

# Chapter 16-483 WAC

## GRAPE PEST QUARANTINE

### WAC

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### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

16-483-060	Grape virus quarantine—Violation and penalty. [Statutory Authority: Chapters 15.13 and 17.24 RCW. WSR 91-21-042, § 16-483-060, filed 10/11/91, effective 11/11/91; Order 1146, § 16-483-060, filed 3/16/70, effective 5/1/70.] Repealed by WSR 00-05-105, filed 2/16/00, effective 3/18/00. Statutory Authority: Chapter 17.24 RCW.
16-483-070	Effective date. [Order 1146, § 16-483-070, filed 3/16/70, effective 5/1/70.] Repealed by WSR 91-21-042, filed 10/11/91, effective 11/11/91. Statutory Authority: Chapters 15.13 and 17.24 RCW.

**WAC 16-483-001 Establishing a quarantine.** (1) A quarantine is established against harmful pests of grapevines that could endanger the grape industries of Washington.

(2) Quarantine pests include:

- (a) Grapevine fanleaf virus;
- (b) Grapevine leafroll associated viruses;
- (c) Grapevine virus A;
- (d) Grapevine virus B;
- (e) *Xylella fastidiosa*;
- (f) Grapevine phylloxera (*Daktulosphaira vitifoliae*);

and

(g) Vine mealybug (*Planococcus ficus*).

[Statutory Authority: RCW 17.24.011, 17.24.041 and chapter 34.05 RCW. WSR 14-21-036, § 16-483-001, filed 10/7/14, effective 11/7/14. Statutory Authority: Chapter 17.24 RCW. WSR 00-23-096, § 16-483-001, filed 11/21/00, effective 12/22/00; WSR 00-05-105, § 16-483-001, filed 2/16/00, effective 3/18/00. Statutory Authority: Chapters 15.13 and 17.24 RCW. WSR 91-21-042, § 16-483-001, filed 10/11/91, effective 11/11/91; Order 1146, § 16-483-001, filed 3/16/70, effective 5/1/70.]

**WAC 16-483-005 Grape virus quarantine—Definitions.** "Department" means the Washington state department of agriculture.

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

"Grape planting stock" means live plants, hardwood cuttings, softwood cuttings, rootstocks, and any other parts of the grape plant (*vitis* species), except fruit, capable of propagation.

"Official certificate" means a document issued by an official plant protection organization including but not limited to phytosanitary certificates, inspection certificates, or

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other letters, tags, stamps, or similar documents certifying plant quality or condition.

[Statutory Authority: Chapter 17.24 RCW. WSR 00-05-105, § 16-483-005, filed 2/16/00, effective 3/18/00. Statutory Authority: Chapters 15.13 and 17.24 RCW. WSR 91-21-042, § 16-483-005, filed 10/11/91, effective 11/11/91.]

**WAC 16-483-010 Area under quarantine.** The area under quarantine includes all states, districts, and territories of the United States.

[Statutory Authority: RCW 17.24.011, 17.24.041 and chapter 34.05 RCW. WSR 14-21-036, § 16-483-010, filed 10/7/14, effective 11/7/14. Statutory Authority: Chapter 17.24 RCW. WSR 00-05-105, § 16-483-010, filed 2/16/00, effective 3/18/00. Statutory Authority: Chapters 15.13 and 17.24 RCW. WSR 91-21-042, § 16-483-010, filed 10/11/91, effective 11/11/91; Order 1146, § 16-483-010, filed 3/16/70, effective 5/1/70.]

**WAC 16-483-020 Regulated articles.** Grape planting stock including live plants, hardwood cuttings, softwood cuttings, and any other plant parts capable of propagation except fruit are regulated under the terms of this quarantine.

[Statutory Authority: RCW 17.24.011, 17.24.041 and chapter 34.05 RCW. WSR 14-21-036, § 16-483-020, filed 10/7/14, effective 11/7/14. Statutory Authority: Chapter 17.24 RCW. WSR 00-05-105, § 16-483-020, filed 2/16/00, effective 3/18/00. Statutory Authority: Chapters 15.13 and 17.24 RCW. WSR 91-21-042, § 16-483-020, filed 10/11/91, effective 11/11/91; Order 1146, § 16-483-020, filed 3/16/70, effective 5/1/70.]

**WAC 16-483-030 Restrictions.** Grape planting stock will be admitted into the state of Washington provided the following provisions are complied with:

(1) An official certificate issued by the plant protection organization of the state, district, or territory of origin certifying that the grapevines meet the requirements of this chapter must accompany the grape planting stock into the state.

(2) The grape planting stock has been certified in accordance with the regulations of an official grapevine certification program that includes inspection and testing by methods approved by the director for grapevine fanleaf virus, grapevine leafroll associated viruses, grapevine virus A, grapevine virus B, and *Xylella fastidiosa*.

