Chapter 16-302 WAC

GENERAL RULES FOR SEED CERTIFICATION

(Formerly chapters 16-300, 16-304, 16-313, 16-316, 16-317, 16-318, 16-493, 16-494 and 16-495)

WAC

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PART 1 - GENERAL SEED CERTIFICATION STANDARDS

WAC 16-302-005 Seed certification—Purpose. Under the authority of chapter 15.49 RCW, the department adopts rules to establish standards for seed certification in Washington state in order to maintain and make available sources of high quality seeds and propagating material of plant varieties so grown and distributed as to ensure genetic identity and genetic purity.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-005, filed 12/4/00, effective 1/4/01.]

WAC 16-302-010 Agencies that certify seed in Washington state. (1) Seed certification in Washington state is conducted under the authority of chapter 15.49 RCW. The department conducts seed certification in cooperation with the Washington State Crop Improvement Association, Washington State University and the Association of Official Seed Certifying Agencies.

(2) The Washington State Crop Improvement Association is designated to assist the department in the certification of certain agricultural seeds. A memorandum of understanding between the department and the Washington State Crop Improvement Association designates the Washington State Crop Improvement Association to act as the director's duly authorized agent for the purpose of certifying seed of buckwheat, chickpeas, field peas, lentils, millet, soybeans, small grain, sorghum and forest trees, including conditioning plant inspections for these crops.

(3) The department's seed program certifies seed other than buckwheat, chickpeas, field peas, lentils, millet, soybeans, small grain, sorghum and forest trees.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-010, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005 and chapter 34.05 RCW. WSR 08-13-014, § 16-302-010, filed 6/6/08, effective 7/7/08. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-010, filed 12/4/00, effective 1/4/01.]

WAC 16-302-015 Seed classes recognized for seed certification. For the eligibility of varieties of seed refer to WAC 16-302-040. Four seed classes are recognized in seed certification, namely: Breeder, foundation, registered, and certified.

(1) Breeder seed is seed or vegetative propagating material directly controlled by the originating, or in certain cases the sponsoring plant breeder, institution, or firm. Breeder seed supplies the source for the initial and recurring increase of foundation seed. Breeder seed may also be used to produce subsequent generations.

(2) Foundation seed (identified by white tags) is first-generation seed increased from breeder seed or its equivalent. Production must be carefully supervised and approved by the certifying agency and/or the agricultural experiment station. Foundation seed is eligible to produce registered or certified seed.

(3) Registered seed (identified by purple tags) is the progeny of breeder or foundation seed that is handled as to maintain satisfactory genetic identity and purity and is approved and certified by the certifying agency. Registered seed is eligible to produce certified seed.

(4) Certified seed (identified by blue tags) is the progeny of breeder, foundation, registered or certified seed which is handled as to maintain satisfactory genetic identity and purity and is approved and certified by the certifying agency. Certified seed is not eligible for recertification, except as provided for in WAC 16-302-035.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-015, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-015, filed 12/4/00, effective 1/4/01.]

WAC 16-302-020 Seed standards for proprietary variety certification—Application for proprietary certification. The general seed certification standards provided for in this chapter together with the varieties eligible for seed certification constitutes the basic requirements for proprietary variety certification.

(1) The owner or designee with production or marketing rights of a proprietary variety must submit to the certifying agency a list of growers who will submit applications for certification showing the variety, acreage authorized, processor authorized, and also advising whether the variety is under genetic purity certification or under complete certification. The list of growers must be submitted prior to the application due dates for seed certification as specified in WAC 16-302-050.

(2) Each application for seed certification received by the certifying agency is subject to approval from the list submitted by the owner with production or marketing rights of a proprietary variety.

(3) The certifying agency shall refuse certification of any seed that appears in a processing or conditioning plant not authorized by the owner with production or marketing rights of a proprietary variety.

(4) An application for seed certification may be withdrawn at any time prior to tagging. The applicant is responsible for fees due and owing when an application for seed certification is withdrawn.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-020, filed 12/4/00, effective 1/4/01.]

WAC 16-302-025 Seed standards for genetic purity certification. All certified seed must conform to the standards of purity and identity or variety in compliance with chapter 15.49 RCW and rules adopted thereunder. The general certification standards together with the specific crop certification standards established in this chapter are the basic requirements for genetic purity seed certification:

(1) Only proprietary varieties and OECD varieties not of United States origin to be tagged under the OECD scheme are eligible for genetic purity certification.

(2) Only the specific crop certification standards established in rule which pertain to genetic purity such as land requirements and isolation, shall apply for genetic purity certification. Fields must not contain other varieties or off-type plants in excess of established standards. The grower is responsible for controlling noxious weeds to prevent seed formation.

(3) Excessive prohibited and/or objectionable weeds, poor stands, lack of vigor, or other conditions, which make inspection by the certifying agency inaccurate, may be cause for rejection of a field.

(4) Field inspection. A field inspection is made by the certifying agency each year at the time the seed crop is in bloom, or at other times as may be most advantageous to determine genetic purity. A complete record must be maintained on the condition of the field (weeds, crop mixtures, etc.) and all information reported to the authorized agent and/or grower. Upon completion of all requirements for field inspection, a final field inspection report is issued by the certifying agency that the seed produced passed genetic purity requirements.

(5) Seed standards. The certifying agency shall test all lots to determine the purity and germination quality. Seed to be certified must not contain seeds of other varieties or off-types in excess of standards established in rule. The quality of each lot of seed represented to be certified must be that which is normally acceptable in the marketing of high quality seed. Failure to maintain acceptable quality shall be considered cause for revoking permission to participate in seed certification by genetic purity.

(6) Processing or conditioning requirements. Only those conditioning plants approved by the department Seed Program are permitted to process seed for certification. Complete records must be kept of all processing or conditioning. Blending of seed lots of the same variety from fields passing field inspections may be permitted with prior approval and if in accordance with requirements for blending. Sampling and all other operations involving certified seed must be under supervision of the certifying agency. The sample must be obtained in accordance with official sampling procedures. The entire lot must be cleaned and in condition for sale at the time of sampling. This sample must be submitted to the seed laboratory for testing to evaluate quality. Lots of questionable quality may be rejected and not eligible for certification.

(7) Certification tags for seed meeting the genetic purity standards must be clearly marked, "genetic purity certified."

(8) Fees for genetic purity certification are as established for each seed crop in chapter 16-303 WAC and the authorized agent or grower is responsible for all fees.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-025, filed 12/4/00, effective 1/4/01.]

WAC 16-302-030 Standards for production of foundation seed. The general seed certification standards together with specific crop standards established in this chapter constitute the basic standards for production of foundation seed as deemed necessary by the certifying agency. Seed to

be eligible for foundation certification tags, or OECD basic tags, must be approved by the originating plant breeder or his designated agent, and in compliance with the following standards:

(1) Preplanting report. A preplanting inspection, an industry responsibility, must be made of fields to be planted with breeder seed. A written report of the preplant inspection, performed by either a representative of the person issuing the contract or by the grower must be maintained by the variety owner or designee for a minimum of three years. The report shall show the grower's name, number of acres, location, crop history for the past three years, crops to be planted, origin of breeder seed, isolation status, and weed and crop present.

(2) Planting requirement. To distinguish between any possible volunteer and the crop seeded, all fields must be planted in distinct rows. Plants outside defined rows may be construed as volunteers.

(3) Combine inspection. The combine used for seed harvesting must be cleaned and inspected prior to harvesting foundation or OECD basic seed. The combine must be free of all contaminating material. If an official combine inspection is requested, the certifying agency must be notified of the following: The date, time, and location where the combine inspection may be made.

(4) Processing plant inspection. The processing or conditioning plant must be inspected before processing foundation or OECD basic seed and periodic inspections will be made during processing by the processor.

(5) Recleaning, rebagging, preinoculation, treating, or other processes must be approved by the certifying agency. An original tag must be submitted with the request for recertification and the seed must be retagged and resealed on completion.

(6) For a proprietary variety the above combine inspection (subsection (3) of this section), and processing plant inspection (subsection (4) of this section), responsibility may be assigned to the proprietor or his designee upon their request. The variety owner or designee must maintain a report covering required inspections.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-030, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-030, filed 12/4/00, effective 1/4/01.]

WAC 16-302-035 Limitation of generations for seed certification. The number of generations through which a seed variety may be multiplied is limited to the number specified by the originating breeder or owner of a variety except that:

(1) Unlimited recertification of the certified seed class may be permitted for crop varieties where foundation seed is not being maintained.

(2) The production of an additional generation of the certified class may be permitted on a one-year basis when:

(a) Prior to the planting season, the certifying agency states that foundation and registered seed supplies in the United States are not adequate to plant the needed acreage of the variety.

(b) Permission of the originating breeder and/or owner of the variety is obtained (if applicable).

(c) The additional generation of certified seed produced is declared to be ineligible for recertification.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-035, filed 12/4/00, effective 1/4/01.]

WAC 16-302-040 Varieties eligible for seed certification in Washington state. (1) Only seed varieties that are accepted as meriting seed certification by an appropriate AOSCA National Variety Review Board or a member agency of AOSCA in accordance with the criteria listed in subsection (2) of this section may be eligible for seed certification in Washington state.

(2) The following information is required for submission to an AOSCA National Variety Review Board or other certifying agency for acceptance of a seed variety for certification:

(a) The name of the variety.

(b) A statement concerning the variety's origin and the breeding procedure used in its development.

(c) A detailed description of the morphological, physiological, and other characteristics of the plants and seed that distinguish it from other varieties.

(d) Evidence supporting the identity of the variety, such as comparative yield data, insect and disease resistance, or other factors supporting the identity of the variety.

(e) A statement giving the suggested region of probable adaptation and purposes for which the variety is used.

(f) A description of the procedure for maintenance of stock seed classes, including the number of generations through which the variety can be multiplied.

(g) A description of the manner in which the variety is constituted when a particular cycle of reproduction or multiplication is specified.

(h) Any additional restrictions on the variety, specified by the breeder, with respect to geographic area of seed production, age of stand or other factors affecting genetic purity.

(i) A sample of the seed representative of the variety as marketed.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-040, filed 9/25/14, effective 10/26/14. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 10-02-113, § 16-302-040, filed 1/6/10, effective 2/6/10. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-040, filed 12/4/00, effective 1/4/01.]

WAC 16-302-045 Applying for seed certification in Washington state. To participate in the Washington state seed certification program, submit an application for seed certification to the appropriate certifying agency.

(1) An application for seed certification must be submitted for each crop, variety and field.

(2) Applications may be obtained from a certified seed processor or the certifying agency listed in WAC 16-302-010.

(3) The applicant is responsible for payment of all fees. Washington State University, its official agents and USDA Plant Material Center are exempt from paying fees on seed stock.

(4) The applicant must attach to the application for seed certification official tags/labels and/or other verification from seed stock planted. The applicant must also attach proof of

quarantine compliance when required, under chapter 16-301 WAC. Refer to chapter 16-303 WAC for appropriate fees.

(5) When it is necessary for a grower to reseed due to a failure to get a stand, the grower will retain records of seed lots used and the date of reseeding. Reseeding must be done within two years of the original planting date for grasses or within one year for all other crops. If seed stock of a different lot is used for reseeding, the grower must submit proof of seed stock used on a seedling application form. An additional application fee will be charged.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-045, filed 9/25/14, effective 10/26/14. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 03-18-072, § 16-302-045, filed 8/29/03, effective 9/29/03. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-045, filed 12/4/00, effective 1/4/01.]

WAC 16-302-050 Submitting an application for seed certification. (1) Seed certification application due dates are:

(a) For seed certified by the department: Alfalfa, clover, grasses and rapeseed (seedling applications) - Within sixty days of planting. Seedling applications will not be accepted if received more than one hundred five days after planting.

(b) Hybrid canola or hybrid rapeseed - Fall plantings February 1; Spring plantings - Twenty-one days after planting.

(c) Sunflower twenty-one days after planting.

(d) Notification of a seedling field to be harvested for certification the same year of planting is due July 31 with the required fees.

(i) Bean - July 1.

(ii) Corn - June 1.

(2) For seed certified by the WSCIA:

(a) Field pea, chickpea, lentil, millet, and small grains (both winter and spring varieties) - June 1.

(b) Buckwheat and soybean - July 1.

(c) Sorghum - July 15.

(d) Forest tree seed certification - Refer to specific crop requirements in chapter 16-319 WAC.

(3) An application for seed certification must be submitted to the certifying agency each year a grower plans to produce seed for certification of annual crops (beans, peas, grain).

(4) A renewal application for seed certification must be submitted to the certifying agency after a stand is established each year that a grower plans to produce seed for certification of perennial crops (alfalfa, clover, grass). Due dates for renewal applications are as follows:

(a) Alfalfa and clover - June 15.

(b) Grass - May 1.

(5) Applications received after the due date are assessed a late application fee.

(6) No renewal application for seed certification may be accepted after the due date if a field inspection cannot be conducted prior to harvest except at the discretion of the certifying agency.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-050, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-050, filed 12/4/00, effective 1/4/01.]

WAC 16-302-055 Responsibilities when participating in the seed certification program. All participants in the seed certification program must:

(1) Maintain the genetic purity and identity during seeding, growing, harvesting, and postharvest storage, and ensure reasonable precaution is taken to control contaminating crops and varieties, noxious weeds, and seed-borne diseases.

(2) Prevent seed crop and lot mixture when harvesting.

(3) Identify the seed crop as it is delivered to the processor with the assigned field number or numbers.

(4) Clean the seed crop at a seed conditioner approved by the department under WAC 16-302-125. A list of approved seed conditioners may be obtained from the department seed program.

(5) Comply with standards and procedures for seed certification under the authority of chapter 15.49 RCW and rules adopted thereunder.

(6) Prior to planting, comply with the quarantine provisions under chapter 16-301 WAC.

(7) Harvest of seed before a field inspection by the certifying agency causes forfeitures of both the application and field inspection fees, and completion of certification.

(8) Failure of seed growers to comply with the seed laws and rules is cause for the department to deny certification of seed under the provisions of chapter 34.05 RCW, the Administrative Procedure Act.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-055, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-055, filed 12/4/00, effective 1/4/01.]

WAC 16-302-060 Certification requirements for seed. (1) The general seed certification rules in addition to the rules adopted on specific seed crop standards constitute the certification requirements for the seed crops listed in this chapter.

(2) Crops approved for certification for which rules are not in effect may be certified under the minimum requirements for seed certification as shown in WAC 16-301-010. Fees for certification of seed shall be the most applicable fees established by the department in rule.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-060, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-060, filed 12/4/00, effective 1/4/01.]

WAC 16-302-065 Land history—Seed certification. Land requirements for seed certification are as established in the specific seed crop standards. When a cultural practice has proved to be successful, requirements may be modified upon written approval of the seed certifying agency. Cultural practice may include any of the following:

(1) Mechanical means such as deep plowing.

(2) Chemical means such as fumigants.

(3) Other material for seed bed preparation. Materials and methods must be a matter of record. Any practice used must be adequate to ensure varietal purity and must be approved in writing by the certifying agency. Any deviations from established land requirements must be submitted in writing to the certifying agency.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-065, filed 12/4/00, effective 1/4/01.]

WAC 16-302-070 Seed field inspections by the certifying agency. The certifying agency conducts field inspections as follows:

(1) A seedling field is inspected at the most appropriate time after receipt of seedling application. If the field produces seed the same year of planting, a seedling producing inspection is made prior to harvest.

(2) Each year a crop of certified seed is produced, field inspections are made at a time when factors affecting certification are most evident.

(3) The unit of certification is defined as the entire field standing at the time of inspection. A portion of a field may be certified if the area to be certified is clearly defined by flagging, stakes or other visual means. The border area of the field is considered the unit of certification if it is planted to the same crop and is inclusive of the acreage applied for.

(4) The unit of inspection may include areas adjacent to a field or areas of surveillance if these areas contain factors that would impact the certification eligibility of the seed crop as defined in the specific crop standards. Such factors may be, but are not limited to, contaminating pollen sources, weeds, jointed goatgrass, jointed goatgrass hybrids or other crop.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-070, filed 9/25/14, effective 10/26/14. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 10-08-029, § 16-302-070, filed 3/31/10, effective 5/1/10. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-070, filed 12/4/00, effective 1/4/01.]

WAC 16-302-075 Tolerances stated as "none found." A tolerance of "none found" for contaminating or diseased material in either field or clean seed standards means that none was found during the normal procedure of field inspection or seed sample testing. None found does not constitute a guarantee that the field or seed is entirely free of the contaminant or disease.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-075, filed 12/4/00, effective 1/4/01.]

WAC 16-302-080 Seed fields ineligible for seed certification. (1) A seed field is not eligible for certification unless a field inspection is made prior to defoliation or harvesting.

(2) Prohibited noxious weeds must be controlled to prevent seed formation, with the exception of jointed goatgrass or jointed goatgrass hybrids, the presence of which in "small grain" fields will be cause for rejection. Follow-up inspections may be conducted to ensure weed control was sufficiently carried out to prevent prohibited noxious weed seeds from being harvested with the seed crop. Excessive objectionable weeds may be cause for rejection of a seed field. Excessive weeds, poor stands, lack of vigor, or other conditions which make inspection inaccurate may be cause for rejection. A field producing foundation or registered seed that warrants a rejection because of noxious weeds may be reclassified to certified blue tag class if upon reinspection the field meets certified blue tag standards.

(3) If a seed field is rejected for certification, the grower may reapply to the certifying agency and pay a fee for reinspection after the cause for rejection is corrected, unless otherwise specified in chapter 16-302 WAC. No more than two reinspections are permitted for each field per year.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-080, filed 9/25/14, effective 10/26/14. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 10-08-028, § 16-302-080, filed 3/31/10, effective 5/1/10. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-080, filed 12/4/00, effective 1/4/01.]

WAC 16-302-085 Withdrawing a field from inspection for seed certification. The applicant applying for seed certification may withdraw a field from field inspection for seed certification by notifying the certifying agency before the field is inspected.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-085, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-085, filed 12/4/00, effective 1/4/01.]

WAC 16-302-086 Agency power to reject certification. The certifying agency shall have the authority to reject from certification any lot of seed not meeting these regulations. The agency reserves the right to refuse certification on any lot of seed if, in the opinion of the certifying agency, the color appearance, or the condition of the seed might be detrimental to the certification program. The certifying agency has the authority to refuse certification if the labeling of containers is misleading or may tend to be confusing as to its contents.

Persons found guilty of violation or misuse or abuse of these regulations shall be subject to prosecution under chapter 15.49 RCW. Proof of violation may result in removal of privileges of certifying, dealing in or handling certified seed.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-086, filed 12/4/00, effective 1/4/01.]

WAC 16-302-090 Sampling—Methods used in the sampling, inspecting, testing, analyzing and examining seed for certification. (1) The terms used in seed testing and the methods of sampling, inspecting, analyzing, testing and examining seed for certification are those adopted by the AOSA as shown in WAC 16-301-010. Other testing methodologies such as, but not limited to, genetic testing may also be used to determine certification eligibility.

