned and sanitized prior to movement into the pest-free area. Cleaning must include the thorough removal of all soil and debris followed by sanitization with steam under pressure or other methods approved by the department.

(3) Livestock which have been pastured on fields infested with *Sclerotium cepivorum* or which have been fed white rot infested plant parts may not be transported into the pest-free area. Onion plants or plant parts may not be transported into the pest-free area for livestock feed. No restrictions are imposed by this section on livestock moving to feed lots, sale yards, or exhibition sites (such as fairgrounds, shows, etc.) in the pest-free area.

[Statutory Authority: Chapters 17.24 and 34.05 RCW. 09-17-099, § 16-470-320, filed 8/18/09, effective 9/18/09. Statutory Authority: Chapter 17.24 RCW. 01-01-013, § 16-470-320, filed 12/6/00, effective 1/6/01; 85-20-043 (Order 1873), § 16-470-320, filed 9/25/85.]

WAC 16-470-330 Onion white rot disease—Enforcement. (1) The department may inspect any onion plant, plant part, or plantings within the pest-free area to determine whether *Sclerotium cepivorum* is present. If *Sclerotium cepivorum* is detected at any stage of production or transportation or in soil, the department may impound any infested onions or other articles and by written order direct the control and eradication of an infestation.

(2) Movement of infested onions or other articles within the pest-free area or removal of infested onions or other articles from the pest-free area is prohibited, except when the infested onions or other articles are accompanied by a written permit issued by the department. Requests for permits must be addressed to: Plant Services Program Manager, Plant Protection Division, Washington State Department of Agriculture, 1111 Washington St. S.E., P.O. Box 42560, Olympia, WA 98540-2560; fax 360-902-2092; e-mail: nursery@agr.wa.gov.

(3) Control and eradication methods that may be used are limited to those approved by the department. They may include:

(a) Destroying onions from an infested lot, bin, or location, and other infested articles;

(b) Prohibiting the production of onions in part or all of any infested area;

(c) Preventing off-flow of irrigation or rainwater from any infested area;

(d) Prohibiting the pasturing of animals on any infested area;

(e) Requiring equipment, tools and machinery used on an infested area be cleaned and sanitized as described in WAC 16-470-320 prior to removal from the area.

[Statutory Authority: Chapters 17.24 and 34.05 RCW. 09-17-099, § 16-470-330, filed 8/18/09, effective 9/18/09. Statutory Authority: Chapter 17.24 RCW. 01-01-013, § 16-470-330, filed 12/6/00, effective 1/6/01; 85-20-043 (Order 1873), § 16-470-330, filed 9/25/85.]

WAC 16-470-340 Onion white rot disease—Research. The department may, with the consent of the owner, allow use of an infested growing area as an experimental plot by Washington State University for onion white rot research. Use of the growing area for research shall be subject to the prior written approval of the department.

[Statutory Authority: Chapters 17.24 and 34.05 RCW. 09-17-099, § 16-470-340, filed 8/18/09, effective 9/18/09. Statutory Authority: Chapter 17.24 RCW. 85-20-043 (Order 1873), § 16-470-340, filed 9/25/85.]

WAC 16-470-400 Quarantine—Chestnut. The director finds that chestnut pests not known to occur in Washington may be detrimental to the chestnut industry of Washington state and a quarantine is established to prevent the introduction of designated chestnut pests into Washington state.

[Statutory Authority: Chapter 17.24 RCW. 85-21-003 (Order 1875), § 16-470-400, filed 10/3/85.]

WAC 16-470-410 Chestnut—Area under quarantine. The area under quarantine for designated chestnut pests includes all states and districts of the United States.

[Statutory Authority: Chapter 17.24 RCW. 85-21-003 (Order 1875), § 16-470-410, filed 10/3/85.]

WAC 16-470-420 Chestnut—Pests. The following are designated chestnut pests: Chestnut bark disease (*Endothia parasitica*); large chestnut weevil (*Curculio caryatrypes*); small chestnut weevil (*Curculio sayi*); nut curculio (*Conotrachelus carinifer*); and the oriental chestnut gall wasp (*Dryocosmus kuriphilus*).

