

**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Federal statute:	New	Amended	Repealed
Federal rules or standards:	New	Amended	Repealed
Recently enacted state statutes:	New	Amended	Repealed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New	Amended	Repealed
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The number of sections adopted in the agency's own initiative:

New	Amended	<u>9</u>	Repealed
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	Amended	<u>2</u>	Repealed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Negotiated rule making:	New	Amended	Repealed	
Pilot rule making:	New	Amended	Repealed	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>9</u>	Repealed

AMENDATORY SECTION (Amending WSR 00-20-070, filed 10/3/00, effective 11/3/00)

WAC 16-324-361 Definitions. (1) "Certification" means that the lot of seed potatoes was inspected and meets the requirements of this chapter.

(2) "Cull" means any lot of potatoes rejected for certification for any reason.

(3) "Department" means the department of agriculture of the state of Washington.

(4) "Director" means the director of the department of agriculture or his/her duly appointed representative.

(5) "Disease tested" means tested for and found free of all of the following diseases: Potato virus A (PVA), potato virus M (PVM), potato virus S (PVS), potato virus X (PVX), potato virus Y (PVY), potato leafroll virus (PLRV), potato spindle tuber viroid (spindle tuber), *Erwinia carotovora* ssp. *carotovora* (soft rot), *Erwinia carotovora* ssp. *atroseptica* (black leg) and *Clavibacter michiganense* ssp. *sependonicum* (ring rot).

(6) "Micropropagated" means potato stock propagated using aseptic laboratory techniques and culture media to promote plant tissue growth.

(7) "Microtubers" means tubers produced in vitro by a micropropagated plant or plantlet.

(8) "Minitubers" means tubers produced under controlled greenhouse conditions.

(9) "Nematode" means plant parasitic nematodes capable of infesting potatoes, including but not limited to the genus *Meloidogyne*.

(10) "Nuclear stock" means plantlets, microtubers, minitubers, or seed potatoes produced from prenuclear stock, and grown in the field for the first time.

(11) "Plot" means a seed potato planting that is 0.25 acre or less in size.

(12) "Powdery scab" means the disease caused by the fungus *Spongospora subterranea*.

(13) "Prenuclear" means micropropagated plants or tubers and plants or minitubers produced in a greenhouse.

(14) "Quarantine pest" means a pest of potential economic importance and not yet present in the state, or present but not widely distributed and being officially controlled.

(15) "Recertification" means the process of certifying a seed lot that was certified the previous year.

~~((+15+))~~ (16) "Rogue" means removing diseased or undesirable plants, including all associated plant parts from a seed potato field.

~~((+16+))~~ (17) "Seed lot" means a field, in whole or in part,

or a group of fields producing seed potatoes, or the potato tubers harvested from a seed potato field.

~~((17))~~ (18) "Seed potatoes" means vegetatively propagated tubers used for potato production.

~~((18))~~ (19) "Seed source" means seed potatoes produced by an individual grower within a particular seed production area.

~~((19))~~ (20) "Trace" means a barely perceivable indication of plant disease that amounts to less than 0.001 percent of sample.

~~((20))~~ (21) "Tolerance" means the maximum acceptable percentage of potato plants or tubers that is diseased, infected by plant pests, defective or off-type based on visual inspection or laboratory testing by the director or other authorized person.

~~((21))~~ (22) "Unit method" means a method of planting in which cut seed pieces from one tuber are dropped consecutively in a row, or in which all tubers from one plant are dropped consecutively in a row.

AMENDATORY SECTION (Amending WSR 00-20-070, filed 10/3/00, effective 11/3/00)

WAC 16-324-375 Application and withdrawal. (1) To apply for certification, applicants must use the form provided by the department and furnish all information requested, including the date, name, signature and address of the applicant, lot number, seed source identification number, variety, class planted, acres, date planted, seed spacing at planting, average length of rows, year the field was last cropped to potatoes, along with their variety and lot number, and a map of the field location. Applications for certification must reach the department on or before June 15 of each year, accompanied by the appropriate fee, field location maps and evidence of eligibility such as tags or certificates. A North American Certified Seed Potato Health Certificate is required for evidence of eligibility for seed lots originating in other states or Canada, and must be submitted with the application. Unless prior approval has been granted, late applications will be assessed a late fee of twenty dollars per application. The department will not accept applications after July 10.

