

TRANSMITTAL OF RULES ADOPTED

FROM: AGRICULTURE
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98501

The enclosed Permanent rules , being order No. 1197
Emergency rules
relating to (Name of rules or description of subject matter)

A quarantine designed to prevent the establishment of
annual bluegrass in grass seed production areas.

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 2980 ^① filed with the code reviser
on 4/2/71 ^② were regularly adopted as permanent rules of this
(date)
agency at Olympia, Wa. on 4/16/71 and are herewith
(place) (date)
filed in the office of the code reviser pursuant to chapter 34.04
RCW. The effective date of such rules shall be 5/16/71 ^③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of
these rules is necessary for the preservation of the public
health, safety, or general welfare and that observance of the
requirements of notice and opportunity to present views on
the proposed action would be contrary to the public interest,
were regularly adopted as emergency rules of this agency at
_____ on _____ and are herewith filed in
(place) (date)
the office of the code reviser pursuant to chapter 34.04 RCW.

Dated this 16th day of April 1971.

STATE OF WASHINGTON
FILED
APR 16 1971 *llb*
CODE REVISER'S OFFICE
DOCKET # 3387 FILE # 23

AGRICULTURE
(AGENCY)
[Signature]
By _____
Director
Title

① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY RE-
VISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVIS-
ER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED
IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING:
34.04.040. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.



STATE OF WASHINGTON

OFFICE OF THE GOVERNOR

OLYMPIA

DANIEL J. EVANS
GOVERNOR

A PROCLAMATION BY THE GOVERNOR

WHEREAS, the grass seed industry of the state of Washington is of substantial economic importance to the state; and

WHEREAS, it has been determined that a certain weed, specifically annual bluegrass, *Poa annua*, or any variations or new strains of this weed is very detrimental and depressing to the grass seed industry markets in areas where it is known to exist; and

WHEREAS, all counties east of the Cascade Crest in the state of Washington are substantially free from annual bluegrass; and

WHEREAS, most grass seed producing areas outside the state are partially infested with one or more of the different strains of annual bluegrass, and it has been found necessary to control importation and use of grass seed stock into eastern Washington counties in order to prevent contamination from annual bluegrass;

NOW, THEREFORE, I, Daniel J. Evans, Governor of the state of Washington hereby proclaim that effective April 16, 1971, no seed stock shall be shipped, transported, or moved in, or into, the regulated area of this quarantine unless such seed stock is accompanied by a test report from an official laboratory showing the officially drawn sample is free of annual bluegrass on the basis of a minimum 25 gram analysis for bluegrasses and a minimum of 50 gram analysis for other grasses;

PROVIDED, THAT, seed stock found to contain annual bluegrass may be planted in a nursery under an inspection program as established by the State Department of Agriculture.

WHEREAS, this quarantine shall not apply to seed grown for forage or turf; and

WHEREAS, this quarantine shall not apply to experiments of the United States Department of Agriculture or Washington State University Experiment Station, or to experiments of any person, firm, or corporation; provided said plantings are approved by the director, and under supervision of technically trained personnel familiar with annual bluegrass control; and

A PROCLAMATION BY THE GOVERNOR

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WHEREAS, any person prior to shipping, moving, or transporting any seed stock for planting purposes in, or into, the regulated area shall forthwith notify the Department of Agriculture in writing of such person's intent to ship, move, or transport any seed stock into said regulated area. Such notice of intent shall be accompanied by a copy of the official laboratory analysis showing freedom from annual bluegrass.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia, this 16th day of April, A.D., nineteen hundred and seventy-one.



Governor of the State of Washington

BY THE GOVERNOR:



Secretary of State

Chapter 16-495

ANNUAL BLUEGRASS QUARANTINE

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
Order No. 1197
Effective May 16, 1971

NEW

WAC 16-495-001 PROMULGATION. ESTABLISHING QUARANTINE.