(2) The entire lot of seed must be cleaned, the quantity defined, and in condition for sale at the time of sampling, except for ryegrass, which may be sampled under the early sampling program as allowed in WAC 16-302-091.

(3) The department shall obtain a representative sample for laboratory analysis of each lot of seed for certification. The sample shall be taken in accordance with official sampling procedures. Official sampling procedures are as follows:

Seed in bags.

(a) When more than one core is drawn from a bag, follow different paths. When more than one handful is taken from a bag, take them from well-separated points.

(b) For lots of one to six bags, sample each bag and take a total of at least five cores or handfuls.

(c) For lots of more than six bags, sample five bags plus at least ten percent of the number of bags in the lot. Round numbers with decimals to the nearest whole number. Regardless of the lot size, it is not necessary to sample more than thirty bags.

Ex: No. bags in lots	7	10	23	50	100	200	300	400
No. bags to sample	6	6	7	10	15	25	30	30

(4) Bulk seed. To obtain a composite sample, take at least as many cores or handfuls as if the same quantity of seed were in bags of an ordinary size. Take the cores or handfuls from well distributed points throughout the bulk.

(5) Seed in small containers. Seed in small containers shall be sampled by taking the entire unopened container in sufficient number to supply a minimum size sample for testing. The contents of a single container or the combined contents of multiple containers of the same lot shall be considered representative of the entire lot of seed sampled.

(6) A mechanical sampling device installed in a conditioning plant approved by the department under WAC 16-302-125 may be used in lieu of the sampling procedures above. Hand samples taken during the conditioning process may also be used in lieu of the sampling procedures above.

(7) If it is necessary for a sample to be taken by the department, a sampling fee will be charged under provisions of chapter 16-303 WAC.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-090, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-090, filed 12/4/00, effective 1/4/01.]

WAC 16-302-091 Program for early sampling of ryegrass. The procedure for participating in the program for early sampling of ryegrass is as follows:

(1) Any company participating in this program must submit a report to the seed program listing the grower, acreage, variety, and field number of each field to be enrolled. This report must be filed by June 15th of each year. For fields that are in their second year of production or beyond, all lab numbers of tests from the previous year must also be provided.

(2) The seed company is responsible for having their field personnel sample each field in the windrow. The sample must be obtained from well-distributed points throughout the field. It is recommended that samples be thrashed and cleaned prior to testing. An additional fee will be charged for samples that are not cleaned. Samples must be forwarded to the seed program with the following information: The crop and variety, field number, grower, the name of the seed company, and a request for germination and fluorescence test. The sample must also indicate that it is being submitted under the early sampling program for ryegrass.

(3) At the time of conditioning the seed, a composite sample must be submitted to the seed program for purity testing. The sample information must indicate the seed is from a field under the early sampling program for ryegrass. In addition to providing complete certification information, the lab number on which the fluorescence test was conducted must also be provided. The seed program may run a fluorescence test on the composite sample to verify the results from the early sample.

(4) Certification tags will be issued upon completion of all required testing meeting the minimum certification standards for ryegrass. A tagging request must be filed with the seed program.

(5) Failure to comply with the requirements of this section will result in the disqualification of the seed company from the early sampling program for the year.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-091, filed 9/25/14, effective 10/26/14. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 02-12-060, § 16-302-091, filed 5/30/02, effective 6/30/02. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-091, filed 12/4/00, effective 1/4/01.]

WAC 16-302-095 Identification of seed containers with field or lot numbers. (1) The field number must be on all seed containers or bulk seed delivery documents to ensure identity when delivered to the seed conditioner.

(2) All seed for certification must be packaged in clean, new containers of uniform weight and identified with a lot number when tagged and sealed. The lot number must identify the producer and year of production for each lot of seed. This requirement may be satisfied by use of a conditioner's code.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-095, filed 12/4/00, effective 1/4/01.]

WAC 16-302-100 Seed certification—Prohibited noxious weed seed. The following are considered prohibited noxious weeds for the purpose of seed certification.

ENGLISH OR COMMON NAME	BOTANICAL OR SCIENTIFIC NAME
Austrian fieldcress	*Rorippa austriaca*
Field bindweed	*Convolvulus arvensis*
Hedge bindweed	*Calystegia* spp.
Camelthorn	*Alhagi maurorum*
Canada thistle	*Cirsium arvense*
Dodder	*Cuscuta* spp.
Hairy whitetop	*Lepidium appelianum*
Hoary cress	*Lepidium draba*
Jointed goatgrass and jointed goatgrass hybrids	*Aegilops cylindrica*
Leafy spurge	*Euphorbia esula*
Perennial pepperweed	*Lepidium latifolium*
Perennial sowthistle	*Sonchus arvensis*
Quackgrass	*Elymus repens*
Knapweed complex	
Bighead	*Centaurea macrocephala*

ENGLISH OR COMMON NAME	BOTANICAL OR SCIENTIFIC NAME
Vochin	*Centaurea nigrescens*
Black	*Centaurea nigra*
Brown	*Centaurea jacea*
Diffuse	*Centaurea diffusa*
Meadow	*Centaurea x moncktonii*
Russian	*Rhaponticum repens*
Spotted	*Centaurea stoebe* subsp. *australis*
Purple starthistle	*Centaurea calcitrapa*
Yellow starthistle	*Centaurea solstitialis*
Serrated tussock	*Nassella trichotoma*
Silverleaf nightshade	*Solanum elaeagnifolium* Cav.
Sorghum perennial such as, but not limited to, johnsongrass, sorghum almum, and perennial sweet sudangrass	*Sorghum* spp.
Tansy ragwort	*Jacobaea vulgaris*
Yellow-flowering skeleton weed	*Chondrilla juncea*
White cockle	*Silene latifolia (only in timothy)*
Bladder campion	*Silene vulgaris (only in timothy)*
Lepyrodiclis	*Lepyrodicilis holsteoides*
Velvetleaf	*Abutilon theophrasti*

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-100, filed 9/25/14, effective 10/26/14. Statutory Authority: Chapter 15.49 RCW. WSR 09-16-006, § 16-302-100, filed 7/22/09, effective 8/22/09. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-100, filed 12/4/00, effective 1/4/01.]

WAC 16-302-105 Seed certification—Objectionable weeds. The following weeds are considered objectionable noxious weeds for the purpose of seed certification.

ENGLISH OR COMMON NAME	BOTANICAL OR SCIENTIFIC NAME
Blackgrass or slender foxtail	*Alopecurus myosuroides*
Blue lettuce	*Lactuca tatarica*
Docks and sorrel	*Rumex* spp.
Field pennycress (fanweed)	*Thlaspi arvense*
Field sandbur	*Cenchrus spinifex*
Halogeton or clustered barilla salt	*Halogeton glomeratus*
Medusahead	*Taeniatherum caput-medusea* subsp. *caputmedusae*
Plantains	*Plantago* spp.
Poverty weed	*Iva axillaris*
Puncturevine	*Tribulus terrestris*
St. Johnswort	*Hypericum perforatum*
Dalmation toadflax	*Linaria dalmatica*
Yellow toadflax	*Linaria vulgaris*
Western ragweed	*Ambrosia psilostachya*
Wild mustard	*Sinapis arvensis subsp. arvensis*
Wild oat	*Avena fatua*
Gromwell (in small grain)	*Buglossoides arvensis*
Bedstraw	*Galium* spp. (in alfalfa only)
Black mustard	*Brassica nigra*
Brown mustard	*Brassica juncea* (in rapeseed or canola only)
Wild radish	*Raphanus raphanistrum*
Dyers woad	*Isatis tinctoria*

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-105, filed 9/25/14, effective 10/26/14. Statutory Authority: Chapter 15.49 RCW. WSR 09-16-006, § 16-302-105, filed 7/22/09, effective 8/22/09. Statutory Authority: Chapters 15.49, 17.24, and 34.05 RCW. WSR 06-01-111, § 16-302-105, filed 12/21/05, effective 1/21/06. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-105, filed 12/4/00, effective 1/4/01.]

WAC 16-302-110 Completion of seed certification—Tagging, labeling, or sealing. (1) The seed certification tag, label or seal is evidence of the genetic identity and purity of the contents must be attached to a container of certified seed prior to distribution. Seed that fails to meet certification standards because of genetic purity is not eligible for labeling.

(2) Seed certification tags, labels, and seals must be obtained from the certifying agency except as allowed in WAC 16-302-390, and must be attached to seed containers in accordance with the certifying agency's rules.

(3) Certification of seed is valid only if the tag, label or seal is affixed to each container in accordance with the AOSCA procedures as shown in WAC 16-301-010.

(4) No tag, label or seal may be removed and reused without permission of the certifying agency.

(5) A certified seed sale certificate will be issued upon completion of final certification for all seed to be sold in bulk. This certificate must accompany any shipment or transfers including those to other seed plants, out-of-state shipments or with any brokered seed. The seed plants own invoice may be used in lieu of a certified seed sale certificate for retail sales to growers. The invoice must contain the certification information from the certified seed sale certificate as well as labeling information as required in WAC 16-301-015, 16-301-020, and 16-301-030.

(6) Seed that fails to meet certification requirements on factors other than genetic purity may be designated substandard at the discretion of the certifying agency. The certification tag or label attached to the seed must clearly show the reason the seed is substandard. Seed may not be tagged sub-

standard if the seed can be remilled to meet minimum seed standards.

(7) Refer to chapter 16-301 WAC for seed labeling requirements.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-110, filed 9/25/14, effective 10/26/14. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 03-18-072, § 16-302-110, filed 8/29/03, effective 9/29/03. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-110, filed 12/4/00, effective 1/4/01.]

WAC 16-302-115 Limitation of liability—Certification. The issuance of a certified seed label or certificate by the certifying agency for a lot of seed affirms that seed has been produced and conditioned according to chapter 15.49 RCW and the certification rules adopted thereunder. The certifying agency makes no warranty, expressed or implied or any representation as to the freedom from disease or quality of certified seed.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-115, filed 12/4/00, effective 1/4/01.]

WAC 16-302-120 Labeling, advertising or other representation of seed—Prohibitions. It shall be deemed unlawful if any labeling, advertising, or other representation subject to chapter 15.49 RCW represents:

(1) Seed to be certified seed or any class thereof unless it has been determined by a seed certifying agency that such seed conforms to standards of purity and identity as to species (and subspecies, if appropriate), and variety, in compliance with the rules and laws of that agency pertaining to such seed.

(2) Seed to be foundation, registered, or certified seed unless it has been inspected and tagged accordingly by a certifying agency as meeting certification standards of the department.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-120, filed 12/4/00, effective 1/4/01.]

WAC 16-302-125 Conditioning seed in Washington state. (1) Under the authority of RCW 15.49.350, a seed conditioning facility must be inspected and approved by the department or its authorized agent prior to conditioning seed in Washington state. Upon approval by the department, a seed conditioning permit is issued and the facility is placed on a list of approved seed conditioning plants. A copy of the list can be obtained by contacting the department seed program.

(2) A person desiring to condition seed must make application to the department for a permit on a form provided by the department.

(3) To obtain department approval for a seed-conditioning permit, the department or its authorized agent conducts an inspection. A facility must show evidence that:

(a) Seed for certification is handled in a manner which prevents mixture of lots of seed;

(b) The seed conditioning facility is maintained and cleaned. Equipment must be easily accessible for cleaning and inspection, and must be cleaned between lots;

(c) Each lot of seed is identified with a lot number;

(d) Screenings are disposed of in accordance with chapter 15.49 RCW; and

(e) Seed is sampled in accordance with WAC 16-301-095, 16-302-090 and 16-302-091.

(4) A seed conditioning facility must be approved by the department prior to handling seed for certification in bulk.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-125, filed 9/25/14, effective 10/26/14. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 02-12-060, § 16-302-125, filed 5/30/02, effective 6/30/02. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-125, filed 12/4/00, effective 1/4/01.]

WAC 16-302-130 Responsibilities of a seed conditioner. (1) It is the responsibility of a department approved seed conditioner to operate in a manner that:

(a) Maintains the purity and identity of seed conditioned, stored, transshipped or labeled.

(b) Complies with the standards and procedures for conditioning and sampling seed in accordance with chapter 15.49 RCW and rules adopted thereunder.

(2) Prior to shipping seed out-of-state, adhere to WAC 16-302-145 through 16-302-165 for interagency seed certification requirements.

(3) Records of all operations must be complete and adequate to account for all incoming seed and final disposition of seed.

(4) The seed conditioner is responsible for seed certification fees including sampling, testing, production and final certification fees, and may request the responsibility for additional fees.

(5) Failure of a seed conditioner to comply with the seed law and rules is cause for the department to revoke a seed conditioning permit under the provisions of chapter 34.05 RCW, the Administrative Procedure Act.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-130, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-130, filed 12/4/00, effective 1/4/01.]

PART 2 - BLENDING OF CERTIFIED SEED

WAC 16-302-135 Considerations for blending seed. (1) Size of seed blend permitted is dependent on factors such as quality of seed lots to be blended and the conditioning plant facilities.

(2) A blend data sheet is filed with the certifying agency and must be maintained by the seed conditioner. Laboratory analysis must be completed before tags are issued.

(3) Seed must be blended by a seed conditioner approved by the department under WAC 16-302-125.

(4) A representative of the certifying agency may supervise the blending operation.

(5) A tetrazolium test may be used in lieu of a germination test.

(6) Field run lots of seed may be commingled to facilitate conditioning. The blend fee shall not apply.

(7) Remill lots of seed may be blended prior to testing to facilitate processing.

(8) Individual lots of grass seed shall not contain more than one hundred eighty per pound and alfalfa and clover

shall not contain more than ninety per pound of objectionable weed seeds.

(9) Individual lots must be free of prohibited noxious weed seeds.

(10) Two or more sod quality lots may be blended and tagged as a "sod quality mixture or blend." Appropriate tags will be issued and blend fee shall be applicable.

(11) Seed lots resulting from a blend of different certified classes may only be labeled at the lower class.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-135, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-135, filed 12/4/00, effective 1/4/01.]

WAC 16-302-140 Tagging seed blends prior to analysis. Blends are eligible for tagging prior to analysis of the official sample of the blend upon meeting the following conditions:

(1) The calculated percent of impurities (weeds, crop, inert, etc.) is twenty percent less than the maximum allowed in rules for seed certification.

(2) The calculated percent of germination is not less than the minimum germination standard established in the rule for seed certification.

(3) All seed lots blended meet certification standards.

(4) All lots of seed used in a registered class blend must meet registered class purity and germination standards.

(5) Fees for blending are payable to the department by the person requesting permission for the blend after completion of lab analysis. Refer to chapter 16-303 WAC for the appropriate fee.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-140, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-140, filed 12/4/00, effective 1/4/01.]

WAC 16-302-142 Standards for verification of turf seed ingredients. The general rules for seed certification are basic and together with the following specific requirements constitute the rules for certification identity of mixtures of different kinds of turf certified seed:

(1) A blend data sheet, including proof of certification, verifying the origin and the certifying agency along with the analysis and pounds of each lot must be submitted to the certifying agency for approval.

(2) Each lot of certified seed shall:

(a) Meet standards acceptable to the certifying agency.

(b) Be sampled under supervision of the certifying agency prior to mixing. The sample shall be obtained in accordance with official sampling procedures. The sample shall be identified with:

(i) The verification of certification, origin, and certifying agency;

(ii) The kind/variety;

(iii) The analysis and size of lot.

(3) The certifying agency reserves the right to:

(a) Refuse permission to use individual lots;

(b) Approve the equipment to be used and procedure to follow in mixing;

(c) Approve the containers and labeling to be used; and

(d) Sample the final mixture.

(4) The certifying agency will identify each container with an official certification label verifying that the individual lots used were certified seed lots.

(5) For a mixture to be labeled sod quality each component shall meet sod quality standards in WAC 16-302-410.

(6) Fees for turf seed mixing shall be the same as the current blend fee. Refer to chapter 16-303 WAC for appropriate fees.

[Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 02-12-060, § 16-302-142, filed 5/30/02, effective 6/30/02.]

PART 3 - INTERAGENCY SEED CERTIFICATION REQUIREMENTS

WAC 16-302-145 Interagency seed certification standards. (1) Interagency certification is the participation of two or more official certifying agencies in performing the services required to certify the same lot or lots of seed.

(2) The general rules for seed certification and specific certification standards are basic and together with WAC 16-302-150 through 16-302-165, constitute the rules for interagency certification for Washington state.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-145, filed 12/4/00, effective 1/4/01.]

WAC 16-302-150 Eligibility for interagency certification. (1) Seed recognized for interagency certification must be received in containers carrying official certification labels, accompanied by transfer certificates or other proper documentation showing evidence of its eligibility from another official certifying agency together with the following information:

(a) Variety and species;

(b) Quantity of seed;

(c) Class of seed; and

(d) Field or lot number traceable to the previous certifying agency's records.

(2) Seed tagged and sealed with official certification tags is eligible for interagency certification without obtaining approval from the certifying agency of the originating state.

(3) An "interagency certified seed" report form must be submitted to all certifying agencies involved. Forms can be obtained from the department seed program. Information required to complete the form includes:

Part A

- Name
- Address of shipper
- Destination
- Shipping weight
- Lot number and receiving weight
- Grower name
- Field number
- Date of seed shipment
- Amount of seed used
- Date shipment is received by the receiving state

Part B

- Clean weight
- Bag count
- New lot number if different than the receiving lot number

(4) Certified seed not tagged and sealed with official certification tags must follow the interagency certification procedure in WAC 16-302-155.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-150, filed 9/25/14, effective 10/26/14. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 03-18-072, § 16-302-150, filed 8/29/03, effective 9/29/03. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-150, filed 12/4/00, effective 1/4/01.]

WAC 16-302-155 Interagency seed certification procedure. Certified seed that is produced in Washington state and shipped out-of-state must comply with the interagency seed certification procedure.

(1) The interagency seed certification procedure for field pea, lentil, soybean, small grain and sorghum seed is as follows:

(a) A certified seed sale certificate must be executed by the department for unprocessed seed pending final certification when moved out-of-state.

(b) Unprocessed seed pending final certification is subject to all certification fees when moved out-of-state.

(2) The interagency seed certification procedure for all other kinds of seed except field pea, lentil, soybean, small grain and sorghum seed shipped out-of-state is as follows:

(a) Complete section (A) of "interagency certified seed" report referred to in WAC 16-302-150(3). One copy of the "interagency certified seed" report must be submitted to the department seed program and one copy to the certifying agency where seed is being processed.

(b) Clearly mark each container with the lot number and Washington field number.

(c) If the department is to finalize certification, upon completion of seed processing, section (B) of "interagency certified seed" report referred to in WAC 16-302-150(3) must be completed and submitted to the appropriate certification agency. A sample must be submitted to the department seed program.

(d) When Washington state certification tags are used, the lot must be tagged and sealed under supervision of the department. The applicant must pay a mileage fee and hourly rate for all additional mileage and travel time required.