[Statutory Authority: Chapter 17.24 RCW. 85-21-003 (Order 1875), § 16-470-420, filed 10/3/85.]

WAC 16-470-430 Chestnut pests—Hosts and carriers—Commodities under quarantine. Commodities under quarantine are all known carriers of designated pests listed in WAC 16-470-420, including but not limited to all species and varieties of chestnut (*Castanea* spp.) and chinquapin (*Castanopsis* spp.) trees, plants and parts thereof including grafts, cuttings, scions, nuts, logs and firewood.

[Statutory Authority: Chapter 17.24 RCW. 85-21-003 (Order 1875), § 16-470-430, filed 10/3/85.]

WAC 16-470-440 Chestnut quarantine—Restrictions—Requirements. Commodities under quarantine for designated chestnut pests are prohibited entry into Washington state from areas under quarantine (see WAC 16-470-410) except as provided below:

(1) Commodities under quarantine produced in Arizona, California, Idaho, Nevada, Oregon and Utah may be shipped into Washington state: Provided, That each shipment is identified by proper origin certification stating the shipment originated in that state.

(2) Commodities under quarantine produced in any area of Montana, Wyoming, Colorado, New Mexico, or any states east thereof may be shipped into Washington state: Provided, That each shipment is accompanied by a certificate bearing original or facsimile signature of the authorized agricultural official affirming that chestnut bark disease, large chestnut weevil, small chestnut weevil, nut curculio, and oriental chestnut gall wasp are not known to occur within the production area of the origin state.

(3) Commodities under quarantine produced in any area where chestnut bark disease, large chestnut weevil, small chestnut weevil, nut curculio, and oriental chestnut gall wasp are known to occur may be shipped into Washington state: Provided, That the commodities under quarantine have been treated in a manner recommended by the origin department of agriculture or university extension service and approved by the department. Each shipment shall be accompanied by a certificate bearing the original or facsimile signature of the

authorized agricultural official stating the commodity is free from quarantined pests, and stating in detail the treatment used.

(4) No restrictions are placed on the nuts of all species and varieties of chestnut and chinquapin that are grown in and imported from foreign countries as regulated by the United States Department of Agriculture and reshipped into Washington state when shipped in unopened, original containers.

(5) In addition to all other penalties prescribed in WAC 16-470-015, all host material listed in WAC 16-470-430 entering Washington state in violation of this quarantine will immediately be shipped out of Washington or destroyed by the person or persons in possession of the material in a manner approved by the department at no cost to the department.

[Statutory Authority: Chapter 17.24 RCW. 85-21-003 (Order 1875), § 16-470-440, filed 10/3/85.]

WAC 16-470-700 Quarantine—Japanese beetle. A quarantine is established under this chapter against all life stages of the insect pest Japanese beetle (*Popillia japonica* Newman), a member of the family Scarabaeidae. The Japanese beetle is a persistent, serious and highly destructive pest, attacking the roots, leaves, and fruits of over three hundred kinds of plants including fruit trees, ornamentals, and field and vegetable crops. The director of agriculture has determined that the regulation and exclusion of Japanese beetle is necessary to protect the environmental quality, forests, floriculture and agricultural crops of the state of Washington.

[Statutory Authority: Chapter 17.24 RCW. 00-23-098, § 16-470-700, filed 11/21/00, effective 12/22/00; 90-15-042 (Order 2049), § 16-470-700, filed 7/16/90, effective 8/16/90.]

WAC 16-470-705 Areas under quarantine. (1) The entire states of Alabama, Arkansas, Colorado, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, the District of Columbia, the Provinces of Ontario and Quebec, and any other state, province, parish, or county where infestations of Japanese beetle are detected are declared to be under quarantine for Japanese beetle.

(2) The director may exempt individual counties of the states under quarantine from meeting the conditions in WAC 16-470-715 if the director determines that:

(a) The state has adopted and is enforcing restrictions on the interstate and intrastate movement of regulated articles that are equivalent to or exceed the restrictions placed on the movement of regulated articles as provided in WAC 16-470-715; and

(b) Annual surveys are conducted in such counties and the results of these surveys are negative for Japanese beetle; and

(c) One or more neighboring counties are not subject to an unacceptable heavy Japanese beetle infestation.