(2) Separate applications are required for each variety, seed source, and seed lot.

(3) Separate applications are required for each field location that is separated by more than one hundred feet.

(4) Growers may withdraw a seed potato lot from certification for any reason by notifying the department in writing.

AMENDATORY SECTION (Amending WSR 00-20-070, filed 10/3/00, effective 11/3/00)

WAC 16-324-398 Field inspection disease tolerance. (1) Compliance with a 0.0% tolerance is not intended, nor should it be construed, to mean that the lot inspected is free from the disease. It means that the disease was not detected during visual inspections of the seed lot.

(2) First and second field inspection tolerances, expressed as percentages.

Factor	Nuclear		G 1		G 2		G 3		G 4		G 5	
	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd
Varietal mixture	0.00	0.00	0.00	0.00	0.02	0.01	((0.05))	((0.01))	((0.08))	((0.05))	((0.20))	((0.10))
							<u>0.25</u>	<u>0.25</u>	<u>0.25</u>	<u>0.25</u>	<u>0.25</u>	<u>0.25</u>
Mosaic	0.00	0.00	((0.00))	((0.00))	((0.01))	((TR*))	0.50	((0.25))	((0.50))	((0.25))	2.00	1.00
			<u>0.10</u>	<u>0.10</u>	<u>0.20</u>	<u>0.20</u>		<u>0.50</u>	<u>1.00</u>	<u>1.00</u>		
Leafroll	0.00	0.00	((0.00))	((0.00))	((0.01))	((TR*))	((0.03))	((0.01))	((0.08))	((0.05))	0.40	((0.20))
			<u>0.05</u>	<u>0.05</u>	<u>0.10</u>	<u>0.10</u>	<u>0.25</u>	<u>0.25</u>	<u>0.25</u>	<u>0.25</u>		<u>0.25</u>
Total visible virus	0.00	0.00	0.10	0.00	0.50	0.50	((2.00))	((1.00))	((2.00))	((1.00))	((2.00))	((2.00))
							<u>0.75</u>	<u>0.75</u>	<u>1.25</u>	<u>1.25</u>	<u>2.40</u>	<u>1.25</u>
Phytoplasmas	0.00	0.00	0.00	0.00	0.10	0.10	0.20	0.20	0.50	0.50	1.00	1.00
Black leg	0.00	0.00	0.10	0.10	0.50	0.50	1.00	1.00	2.00	2.00	4.00	2.00
Ring rot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Nematode	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Spindle tuber viroid and other quarantined pests	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

((*TR=Trace))

AMENDATORY SECTION (Amending WSR 00-20-070, filed 10/3/00, effective 11/3/00)

WAC 16-324-401 Latent virus testing requirements. (1) PVX testing is required for nuclear and generation 1 (~~and generation 2~~) class seed potatoes. PVX testing is optional for all other classes.

(2) Growers must submit petiole samples for latent virus testing to a laboratory approved by the department. The applicant is responsible for laboratory testing fees.

(3) The minimum number of plants per seed lot to be sampled for PVX testing is one hundred. For nuclear class, a minimum of ~~((ten))~~ one percent of the total number of plants per lot must be sampled. For generation 1, a minimum of two ~~((percent of the total number of plants per lot))~~ hundred leaves per acre must be sampled. For generation 2, a minimum of fifty leaves per acre must be sampled. Generation 3, 4 and 5 seed lots should be sampled at a

rate of twenty leaves per acre. The department may require additional testing.

AMENDATORY SECTION (Amending WSR 00-20-070, filed 10/3/00, effective 11/3/00)

WAC 16-324-431 Digging, storage and premarketing. (1) Each seed lot must be stored with its identity maintained. All tubers from a unit planting method must be numbered and stored as an identifiable unit for the next year's planting.

(2) Each storage or room containing more than one seed lot must have a solid barrier between each lot.

(a) The department will reject any seed lot in which ring rot or nematode (~~by a solid barrier~~) is found.

(b) Noncertified potatoes must not be stored in the same facility as certified seed potatoes.