(e) When Washington state interagency tags are used, the tags must be mailed to the nearest representative of the certifying agency having jurisdiction for tagging.

(f) If another state receives seed and finalizes certification, the department must advise the receiving state's certifying agency of certification eligibility. Sampling, testing, and tagging shall be in accordance with the receiving state's requirements.

(g) The applicant for interagency seed certification is responsible for all fees authorized under Washington's certification program and any additional fees that may be assessed by both agencies involved. Fees for Washington's interagency certification program must be paid upon submission to the department of the "interagency certified seed" report, section (A).

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-155, filed 9/25/14, effective 10/26/14. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 03-18-072, § 16-302-155, filed 8/29/03, effective 9/29/03. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-155, filed 12/4/00, effective 1/4/01.]

WAC 16-302-160 Interagency seed certification standards—Seed produced out-of-state. (1) Certified seed produced out-of-state and shipped into Washington state for processing is eligible for Washington interagency tags only after obtaining approval from the certifying agency of the originating state. The seed must then comply with Washington certification standards.

(2) Certified seed produced out-of-state that is officially tagged and sealed must be handled under the interagency program if seals are to be broken for reinoculation or other processing. The applicant for interagency seed certification must obtain approval from the department prior to breaking the official seals and all operations must be under the supervision of the certifying agency.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-160, filed 12/4/00, effective 1/4/01.]

WAC 16-302-165 Interagency certification requirements—Blends. Blends of different origin can be authorized only after obtaining approval from certifying agencies involved. Blends must comply with blend standards established by the department (see blending of certified seed in this chapter). Interagency tags used must show percentage of each origin involved.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-165, filed 12/4/00, effective 1/4/01.]

WAC 16-302-170 Other considerations in applying the standards for certification. (1) Any crop certification standard, with the exception of germination that is expressed as a percent will be derived from a test based on the minimum weight for purity analysis as specified in the 2013 AOSA rules for that crop unless otherwise specified in rule.

(2) Any crop certification standard that is based on a number per pound will be derived from a test based on the minimum weight for noxious weed seed examination as specified in the 2013 AOSA rules for that crop unless otherwise specified in rule.

(3) For species that have a high rate of inherent dormancy, it will be acceptable to use the percent of total viability instead of germination percentage for certification only. State and federal seed laws require seed be labeled on a germination test.

(4) For species or varieties that contain GMO (genetically modified organism) traits, herbicide resistant traits, or other novel traits, each seed lot may be required to meet minimum trait standards as defined by the breeder or trait owner. The variety description must define the trait. To determine the level of trait present, a test such as PCR (polymerase chain reaction) or specified bioassay test may be required. If a test is not otherwise available the variety owner must provide testing protocols to the department.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-170, filed 9/25/14, effective 10/26/14. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 10-08-028, § 16-302-170, filed 3/31/10, effective 5/1/10. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-170, filed 12/4/00, effective 1/4/01.]

PART 4 - PROCEDURES FOR ORGANIZATION FOR ECONOMIC COOPERATION AND DEVELOPMENT SCHEME FOR VARIETY CERTIFICATION (OECD)

WAC 16-302-210 Organization for Economic Cooperation and Development. The Organization for Economic Cooperation and Development (OECD) certification scheme is an international organization limited to federal government membership. The agricultural research service of the United States Department of Agriculture is responsible for implementing the OECD seed certification schemes in the United States. The department, by virtue of an agreement with the agricultural research service, United States Department of Agriculture, is authorized to implement OECD certification in Washington state.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-210, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-210, filed 12/4/00, effective 1/4/01.]

WAC 16-302-215 Crop standards for OECD variety certification. (1) With the exception of seed standards established in rule by the department and the OECD scheme for varietal certification, the general and specific crop certification standards are basic and, together with the following specific standards, constitute the rules for OECD varietal seed certification.

(2) Varieties eligible for OECD certification:

(a) Crop varieties of Unites States origin shall be eligible for OECD certification only if accepted into Washington state's certification program.

(b) Crop varieties, of origin other than United States, are eligible for OECD certification only if listed in OECD publication, *List of Cultivars Eligible for Certification*.

(3) Classes of seed eligible for OECD certification:

Washington and U.S. Seed Classes	Label Color	Equivalent OECD Seed Classes	OECD Label Color
Breeder	- - - -	Prebasic	White with diagonal violet stripe
Foundation	White	Basic	White
Registered	Purple	Basic	White
Certified	Blue	1st Generation Certified Seed	Blue
Certified produced from Certified	Blue	2nd Generation Certified Seed	Red

(a) Breeder or prebasic shall be planted to be eligible to produce basic white label.

(b) Foundation white label, registered purple label, or basic white label shall be planted to be eligible to produce 1st generation blue label.

(c) Certified or 1st generation blue label shall be planted to be eligible to produce 2nd generation red label.

(4) OECD seed stock sample. Each lot of OECD seed stock shall be sampled under supervision of the certifying agency before seals are broken. Samples are used as control for grow out test and a portion may be submitted to seed laboratory for analysis if deemed necessary. Seed stock lots without official tags will not be granted OECD approval.

(5) The department must obtain approval from the originating country for each OECD seed stock lot to be planted in the state of Washington for OECD production. Request for OECD approval is submitted by the seed program to ARS-Gastonia, North Carolina, which then contacts the originating country.

(6) Application for OECD certification and fees.

(a) Applicant desiring plantings to be eligible for OECD certification must submit applications and fees as required for certification of that crop under Washington state's certification standards. Certification requirements and procedures for each species shall be the genetic standards in Washington state's certification program supplemented by OECD standards and by the limitations specified by originating country; such as, length of stand and number of seed crops eligible. All OECD seed shall be sampled according to WAC 16-302-090 and tested prior to tagging. Seed lots may not be required to meet Washington's minimum purity or germination certified seed standards.

(b) Washington OECD eligible lots may, with approval of both agencies involved, be blended with OECD eligible seed of other state agencies. The applicant is responsible for all fees of both agencies involved.

(c) Seed produced out-of-state and processed in Washington must be OECD tagged by the state of origin.

(7) OECD tagging and sealing. OECD tags shall be printed and issued according to OECD rules. The department seed program shall issue an OECD reference number; e.g., (USA-W-78-000), which is printed on each tag. The department recommends that OECD reference numbers be stenciled on each bag. Additional statements on the OECD tag such as, "date of sealing," etc., must be kept to a minimum.

(8) Bagging sample of OECD lot. A bagging sample of each lot of OECD seed tagged is drawn under supervision of the certifying agency. One hundred to two hundred fifty grams of the sample must be held for the originating country, and the balance of the sample is used for required post control grow-out tests.

(9) OECD certificate. The seed program shall issue an OECD certificate showing:

(a) Species;

(b) Variety;

(c) Reference number;

(d) Date of sealing;

(e) Number of containers;

(f) Weight of lot, class of seed; and

(g) OECD reference number of seed stock used for each lot tagged and sealed upon receipt of tagging report and bagging sample.

One copy of the OECD certificate is to be mailed to the shipper, one copy is mailed to ARS-USDA, and one copy is for department seed program files.

(10) OECD grow-out tests. As prescribed by OECD rules, at least one of four domestic first generation lots and

every basic lot tagged and all lots of foreign varieties OECD tagged must be planted in grow-out tests.

(11) Special OECD fees. In addition to fees required by applicable Washington certification rules, an additional fee shall apply to all seed tagged OECD. Refer to chapter 16-303 WAC for the appropriate fee.

All fees are payable by the person requesting OECD certificate.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-215, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-215, filed 12/4/00, effective 1/4/01.]

PART 5 - SPECIFIC SEED CERTIFICATION STANDARDS

Alfalfa Seed Certification Standards

WAC 16-302-220 Standards for alfalfa seed certification. (1) The general seed certification definitions and standards in this chapter are basic and together with WAC 16-302-225 through 16-302-240 constitute the standards for alfalfa seed certification.

(2) Fees for seed certification are assessed by the certifying agency as established in chapter 16-303 WAC.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-220, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-220, filed 12/4/00, effective 1/4/01.]

WAC 16-302-225 Land requirements for alfalfa seed certification. Land requirements for the production of alfalfa seed crop are as follows:

(1) Prior to stand establishment an alfalfa seed crop of the same kind must not have been grown or planted on the land for four years for the production of foundation or registered class or one year for the production of certified class; except two years must elapse between the destruction of dissimilar varieties, which are varieties that differ by more than four or more points on a dormancy rating scale as reported by the National Alfalfa Variety Review board.

(2) Reseeding of an alfalfa seed field due to failure or partial failure of the first seeding may be done by referring to the guidelines in WAC 16-302-045(5).

(3) Ditchbanks, roadways, etc. adjacent to a certified alfalfa seed field must be free of volunteer alfalfa and prohibited noxious weeds.

(4) Volunteer alfalfa plants in the alfalfa seed field may be cause for rejection or reclassification of a seed field.

(5) No manure or other contaminating materials may be applied during the establishment and production period of the alfalfa seed stand.

[Statutory Authority: RCW 15.49.310 and chapter 34.05 RCW. WSR 06-15-138, § 16-302-225, filed 7/19/06, effective 8/19/06. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-225, filed 12/4/00, effective 1/4/01.]

WAC 16-302-230 Isolation requirements for alfalfa seed certification. Isolation requirements for the production of alfalfa seed crop are as follows:

(1) Alfalfa seed crop for certification must be isolated from all other alfalfa varieties or fields of the same variety not meeting varietal purity requirements for certification as follows:

	Fields less than five acres	Fields five acres or more
Foundation	900 feet	600 feet
Registered	450 feet	300 feet
Certified	165 feet	165 feet

(2) Isolation between different classes (generations) of the same variety of alfalfa seed crop must be as follows:

Class Being Produced	Distance required from fields planted with:	Fields less than five acres	Fields five acres or more
Foundation	Foundation or Registered	225 feet	150 feet
Registered	Registered or Certified	115 feet	75 feet
Certified	Certified	75 feet	45 feet

(3) In cases where an adjoining field is planted with a different variety of alfalfa, or alfalfa of a lower class, isolation may be obtained by measuring off the required strip in the certified seed crop field. This isolation strip may be mowed for hay or it may be harvested for uncertified seed under the following conditions:

(a) The grower must apply for certification of the entire alfalfa seed field and clearly stake off the isolation strip. The entire field must pass all certification requirements, except for isolation at time of inspection. The field report will show rejection due to lack of isolation.

(b) The grower must harvest and deliver to a department approved conditioning plant the seed from the certified portion of the field separately from the seed from isolation strip. After the seed is weighed and lotted in, the weight of the seed from the isolation strip is to be reported to the seed program. At this time the seed program records will indicate the field has passed certification.

(4) Isolation is not required in an alfalfa seed field producing certified class seed when the isolation zone is less than ten percent of the entire field being certified if there is a clear ten-foot line of demarcation between adjacent varieties. The isolation zone is the area calculated by the length of the common border with other varieties by average width of the certified field falling within the one hundred sixty-five-foot isolation distance requirement.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-230, filed 12/4/00, effective 1/4/01.]

WAC 16-302-235 Field tolerances for alfalfa seed certification. Field tolerances for the production of alfalfa seed are as follows:

	Field Producing*		
	Foundation	Registered	Certified
Other varieties	0.1%	0.5%	1.0%
Sweet Clover	none found	5 plants/acre	10 plants/acre
Red Clover	none found	4 plants/acre	20 plants/acre

* Prohibited noxious weeds must be controlled to prevent seed formation.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-235, filed 12/4/00, effective 1/4/01.]

WAC 16-302-240 Seed standards for alfalfa seed certification. (1) Seed standards for the production of alfalfa seed are as follows:

Purity	Foundation	Registered	Blue Tag Certified
Pure seed (minimum)	99.00%	99.00%	99.00%
Other crops (maximum)	.10%	.10%	.25%
Sweet clover (maximum)	none found	none found	90 per lb.
Inert matter (maximum)	1.00%	1.00%	1.00%
Weed seed (maximum)	.10%	.20%	.25%
Objectionable weed seeds (maximum)	none found	none found	18 per lb.
Germination (Min. total of germination and hard seed)	80.00%	85.00%	85.00%
or *Tetrazolium* (Min. total of Tetrazolium and hard seed)	82.00%	87.00%	87.00%

(2) Alfalfa seed must be free of prohibited noxious weed seeds and foundation class must be free of Brassica spp.

(3) One pound of seed will be examined for the presence of dodder.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-240, filed 12/4/00, effective 1/4/01.]

Bean Seed Certification Standards

WAC 16-302-245 Standards for bean seed certification. (1) The general seed certification standards and definitions in this chapter are basic and together with WAC 16-302-250 through 16-302-270 constitute the standards for bean seed certification.

(2) Fees for seed certification are assessed by the certifying agency as established in chapter 16-303 WAC.

(3) Prior to the planting of bean seed stock, the seed must be in compliance with the quarantine requirements found in chapter 16-301 WAC in order to be eligible for certification. Any seedling application submitted without proof of quarantine compliance will not be accepted into the certification program. Any seed field planted in violation of chapter 16-301 WAC will be subject to the procedures in WAC 16-301-435, 16-301-440, and 16-301-485.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-245, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-245, filed 12/4/00, effective 1/4/01.]

WAC 16-302-250 Definitions. For the purposes of WAC 16-302-245 through 16-302-270, the following definitions shall apply in addition to the definitions found in chapter 16-301 WAC:

"Adzuki bean" means Vigna angularis.

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

"Diseases" means those viral, fungal, and bacterial diseases of beans enumerated in WAC 16-301-380 and any new variations or strains of these identified in the future.

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

"Seed-borne viral diseases" includes bean common mosaic virus, adzuki common mosaic virus, and other similar viral diseases causing mosaic mottle and other symptoms similar to those of bean common mosaic virus.

[Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 02-12-060, § 16-302-250, filed 5/30/02, effective 6/30/02. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-250, filed 12/4/00, effective 1/4/01.]

WAC 16-302-255 Land requirements for bean seed certification. Land requirements for the production of bean seed are as follows:

(1) A field to be eligible for the production of certified class must not have been planted to beans of a different variety the preceding one year.

A field to be eligible for the production of foundation or registered classes must not have been planted to beans for the previous three years unless those beans were of the same variety of equal or higher class. The fields must be free of bacterial diseases during the previous two years of planting.

(2) A bean field is not eligible for production of certified seed for more than two consecutive years.

[Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 03-18-072, § 16-302-255, filed 8/29/03, effective 9/29/03. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-255, filed 12/4/00, effective 1/4/01.]

WAC 16-302-260 Field tolerances and requirements for bean seed certification. (1) Field tolerances and requirements for the production of a bean seed crop are as follows:

	Field Producing		
	Foundation	Registered	Certified
Percent of other varieties or off-type plants	none found	0.10	0.20
Percent of other crops (a)	none found	0.10	0.10
Percent of total seed-borne diseases (b)	none found	none found	none found

(a) Except as noted in subsection (6) of this section.

(b) See subsection (7) of this section.

(2) Snap and kidney beans must be isolated by 1320 feet from known bacterial blight.

(3) The following requirements apply to bean seed certification:

(a) Pintos, red Mexicans, pinks, great northern, small whites, navy beans, and black turtle beans may be grown for an unlimited number of generations under rill or sprinkler irrigation.

(b) Kidney beans, cranberry types, Taylor horticultural types, and Borlotto types may be grown for an unlimited

number of generations under rill irrigation or for one generation under rill irrigation and, subsequently, for two generations under sprinkler irrigation. The fourth and unlimited subsequent generations may be grown and inspected with the same alternation of irrigation types.

(4) Bean fields must be rogued of weeds, off-type plants, volunteer plants, and plants showing symptoms of seed-borne diseases. Excessive nightshade shall be a cause for rejection.

(5) For a bean field to be eligible for certification it must be clean and have boundaries that are clearly defined and a minimum of 36" which is adequate to prevent mechanical contamination.

(6) Excessive weeds, poor stands, lack of vigor, or any other condition which is apt to make inspection inaccurate may be cause for rejection of a bean field.

(7) Bean fields, including those planted with a dominant I-gene cultivar, must be in compliance with WAC 16-301-365 through 16-301-440.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-260, filed 9/25/14, effective 10/26/14. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 02-12-060, § 16-302-260, filed 5/30/02, effective 6/30/02. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-260, filed 12/4/00, effective 1/4/01.]

WAC 16-302-265 Seed field inspection requirements for bean seed certification. Seed field inspection requirements for the production of bean seed are as follows:

(1) When factors affecting certification are most evident. The second inspection, when required, shall be a windrow inspection.

(2) A serology or a grow out test to verify presence of seed-borne diseases in beans may be required if the applicant, or the certifying agency deems it necessary as allowed under WAC 16-301-480(1).

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-265, filed 12/4/00, effective 1/4/01.]

WAC 16-302-270 Seed standards for bean seed certification. Seed standards for the production of bean seed are as follows:

(1)

Purity	Foundation	Registered	Certified
Pure seed (Min.)	98%	98%	98%
Other crops & varieties (Max.)	none found	none found	2/100 lbs.
Badly damaged seed (Max.)		2%	2%
Inert matter (Max.)		2%	2%
Splits (Max.)		2%	2%
Weed seed (Max.)		none found	none found
Germination (Min.)		85%	85%

(2) Total inert matter, splits, and badly damaged bean seed shall not exceed 2% except for foundation class.

(3) Laboratory test reports state the percent of discolored beans for information only.

(4) Rough handling of bean seed in the combine or cleaning plant reduces germination materially. Precautions must be taken against such treatment and the seed safeguarded against high drops.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-270, filed 12/4/00, effective 1/4/01.]

Corn Seed Certification Standards

WAC 16-302-275 Standards for corn seed certification. (1) The general seed certification definitions and standards in this chapter are basic and together with WAC 16-302-280 through 16-302-315 constitute the standards for corn seed certification.

(2) Fees for seed certification are assessed by the certifying agency as established in chapter 16-303 WAC.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-275, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-275, filed 12/4/00, effective 1/4/01.]

WAC 16-302-280 Eligibility for corn seed certification. Eligibility for corn seed certification is as follows:

(1) Foundation corn inbred lines:

(a) For the purposes of corn seed certification, the propagation of male sterile inbred lines is subject to the same requirements and rules as apply to foundation single crosses in subsection (2) of this section.

(b) An inbred line must be a relatively true breeding strain of corn resulting from at least five successive generations of controlled self-fertilization; or at least five generations of back-crossing to a recurrent parent with selection; or its equivalent.

(c) Inbred lines increased by hand pollination are eligible for corn seed certification.

(d) An inbred used as a pollinator in a foundation single cross production corn field may be certified if all the seed parents in the isolated corn field are inspected for certification and meet all field requirements for certification.

(e) Addition of specific genetic factors to a line of corn.

(i) When a specific genetic factor(s) is added to an inbred line, the line must be backcrossed to its recurrent parent at least five generations. The line shall be homozygous for the specific genetic factor(s) except for the pollen restoration factor(s), and the genic male sterile maintainer line.