(3) A plant health official of any state may request exemption of one or more counties under subsection (2) of this section. The request must be in writing, and it must state the area surveyed, the survey method, personnel conducting the survey, and dates of any previous Japanese beetle infestations in that county.

[Statutory Authority: Chapter 17.24 RCW. 00-23-098, § 16-470-705, filed 11/21/00, effective 12/22/00; 90-15-042 (Order 2049), § 16-470-705, filed 7/16/90, effective 8/16/90.]

WAC 16-470-710 Regulated articles. The following are declared to be hosts or possible carriers of Japanese beetle and are prohibited entry into this state from an area under quarantine as declared in WAC 16-470-705 either directly, indirectly, diverted or reconsigned, except as provided for in WAC 16-470-715:

(1) Soil, humus, compost, and manure (except when commercially packaged);

(2) All plants with roots (except bareroot plants free from soil in amounts that could contain concealed Japanese beetle eggs, larvae or pupae);

(3) Grass sod;

(4) Plant crowns or roots for propagation (except when free from soil);

(5) Bulbs, corms, tubers, and rhizomes of ornamental plants (except when free of soil);

(6) Any other plant, plant part, article, or means of conveyance when it is determined by the director to present a hazard of spreading live Japanese beetle due to either infestation, or exposure to infestation.

[Statutory Authority: Chapter 17.24 RCW. 00-23-098, § 16-470-710, filed 11/21/00, effective 12/22/00; 90-15-042 (Order 2049), § 16-470-710, filed 7/16/90, effective 8/16/90.]

WAC 16-470-715 Conditions governing the movement of regulated articles into Washington state. (1) Prior notification is required. Persons shipping regulated articles as specified in WAC 16-470-710 into this state from areas under quarantine must notify the department's plant services program by sending via telefacsimile or other method a copy of the applicable phytosanitary certificate as described in subsection (2) of this section for each shipment. The phytosanitary certificate must state the nature and quantity of the shipment, its expected date of arrival at destination, the name of the intended receiver and the destination. The person to whom the commodities are shipped must hold the shipment until it is inspected and released by the department.

(2) Each shipment of regulated articles must be accompanied by a phytosanitary certificate from the state of origin certifying that the commodity, soil, or means of conveyance is treated with methods and procedures approved and prescribed by the director. Approved methods and procedures include those specified in the National Plant Board U.S. Domestic Japanese Beetle Harmonization Plan Appendix 1. Shipment to Category 1 States.

(3) Privately owned houseplants grown indoors may be allowed entry into this state if a department official inspects the plants and determines that they are free from Japanese beetle.

[Statutory Authority: Chapter 17.24 RCW. 00-23-098, § 16-470-715, filed 11/21/00, effective 12/22/00; 90-15-042 (Order 2049), § 16-470-715, filed 7/16/90, effective 8/16/90.]

WAC 16-470-720 Special permits. The director may issue special permits admitting regulated articles specified in WAC 16-470-710 that are not otherwise eligible for entry from the area under quarantine, subject to conditions and provisions which the director may prescribe to prevent the introduction, escape, or spread of Japanese beetle.

[Statutory Authority: Chapter 17.24 RCW. 00-23-098, § 16-470-720, filed 11/21/00, effective 12/22/00; 90-15-042 (Order 2049), § 16-470-720, filed 7/16/90, effective 8/16/90.]

WAC 16-470-900 Schedule of fees and charges—Billing policies and procedures. (1) All billable services provided under chapter 17.24 RCW are due and payable upon billing by the department. For the convenience of established accounts and in accord with good business practices, the department provides a monthly billing. Accounts not paid in full within thirty days of billing are considered delinquent.

(2) All delinquent accounts are assessed a late charge equal to one and one-half percent per month, or portion of a month, on the unpaid balance.

(3) Except for established accounts where there is a reasonable expectation of additional charges during a calendar month, the minimum billable amount through the monthly billing system is twenty dollars. All billable services of less than twenty dollars are due and payable on the date that service is rendered.