(3) The applicant must notify in writing receivers of any seed lot found to be infected with ring rot. The applicant must provide the department with a copy of this notification when it is sent to the receiver.

(4) All seed classes must be graded according to the United States Standards for Grades of Seed Potatoes.

(5) Each container or sack must be identified with an official Washington seed potato tag listing the grower's name, address, seed lot number, net weight, variety and classification unless such information is printed on the sacks or containers.

(6) The department issues tags to the grower. The grower is required to comply with all of the following:

(a) Tag the sack or container as the potatoes are sorted;

(b) Allow inspection of graded seed potatoes at any time;

(c) Remove the tags from out-of-grade potatoes under the supervision of the department; and

(d) Return all unused tags to the department.

(7) The department may issue a compliance agreement authorizing the grower to tag seed potatoes.

(8) Bulk shipments must be identified with the information required in subsection (5) of this section.

AMENDATORY SECTION (Amending WSR 00-20-070, filed 10/3/00, effective 11/3/00)

WAC 16-324-720 Laboratory testing--Fees. (1) ELISA testing to determine the presence of potato viruses:

# Viruses	# Samples	Price/leaf sample	Price/tuber sample
1	1 to 10	\$(1.00) <u>1.02</u>	\$(1.10) <u>1.13</u>
	11 to 25	\$(0.90) <u>0.92</u>	\$(1.00) <u>1.02</u>
	over 25	\$(0.80) <u>0.82</u>	\$(0.90) <u>0.92</u>
2	1 to 10	\$(1.50) <u>1.54</u>	\$(1.60) <u>1.64</u>
	11 to 25	\$(1.30) <u>1.33</u>	\$(1.40) <u>1.43</u>
	over 25	\$(1.10) <u>1.13</u>	\$(1.20) <u>1.23</u>
3	1 to 10	\$(2.00) <u>2.05</u>	\$(2.10) <u>2.15</u>
	11 to 25	\$(1.70) <u>1.74</u>	\$(1.80) <u>1.85</u>
	over 25	\$(1.40) <u>1.43</u>	\$(1.50) <u>1.54</u>
4	1 to 10	\$(2.50) <u>2.56</u>	\$(2.60) <u>2.67</u>
	11 to 25	\$(2.10) <u>2.15</u>	\$(2.20) <u>2.26</u>
	over 25	\$(1.70) <u>1.74</u>	\$(1.80) <u>1.85</u>
5	1 to 10	\$(3.00) <u>3.08</u>	\$(3.10) <u>3.18</u>
	11 to 25	\$(2.50) <u>2.56</u>	\$(2.60) <u>2.67</u>
	over 25	\$(2.00) <u>2.05</u>	\$(2.10) <u>2.15</u>
6	1 to 10	\$(3.50) <u>3.59</u>	\$(3.60) <u>3.70</u>
	11 to 25	\$(2.90) <u>2.98</u>	\$(3.00) <u>3.08</u>
	over 25	\$(2.30) <u>2.36</u>	\$(2.40) <u>2.46</u>

(2) Spindle tuber viroid testing is provided at the actual cost to the department.

AMENDATORY SECTION (Amending Order 4014, filed 10/22/92, effective 11/22/92)

WAC 16-324-730 ELISA testing for the presence of bacteria--Fees. The fee for ELISA testing for the presence of bacterial ringrot (*Clavibacter michiganensis* subsp. *sepedonicum*) and *Erwinia* c. subsp. *atroseptica*, per sample \$((~~1.20~~)) 1.23

AMENDATORY SECTION (Amending Order 4014, filed 10/22/92, effective 11/22/92)

WAC 16-324-740 Entry level primary test--Fees.

- (1) Crystal violet pectate test for *Erwinia* sp., per sample \$((~~2.50~~))
2.56
- (2) Nutrient - Yeast extract broth for bacteria, per sample \$((~~2.50~~))
2.56

AMENDATORY SECTION (Amending Order 4014, filed 10/22/92, effective 11/22/92)

WAC 16-324-750 Tests for bacterial ringrot--Fees.

- (1) Gram stain test for bacterial ringrot, per sample \$((~~3.75~~)) 3.85
- (2) Bioassay (host plant indexing) to confirm bacterial ringrot, per sample \$((~~5.00~~)) 5.13