(ii) For a recovered pollen restorer inbred line, selection must be relative to a specific cytoplasmic male sterile source.

(iii) The originator must supply proof of the genetic nature of a recovered line.

(iv) A genic male sterile maintainer line, consisting of duplicate-deficient and male-steriles in an approximate one to one ratio must be no more than two generations removed from breeder's seed. The maintainer must be designated according to generation as:

(A) Breeder seed: The hand pollinated selfed seed from a known duplicate-deficient plant heterozygous at a particular male sterile locus.

(B) Foundation I seed: The product of random-mating among fertile plants arising from breeder seed.

(C) Foundation II seed: The product of random-mating among fertile plants arising from foundation I seed.

(v) A genic male sterile line must be a strain homozygous for a particular male sterile recessive allele.

(vi) The genic male sterile lines shall be identified as to the recessive genes they carry, e.g., B37 ms-1, N26 ms-10. The maintainer lines must be identified not only for the male sterile gene for which it is heterozygous, but also for the specific translocation from which it was derived, e.g., B37 Mt-1 ms-1, N28 Mt-1 ms-10.

(2) Foundation corn single crosses:

(a) Foundation single cross. A foundation single cross must consist of the first generation of a cross between: Two inbred lines; an inbred line and a foundation back cross; or two foundation back crosses.

(b) Foundation back-crosses:

(i) A first generation foundation back cross must be the first generation cross between a foundation single cross of related inbred lines and an inbred line which must be the same as one of the inbreds in the foundation single cross.

(ii) A second generation foundation back cross must be made by using a first generation back cross as the seed parent and the pollinating parent shall be an inbred line. The inbred line must be the same as the inbred parent used in making the first generation back cross seed parent.

(c) A male sterile line may be substituted for its fertile counterpart as one parent of a foundation single cross if the male sterile line has been backcrossed for not less than five generations to its fertile counterpart, or the male sterile line is the same in other characteristics as its fertile counterpart.

(d) Male sterile lines propagated by hand pollination will be are eligible for certification.

(e) A pollen restoring line may be substituted for its nonrestoring counterpart in a foundation single cross if the pollen restoring line is the same in other characteristics as its nonrestoring counterpart.

(3) Hybrid corn seed:

(a) Hybrid corn seed is seed to be planted for the production of feed or for use other than seed. It may be any one of the following:

(i) Double cross - The first generation cross between two foundation single crosses.

(ii) Three-way cross - The first generation cross between a foundation single cross as one parent and an inbred line or a foundation back cross as the other parent.

(iii) Single cross must consist of the first generation of a cross between: Two inbred lines; an inbred line and a foundation back cross; or of two foundation back crosses.

(b) Foundation single cross seed and foundation back cross seed planted for the production of double cross, single cross, or three-way cross hybrid corn seed must be completely certified by a recognized seed certifying agency.

(c) Inbred line seed planted for the production of single cross or three-way cross hybrid corn seed to be used for grain or forage production must meet the requirements for the definition of an inbred line (as provided for in subsection (1)(b) of this section) and be certified.

(d) Only the class "certified" is recognized.

(4) Inbred seed and the seed of each parent for single crosses must meet one of the following requirements:

(a) Be in the hands of the originator;

(b) Be a line obtained directly from the originator;

(c) Be a line obtained from a state agricultural experiment station;

(d) Be a line obtained from the United States Department of Agriculture; or

(e) Be certified. Evidence of eligibility must be a certification tag taken from the seed planted.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-280, filed 12/4/00, effective 1/4/01.]

WAC 16-302-285 Field inspection for corn seed certification. A representative of the certifying agency makes a minimum of three field inspections during the pollinating period for certification of corn seed. When the previous crop was corn, at least one additional inspection is made to verify that the field is sufficiently free of volunteer plants from the previous crop. Field inspections may be made without giving prior notice to the grower.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-285, filed 12/4/00, effective 1/4/01.]

WAC 16-302-290 Field standards for corn seed certification. Except for hybrid corn field standards for corn seed certification are:

(1) Corn seed isolation requirements are:

(a) An inbred must be so located that it is not less than 660 feet from other corn except when the inbred is grown as a pollinator in a single cross production field. Any ear parent(s) in the same isolated field must be entered for certification, inspected, and meet all field requirements for certification.

(b) A specific foundation single cross must be located so the seed parent is not less than six hundred and sixty feet from other corn for pollinator rows and other seed parent(s) in the same isolated field. All seed parent(s) in the same isolated field must be applied for certification, inspected, and meet all field requirements for certification.

(c) Differential maturity dates are permitted for modifying isolation distances for inbred lines or male sterile inbred line increases if there are no receptive silks in the ear or seed parent at the same time pollen is being shed in the contaminating field.

(d) Foundation inbred or single cross production fields of dent sterile popcorn need not be isolated from yellow dent field corn.

(e) Corrections for improper isolation must be made by one of the following methods:

(i) By completely destroying or by detasseling the necessary contaminating corn before silks appear in the ear or seed parent in the field to be certified; or

(ii) By completely destroying the plants which are improperly isolated from the contaminating corn before the final field inspection.

(2) For corn single crosses, nine feet is the maximum distance a seed parent row must be from a pollen parent row.

(3) For corn single crosses, the minimum population of pollen shedding plants per acre is two thousand. Ineffective pollen parent plants must not be counted.

(4) Corn single cross fields being inspected for certification must contain not less than four hundred pollen plants per

acre that are actively shedding pollen when more than twenty-five percent of the seed parent silks are apparently receptive.

(5) Corn single cross detasseling or pollen control. More than five percent of the seed parent must have apparently receptive silks for the following provisions to apply. Apparently receptive silks are emerged silks which are not wilted or brown.

(a) An isolation of a specific foundation single cross is not accepted for certification if at one inspection more than one-half percent of the stalks of the seed parent have shed pollen, or if the total number having shed pollen on any three days of inspection exceeds one percent.

(b) Cytoplasmic male sterile seed parent plants; detasseling (cutting or pulling) to control plant pollen is permitted.

(6) Corn field roguing:

(a) Definitely off-type plants must be destroyed completely so that suckers do not develop. Plants showing definite hybrid vigor or a definitely different type from the inbred or parent being inspected are classified as definitely off-type.

(b) For inbred lines, an isolation in which more than one-tenth of one percent (one per one thousand) of definitely off-type plants have shed pollen, when at the same time more than five percent of the plants have apparently receptive silks, is not certified.

(c) For single crosses, an isolation in which more than one-tenth of one percent of definitely off-type plants are present in the seed parent, when the silks have turned brown, is not eligible for certification.

(d) Sucker tassels and portions of tassels of off-type plants is counted as shedding pollen when two inches or more of the central stem, the side branches, or a combination of the two has the anthers extended from the glumes.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-290, filed 12/4/00, effective 1/4/01.]

WAC 16-302-295 Field standards for hybrid corn seed certification. Field standards for hybrid corn seed certification are:

(1) Hybrid corn seed isolation:

(a) A specific hybrid must be located so that the seed parent is not less than six hundred and sixty feet from corn of a different color or texture with the following exceptions:

(i) Hybrid seed production fields of dent sterile popcorn need not be isolated from yellow dent field corn; or

(ii) When the contaminating corn is of a different color or texture aggregating less than one-fourth acre on one exposure, the isolation distance may be modified in accordance with the table listed in this section.

(2) A specific hybrid corn must be located so that the seed parent is not less than four hundred and fifteen feet from other corn of the same color or texture. The planting of pollen parent border rows and the size of the crossing field according to the following table may modify this distance.

Field Size* = 1-20 Acres		Field Size* = 21 Acres or more	
Distance from other corn in feet	**Minimum border rows required**	**Distance from other corn in feet**	**Minimum border rows required**
415	0	415	0
395	1	375	1
375	2	330	2
355	3	290	3
330	4	250	4
310	5	210	5
290	6	165	6
270	7	125	7
250	8	85	8
230	9	45	9
210	10	less than 45	10
185	11		
165	12		
145	13		
125	14		
105	15		
85	16		

* Different dates of planting will not divide a field for isolation purposes but may divide the field for detasseling inspection.

(a) The border rows and pollen parent rows must be planted with certified first generation seedstock, must be shedding pollen simultaneously with silk emergence of the seed parent and must not be separated from the seed parent by more than thirty-three feet.

(b) A field planted with the same eligible pollen parent may be used as an isolation buffer if it is applied for certification, inspected and meets field requirements for certification.

(c) Full credit is not given where poor stands of border corn exist, where the border rows have been detasseled, or where, for any reason, the border rows are not shedding pollen as plentifully as the pollen parent rows. Because of the difficulty of obtaining and maintaining a good stand of corn, the planting of more than the minimum number of border rows is recommended.

(d) The maximum distance a seed parent row shall be from a pollen parent row is fifteen feet.

(3) Corrections for improper isolation of hybrid corn must be made by one of the following methods:

(a) By completely destroying or by detasseling the necessary contaminating corn before silks appear in the seed parent in the field to be certified; or

(b) By completely destroying the seed producing plants that are improperly isolated from contaminating corn before the final field inspection.

(4) Hybrid corn detasseling or pollen control. More than five percent of the stalks of the seed parent must have apparently receptive silks for the following provisions to apply. Apparently receptive silks are emerged silks which are not wilted or brown.

(a) An isolation is not accepted for certification if upon inspection by the certifying agency more than one percent of the stalks of the seed parent have shed pollen, or if the total number having shed pollen on any three days of inspection exceeds two percent.

(b) When more than one combination of hybrid corn is grown in the same isolation and the seed parent of one or more is shedding pollen in excess of one percent, all seed parents having five percent or more apparently receptive silks at the time is disqualified for certification unless adequately isolated from the shedding seed parent.

(c) Sucker tassels and portion of tassels are counted as shedding pollen when two inches or more of the central stem, the side branches, or a combination of the two have the anthers extended from the glumes.

(5) A male sterile seed parent may be used to produce certified hybrid corn seed by either of two methods:

(a) Seed of the normal fertile seed parent is mixed with the seed of the male sterile seed parent of the same pedigree either by blending in the field at harvest or by size at conditioning time. The ratio of male sterile seed parent seed to normal seed parent seed does not exceed two to one.

(b) The male parent involves a certified pollen restoring line or lines so that not less than one-third of the plants grown from the hybrid corn seed produce pollen that appears to be normal in quantity and viability.

(6) Hybrid corn roguing:

(a) Definitely off-type plants in a parent line planted for the production of single cross or three-way cross hybrid corn seed to be used for grain or forage production must be completely destroyed so that suckers do not develop.

(b) Plants showing definite hybrid vigor or a definitely different type from the parent being inspected must be classified as definitely off-type.

(c) An isolation in which more than two-tenths of one percent of definitely off-type plants in the parent or parents have shed pollen, at a time when more than five percent of the seed parent plants have apparently receptive silks, is disqualified for certification.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-295, filed 12/4/00, effective 1/4/01.]

WAC 16-302-300 Seed inspection for foundation corn single crosses and inbred lines certification. The following applies for certification of corn single crosses and inbred lines: When excessive off-type or different textured kernels are observed at the time of ear inspection by the certifying agency and the off-type kernels are detectable in the shelled seed, the seed certification applicant may have the option of shelling the ears to attempt to remove the kernels by mechanical or other means. The sampled seed after conditioning must not contain in excess of three-tenths of one percent of the off-type kernels.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-300, filed 12/4/00, effective 1/4/01.]

WAC 16-302-310 Seed inspection and standards for hybrid corn seed certification. Seed inspection and standards for hybrid corn seed certification are as follows:

(1)	**Genetic Factor**	**Standard Certified Class**
	Other varieties and off-types (maximum)	0.5%
	Off-textured kernels in opaque 2, flowery 2 and waxy (maximum)	1.0%
(2)	**Quality Factors**	**Standards**
	Pure seed (minimum)	98.0%
	Total other crops - including other varieties (maximum)	0.5%
	Total weed seed (maximum)	None found
	Total inert matter (maximum)	2.0%
	Germination (minimum)	90.0%
	Moisture (maximum)	14.0%

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-310, filed 12/4/00, effective 1/4/01.]

WAC 16-302-315 Ear inspection and winter growouts for certification of foundation corn single crosses and inbred lines. Ear inspection and winter growouts for certification of foundation corn single crosses and inbred lines are:

(1) Foundation single crosses and inbred lines is either inspected in the ear or included in a winter growout.

(2) Foundation corn single crosses and inbred lines for ear inspection are inspected by the certifying agency after the applicant for seed certification indicates the seed is sorted and ready for inspection.

(3) A corn seed lot must not contain in excess of one-tenth of one percent of definitely off-type ears, or more than five-tenths of one percent of ears with off-colored or different textured kernels which would not exceed a total of twenty-five off-colored seeds, or different textured kernels per one thousand ears.

(4) Winter growouts for foundation corn single crosses and inbred lines:

(a) When differential maturity dates or detasseling within the required isolation distance are permitted for modifying isolation distances for corn foundation male sterile inbred line increases or foundation inbred lines, winter growouts are required in addition to other standards.

(b) The applicant may choose to have a winter growout in lieu of ear inspection.

(c) Seed shelled before ear inspection must be included in a winter growout.

(d) Standards for winter growouts are:

(i) Percentage of off-types allowed must not exceed one percent.

(ii) Growouts are made on one round and/or flat separation, or on individual grade sizes.

(iii) The inspection fee for winter growouts are charged to the applicant for seed certification at actual cost.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-315, filed 12/4/00, effective 1/4/01.]

Grass Seed Certification Standards

WAC 16-302-320 Standards for grass seed certification. (1) The general seed certification definitions and standards in this chapter are basic and together with WAC 16-

302-325 through 16-302-360 constitute the standards for grass seed certification.

(2) Each lot of seed stock subject to the annual bluegrass and rough bluegrass quarantine as established in chapter 16-301 WAC must be in compliance with the quarantine requirements prior to planting in order to be eligible for certification. Any seedling application submitted without proof of quarantine compliance will not be accepted into the certification program. Any seed field planted in violation of chapter 16-301 WAC will be subject to the violation procedures under WAC 16-301-295 and 16-301-355.

(3) Fees for seed certification are assessed by the certifying agency as established in chapter 16-303 WAC.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-320, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-320, filed 12/4/00, effective 1/4/01.]

WAC 16-302-325 Land requirements for grass seed certification. (1) Land requirements for production of grass seed are as follows:

(a) A grass field planted with breeder seed for the production of foundation seed must not have been seeded to the same species, subspecies, variety, or strain of grass during the preceding five years of planting. The field must be planted in spaced rows. The five-year eligibility may be waived to three years with the use of fumigants and other short-term soil sterilization chemicals with prior approval of the certifying agency.

(b) A grass field planted with foundation seed for the production of registered seed must not have been seeded to the same species, subspecies, variety, or strain of grass during the preceding three years.

(c) A grass field planted with foundation, registered, or certified seed for the production of certified seed must not have been seeded to the same species, subspecies, variety or strain of grass during the preceding year from planting unless the previous planting was of the same variety and eligible to produce foundation, registered or certified seed.

(d) Reseeding of a grass field because of failure or partial failure of the first seeding may be done by referring to the guidelines in WAC 16-302-045(5).

(e) Grasses of the same kind growing in fencerows and other areas adjacent to the field must be controlled to prevent blooming.

(f) Prohibited noxious weeds in the field, or on ditchbanks, roadways, etc., adjacent to a certified field shall be controlled to prevent seed formation.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-325, filed 12/4/00, effective 1/4/01.]

WAC 16-302-330 Field isolation requirements for grass seed certification. (1) The field isolation requirements for grass seed are as follows:

(a) A seed field eligible for the production of foundation, registered or certified seed must be isolated from any other variety or strain of the same species in accordance with the requirements in the following table:

Symbol for Type of Reproduction	Minimum Isolation Distance Required for Fields Producing: Foundation	Registered	Certified
Strains at least 80% Apomictic A	60 feet	30 feet	15 feet clean fallow
Highly Self-Fertile Species—S	60 feet	30 feet	15 feet clean fallow
All cross-pollinated Species—C	900 feet	300 feet	165 feet

(b) A seed field that is eligible for the production of foundation or registered seed must be isolated from different classes of the same variety of cross-pollinated (C) species in accordance with the requirements in the following table:

Class Seed Planted	Class Seed Produced	Distance Required From Nearest Field Producing:	
Breeder	Foundation	Registered	150 feet
Breeder	Foundation	Certified	225 feet
Foundation	Registered	Certified	75 feet

(c) Isolation is not required in fields producing certified class seed when the isolation zone is less than ten percent of the entire field being certified if there is a clear (ten feet) line of demarcation between adjacent varieties. The isolation zone is the area calculated by the length of the common border with other varieties by average width of the certified field falling within the one hundred sixty-five feet isolation distance requirement.

(d) A field eligible for the production of foundation, registered or certified seed must be isolated from classes of the same variety of apomictic (A) and self-fertile (S) species in accordance with the following requirements:

(i) A field producing foundation or registered seed must be a minimum of fifteen feet from a field planted with a different class of the same variety.

(ii) A field producing certified seed must be a minimum of five feet from a field planted with a different class of the same variety.

(e) If it is not possible to provide minimum isolation distances for fields producing foundation, registered or certified seed exceeding five acres in area, border removal is permitted. Border removal requires removal of the portion of the field being certified that is adjacent to a contamination source. The following requirements apply if the grower uses border removal:

(i) The minimum distances required for border removal are as follows:

Border to be removed from the field being certified	Minimum Isolation Distance Required for Fields Producing: Foundation	Registered	Certified
0 feet	900 ft.	300 ft.	165 ft.
15 feet	450 ft.	150 ft.	75 ft.

(ii) The grower must apply for seed certification of the entire field and clearly stake off the border removal portion before inspection of the field by the certifying agency.

(f) The border removal portion of the field may be harvested for uncertified seed under the following conditions:

(i) The entire field must pass all certification requirements except for isolation at time of inspection. The field report will show rejection due to lack of isolation.

(ii) The grower must harvest and deliver to a department approved conditioning plant the seed from the certified portion of the field separately from the seed from the isolation strip. After the seed is weighed and logged in, the weight of the seed from the isolation strip is to be reported to the seed program. At this time the seed program records will indicate the field has passed certification.

[Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 02-12-060, § 16-302-330, filed 5/30/02, effective 6/30/02. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-330, filed 12/4/00, effective 1/4/01.]

WAC 16-302-335 Field inspection tolerances for grass seed certification. (1) Field tolerances for the production of foundation, registered or certified grass seed are as follows:

Maximum other varieties permitted in fields producing:

Foundation:	0%
Registered:	0.5%
Certified:	2%

(2) Prohibited noxious weeds must be controlled to prevent seed formation.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-335, filed 12/4/00, effective 1/4/01.]