(3) Each shipment of grapevines, grape rootstock, or softwood cuttings from a state infested with grapevine phylloxera or vine mealybug require one of the following statements on the certificate:

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

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

(c) For small shipments (five hundred articles or less), softwood cuttings were inspected by a state, district, or territory plant regulatory official and were found to be free from grape phylloxera and vine mealybug; or

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(d) The grapevines, rootstock, or softwood cuttings were subject to one of the two treatments in subsection (4) of this section or other treatments determined to be effective and are approved in writing by the director. The treated grapevines must be stored in a manner after treatment that would prevent reinfestation.

(4) Acceptable treatments for grapevine insect pests include:

(a) Hot water treatment. Dormant, rooted grapevines or rootstock shall be washed to remove all soil or other propagative media. Dormant rooted plants or rootstock shall be immersed in a hot water bath for a period of not less than three minutes nor more than five minutes at a temperature of not less than 125°F (52°C) nor more than 130°F (55°C) at any time during immersion; or

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

(5) All shipments of grapevines, rootstock, or softwood cuttings from a quarantine area shall be plainly marked with the contents on the outside of the package or container as "grapevines," "grape rootstock," or "grape cuttings."

[Statutory Authority: RCW 17.24.011, 17.24.041 and chapter 34.05 RCW. WSR 14-21-036, § 16-483-030, filed 10/7/14, effective 11/7/14. Statutory Authority: Chapter 17.24 RCW. WSR 00-23-096, § 16-483-030, filed 11/21/00, effective 12/22/00; WSR 00-05-105, § 16-483-030, filed 2/16/00, effective 3/18/00. Statutory Authority: Chapters 15.13 and 17.24 RCW. WSR 91-21-042, § 16-483-030, filed 10/11/91, effective 11/11/91; Order 1146, § 16-483-030, filed 3/16/70, effective 5/1/70.]

#### **WAC 16-483-033 Equipment cleaning requirements.**

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

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

[Statutory Authority: RCW 17.24.011, 17.24.041 and chapter 34.05 RCW. WSR 14-21-036, § 16-483-033, filed 10/7/14, effective 11/7/14.]

**WAC 16-483-037 Notification requirement.** Persons bringing grapevines into the state must first notify the department by U.S. mail, email, or telefacsimile to: Plant Protection Division, Washington State Department of Agriculture, 1111 Washington Street S.E., P.O. Box 42560, Olympia, WA 98504-2560; email: PlantServices@agr.wa.gov; fax: 360-902-2094, prior to the shipment of grapevines or cuttings

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under the grape pest quarantine into this state from an infested area. Such notice shall include, but not be limited to, the approximate number of grapevines, rootstock, or softwood cuttings; the shipper; the consignee; the method of treatment used, if applicable; and the approximate date of delivery.

[Statutory Authority: RCW 17.24.011, 17.24.041 and chapter 34.05 RCW. WSR 14-21-036, § 16-483-037, filed 10/7/14, effective 11/7/14.]

**WAC 16-483-040 Disposition of products shipped in violation of this quarantine—Violations.** At the option and expense of the owner, the department will return to the point of origin or destroy any grapevines shipped into the state of Washington in violation of this chapter.

[Statutory Authority: RCW 17.24.011, 17.24.041 and chapter 34.05 RCW. WSR 14-21-036, § 16-483-040, filed 10/7/14, effective 11/7/14. Statutory Authority: Chapter 17.24 RCW. WSR 00-05-105, § 16-483-040, filed 2/16/00, effective 3/18/00. Statutory Authority: Chapters 15.13 and 17.24 RCW. WSR 91-21-042, § 16-483-040, filed 10/11/91, effective 11/11/91; Order 1146, § 16-483-040, filed 3/16/70, effective 5/1/70.]

**WAC 16-483-050 Grape pest quarantine—Exemption.** The restrictions on the movement of regulated articles set forth in this chapter do not apply to grape planting stock imported for experimental or trial purposes by the United States Department of Agriculture or Washington State University: Provided, the director's written permission is first obtained.

[Statutory Authority: RCW 17.24.011, 17.24.041 and chapter 34.05 RCW. WSR 14-21-036, § 16-483-050, filed 10/7/14, effective 11/7/14. Statutory Authority: Chapter 17.24 RCW. WSR 00-05-105, § 16-483-050, filed 2/16/00, effective 3/18/00. Statutory Authority: Chapters 15.13 and 17.24 RCW. WSR 91-21-042, § 16-483-050, filed 10/11/91, effective 11/11/91; Order 1146, § 16-483-050, filed 3/16/70, effective 5/1/70.]