(1) Whereas, the seeds of the weed known as annual bluegrass, Poa annua and its fifty-six known strains, hereinafter referred to as annual bluegrass, are objectionable in grass seed; and

(2) Whereas, the market value of grass seed contaminated with annual bluegrass is greatly reduced; and

(3) Whereas, it is difficult to impossible to remove annual bluegrass from most grasses; and

(4) Whereas, the grass seed production area of Washington State is, at present, generally free of annual bluegrass; and

(5) Whereas, a quarantine will be effective in preventing the introduction of annual bluegrass into grass seed production areas of Eastern Washington; and

(6) Whereas, control of annual bluegrass in seed stocks to be planted for further seed increase will assure grass seed growers of a source of seed stock for planting purposes which is annual bluegrass free;

(7) Now, therefore, I, Donald W. Moos, director of the department of agriculture of the state of Washington, by virtue of the authority vested in me under chapters 17.24 and 15.49 RCW, after a public hearing held in Othello, Washington, on March 24, 1971, pursuant to chapters 34.04 and 42.32 RCW, do hereby proclaim and establish a quarantine to become effective May 16, 1971, setting forth the plant for which the quarantine is established, the area under quarantine, regulated area, regulated articles, and the conditions governing the importation and movement of seed stocks of all grass species into the regulated area.

NEW

WAC 16-495-010 DEFINITIONS. (1) "Person" means a natural person, individual, firm, partnership, corporation, company, society, and association, and every officer, agent, or employee thereof. This term shall import either the singular or the plural as the case may be.

(2) "Director" means the director of the department of agriculture or his duly authorized representative.

(3) "Annual bluegrass" means Poa annua and all related subspecies.

(4) "Seed Stock" means those seeds which are planted for seed increase or with intent of seed increase.

(5) "Nursery" means an area of two acres or less in which grass for seed production is seeded in rows with twenty-four inch minimum spacings to facilitate roguing.

NEW

WAC 16-495-020 REGULATED AREA. All areas of Washington lying east of the Cascade Crest.

NEW

WAC 16-495-030 QUARANTINE AREA. All areas of Western Washington and all areas outside of the state of Washington.

NEW WAC 16-495-040 REGULATED ARTICLES. Seed stocks of all grass species.

NEW WAC 16-495-050 CONDITIONS GOVERNING MOVEMENT OF REGULATED ARTICLES. (1) No seed stock shall be shipped, transported, or moved in, or into, the regulated area on or after the effective date of this quarantine unless such seed stock is accompanied by a test report from an official laboratory showing the officially drawn sample is free of annual bluegrass on the basis of a minimum 25 gram analysis for bluegrasses and a minimum of 50 gram analysis for other grasses; provided, that, seed stock found to contain annual bluegrass may be planted in the regulated area if planted in a nursery under an inspection program as established by the state department of agriculture.

(2) This quarantine shall not apply to seed sown for forage or turf.


(3) This quarantine shall not apply to experiments or trial grounds of the United States Department of Agriculture or Washington State University Experiment Station, or to any person, firm, or corporation; provided said plantings are approved by the director and under supervision of technically trained personnel familiar with annual bluegrass control.

(4) Any person prior to shipping, moving, or transporting any seed stock for planting purposes in, or into, the regulated area shall forthwith notify the department of agriculture in writing of such person's intent to ship, move, or transport any seed stock into said regulated area. Such notice of intent shall be accompanied by a copy of the official laboratory analysis showing freedom from annual bluegrass.

NEW WAC 16-495-060 VIOLATIONS AND PENALTY. All violations of this order shall be dealt with according to the provision of RCW 17.24.100, making such violations a misdemeanor.

NEW WAC 16-495-070 EFFECTIVE DATE. This order shall take effect on and after the sixteenth day of May, 1971.

I hereby certify that the foregoing is a true and correct copy of the regulations promulgated.


DONALD W. MOOS
Director of Agriculture
State of Washington

Signed at Olympia, Wa.

Date: 4/16/71