WAC 16-302-385 Grass seed standards for certification. The seed standards for grass shall be as follows:

SEED STANDARDS

CROP AND TYPE OF REPRODUCTION AS PER WAC 16-302-330		MINIMUM % GERM (d)(n)		MINIMUM % PURE		MAXIMUM % INERT		MAXIMUM % WEEDS (b)		MAXIMUM % OTHER CROPS		MAXIMUM SEEDS OF OTHER CROP GRASS SPECIES		
A Apomictic C Cross Pollinated S Highly Self Fertile		FNDT. REG.	CERT.	FNDT. REG.	CERT.	FNDT. REG.	CERT.	FNDT. REG.	CERT.	FNDT. (i) REG. (i)	CERT. (a)	FNDT. SEEDS/ lb.	REG. SEEDS/ lb.	CERT. %
BLUEGRASS														
Big	(A)	70	70	90	90	10	10	0.05	0.30	0.10	0.50	45/lb.	454/lb.	0.25
Canby	(A)	70	70	90	90	10	10	0.05	0.30	0.10	0.50	45/lb.	454/lb.	0.25
Kentucky	(A)	80	80	97	97	3	3	0.05	0.30	0.10	0.50	45/lb.	454/lb.	0.25
Canada & Upland	(A)	80	80	96	92	4	8	0.05	0.30	0.10	0.50	45/lb.	907/lb.	0.25
Rough	(A)	75	75	95	95	5	5	0.30	0.30	0.10	0.50	45/lb.	454/lb.	0.25
BROMEGRASS														
Smooth & Meadow	(C)	80	85	95	95	5	5	0.05	0.30 (c)	0.10	0.50	9/lb.	91/lb.	0.25
California, Mountain & Sweet	(C)	85	85	95	95	5	5	0.30	0.30 (c)	0.10	1.0	9/lb.	91/lb.	0.25
DEERTONGUE	(C)	50	50	97	95	3	5	0.50	0.50 (c)	1.0	1.0	1%	-	-
FESCUE														
Tall & Meadow	(C)	80	85	95	97	5	3	0.03	0.30 (c)	0.10	0.50	18/lb.	91/lb.	0.25
Blue, Hard & Sheep (m) Turf Type (o)	(C)	80	85	95	97	5	3	0.03	0.30 (c)	0.10	0.50	9/lb.	45/lb.	0.25
Reclamation/Range Type (o)		80	85	95	92	5	8	0.03	0.30 (c)	0.10	0.50	9/lb.	45/lb.	0.25
Chewings Red, Idaho and other Fescue	(C)	80	90	95	97	5	3	0.03	0.30 (c)	0.10	0.50	9/lb.	45/lb.	0.25
ORCHARDGRASS	(C)	80	85	92	92	8	8	0.03	0.30 (c)	0.10	0.50	27/lb.	91/lb.	0.25
			80 for penlate & latar											
RYEGRASS	(C)	85	90 (l)	96 (k)	97 (k)	4	3	0.10	0.30 (c)	0.10	0.50	9/lb.	45/lb.	0.25
Pennfine		80	85	96 (k)	97 (k)	4	3	0.10	0.30 (c)	0.10	0.50	9/lb.	45/lb.	0.25
TIMOTHY		80	85	97	97	3	3	0.10	0.30	0.10	0.50	9/lb.	45/lb.	0.25
WHEATGRASS														
Beardless	(C)	80	85	90	90	10	10	0.10	0.30 (c)	0.10 (e)	0.50 (e)	9/lb.	45/lb.	25
Bluebunch & Snake River	(C)	80	85	90	90	10	10	0.10	0.30 (c)	0.10 (e)	0.50 (e)	9/lb.	45/lb.	25
Intermediate, Tall Pubescent	(C)	80	85	95	95	5	5	0.10	0.30 (c)	0.10 (e)	0.50 (e)	9/lb.	45/lb.	0.25
Western, R/S, Streambank, Thickspike (p)	(C)	80	85	90	90	10	10	0.10	0.30 (c)	0.10 (e)	0.50 (e)(p)	9/lb.	45/lb.	0.25
Slender	(S)	80	85	90	95	10	5	0.10	0.30 (c)	0.10 (e)	0.50 (e)	9/lb.	45/lb.	0.25
Crested & Siberian	(C)	80	85	90	95	10	5	0.10	0.30 (c)	0.10 (e)	0.50 (e)	9/lb.	45/lb.	0.25
INDIAN RICEGRASS	(S)	80 (j)	80 (j)	95	90	5	10	0.30	0.50	0.50	1.0	9/lb.	45/lb.	0.25

CROP AND TYPE OF REPRODUCTION AS PER WAC 16-302-330		MINIMUM % GERM (d)(n)		MINIMUM % PURE		MAXIMUM % INERT		MAXIMUM % WEEDS (b)		MAXIMUM % OTHER CROPS		MAXIMUM SEEDS OF OTHER CROP GRASS SPECIES		
A Apomictic C Cross Pollinated S Highly Self Fertile		FNDT. REG.	CERT.	FNDT. REG.	CERT.	FNDT. REG.	CERT.	FNDT. REG.	CERT.	FNDT. (i) REG. (i)	CERT. (a)	FNDT. SEEDS/ lb.	REG. SEEDS/ lb.	CERT. %
PUCCINELLIA distans Alkaligrass	(C)	80	80	90	95	5	5	0.30	0.50	0.50	1.0	45/lb.	454/lb.	0.25
WILDRYE	(C)	80	80	90	90	10	10	0.10	0.30 (c)	0.10	0.50	9/lb.	45/lb.	0.25
BENTGRASS	(C)	85	85	98	98	2	2	0.30	0.40 (f)(g)	0.20	0.60 (h)	-	-	-
REDTOP	(C)	80	80	92	92	8	8	0.30	0.50 (f)	0.50	0.20	-	-	-
Ann. CANARYGRASS	(C)	85	85	99	99	1	1	0.10	0.30	1/lb.	3/lb.	-	-	-
HAIRGRASS Slender Tufted	(C)	75	70	92	90	8	10	0.30	0.60	0.10	0.50	-	-	-
BERMUDAGRASS	(C)	-	80	-	97	-	3	-	0.20	-	0.25	-	-	-
GREEN NEEDLEGRASS	(C)	80	80	80	80	20	20	0.10	0.30	0.10	0.50	-	-	-
SWITCHGRASS	(C)	60	60	90	90	10	10	0.50	1.50	0.10	0.25	-	-	-

The following (a) - (p) are notes to the above table.

(a) Not to exceed 0.25% other grass species for blue tag seed.

(b) Grass seed must not contain more than 45/lb. for registered seed 91/lb. for certified seed, singly or collectively, of objectionable weed seeds. (See (f) of this subsection for certified bentgrass and redtop exemption.) Grass seed shall be free of the seed of prohibited noxious weeds.

(c) A tolerance of 0.50% may be allowed for samples containing weedy *Bromus* spp. provided the total of all other weed seeds does not exceed 0.30%.

(d) A standard tetrazolium (two hundred seed) test may be used in lieu of germination test. NOTE: State and federal seed laws require seed be labeled on a germination test.

(e) A tolerance of 0.80% may be allowed in registered and certified wheatgrass containing small grain seed provided the total of all other crop seed does not exceed 0.10% for registered class and 0.50% for certified class.

(f) Certified seed must not contain over 907 seeds per pound, singly or collectively, of the following weeds: *Plantago* spp., big mouse-ear chickweed, yarrow, spotted cat's ear, and dandelion.

(g) A maximum of 0.50% weed seed may be allowed in certified bentgrass containing silver hairgrass provided the total of all other weed seed does not exceed 0.40%.

(h) 1.50% other fine bentgrasses and 0.50% redtop may be allowed in certified bentgrass containing a minimum of 98% total bentgrass.

(i) A crop exam is required for all registered and foundation class grass seeds.

(j) Or 70% by Tz test.

(k) Maximum other ryegrass allowed as determined by fluorescence test: Foundation 0.10%, registered 1%, certified 2% for annual and 3% for perennial containing a minimum of 97% total ryegrass. Acceptable fluorescence levels for specific varieties available upon request.

(l) 85% minimum germination allowed on ryegrass varieties as designated by the breeder or variety owner. See list maintained by the seed program.

(m) An ammonia test is required on hard, Idaho, blue and sheep fescue to determine presence of other *Festuca* sp. Other fine-leaved fescue found in the ammonia test will be included with other crop not other grass species.

(n) Total viability as allowed in WAC 16-302-170 can be substituted for germination percentage.

(o) Turf type fescues 97% pure seed. Range/reclamation types 92% pure seed. Varietal designation of turf or range/reclamation types is to be made by the breeder or variety owner. If no designation is made, the variety will be considered a turf type.

(p) 10% slender wheatgrass is allowed in the certified class of Critana and 5% *Elymus* species allowed in the certified class of Schwendimar, provided that the total of all other grass species does not exceed 0.25% and total other crop, including all other grass species does not exceed 0.50%.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-385, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.301, 15.49.370(4), and chapter 34.05 RCW. WSR 11-06-023, § 16-302-385, filed 2/24/11, effective 3/27/11. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 10-04-029, § 16-302-385, filed 1/26/10, effective 2/26/10. Statutory Authority: RCW 15.49.310 and chapter 34.05 RCW. WSR 06-15-139, § 16-302-385, filed 7/19/06, effective 8/19/06. Statutory Authority: RCW 15.49.310, 15.49.370(3) and chapter 34.05 RCW. WSR 04-08-044, § 16-302-385, filed 3/31/04, effective 5/1/04. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 03-18-072, § 16-302-385, filed 8/29/03, effective 9/29/03; WSR 02-12-060, § 16-302-385, filed 5/30/02, effective 6/30/02. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-385, filed 12/4/00, effective 1/4/01.]

WAC 16-302-390 Inspection and final grass seed certification fees—Options. Inspection and final grass seed certification fees are based on the following options:

(a) **Option A -** Certification is based on pounds of seed sampled, and billed at completion of required laboratory tests, the fees are as listed in WAC 16-303-330 (5)(a):

(b) **Option B -** Certification is based on dealers requesting sampling and tagging privileges. Seed dealers must sign a memorandum of agreement with the department that expires on June 30 of each year. The memorandum may be terminated by the director if the dealer violates certification standards or requirements of memorandum. Payment of fees is the responsibility of the conditioner under this program. Upon termination or nonrenewal of the memorandum of agreement, the dealer is responsible for Option A fees on all certified seed not tagged at termination date. A dealer choosing this program must handle all certified grasses in his warehouse under this program for the entire crop year.

Fees are listed in WAC 16-303-330 (5)(b).

[Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 02-12-060, § 16-302-390, filed 5/30/02, effective 6/30/02. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-390, filed 12/4/00, effective 1/4/01.]

Sod Quality Certification

WAC 16-302-395 Standards for sod quality seed certification. (1) The general seed certification definitions and standards in this chapter and the grass seed certification standards are basic and together with WAC 16-302-400 through 16-302-410 constitute the standards for sod quality seed certification.

(2) Fees for seed certification are assessed by the certifying agency as established in chapter 16-303 WAC.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-395, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-395, filed 12/4/00, effective 1/4/01.]

WAC 16-302-400 Varieties eligible, certification fees, land and isolation requirements and field tolerances. The varieties eligible and certification scheme of each; the certification fees; the land requirements; the isolation requirements; and field tolerances shall be as listed in grass seed certification standards and fees.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-400, filed 12/4/00, effective 1/4/01.]

WAC 16-302-410 Standards for sod quality seed. (1) Except for ryegrass sod quality seed, seed standards for sod quality grass seed are as follows:

Variety	Minimum % Pure	Minimum % Germination	Maximum% Other Crops (a)	Maximum% Weeds (b)
Kentucky Bluegrass	97	80	0.10	0.02
Red Fescue	98	90	0.10	0.02
Chewings Fescue	98	90	0.10	0.02
Tall Fescue	98	85	0.10	0.02

(a) Must be free of ryegrass, orchardgrass, timothy, *Agrostis* sp., black medic, *Poa trivialis*, brome, reed canarygrass, tall fescue, clover, and meadow foxtail. Maximum allowable Canada bluegrass 0.02%. When the base sample is one of these kinds, the species will not be considered a contaminant (i.e., tall fescue in tall fescue).

(b) Must be free of Big, Canby and Sandberg bluegrass, dock, chickweed, crabgrass, plantain, short-awn foxtail, annual bluegrass, velvetgrass, *Vulpia* sp., and noxious weed seeds as listed under WAC 16-302-100 and 16-302-105.

(2) Seed standards for sod quality ryegrass seed are as follows:

Variety	Minimum% Pure	Germination % (d)	Other Crops % (a)	Maximum % Weeds (c)
Ryegrass (b)	98	90	0.10	0.02

(a) Must be free of black medic, orchardgrass, timothy, *Agrostis* sp., *Poa trivialis*, brome, reed canarygrass, tall fescue, clover and meadow foxtail. Maximum allowable Canada bluegrass 0.02%.

(b) Maximum fluorescence levels as determined by breeder or variety owner.

(c) Must be free of Big, Canby and Sandberg bluegrass, dock, chickweed, crabgrass, plantain, annual bluegrass, velvetgrass, *Vulpia* sp., short-awn foxtail, and noxious weed seeds as listed under WAC 16-302-100 and 16-302-105. An additional 0.07% of weedy *Bromus* spp. will be allowed.

(d) 85% minimum germination allowed on ryegrass varieties as designated by the breeder or variety owner. See list maintained by the seed program.

(3) A sod seed analysis certificate is the basis of determining if a lot meets sod quality standards. This certificate is issued by the certifying agency and represents a purity analysis, a twenty-five gram noxious all weed all crop exam and a germination test, except a 50-gram noxious all weed all crop exam is required for fescues and ryegrass.

(4) In addition to a seed certification tag, seed meeting sod quality certified seed standards will be tagged with a special "sod quality seed" tag.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-410, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.310 and chapter 34.05 RCW. WSR 06-15-137, § 16-302-410, filed 7/19/06, effective 8/19/06. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 03-18-072, § 16-302-410, filed 8/29/03, effective 9/29/03; WSR 02-12-060, § 16-302-410, filed 5/30/02, effective 6/30/02. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-410, filed 12/4/00, effective 1/4/01.]

Sudangrass Certification Standards

WAC 16-302-415 Standards for sudangrass certification. (1) The general seed certification definitions and standards in this chapter are basic and together with WAC 16-302-420 through 16-302-435 constitute the standards for sudangrass seed certification.

(2) Fees for seed certification are assessed by the certifying agency as established in chapter 16-303 WAC.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-415, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-415, filed 12/4/00, effective 1/4/01.]

WAC 16-302-420 Land requirements for sudangrass seed certification. The land requirements for the production sudangrass are as follows:

(1) A field planted for all foundation, registered, and certified classes of sudangrass seed must not have grown or been seeded to sudangrass or sorghum during the preceding two years.

(2) Reseeding of a field, because of failure or partial failure of the first seeding may be done by referring to the guidelines in WAC 16-302-045(5).

(3) Prohibited noxious weeds in the field and on ditchbanks, roadways, etc., adjacent to a certified field shall be controlled to prevent seed formation.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-420, filed 12/4/00, effective 1/4/01.]

WAC 16-302-425 Isolation requirements for sudangrass seed certification. Sudangrass for certification of the foundation, registered, and certified classes must be isolated from all other sudangrass not meeting the same varietal

purity requirements for certification or from sorghum by a minimum of nine hundred ninety feet.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-425, filed 12/4/00, effective 1/4/01.]

WAC 16-302-430 Field tolerances for sudangrass certification. Maximum other varieties permitted in field inspection for certification shall be as follows:

(a) Foundation seed field. . . 1 plant/50,000 plants

(b) Registered seed field . . . 1 plant/35,000 plants

(c) Certified seed field . . . . 1 plant/20,000 plants

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-430, filed 12/4/00, effective 1/4/01.]

WAC 16-302-435 Sudangrass lot standards for certification. Lot standards for certification of sudangrass are as follows:

Purity	Foundation	Class Registered	Certified
Pure seed (min.)	98.0%	98.0%	98.0%
Inert material (max.)	2.0%*	2.0%*	2.0%*
Other crop (max.)	0.01%	0.03%	0.08%
Weed seed (max.)	0.10%	0.10%	0.10%
Prohibited or restricted noxious weed seeds	none found	none found	none found
Germination (min.)	85.0%	85.0%	85.0%

* Inert matter must not contain more than 0.5% of material other than seed fragments of the variety under consideration.

[Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 02-12-060, § 16-302-435, filed 5/30/02, effective 6/30/02. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-435, filed 12/4/00, effective 1/4/01.]

Flax Certification Standards

WAC 16-302-445 Standards for flax certification. (1) The general seed certification definitions and standards in this chapter are basic and together with WAC 16-302-450 through 16-302-455 constitute the standards for flax certification.

(2) Fees for seed certification are assessed by the certifying agency as established in chapter 16-303 WAC.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-445, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-445, filed 12/4/00, effective 1/4/01.]

WAC 16-302-450 Field standards for flax certification. Isolation must be an adequate distance to prevent mechanical mixture.

Maximum permitted-ratio of heads or plants.

Foundation	Registered	Certified
1:5000	1:2000	1:1000

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-450, filed 12/4/00, effective 1/4/01.]

WAC 16-302-455 Seed standards for flax certification.

Standards for each class

Factor	Foundation	Registered	Certified
Pure seed (min.)		98%	97%
Inert matter (max.)		2%	3%
Weed seed (max.)*		.1%	.2%
Other crop seed (max.)		.1%	.2%
Germination (min.)		80%	80%

* Flax must be free of prohibited and objectionable noxious weed seed.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-455, filed 12/4/00, effective 1/4/01.]

Woody Plants and Forbes Certification Standards

WAC 16-302-460 Standards for woody plants, Forbes, and other reclamation species certification. (1) The general seed certification definitions and standards in this chapter are basic and together with WAC 16-302-465 through 16-302-470 constitute the standards for woody plants and Forbes certification.

(2) Fees for seed certification are assessed by the certifying agency as established in chapter 16-303 WAC.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-460, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-460, filed 12/4/00, effective 1/4/01.]

WAC 16-302-465 Land requirements and field standards for woody plants, Forbes, and other reclamation species. (1) The life of a stand shall be unlimited as long as seventy-five percent of the plants present in the stand are those that were planted originally.

(2) To be eligible for the production of certified class of seed, a field must not have grown or been seeded to the same species during the previous four years for foundation, three years for registered, and two years for certified.

(3) A seed field inspection must be made the year of establishment and at least once each year that seed is to be harvested. This inspection will be made at a time when plant development allows for the detection of factors such as off-type varieties and weed contamination.

(4) Isolation for seed production the minimum distance from a different variety or wild hybridizing populations are as follows:

	Minimum of isolation-feet:	
	Fields of 2 acres or less	Fields of more than 2 acres
Foundation & registered	400	200

	Minimum of isolation-feet:	
	Fields of 2 acres or less	Fields of more than 2 acres
Certified	200	100

Volunteer plants may be cause for rejection or reclassification of a seed field.