(4) No person with an account ninety days or more in arrears will receive service except on the basis of payment in full at the time service is rendered. Such accounts are not restored to monthly billing status until all past due amounts are paid-in-full. Such accounts may be subject to legal action for collection.

(5) Accounts that become ninety days or more in arrears twice within a five-year period may be subject to a permanent requirement for payment in full at the time service is provided.

[Statutory Authority: Chapters 17.24 and 34.05 RCW. 05-12-111, § 16-470-900, filed 5/31/05, effective 7/1/05. Statutory Authority: Chapter 17.24 RCW. 99-12-035, § 16-470-900, filed 5/26/99, effective 6/26/99; 92-07-023, § 16-470-900, filed 3/10/92, effective 4/10/92.]

WAC 16-470-905 Schedule of fees and charges—Establishing hourly rates. (1) Requested services are provided at the applicable hourly rate except as provided in subsection (5) of this section. The hourly rate for nonbusiness hours applies for service provided before 8:00 a.m. or after 5:00 p.m. during the workday and for all services provided on Saturday, Sunday, or on a holiday listed in subsection (2) of this section.

(2) Holidays shall mean New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day immediately following Thanksgiving Day, Veteran's Day, Christmas Day, President's Day, and Martin Luther King's Birthday.

(3) Charges are assessed in one-half hour increments.

(4) Persons requesting service with less than twenty-four hours notice during nonbusiness hours, may be subject to a charge of two additional hours at the nonbusiness hourly rate if the department is required to pay call back pay to the employee(s) providing the requested service.

(5) The department reserves the right to provide service by written agreement at a single, negotiated cost or at a negotiated rate for projects with one of the following characteristics:

(a) Projects requiring multiple periodic inspections and/or certificates; or

(b) Projects requiring field inspections of crops not regulated under chapter 15.13 or 15.14 RCW.

The rate charged shall not be less than the cost to the department of providing the services.

[Statutory Authority: Chapters 17.24 and 34.05 RCW. 03-10-082, § 16-470-905, filed 5/6/03, effective 6/30/03. Statutory Authority: Chapter 17.24 RCW. 99-12-035, § 16-470-905, filed 5/26/99, effective 6/26/99; 92-07-023, § 16-470-905, filed 3/10/92, effective 4/10/92.]

WAC 16-470-912 Schedule of fees and charges—Applicable fees and charges. (1) Hourly rate.

Hourly rate - Business hours	$50.00
Hourly rate - Nonbusiness hours	$65.00

(2) Laboratory diagnostic services, except as provided in subsection (3) or (4) of this section, are charged at the applicable hourly rate plus materials.

(3) Plant pathology laboratory diagnostic fees:

(a) Nematode assay (plant material) $38.00

(b) Nematode assay (soil) $60.00

(c) Assay for dwarf bunt (TCK), Karnal bunt, flag smut $60.00

Note: Fee is for one sample for one specific organism, unless more than one organism can be detected in a single test without additional inputs.

(4) The department reserves the right to provide service by written agreement at a single, negotiated cost or at a negotiated rate for projects with at least one of the following characteristics:

(a) Projects greater than one hundred samples;

(b) Projects requiring materials not readily available; or

(c) Projects requiring special handling, multiple phase test procedures, or prolonged incubation periods.

The rate charged shall not be less than the cost to the department of performing the tests.

