

State of Washington

Department of Agriculture

(agency name)

Administrative Order No. 1561

(1) I. Bob J. Mickelson, director of the Department of Agriculture

do promulgate and adopt at Olympia, Washington (place) the annexed rules relating to:

WAC 16-316-450 of Chapter 16-316, Title 16 relating to isolation requirements for red clover certification.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules. & 2/21/78

This action is taken pursuant to Notice No. 7973 and 78-03-047 filed with the code reviser on 12/30/77. Such rules shall take effect:

XX pursuant to RCW 34.04.040(2). at a later date, such date being April 1, 1978

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I. find that an emergency exists and that the foregoing order 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 public interest. A statement of the facts constituting such emergency is:

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04. (1977 c 19 § 2) that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in statement (a), (b), or (c) as appropriate):

XX (a) This rule is promulgated pursuant to RCW 15.49 and is intended to administratively implement that statute.

(b) This rule is promulgated pursuant to RCW which directs that the

(agency)

has authority to implement the provisions of

(name of act or RCW citation)

(c) This rule is promulgated under the general rule-making authority of the

(agency)

as authorized in RCW

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

(5) This order after being first recorded in the order register of this agency is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON APPROVED BY March 1 19 78

FILED

MAR 1 1978

By Bob J. Mickelson Director of Agriculture

Title

CODE REVISER'S OFFICE WSR 78-03-111

File 30

AMENDATORY SECTION (Order 1495, filed 3/31/77)

WAC 16-316-450 ISOLATION REQUIREMENTS. (1) Red clover for certification shall 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 variety shall be 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	((45)) 75 feet	((75)) 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 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 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 may harvest either the certified portion of the field or the uncertified isolation strip first and deliver that portion to the processing plant. After this seed is weighed and lotted in, the grower will then request a reinspection of the uncut portion. After reinspection, if everything is in order, the field will be passed and the remainder of the field can then be harvested.



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

DEPARTMENT OF AGRICULTURE

406 General Administration Building, Olympia, Washington 98504

For the purposes of legislative review of agency rules, the following statement is submitted:

1. Rules pertaining to isolation requirements for red clover seed certification. (Statutory authority 15.49 RCW)
2. Amendments changes isolation distances between different classes of the same variety of seed.
3. Art Losey
406 General Administration Bldg.
Olympia, Washington 98504
753-5064
Bob Eschbach
2015 S. 1st Street
Yakima, Washington 98903
575-2750
4. Proponents: Department of Agriculture
Opponents: None
5. No agency comments.