(5) Specific field tolerances:

	Maximum ration of heads or plants		
Factor	Foundation	Registered	Certified
Other varieties & off type	1/1000	1/500	1/250
Other kinds	1/2000	1/1000	1/500
(Inseparable other species)			
Prohibited noxious weeds	None found	None found	None found

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-465, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-465, filed 12/4/00, effective 1/4/01.]

WAC 16-302-470 Seed standards for woody plants, Forbes, and other reclamation species.

SEED STANDARDS

Crop	Minimum % Germination		Minimum % Pure seed		Maximum % Inert		Maximum % Weeds (a)		Maximum % Other crops	
	F/R	C	F/R	C	F/R	C	F/R	C	F/R	C
Small burnet	80	80	95	95	5	5	0.10	.2	.1	.25
Purple prairie clover	60(b)	60(b)	95	95	5	5	0.20	.5	.1	.25
Bitterbrush, antelope	75	75	95	95	5	5	0.10(a)	0.20	0.40 0.15(g)	1.25 0.50(g)
Balsamroot, arrowleaf sclerotinia	85	85	99	98	1.00 0	2.00 1/lb	0.02	0.04	0.10	0.20
Saltbush, four-wing	30	30	85	85	15	15	0.25(a)	.5(a)	.40 .15(g)	1.25 .50(g)
Gallardia(d)	60	60	90	90	10	10	0.20(a)	1.00(a)	.20 .10(g)	2.00 .25(g)
Prairie blazingstar or Gayfeather, thickspike (*Liatris pycnostachya*)(d)	60	60	85	80	15	20	0.30(a)	0.30(a)	0.20 0.10(g)	2.00 0.25(g)
Kochia, prostrate, forage Restricted noxious weeds	35	35	65	65	35	35	0.10 45/lb	0.20 91/lb	9/lb	25/lb
Artemesia sage, Louisiana sagebrush, big mountain sage, pitcher's (Salvia)	30 50 25	30 50 25	80 10 90	80 10 90	20 90 10	20 90 10	0.25 0.25(a) 0.30(a)	0.50(a) 0.50(a) 0.30(a)	0.40 0.40 0.25(g) 0.20(c) 0.10(g)	1.25 1.25 0.75(g) 2.00(c) 25(g)
Milkvetch, cicer Alfalfa & sweet clover Restricted noxious Sclerotia	75	70	99	98	1 0.10	2 0.10	0.01(a) None	0.20(a) 9/lb	0.01 9/lb 0.10(g)	0.20 45/lb 0.50(g)
Lupine Restricted noxious	80	80	98	98	2	2	0.25 0	0.50 9/lb	0.10	0.40
Mountain mahogany	60	60	85	85	15	15	0.25(a)	0.50(a)	0.40 0.15(g)	1.25 0.75(g)
Penstemon spp.	80(d)	80(d)	90	90	10	10	0.20	1.00	0.20(c) 90/lb(e)	2.00(c) 180/lb(e)
Prairie-coneflower	60	60	90	90	10	10	0.20(a)	1.00 (a)	0.20(c) 0.10(g)	2(c) 2.00(g)

Crop	Minimum % Germination		Minimum % Pure seed		Maximum % Inert		Maximum % Weeds (a)		Maximum % Other crops	
	F/R	C	F/R	C	F/R	C	F/R	C	F/R	C
Safflower	-	85	-	99	-	1	-(a)	10(a)	- 1 in 2lbs(f)	0.10 1 in 1 lb(f)
Sainfoin Restricted noxious weeds	-	80	99	99	1	2	0.10(a)	0.20 9/lb	0	0.10
Sand-reed, prairie	70	70	90	90	0.10	0.10	0.10	0.25	0.10	0.50
Winterfat	40	40	60	60	40	40	0.25	0.50	40 0.15(g)	1.25 0.75(g)

(a) Must be free prohibited and restricted noxious weed seed.
(b) Includes total germination and hard seed.
(c) Never to exceed 0.25% other Forbes.
(d) Total viability by TZ.
(e) Sweet clover.
(f) Barley, oats, rye, triticale, or wheat.
(g) Other varieties or kinds.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-470, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-470, filed 12/4/00, effective 1/4/01.]

Rapeseed Certification Standards

WAC 16-302-475 Standards for rapeseed, mustard (*Brassica* spp. and *Sinapis alba*), and radish certification. (1) The general seed certification definitions and standards in this chapter are basic and together with WAC 16-302-480 through 16-302-490 constitute the standards for rapeseed certification.

(2) Fees for seed certification are assessed by the certifying agency as established in chapter 16-303 WAC.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-475, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-475, filed 12/4/00, effective 1/4/01.]

WAC 16-302-480 Field standards for rapeseed, mustard (*Brassica* spp. and *Sinapis alba*), and radish certification. Field standards for the production of rapeseed are as follows:

(1) A portion of a rapeseed field may be certified if the area to be certified is clearly defined.

(2) A field producing foundation, registered or certified rapeseed, also known as canola (*Brassica napus*), must be the minimum specified isolation distance from fields of any other variety of *Brassica napus*, from fields of the same variety that do not meet the varietal purity requirements for certification, as well as from fields of *Brassica rapa*, *Brassica oleracea*, and *Brassica juncea* as indicated in the following table:

Class	Fields of Cross Pollinated Varieties Including Hybrids	Fields of Self Pollinated Varieties
Foundation	1 mile	660 feet
Registered	1 mile	660 feet
Certified	1 mile	330 feet
Different class of same variety	165 feet	165 feet

These isolation distances are minimum and must be met in all cases.

(3) Volunteer plants may be cause for rejection or reclassification of a rapeseed field.

(4) Specific standards for rapeseed are:

	Maximum % permitted in each class		
Factor	Foundation	Registered	Certified
Other varieties (a)	None found (b)	None found (b)	1.00

(a) Other varieties are considered to include *Brassica rapa*, *Brassica oleracea*, *Brassica juncea*, off-type plants of *Brassica napus* and plants that can be differentiated from the variety being inspected.
(b) None found means none found during the normal inspection procedures. None found is not a guarantee to mean the field inspected is free of the factor.

(5) Field standards for mustard and radish are as follows:

Class of Seed Produced	Maximum Other Varieties Permitted	Isolation Requirements
Foundation or registered	None	1320 feet
Certified	1:500	660 feet

(6) Inspection will be made by the certifying agency when the crop is in the early flowering stage.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-480, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.310 and chapter 34.05 RCW. WSR 06-15-136, § 16-302-480, filed 7/19/06, effective 8/19/06. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-480, filed 12/4/00, effective 1/4/01.]

WAC 16-302-485 Land requirements for rapeseed, mustard (*Brassica* spp. and *Sinapis alba*), and radish certification. (1) Land requirements prior to planting for the production of rapeseed are as follows:

Class Planted	Class Produced	Years Field Shall be Free of Rapeseed
Breeder	Foundation	5
Foundation	Registered	4
Breeder, Foundation, Registered	Certified	3

(2) Land requirements prior to planting of mustard or radish are as follows:

Class produced	Years free from any cruciferous crop
Foundation, registered or certified	5 years
May be reduced to three years if following the same variety of the same or higher class.	

(3) For all classes no manure or other contaminating materials shall be applied during the establishment and production period of the rapeseed stand.

(4) Reseeding of a rapeseed, mustard, or radish field due to failure or partial failure of the first seeding may be done by referring to the guidelines in WAC 16-302-045(5).

(5) Ditchbanks, roadways, etc., adjacent to a certified rapeseed field must be free of volunteer rapeseed and prohibited noxious weeds.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-485, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-485, filed 12/4/00, effective 1/4/01.]

WAC 16-302-490 Seed standards for rapeseed, mustard (*Brassica* spp. and *Sinapis alba*), and radish certification. Seed standards for the production of rapeseed, mustard, and radish are as follows:

Purity		Foundation	Registered	Certified
Pure seed	(minimum) %	99	99	99
Other crop and/or varieties	(maximum)	9/lb	9/lb	18/lb
Inert matter	(maximum) %	1	1	1
Weed seed	(maximum) %	91/lb and not to exceed 0.01%	91/lb and not to exceed 0.01%	181/lb and not to exceed 0.25%
Prohibited noxious weeds (a)		None found	None found	None found
Objectionable weeds (b)	(maximum)	5/lb	9/lb	18/lb
Chemical analysis (c), (d), (e)				
Germination	(minimum) %	85	85	85

Note:

(a) None found means none found during normal inspection procedures. None found is not a guarantee that the lot is free of noxious weed seeds.

(b) Objectionable weed seeds are defined as restricted noxious listed in WAC 16-301-050 plus: *Brassica nigra*, *Sinapis arvensis*, *Brassica juncea*, and *Raphanus raphanistrum*.

(c) Erucic acid content shall be less than 2% and glucosinolate content shall not be greater than thirty micromoles unless other tolerances are described by the plant breeder for each variety.

(d) Erucic acid and glucosinolate analysis must be conducted on clean seed.

(e) Erucic acid and glucosinolate analysis must be conducted at a WSDA approved laboratory.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-490, filed 9/25/14, effective 10/26/14. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 02-12-060, § 16-302-490, filed 5/30/02, effective 6/30/02. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-490, filed 12/4/00, effective 1/4/01.]

Red Clover Seed Certification Standards

WAC 16-302-495 Standards for red clover seed certification. (1) The general seed certification definitions and standards in this chapter are basic and together with WAC 16-302-500 through 16-302-520 constitute the standards for red clover seed certification.

(2) Fees for seed certification are assessed by the certifying agency as established in chapter 16-303 WAC.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-495, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-495, filed 12/4/00, effective 1/4/01.]

WAC 16-302-500 Land requirements for red clover seed certification. Land requirements for the production of red clover seed are as follows:

(1) A field planted with red clover breeder seed for the production of foundation seed must have grown or been seeded to red clover during the preceding six years of planting, three years of which the land must be cultivated.

(2) A field to be planted with red clover foundation seed for the production of certified seed must not have grown or

been seeded to red clover during the preceding two years. The time interval may be shortened to one year if one cultivated crop or clean fallow has intervened and the new planting is of the same variety and class.

(3) A stand of red clover is not eligible to produce certified seed after two seed crops. The two crops may be produced either in the same or in consecutive years.

(4) Reseeding of a red clover field because of failure or partial failure of the first seeding may be done by referring to the guidelines in WAC 16-302-045(5).

(5) Ditchbanks, roadways, etc., adjacent to a certified red clover field must be free of volunteer red clover and prohibited noxious weeds.

(6) Volunteer plants in the red clover field may be cause for rejection or reclassification of the seed field.

(7) No manure or contaminating material may be applied one year preceding planting, or during the establishment and productive period of the red clover stand.

(8) A stand of red clover over three years old is not eligible for certification.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-500, filed 12/4/00, effective 1/4/01.]

WAC 16-302-510 Isolation requirements for red clover seed certification. Isolation requirements for the production of red clover seed crop are as follows:

(1) Red clover for certification must be isolated from all other red clover varieties or fields of the same variety not meeting varietal purity requirements for certification as follows:

Class Being Produced	Fields less than five acres	Fields five acres or more
Foundation	900 feet	600 feet
Certified	165 feet	165 feet

(2) Isolation between different classes (generations) of the same red clover variety is as follows:

Class Being Produced	Distance Required from Fields Planted with:	Fields less than 5 acres	Fields 5 acres or more
Foundation	Foundation or Certified	225 feet	150 feet
Certified	Certified	75 feet	45 feet

(3) In cases where an adjoining field is planted with a different variety of red clover, or red clover of a lower class, isolation may be obtained by measuring off the required strip in the certified seed field. This isolation strip may be mowed for hay or it may be harvested for uncertified seed under the following conditions:

(a) The grower must apply for certification of the entire red clover field and clearly stake off the isolation strip. The entire field must pass all certification requirements, except for isolation at time of inspection. The field report will show rejection due to lack of isolation.

(b) The grower must harvest and deliver to a department approved conditioning plant the seed from the certified portion of the field separately from the seed from the isolation strip. After the seed is weighed and lotted in the weight of the seed from the isolation strip is to be reported to the seed program. At this time the seed program records will indicate the field has passed certification.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-510, filed 12/4/00, effective 1/4/01.]

WAC 16-302-515 Field tolerances for red clover seed certification. Field tolerances for the production of red clover seed are as follows:

		Field Producing*	
		Foundation	Certified
Other varieties	(Max.)	0.00%	0.50%
Alfalfa	(Max.)	None found	0.50%
Sweet Clover	(Max.)	None found	20 plants/acre

* Prohibited noxious weeds must be controlled to prevent seed formation.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-515, filed 12/4/00, effective 1/4/01.]

WAC 16-302-520 Seed standards for red clover seed certification. Seed standards for the production of red clover seed are as follows:

(1)

Purity		Foundation	Certified
Pure seed	(Min.)	99.00%	99.00%
Other crops	(Max.)	18 per lb.	0.25%
Inert matter	(Max.)	1.00%	1.00%
Sweet clover	(Max.)	9 per lb.	90 per lb.
Weed seed	(Max.)	0.15%	0.25%
Objectionable weed seeds	(Max.)	none found	90 per lb.
Germination (minimum total germination and hard seeds)		85.00%	85.00%
or *Tetrazolium* (minimum total tetrazolium and hard seeds)		87.00%	87.00%

(2) Red clover seed must be free of prohibited noxious weed seeds and foundation class must be free of Brassica spp.

(3) One pound of seed will be examined for the presence of dodder.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-520, filed 12/4/00, effective 1/4/01.]

White Clover and Trefoil Seed Certification Standards

WAC 16-302-525 Standards for white clover and trefoil seed certification. (1) The general seed certification definitions and standards in this chapter are basic and together with WAC 16-302-530 through 16-302-545 constitute the standards for white clover and trefoil seed certification.

(2) Fees for seed certification are assessed by the certifying agency as established in chapter 16-303 WAC.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-525, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-525, filed 12/4/00, effective 1/4/01.]

WAC 16-302-530 Land requirements for white clover and trefoil seed certification. Land requirements for the production of white clover and trefoil seed are as follows:

(1) Breeder seed for the production of white clover or trefoil foundation seed must not be planted on land on which the same kind has been previously planted. During the year prior to white clover or trefoil seeding, the land must be in a cultivated crop or fallow and the land must be free from volunteer plants as determined by a field inspection during the season in which the seedling is established.

(2) Foundation seed for the production of registered or certified white clover or trefoil seed must be planted on land on which no other variety or strain of the same kind is grown or planted during the season in which the seedling is established.

(3) Foundation or registered trefoil seed for the production of certified seed shall be planted on land on which no other variety or strain of trefoil is grown or planted during the three years prior to planting.

(4) Reseeding of a white clover or trefoil seed field due to failure or partial failure of the first seeding may be done by referring to the guidelines in WAC 16-302-045(5).

(5) Certification of trefoil shall be limited to stands not exceeding five years of age, except for a variety grown outside its region of adaptation, in which case certification shall be limited to stands not exceeding three years of age.

(6) Foundation or certified producing white clover fields are eligible for certification for only two harvest years following the year of seeding if the seed production the first year is prevented. Foundation fields may be reclassified to the next lower class after being harvested for seed for two years.

(7) Ditchbanks, roadways, etc., adjacent to a certified white clover or trefoil field must be free of volunteer plants of the same kind and prohibited noxious weeds.

(8) Volunteer plants in the white clover or trefoil field may be cause for rejection or reclassification of the seed field.

(9) No manure or other contaminating materials may be applied during the establishment and production period of the white clover or trefoil stand.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-530, filed 12/4/00, effective 1/4/01.]

WAC 16-302-535 Isolation requirements for white clover and trefoil seed certification. Isolation requirements for the production of white clover and trefoil seed crop are as follows:

(1) White clover or trefoil fields for certification must be isolated from all other fields of the same variety not meeting varietal purity requirements for certification as follows:

Class Being Produced	Fields less than five acres	Fields five acres or more
Foundation	900 feet	600 feet
Registered	450 feet	300 feet
Certified	165 feet*	165 feet

* 330 feet required for trefoil.

(2) Isolation between different classes (generations) of the same variety of white clover or trefoil is as follows:

Class Being Produced	Distance Required from Fields Planted with:	Fields less than five acres	Fields five acres or more
Foundation	Foundation or Registered	225 feet	150 feet
Registered	Registered or Certified	115 feet	75 feet
Certified	Certified	75 feet	45 feet

(3) In cases where an adjoining field is planted with a different variety, or of a lower class, isolation may be obtained by measuring off the required strip in the certified seed field. This isolation strip may be mowed for hay or it may be harvested for uncertified seed under the following conditions:

(a) The grower must apply for certification of the entire white clover or trefoil field and clearly stake off the isolation strip. The entire field must pass all certification requirements, except for isolation, at time of inspection. The field report will show rejection due to lack of isolation.

(b) The grower must harvest and deliver to a department approved conditioning plant the seed from the certified portion of the field separately from the seed from the isolation strip. After the seed is weighed and lotted in the weight of the seed from the isolation strip is to be reported to the seed program. At this time the seed program records will indicate the field has passed certification.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-535, filed 12/4/00, effective 1/4/01.]

WAC 16-302-540 Field tolerances for white clover or trefoil seed certification. Field tolerances for the production of white clover or trefoil seed are as follows:

	Maximum permitted: Ratio of Plant Field Producing*		
Factor	Foundation	Registered	Certified
Other Variety	1:1000	1:400	1:100
Sweet Clover	1:1000	1:400	1:100
Other Inseparable Crops	1:1000	1:400	1:100

* Prohibited noxious weeds must be controlled to prevent seed formation.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-540, filed 12/4/00, effective 1/4/01.]

WAC 16-302-545 Seed standards for white clover and trefoil seed certification. Seed standards for the production of white clover and trefoil seed are as follows:

(1) **PART I OF TABLE**

		WHITE CLOVER		
		Found.	Reg.	Cert.
Pure Seed	(Min.)	98.0%	99.0%	99.0%
Other Crop	(Max.)	0.1%	0.2%	0.5%
Inert	(Max.)	2.0%	2.0%	1.0%
Weed Seed	(Max.)	0.2%	0.25%	0.3%
Sweet Clover	(Max.)		9/lb	90/lb
Objectionable Weed Seeds	(Max.)	none found	45/lb	90/lb

		WHITE CLOVER		
		Found.	Reg.	Cert.
Germination (Germination + Hard Seed)	(Min.)	85.0%	85.0%	85.0%
or Tetrazolium (Minimum total tetrazolium and hard seeds)				87.0%

PART II OF TABLE

		TREFOIL		
		Found.	Reg.	Cert.
Pure Seed	(Min.)	98.0%	98.0%	99.0%
Other Crop	(Max.)	0.1%	0.25%	0.3%
Inert	(Max.)	2.0%	1.0%	1.0%
Weed Seed	(Max.)	0.1%	0.25%	0.3%
Sweet Clover	(Max.)	None found	9/lb	90/lb
Objectionable Weed Seeds	(Max.)	None found	45/lb	90/lb
Germination (Germination + Hard Seed)	(Min.)	85.0%	85.0%	85.0%
or Tetrazolium (Minimum total tetrazolium and hard seeds)				87.0%

(2) White clover and trefoil seed must be free of prohibited noxious weed seeds and foundation class must be free of Brassica spp.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-545, filed 12/4/00, effective 1/4/01.]

