



RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/10/97)

Agency: Department of Agriculture

- Permanent Rule
- Emergency Rule
- Expedited Adoption
- Expedited Repeal

(1) Date of adoption: November 21, 2000

(2) Purpose: Amending the existing grape virus quarantine rule, which places restrictions on import of grapevines into the state, by eliminating one virus disease - stem pitting - from the list of quarantine diseases. Restrictions intended to prevent import of three other grape virus diseases would remain unchanged.

(3) Citation of existing rules affected by this order:

Repealed:

Amended: WAC 16-483-001, 16-483-030

Suspended:

(4) Statutory authority for adoption: Chapter 17.24 RCW

Other Authority:

PERMANENT RULE ONLY (Including EXPEDITED ADOPTION)

Adopted under notice filed as WSR 00-20-092 on October 4, 2000 (date).

Describe any changes other than editing from proposed to adopted version: None

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

EXPEDITED REPEAL ONLY

Under Preproposal Statement of Inquiry filed as WSR _____ on _____ (date)

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?:

- Yes
 - No
- If Yes, explain:

(6) Effective date of rule:

**Permanent Rules
or Expedited Repeal**

- 31 days after filing
- Other (specify) _____*

Emergency Rules

- Immediately
- Later (specify) _____

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

Name (Type or Print)

Jim Jesernig

Signature

Title
Director

Date
November 21, 2000

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

NOV 21 2000

TIME 10:39

WSR 00-23-096

APR
FRI

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	Amended	Repealed
Federal rules or standards:	New	Amended	Repealed
Recently enacted state statutes:	New	Amended	Repealed

The number of sections adopted at the request of nongovernmental entity:

New	Amended	<u>2</u>	Repealed
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The number of sections adopted in the agency's own initiative:

New	Amended	Repealed
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	Amended	Repealed
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The number of sections adopted using:

Negotiated rule making:	New	Amended	Repealed	
Pilot rule making:	New	Amended	Repealed	
Other alternative rule making:	New	Amended	<u>2</u>	Repealed

AMENDATORY SECTION (Amending WSR 00-05-105, filed 2/16/00, effective 3/18/00)

WAC 16-483-001 Grape virus quarantine--Establishing quarantine. The production of wine grapes, juice grapes, and grape planting stock are important industries in the state of Washington. The director has determined that these industries are threatened by the introduction and establishment of the virus diseases known as leafroll, fanleaf((7)) and corky bark(~~(, and stem pitting)~~) that are not known to occur in the state of Washington. The presence of these virus diseases cannot be determined by the most rigorous visual examination of dormant grape planting stock. The introduction and establishment of these virus diseases would entail great economic loss to the grape industries of the state. To minimize this risk, the director, under the authority provided in chapter 17.24 RCW, has established a quarantine setting forth rules for the importation of grape planting stock into the state of Washington.

AMENDATORY SECTION (Amending WSR 00-05-105, filed 2/16/00, effective 3/18/00)

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

(1) 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 fanleaf, leafroll(~~(, stem pitting,)~~) and corky bark virus diseases. An official certificate issued by the plant protection organization of the state of origin certifying that the grapevines meet the requirements of this chapter must accompany the grape planting stock into the state.

(2) All shipments of grape planting stock must be plainly marked with the contents on the outside of the package or container.

(3) Persons shipping or transporting grape planting stock into this state from areas under quarantine shall notify the department by mail or telefacsimile prior to shipment. The notification must include the nature of the grape planting stock (such as live plants, hardwood cuttings, softwood cuttings, rootstocks, or other similar categories), the quantity in each shipment, the expected date of arrival, the name of the intended receiver and the

destination. The person to whom the articles are shipped shall hold the articles until the grape planting stock is inspected and/or released by the department.