[Statutory Authority: RCW 17.24.131, 2012 2nd sp.s. c 7, and chapter 34.05 RCW. 12-22-028, § 16-470-912, filed 10/31/12, effective 12/1/12. Statutory Authority: RCW 17.24.021, 17.24.131, chapter 34.05 RCW, and 2009 c 564. 09-23-006, § 16-470-912, filed 11/5/09, effective 1/1/10. Statutory Authority: Chapters 17.24 and 34.05 RCW. 07-11-012, § 16-470-912, filed 5/3/07, effective 7/1/07; 06-15-044, § 16-470-912, filed 7/11/06, effective 8/11/06; 05-12-111, § 16-470-912, filed 5/31/05, effective 7/1/05. Statutory Authority: Chapters 17.24, 15.14, and 34.05 RCW. 05-01-180, § 16-470-912, filed 12/21/04, effective 1/21/05. Statutory Authority: Chapters 17.24 and 34.05 RCW. 04-17-036, § 16-470-912, filed 8/10/04, effective 9/10/04. Statutory Authority: Chapters 15.13, 15.14, 17.24, and 34.05 RCW. 03-21-166, § 16-470-912, filed 10/22/03, effective 11/22/03. Statutory Authority: Chapters 17.24 and 34.05 RCW. 03-10-082, § 16-470-912, filed 5/6/03, effective 6/30/03. Statutory Authority: Chapters 17.24 and 15.14 RCW. 01-11-033, § 16-470-912, filed 5/8/01, effective 6/8/01.]

WAC 16-470-917 Schedule of fees and charges—Fees for post entry inspection services. (1) Post entry site inspection and/or permit review and approval $101.00

(2) Subsequent inspections of post entry plant materials are provided at the applicable hourly rate.

(3) Post entry inspection fees may be waived for state universities, United States Department of Agriculture researchers, and other public entities.

[Statutory Authority: RCW 17.24.131, 2012 2nd sp.s. c 7, and chapter 34.05 RCW. 12-22-028, § 16-470-917, filed 10/31/12, effective 12/1/12. Statutory Authority: RCW 17.24.021, 17.24.131, chapter 34.05 RCW, and 2009 c 564. 09-23-006, § 16-470-917, filed 11/5/09, effective 1/1/10. Statutory Authority: Chapters 17.24 and 34.05 RCW. 07-11-012, § 16-470-917, filed 5/3/07, effective 7/1/07; 06-15-044, § 16-470-917, filed 7/11/06, effective 8/11/06; 05-12-111, § 16-470-917, filed 5/31/05, effective 7/1/05; 04-17-036, § 16-470-917, filed 8/10/04, effective 9/10/04. Statutory Authority: Chapters 15.13, 15.14, 17.24, and 34.05 RCW. 03-21-166, § 16-470-917, filed 10/22/03, effective 11/22/03. Statutory Authority: Chapters 17.24 and 34.05 RCW. 03-10-082, § 16-470-917, filed 5/6/03, effective 6/30/03. Statutory Authority: Chapters 17.24 and 15.14 RCW. 01-11-033, § 16-470-917, filed 5/8/01, effective 6/8/01.]

WAC 16-470-921 Schedule of fees and charges—Miscellaneous fees. (1) Mileage at the established office of financial management rate (schedule A), per diem and other authorized travel expenses at actual cost, and travel time at the applicable hourly rate may be assessed for requested inspections or post entry inspections that are not a part of a regular work schedule. Such charges may be prorated among applicants if more than one applicant is provided service during a workday or trip when per diem is applicable.

(2) Postage, special handling services and other miscellaneous costs exceeding five dollars will be charged back to the applicant at the actual cost.

(3) Certificates of inspection, phytosanitary certificates, and other official documents will be provided to the applicant subject to the charges and conditions established below:

Fee or Charge:	
Certificate issued at time of inspection	No charge
Certificate issued more than twenty-four hours after the inspection	$24.00
Additional certificates	$8.00
Fumigation lot or container fee	$20.00
Compliance agreement	$50.00

[Statutory Authority: RCW 17.24.131, 2012 2nd sp.s. c 7, and chapter 34.05 RCW. 12-22-028, § 16-470-921, filed 10/31/12, effective 12/1/12. Statutory Authority: RCW 17.24.021, 17.24.131, chapter 34.05 RCW, and 2009 c 564. 09-23-006, § 16-470-921, filed 11/5/09, effective 1/1/10. Statutory Authority: Chapters 17.24 and 34.05 RCW. 03-10-082, § 16-470-921, filed 5/6/03, effective 6/30/03. Statutory Authority: Chapters 17.24 and 15.14 RCW. 01-11-033, § 16-470-921, filed 5/8/01, effective 6/8/01. Statutory Authority: Chapter 17.24 RCW. 99-12-035, § 16-470-921, filed 5/26/99, effective 6/26/99.]