SEED CROPS CERTIFIED BY THE WASHINGTON STATE CROP IMPROVEMENT ASSOCIATION

Buckwheat, Chickpea, Field Pea, Lentil, Millet, Soybean, Sorghum and Small Grains Seed Certification

WAC 16-302-550 Standards for buckwheat, chickpea, field pea, lentil, millet, soybean, sorghum and small grains seed certification. (1) The general seed certification definitions and standards in this chapter are basic and together with WAC 16-302-555 through 16-302-700 constitute the standards for buckwheat, chickpea, field pea, lentil, millet, soybean, sorghum and small grains seed certification.

(2) Fees for seed certification are assessed by the certifying agency as established in chapter 16-303 WAC.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-550, filed 12/4/00, effective 1/4/01.]

WAC 16-302-555 Labeling and sealing of certified seed of small grains by a grower. The certifying agency may authorize a grower who has his own equipment and conditions his own seed to label and seal certified seed of small grains. The grower's cleaning equipment must be approved by the department or its authorized agent according to WAC 16-302-125.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-555, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-555, filed 12/4/00, effective 1/4/01.]

WAC 16-302-560 Miscellaneous field and seed inspection standards for buckwheat, chickpea, field pea, lentil, millet, soybean, sorghum, small grain seed certification. (1) Field inspection timing for buckwheat, chickpea, field pea, lentil, millet, soybean, sorghum, small grain seed entered in the certification program are:

(a) For field pea and lentil - When seed crop is in full bloom;

(b) For chickpea (garbanzo bean) - When seed crop is mature enough to differentiate leaf type (compound or simple leaf type) and in full bloom;

(c) For soybean - When seed crop is in full bloom and/or of mature color;

(d) For open pollinated sorghum - When seed crop is in full bloom, and optionally again when seed crop begins to show mature color;

(e) For hybrid sorghum - Two inspections during bloom and one inspection after seed begins to show mature color;

(f) For small grains - When seed crop is fully headed and of mature color;

(g) For millet - One inspection during bloom and one inspection after seed begins to show mature color; and

(h) For buckwheat - One inspection when seed crop is in full bloom.

(2) Any condition or practice which permits or causes contamination of the seed crop, such as failure to prevent seed formation of prohibited noxious weeds, or excess weeds including excessive objectionable or restricted noxious weeds, or mechanical field mixing, is cause for rejection upon inspection. Fields rejected for jointed goatgrass or jointed goatgrass hybrids are not eligible for reinspection and must remain ineligible for any production of certified classes of small grain seed until a reclamation procedure, as specified in subsection (3) of this section has been completed. Fields rejected for other causes will remain eligible for reinspection.

(3) The jointed goatgrass reclamation procedure includes the following:

(a) Each grower must develop a reclamation plan for his/her affected fields. The plan must be based on the most current recommendations of Pacific Northwest scientists and Washington State University cooperative extension as well as good management practices. The plan may include use of certified seed, spring cropping practices, and late tilling and planting. No particular program is specified or endorsed and compliance with a program does not assure eligibility for the production of certified classes of small grain seed. Eligibility is based solely upon results of field inspections as provided in (b) through (e) of this subsection.

(b) The rehabilitation and inspection program duration is three years for irrigated land and five years for dryland without production of certified small grain seed and the first year of certified seed production thereafter.

(c) Annual inspections of the affected fields are conducted by the certifying agency during the prescribed rehabilitation period at such time that the jointed goatgrass or jointed goatgrass hybrids would be most visible.

(d) Following the prescribed period of rehabilitation and during the first certified seed production year, a minimum of three field inspections are conducted by the certifying agency.

(e) If jointed goatgrass or jointed goatgrass hybrids are found during any inspection as provided in (c) and (d) of this subsection, the rehabilitation program is determined unsuccessful or the field is declared ineligible and the rehabilitation and inspection program for that field must begin again at year one of the procedure.

(4) Field run lots of seed of the same variety may be commingled to facilitate storage and conditioning.

(5) No prohibited noxious weed seeds are permitted upon inspection for seed standards.

(6) Germination minimum refers to germination when sampled.

(7) If chemically controllable seed-borne diseases are noted upon inspection for field standards and seed standards for small grains, treatment of seed is required.

(8) Wild oat, isolated patches and borders must be removed or clearly marked so as to avoid harvesting with the rest of the field. If rejected, a reinspection is necessary to assure clean-up efforts are satisfactory. Spot checks are conducted on fields where heavy patches or contaminated borders were noted. Harvesting these areas with the rest of the field is cause for rejection of the entire field.

(9) The official laboratory providing seed analysis for the purpose of certification is the department.

(10) For all fields planted with varieties that contain the CLEARFIELD trait as defined in the variety description, documentation will be required to be submitted with the certification application verifying that the production field meets all production guidelines and was sprayed with the appropriate herbicide. CLEARFIELD is a trait that makes a plant resistant to the Imazamox herbicide.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-560, filed 9/25/14, effective 10/26/14. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 10-08-028, § 16-302-560, filed 3/31/10, effective 5/1/10. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-560, filed 12/4/00, effective 1/4/01.]

WAC 16-302-660 Field pea standards for seed certification. (1) The land, isolation, and field standards for field pea seed certification are:

CLASS	LAND MINIMUM YEARS	ISOLATION MINIMUM FEET	OFF-TYPE MAXIMUM PLANTS/ACRE	FIELD OTHER CROP MAXIMUM PLANTS/ACRE
Foundation	5 (a)	50 (b)	None found	None found (c)
Registered	3 (a)	50 (b)	10	None found (c)
Certified	2 (a)	25 (b)	20	None found (c)

(a) Spring peas also require 10 years land history with no production of Austrian pea for all classes.

(b) Reduce to three feet from fields producing a certified class of the same variety. In addition, each field pea field for certification must be isolated by three feet from small grain fields. To prevent mechanical field mixing of swathed field pea seed crop, the planting of small grain between field pea fields, except for the three feet of isolation, is recommended.

(c) For spring peas, no Austrian pea or rye is permitted. For Austrian peas, no rye is permitted.

(2) Seed certification standards for field pea are:

CLASS	OFF-TYPE MAXIMUM %	PURE SEED MINIMUM %	INERT MAXIMUM %	OTHER CROP MAXIMUM %	WEED MAXIMUM %	GERMINATION MINIMUM %
Foundation	None found	99.00	1.00	None found	None found	85
Registered	None found	99.00	1.00	None found	0.25 (b)	85
Certified	0.03	99.00	1.00	0.10 (a)	0.25 (b)	85

(a) For spring peas, no Austrian pea or rye is permitted. For Austrian peas, no rye is permitted.

(b) Other tolerance for weed seed:

	OBJECTIONABLE WEED SEED MAXIMUM
Registered	1/lb
Certified	2/1b

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-660, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-660, filed 12/4/00, effective 1/4/01.]

WAC 16-302-665 Lentil standards for seed certification. (1) Land, isolation, and field standards for lentil seed certification are:

CLASS	LAND MINIMUM YEARS	ISOLATION MINIMUM FEET	OFF-TYPE MAXIMUM PLANTS/ACRE	FIELD OTHER CROP MAXIMUM PLANTS/ACRE
Foundation	5	50 (a)	None found	None found
Registered	4	50 (a)	10	10 (b)
Certified	3	25 (a)	20	20 (b)

(a) Reduce to three feet from fields producing a certified class of the same variety. In addition, each lentil field for certification must be isolated by three feet from small grain fields. To prevent mechanical field mixing of swathed lentil seed crop, the planting of small grain between lentil fields, except for three feet of isolation, is recommended.

(b) Refers to barley and vetch, each.

(2) Seed certification standards for lentil are:

CLASS	OFF TYPE MAXIMUM SEEDS/LB	PURE SEED MINIMUM %	INERT MAXIMUM %	OTHER CROP MAXIMUM %	WEED MAXIMUM %	GERMINATION MINIMUM %
Foundation	None found	99.00 (a)	1.00 (a)	None found	None found	85.00
Registered	1	99.00 (a)	1.00 (a)	0.05 (b)	0.05 (b), (c)	85.00
Certified	4	99.00 (a)	1.00 (a)	0.10 (b)	0.05 (c)	85.00

(a) A total of three percent inert matter is allowed in samples containing decorticated seed provided total of all other inert matter does not exceed one percent.

(b) No vetch is permitted.

(c) Other tolerance for weed seed:

	OBJECTIONABLE WEED SEED MAXIMUM
Registered	1/lb
Certified	2/lb

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-665, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-665, filed 12/4/00, effective 1/4/01.]

WAC 16-302-670 Soybean standards for seed certification. (1) The land, isolation, and field standards for soybean seed certification are:

CROP CLASS	LAND STANDARDS MINIMUM YEARS	ISOLATION STANDARDS MINIMUM FEET	FIELD STANDARDS OFF-TYPE MAXIMUM %	FIELD STANDARDS OTHER MAXIMUM NO.
Standard				
Foundation	1*	3	.01	—
Registered	1*	3	.10	—
Certified	1*	3	0.20	—

* Waived if the previous crop was grown from an equal or higher certified class of seed of the same variety.

(2) Seed standards for soybean certification are:

CLASS	OFF-TYPE MAXIMUM %	PURE SEED MINIMUM %	INERT MAXIMUM %	OTHER CROP MAXIMUM SEEDS/LB	WEED MAXIMUM SEEDS/LB	GERMINATION MINIMUM %
Foundation	0.10	98.00	2.00	None found	None found	85.00
Registered	0.20	98.00	2.00	None found	1	85.00
Certified	0.20	98.00	2.00	1 per 2 lb.	2	85.00

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-670, filed 12/4/00, effective 1/4/01.]

WAC 16-302-675 Hybrid sorghum standards for seed certification. (1) Land, isolation, and field standards for hybrid sorghum seed certification are:

	Land Standards Minimum Years (b)	Isolation Standards Minimum Feet	Pollen Shedding By Seed Parent Maximum At Any One Inspection	Field Standards Other Varieties And/Or Off-Type (a) Definite	Field Standards Other Varieties And/Or Off-Type (a) Doubtful
Class	(**)				
Foundation	1	990	1:3,000	1:50,000	1:20,000
Certified	1	660	1:1,500	1:20,000	1:1,000

(2) Seed standards for hybrid sorghum seed certification are:

	Off-Type Max. Seeds/lb.	Pure Seed Min. %	Inert Max. %	Other Crop Max. Seeds/lb.	Weed Max. %	Germination Min. %
Class						
Foundation	2	98.00	2.00	2	0.10	85
Certified	10	98.00	2.00	10	0.10	85

(**) Pollinator Lines: B = Maintainer, R = Restorer

(a) If off-type plants are found at the time of inspection, all seed heads within a radius of five feet of these plants must be removed from the field before the field is approved.

(b) Hybrid sorghum is not eligible for certification if planted on land that grew sorghum the previous year unless:

(i) The preceding sorghum crop is the same variety and is inspected and approved for the same or higher certification classification; or

(ii) The preceding sorghum crop is a variety which differs substantially in plant growth characteristics from the variety planted. However, grain type sorghum or sweet sorghum is not eligible for certification if planted on land that grew grass type sorghum the previous year.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-675, filed 12/4/00, effective 1/4/01.]

WAC 16-302-680 Open pollinated sorghum standards for seed certification. (1) Land, isolation and field standards for open pollinated sorghum seed certification are:

CLASS	LAND STANDARDS MINIMUM YEARS	ISOLATION STANDARDS MINIMUM FEET	FIELD STANDARDS (c)	
			OFF-TYPE MAXIMUM RATIO	OTHER CROP MAXIMUM NO STANDARD
Foundation	1 (a)	1,000 (b)	None found	—
Registered	1 (a)	1,000 (b)	1 head/50,000	—
Certified	1 (a)	1,000 (b)	1 head/20,000	—

(a) Waived if the previous crop was grown from an equal or higher certified class of seed of the same variety.

(b) Refers to fields of other varieties or same variety which does not meet tolerance of off-types.

(c) Other tolerances for field standards:

	JOHNSONGRASS MAXIMUM	HEAD SMUT MAXIMUM	KERNEL SMUT MAXIMUM
Foundation	None found	None found	None found
Registered	None found	None found	None found
Certified	None found	1 head/10,000	1 head/2,500

(2) Seed standards for open pollinated sorghum seed certification are:

CLASS	OFF-TYPE MAXIMUM %	PURE SEED MINIMUM %	INERT MAXIMUM %	OTHER CROP MAXIMUM %	WEED MAXIMUM %	GERMINATION MINIMUM %
Foundation	None found	97	3 (b)	None found	0.10	80
Registered	None found	97	3 (b)	0.03	0.10	80
Certified	0.01 (a)	97	3 (b)	0.07 (c)	0.10	80

(a) Or two seeds per pound.

(b) Where two percent or more is cracked.

(c) Or ten seeds per pound.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-680, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-680, filed 12/4/00, effective 1/4/01.]

WAC 16-302-685 Small grains standards for seed certification. (1) Land, isolation, and field standards for small grains (barley, oat, rye, triticale, and wheat) seed certification are:

LAND, ISOLATION, AND FIELD STANDARDS

CLASS	LAND STANDARDS MINIMUM YEARS	ISOLATION STANDARDS MINIMUM FEET	OFF-TYPE MAXIMUM HEAD RATIO	OTHER CROP MAXIMUM HEAD RATIO	TRITICALE PLANTS PER ACRE IN BARLEY, WHEAT, AND OAT	WILD OAT MAXIMUM PLANTS/ACRE
Foundation	2 (a)	50 same genus (b) 3 different genus	None found	None found (c)	None found (d)	None found
Registered	1 (a)	10 same genus 3 different genus (b)	1/148,000	1/148,000 (c)	None found (d)	5
Certified	1 (a)	10 same genus 3 different genus (b)	1/49,000	1/49,000 (c)	None found (d)	5

(a) Waived if the previous crop is grown from an equal or higher certified class of seed of the same variety.

(b) Each rye field for certification must be isolated by three feet from fields producing a certified class of the same variety, and by six hundred sixty feet from other rye fields. Each triticale field for certification must be isolated by three feet from fields producing a certified class of the same variety, and by three hundred feet from other triticale, rye and wheat fields for foundation and registered class, and ten feet for certified class, unless otherwise stated by the plant breeder.

(c) Refers to other small grains, except that no rye or triticale is permitted in barley, oat, or wheat; and no vetch is permitted in barley, oat, rye, triticale, or wheat.

(d) Only one reinspection is allowed for foundation fields when triticale is found in the first inspection. Additional inspections are allowed if the field is downgraded to the registered or certified class.

(2) Small grains - Seed standards:

For CLEARFIELD varieties: For all classes - Each lot must pass the CLEARFIELD Confirm test by bioassay or PCR as defined by the trait owner. The CLEARFIELD Confirm test verifies that the seed is resistant to the Imazamox herbicide.

Class	Foundation	Registered	Certified
Pure seed % (minimum)	98	98	98
Inert % (maximum)	2	2	2
Off-type (a) % (maximum)	None found	2/lb	4/lb
Other small grain excluding triticale (a) (maximum)	None found	1/lb	2/lb
Triticale allowed in wheat (f)	None found	None found	1/1000 grams

Class	Foundation	Registered	Certified
Triticale allowed in oats and barley	None found	None found	1/lb
Other crop (b) % (maximum)	None found	0.03	0.05
Weed seed % (maximum)	0.01	0.01	0.03
Objectionable weed seed (c) (maximum)	None found	None found	None found
Wild oat (maximum)	None found	None found	None found (d)
Viability (e) % (minimum)	85	85	85

(a) The combination of other small grain and off-type must not exceed 2/lb for registered class, and 4/lb for certified class. The tolerance for rye is none found in barley, oat, or wheat. The tolerance for rye is none found in triticale. The tolerance for triticale is none found in rye.

(b) Excluding off-type and other small grain. No vetch is allowed in small grain seed.

(c) Excluding wild oat.

(d) 1/lb for certified class oat.

(e) A certification certificate is issued upon receipt of either an official AOSA tetrazolium or germination test which meets minimum Washington viability standards. NOTE: State and federal seed laws require seed be labeled based on a germination test.

(f) In wheat, the foundation standard is based on a 1000 gram crop exam. The registered standard is based on a 500 gram crop exam. The certified standard is based on a 500 gram crop exam. If one triticale seed is found in 500 grams, a second 500 gram crop exam is required for a total 1000 gram crop exam. No triticale is allowed in the second 500 grams with the total standard of 1 triticale seed per 1000 grams allowed.

Note: For all classes the purity analysis is based on 100 grams examined. For registered and certified classes, noxious weed, vetch, off-type, and other small grain determinations are based on 500 grams examined except as allowed in footnote (f) of this subsection. For foundation class, noxious weed, vetch, off-type, and other small grain determinations are based on 1000 grams examined.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-685, filed 9/25/14, effective 10/26/14. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 10-24-102, § 16-302-685, filed 12/1/10, effective 1/1/11; WSR 10-08-028, § 16-302-685, filed 3/31/10, effective 5/1/10. Statutory Authority: RCW 15.49.370(3), 15.49.310 and chapter 34.05 RCW. WSR 04-06-018, § 16-302-685, filed 2/23/04, effective 3/25/04. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 02-12-060, § 16-302-685, filed 5/30/02, effective 6/30/02. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-685, filed 12/4/00, effective 1/4/01.]

WAC 16-302-690 Chickpea standards for seed certification. Land, isolation, and field standards for chickpea seed certification are:

FIELD STANDARDS

Land Requirements (a) (minimum years)		Isolation (minimum feet) (e)	Off-type (plants/acre)	Other Crop (b) (plants/acre)	Noxious (c) Weeds (plants/acre)	Ascochyta Blight (d)
Class						
Foundation	3	50	none found	none found	none found	none found
Registered	2	50	5	none found	none found	none found
Certified	2	25	10	none found	none found	10 plants/acre

(a) Shall not have been planted to chickpeas for three years for foundation class, and two years for registered and certified class, unless the previous crop is of the same variety and passes certification field standards of the same or higher generation.

(b) Inseparable other crops.

(c) Prohibited, restricted, and other weeds difficult to separate must be controlled.

(d) None found in all classes of nontolerant varieties. Planting seedstock must be treated with Thiabendazole (2-(4-thiazolyl) benzimidazole.

(e) Reduce to three feet from fields producing a certified class of the same variety. In addition, each chickpea field for certification must be isolated by three feet from small grain fields. To prevent mechanical field mixing of swathed chickpea seed crop, the planting of small grain between fields, except for three feet of isolation, is recommended.

FIELD INSPECTION

Foundation and registered class fields must have two field inspections: One at bloom stage and one at late pod stage. Certified class fields must be inspected at bloom stage plus another at pod stage if ascochyta blight is observed during the bloom stage inspection.

SEED STANDARDS

	Pure seed %	Inert %	Other crop	Weed seed	Germination %
Class (c)					
Foundation	99	1	none found	none found	85
Registered	99	1	none found	none found	85

	Pure seed %	Inert %	Other crop	Weed seed	Germination %
Certified	99	1	2 seeds/lb (a)	2 seeds/lb (b)	85

(a) None found for Austrian pea, rye, or vetch.

(b) None found for nightshade berries or prohibited noxious weed seeds.

(c) All classes must be treated with Thiabendazole (2-(4-thiazolyl) benzimidazole at the labeled rate).

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-690, filed 9/25/14, effective 10/26/14. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-690, filed 12/4/00, effective 1/4/01.]

WAC 16-302-695 Open pollinated millet standards for seed certification. (1) Land, isolation and field standards for open pollinated millet seed certification are:

CLASS	LAND MINIMUM YEARS	ISOLATION MINIMUM FEET	FIELD OFF-TYPE MAXIMUM	FIELD OTHER CROP MAXIMUM
Foundation	1*	1,320	1:3,000	None found
Registered	1*	1,320	1:2,000	1:30,000
Certified	1*	660	1:1,000	1:10,000

* Waived if the previous crop was the same variety and equal or higher class of certified seed.

(2) Seed certification standards for open pollinated millet seed are:

CLASS	OFF-TYPE MAXIMUM SEEDS/LB	PURE SEED MINIMUM %	INERT MAXIMUM %	OTHER CROP MAXIMUM SEEDS/LB	WEED MAXIMUM %	GERMINATION MINIMUM %
Foundation	0.5	99.00	1.0	0.5	0.05	85
Registered	1	99.00	1.0	1	0.05	85
Certified	3	99.00	1.0	3	0.10	85

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-695, filed 12/4/00, effective 1/4/01.]

WAC 16-302-700 Buckwheat standards for seed certification. (1) Land, isolation, and field standards for buckwheat seed certification are:

CLASS	LAND MINIMUM YEARS	ISOLATION MINIMUM FEET	FIELD OFF-TYPE MAXIMUM	OTHER CROP MAXIMUM
Foundation	2*	2,640	1:10,000	None found
Registered	1*	1,320	1:5,000	1:30,000
Certified	1*	660	1:2,000	1:10,000

* Waived if previous crop was the same variety and equal or higher class of certified seed.

(2) Seed standards for buckwheat seed certification are:

CLASS	OFF-TYPE MAXIMUM SEEDS/LB	PURE SEED MINIMUM %	INERT MAXIMUM %	OTHER CROP MAXIMUM SEEDS/LB	WEED MAXIMUM %	GERMINATION MINIMUM %
FOUNDATION	0.5	99.0	1.0	0.5	0.05	85
REGISTERED	1	99.0	1.0	1	0.05	85
CERTIFIED	3	99.0	1.0	3	0.10	85

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3) and chapter 17.24 RCW. WSR 00-24-077, § 16-302-700, filed 12/4/00, effective 1/4/01.]

Quality Orchardgrass Seed and Quality Timothy Seed Program

WAC 16-302-740 Standards for quality orchardgrass seed and quality timothy seed certification. (1) The general seed certification definitions and standards found in WAC 16-302-005 through 16-302-130, the grass seed certification standards found in WAC 16-302-320 through 16-302-390, and the requirements found in WAC 16-302-745 through 16-302-756 constitute the standards for quality orchardgrass seed and quality timothy seed certification.

(2) Fees for quality orchardgrass seed and quality timothy seed certification are assessed by the certifying agency as established in chapter 16-303 WAC.

[Statutory Authority: RCW 15.49.005, 15.49.310, 15.49.370 (3), (4), and chapter 34.05 RCW. WSR 15-12-109, § 16-302-740, filed 6/3/15, effective 7/4/15. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-740, filed 9/25/14, effective 10/26/14. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 08-23-055, § 16-302-740, filed 11/14/08, effective 12/15/08.]

WAC 16-302-745 Seed certification requirements. (1) In order for a seed lot to be eligible for quality orchardgrass seed or quality timothy seed certification, the seed lot must meet field and seed certification standards as defined in WAC 16-302-330 through 16-302-385.

(2) For an orchardgrass seed or timothy seed lot that has already been certified, a copy of the certification tag must be submitted as proof of certification.

[Statutory Authority: RCW 15.49.005, 15.49.310, 15.49.370 (3), (4), and chapter 34.05 RCW. WSR 15-12-109, § 16-302-745, filed 6/3/15, effective 7/4/15. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 08-23-055, § 16-302-745, filed 11/14/08, effective 12/15/08.]

WAC 16-302-750 Official sampling requirements. The seed test for the quality orchardgrass seed and quality timothy seed program must be conducted on an officially drawn sample taken in accordance with WAC 16-302-090.

[Statutory Authority: RCW 15.49.005, 15.49.310, 15.49.370 (3), (4), and chapter 34.05 RCW. WSR 15-12-109, § 16-302-750, filed 6/3/15, effective 7/4/15. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 08-23-055, § 16-302-750, filed 11/14/08, effective 12/15/08.]

WAC 16-302-755 Standards for quality timothy seed. (1) Seed standards for quality timothy grass seed are as follows:

	Minimum % Purity	Minimum Viability by Germination or TZ Test	Maximum % Other Crop (a)	Maximum % Weed (b)
Timothy seed	97	85	0.20	0.02
Purity component percentages are based on 1 gram sample size.				

(a) Must be free of ryegrass, orchardgrass, *Agrostis* sp., *Poa* sp., brome, reed canarygrass, tall fescue, and meadow foxtail.
Must be free of the above listed contaminants based upon a 50 gram examination.

(b) Must be free of alfilaria (redstem filaree), *Bromus* sp., chickweed including all other species in the Caryophyllaceae family, henbit, *Poa* sp., wild carrot, prohibited noxious weeds listed in WAC 16-301-045, and restricted noxious weeds listed in WAC 16-301-050.
Must be free of the above listed contaminants based upon a 50 gram examination.

(2) A quality timothy seed analysis certificate is the basis of determining if a lot meets the quality timothy seed standards. This certificate is issued by the certifying agency and represents a purity test, a 50 gram noxious, all weed, all crop exam, and a viability test.

(3) Seed meeting quality timothy seed standards will be tagged with a "quality timothy seed" tag.

[Statutory Authority: RCW 15.49.005, 15.49.310, 15.49.370 (3), (4), and chapter 34.05 RCW. WSR 15-12-109, § 16-302-755, filed 6/3/15, effective 7/4/15. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-755, filed 9/25/14, effective 10/26/14. Statutory Authority: Chapters 15.49 and 34.05 RCW. WSR 10-20-149, § 16-302-755, filed 10/6/10, effective 11/6/10; WSR 08-23-055, § 16-302-755, filed 11/14/08, effective 12/15/08.]

WAC 16-302-756 Standards for quality orchardgrass seed. (1) Seed standards for quality orchardgrass seed are as follows:

	Minimum % Purity	Minimum Viability by Germination or TZ Test	Maximum % Other Crop (a)	Maximum % Weed (b)
Orchardgrass seed	90	85	0.20	0.02
Purity component percentages are based on 3 gram sample size.				

(a) Must be free of ryegrass, timothy, *Agrostis* sp., *Poa* sp., brome, reed canarygrass, tall fescue, and meadow foxtail.
Must be free of the above listed contaminants based upon a 50 gram examination.

(b) Must be free of alfilaria (redstem filaree), *Bromus* sp., chickweed including all other species in the Caryophyllaceae family, henbit, *Poa* sp., wild carrot, prohibited noxious weeds listed in WAC 16-301-045, and restricted noxious weeds listed in WAC 16-301-050.
Must be free of the above listed contaminants based upon a 50 gram examination.

(2) A quality orchardgrass seed analysis certificate is the basis of determining if a lot meets the quality orchardgrass seed standards. This certificate is issued by the certifying agency and represents a purity test, a 50 gram noxious, all weed, all crop exam, and a viability test.

(3) Seed meeting quality orchardgrass seed standards will be tagged with a "quality orchardgrass seed" tag.

[Statutory Authority: RCW 15.49.005, 15.49.310, 15.49.370 (3), (4), and chapter 34.05 RCW. WSR 15-12-109, § 16-302-756, filed 6/3/15, effective 7/4/15.]

Hybrid Canola and Hybrid Rapeseed Certification Standards

WAC 16-302-760 Standards for hybrid canola and hybrid rapeseed. (1) The general seed certification definitions and standards in this chapter are basic and together with this section through WAC 16-302-785 constitute the standards for hybrid canola and hybrid rapeseed.

(2) The fees for seed certification are assessed by the certifying agency as established in chapter 16-303 WAC.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-760, filed 9/25/14, effective 10/26/14.]

WAC 16-302-765 Definitions specific to hybrid canola or hybrid rapeseed. "A line" means the line or population that is male sterile.

"B line" means the male fertile line or population capable of maintaining male sterility.

"Canola and rapeseed" means the spring and winter varieties of *Brassica napus, Brassica rapa* and canola quality *Brassica juncea.*

"Commercial hybrid" means a hybrid that is one that is planted for any use except seed production.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-765, filed 9/25/14, effective 10/26/14.]

WAC 16-302-770 Seed requirements and designation of classes of seed for hybrid canola or hybrid rapeseed. (1) Breeder or foundation seed must be used to establish all fields of hybrid canola or hybrid rapeseed for certification. The direction of the cross must remain unchanged throughout the certification program unless adequate data is provided to show that no change in variety performance results from the reversal of parentage.

(2) Only the certified class is recognized in the production of commercial hybrid seed.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-770, filed 9/25/14, effective 10/26/14.]

WAC 16-302-775 Land requirements for the production of hybrid canola or hybrid rapeseed. (1) Fields producing foundation class must not be planted on land that had produced any cruciferous crops in the preceding five years.

(2) Fields producing certified class must not be planted on land that had produced any cruciferous crops in the preceding three years.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-775, filed 9/25/14, effective 10/26/14.]

WAC 16-302-780 Field standards for the production of hybrid canola or hybrid rapeseed. (1) All hybrid fields must be inspected at the time of stem elongation and a second inspection must occur at the early flowering stage. The certifying agency may require additional inspections to address conditions including, but not limited to, pollen shedding plants in the A line, bloom timing of the A and B lines, and removal of B lines.

(2) All hybrid canola or hybrid rapeseed fields must be isolated from other canola or rapeseed crops by a minimum of one-half mile except for fields located within the Columbia Basin irrigation project must be isolated from other canola or rapeseed crops by two miles. Isolation is not required for fields that are the same hybrid utilizing the B lines.

(3) Fields must be planted in distinct rows with the A line and B line clearly delineated.

(4) Fields must be free from prohibited noxious weeds as listed in WAC 16-302-100 and free from *Galium* sp.

(5) Maximum plants of other varieties or crop kinds per ten thousand plants. This factor is based on a sixty thousand plant count (six replicates of ten thousand plants).

Maximum plants of other varieties including off types and A-line pollen shedders.	Maximum plants of other *Brassica* crop or weed species.
1.5:10,000	1:10,000

(6) Percent hybrid shall not be less than eighty percent.

(7) Fields cut or swathed prior to inspection are not eligible for certification.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-780, filed 9/25/14, effective 10/26/14.]

WAC 16-302-785 Seed standards for hybrid canola or hybrid rapeseed. Seed standards are as follows:

Factor	Foundation	Certified
Pure seed, minimum (a)	99	99
Other crops, maximum	0.01	0.25
Inert matter, maximum	1	1
Weed seed, maximum	0.01	0.25
Objectionable noxious weed (b)	None found	18/lb
Prohibited noxious weeds	None found	None found
Germination	85	85

(a) Percent hybrid seed shall be determined by a method approved by the department.

(b) Objectionable noxious weeds are as defined in WAC 16-302-105 plus: *Brassica nigra*, *Sinapis arvensis*, *Brassica juncea*, and *Raphanus raphanistrum*.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-785, filed 9/25/14, effective 10/26/14.]

Sunflower Seed Certification Standards

WAC 16-302-790 Standards for sunflower seed production. (1) The general seed certification definitions and standards in this chapter are basic and together with this section through WAC 16-302-815 constitute the standards for sunflower seed.

(2) The fees for seed certification are assessed by the certifying agency as established in chapter 16-303 WAC.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-790, filed 9/25/14, effective 10/26/14.]

WAC 16-302-795 Definition of terms specific to sunflower seed production. "Breeder seed" means seed for hybrid production that is seed of male sterile, maintainer, and restorer lines maintained by the breeder.

"Commercial hybrid" means seed that is planted for any use except seed production utilizing hybrid seed.

"Foundation seed" means seed for hybrid production that is seed of male sterile, maintainer, and restorer lines produced from breeder or foundation seed.

"Hybrid seed" means seed that is the first generation of seed of a cross produced by controlling the pollination and by combining two or more lines, varieties, or species.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-795, filed 9/25/14, effective 10/26/14.]

WAC 16-302-800 Land requirements for sunflower seed production. Land to produce any class of sunflower seed must not have grown sunflowers the previous three years or the land must have grown two intervening irrigated crops.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-800, filed 9/25/14, effective 10/26/14.]

WAC 16-302-805 Isolation requirements for sunflower seed production. Fields of all classes of hybrid or open pollinated sunflowers must be isolated from all other sunflower fields, noncertified sunflower production including home garden plantings, and all wild-type sunflowers by a distance of one and one-fourth miles except for fields within the Columbia Basin irrigation project which must be isolated from the above by two miles. Isolation is not required for fields utilizing the same restorer line.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-805, filed 9/25/14, effective 10/26/14.]

WAC 16-302-810 Field tolerances and requirements for sunflower seed production. (1) Only breeder or foundation seed may be used to establish a hybrid field to produce certified seed.

(2) For hybrid varieties the certified generation produced from breeder or foundation seed produces a commercial hybrid and is not eligible for further certification.

(3) For open pollinated sunflower varieties, one field inspection must be made after fifty percent of the plants are in bloom but before the plants are fully mature.

(4) For hybrid sunflower varieties at least two inspections must be made. The first inspection is during the very early bloom stage and the second inspection is during the full bloom stage.

(5) For hybrid sunflower varieties, at least fifty percent of the male parent plants must be flowering and producing pollen when the female parent is in full bloom.

(6) Fields must be free of prohibited noxious weeds listed in WAC 16-302-100. Objectionable weeds listed in WAC 16-302-105 and common weeds difficult to separate must be controlled.

(7) Different sunflower varieties cannot always be differentiated at field inspection. When differences can be distinguished, the maximum of other varieties of off-types allowed is:

Off-types	Open pollinated varieties	Female seed parent		Pollinating parent
		Foundation	Certified	
Other than pollen shedding female plants		1:2,000	1:2,000	1:2,000
Pollen shedding female plant		1:1,000	4:1,000	
Total (including above)	5:1,000	1:1,000	4:1,000	1:2,000

(8)(a) Percent hybridity shall not be less than seventy-five percent. If the field inspection shows one or more of the following, the applicant may request that seed certification be based on the results of a precertification grow-out test approved by the department:

(i) Inadequate isolation;

(ii) Too few male parent plants shedding pollen when female parent plants are receptive; or

(iii) Excess off-types not to include wild-types.

(b) At least two thousand plants must be observed and meet the standards in the table below before hybrid and inbred seed can be certified from fields with problems listed in (a) of this subsection.

	Maximum % Permitted	
Factor	Hybrid	Inbred
Sterile plant	5	-----
Sterile or fertile plants	-----	5

	Maximum % Permitted	
Factor	Hybrid	Inbred
Morphological off-types	0.50	0.50
Wild types	0.20	0.20
Total (including above types)	5	5

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-810, filed 9/25/14, effective 10/26/14.]

WAC 16-302-815 Seed standards for sunflower seed production. (1) Samples submitted for certification must be a minimum of one thousand grams.

(2) Seed standards for sunflowers are as follows:

Factor	Foundation	Registered	Certified
Pure seed - Minimum %	98	98	98
Inter matter - Maximum %	2	2	2
Other varieties* - Maximum	1 seed/lb.	1 seed/lb.	6 seeds/lb. of which may not consist of more than 1 purple or white seed
Other crop seed - Maximum	1 seed/lb.	1 seed/lb.	6 seeds/lb.
Corn or castor bean seed	None found	None found	None found
Weed seed - Maximum %	None found	None found	0.10
Germination - Minimum %	85	85	85

* Varietal differentiation cannot always be distinguished in a seed sample. When varietal differences are evident this standard applies.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-815, filed 9/25/14, effective 10/26/14.]

Camelina Seed Certification Standards

WAC 16-302-820 Standards for camelina seed production. (1) The general seed certification definitions and standards in this chapter are basic and together with this section through WAC 16-302-835 constitute the standards for camelina seed.

(2) The fees for seed certification are assessed by the certifying agency as established in chapter 16-303 WAC.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-820, filed 9/25/14, effective 10/26/14.]

WAC 16-302-825 Land requirements for camelina seed production. Camelina shall be planted on land on which the previous crop was another kind, or was planted with a foundation or registered class of seed of the same variety.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-825, filed 9/25/14, effective 10/26/14.]

WAC 16-302-830 Field requirements for camelina seed production. (1) Isolation - A field producing any class of certified seed must be at least fifty feet from any other variety or fields of the same variety that do not meet the varietal purity requirement for certification.

(2) Poor stands, poor vigor, lack of uniformity, excess weeds, or conditions which are apt to make inspection inaccurate or bring certified seed into disfavor shall be cause for rejection.

(3) Field standards are as follows:

	Maximum permitted in each class		
Factor	Foundation	Registered	Certified
Other varieties*	1:5000	1:2000	1:1000
Other inseparable crops	None	0.05%	0.10%

* Other varieties shall be considered to include plants that can be differentiated from the variety being inspected. However, other varieties shall not include variations which are characteristic of the variety being tested.

Fields must be free of prickly lettuce, fanweed, and shepherds purse.

Fields will be inspected at full bloom. Fields swathed prior to inspection are not eligible for certification. Conditions such as poor stand, excessive weeds or insect damage that prevent varietal determination may be cause for rejection.

[Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-830, filed 9/25/14, effective 10/26/14.]

WAC 16-302-835 Seed standards for camelina seed production. The following are the seed standards for camelina seed production:

	Standards permitted in each class		
Factor	Foundation	Registered	Certified
Pure seed (minimum)%	98	98	98
Other crop (maximum)%	0.10	0.20	0.30
Inert matter (maximum)%	2	2	2
Weed seed (maximum)%	0.05	0.05	0.05
Objectionable weeds	None	None	None
Germination (minimum)%*	85	85	85

* A tetrazolium test may be used in lieu of a germination test for certification.

[Statutory Authority: RCW 15.49.005, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 15-12-110, § 16-302-835, filed 6/3/15, effective 7/4/15. Statutory Authority: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3), and chapter 34.05 RCW. WSR 14-20-050, § 16-302-835, filed 9/25/14, effective 10/26/14.]