

State of Washington

Department of Agriculture

(agency name)

Administrative Order No. 1601

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

do promulgate and adopt at Olympia, WA (place)

the annexed rules relating to:

Proprietary variety certification standards in WAC 16-316-600.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. WSR 79-03-050 filed with the code reviser on March 6, 1979. Such rules shall take effect:

- [X] pursuant to RCW 34.04.040(2).
[] at a later date, such date being

(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):

- [X] (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 April 30 19 79 FILED

By [Signature] Deputy Director

APR 30 1979

Title

CODE REVISER'S OFFICE WSR 79-05-073

AMENDATORY SECTION (Amending Order 1461, filed 5/13/76)

WAC 16-316-600 GENETIC PURITY CERTIFICATION. (1) The general certification standards and specific crop certification standards are basic and, together with the following exceptions and specific regulations, constitute the rules for genetic purity seed certification.

(2) Only proprietary varieties and O.E.C.D. varieties not of U.S. origin to be tagged under the O.E.C.D. scheme are eligible for genetic purity certification.

(3) Only the specific crop certification standards that pertain to genetic purity such as land requirements and isolation shall apply, however, in addition fields must not contain other varieties or off-type plants in excess of established standards; and the grower is expected to control noxious weeds to prevent seed formation.

(4) Excessive prohibited and/or objectionable weeds, poor stands, lack of vigor, or other conditions which make inspection inaccurate may be cause for rejection of a field.

(5) Field Inspection. A field inspection shall be made each year at the time the seed crop is in bloom, or at such other times as may be most advantageous to determine genetic purity. A complete record shall be maintained on the condition of the field (weeds, crop mixtures, etc.) and all such information reported to the authorized agent and/or grower. Upon completion of all requirements for field inspection, a final field inspection report shall be issued stating that seed produced from said field passed genetic purity requirements.

(6) Seed Standards. Seed to be certified must not contain seeds of other varieties or off-types in excess of established standards. The quality of each lot of seed represented to be certified must be that which is normally acceptable in the marketing of high quality seed. The certifying agency shall test all lots to determine the purity and germination quality. Failure to maintain acceptable quality shall be considered cause for revoking permission to participate in seed certification by genetic purity.

(7) Processing Requirements. Only those cleaning plants approved by the certifying agency are permitted to process seed for certification. Complete records must be kept of all processing. Blending of seed lots of the same variety from fields passing field inspections may be permitted with prior approval and if in accordance with regulations for blending. ~~((There shall be a certification representative in each approved plant to be responsible for all operations involving certified seed. This representative will draw a sample of each lot of certified seed after the lot is brought to the condition in which it is to be marketed.))~~ Sampling and all other operations involving certified seed shall be under supervision of the certifying agency. The sample shall be obtained in accordance with official sampling procedures. The entire lot must be cleaned and in condition for sale at the time of sampling. This sample will be submitted to the Seed Laboratory for testing to evaluate quality. Lots of questionable quality may be rejected and not eligible for certification.

(8) Certification tags ((used)) will be clearly marked, "Genetic Purity Certified".

(9) Fees for genetic purity certification are as established for each commodity under Washington certification and the authorized agent or grower is responsible for all authorized fees.



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

DEPARTMENT OF AGRICULTURE

406 General Administration Building, Olympia, Washington 98504

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

- (a) This rule relates to the seed regulations in Washington state (statutory authority RCW 15.49).
- (b) Revision of regulations concerning production, certification and distribution of seed. These changes include a 15 percent increase in seed testing fees; amendments in seed certification, quarantine, phytosanitary, noxious weed seed programs, clover, alfalfa, grass, bean, pea, lentil, soybean, small grain, tree seed, sod quality, blending, the O.E.C.D. program; and, amendments to restricted noxious weed seed list.
- (c) Department of Agriculture
Grain and Chemical Division
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Olympia, WA 98504
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- Robert Eschbach
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- (d) Proponents:
- Department of Agriculture
Ted Dion
Les Clemmons
Jack McGillis
- Duward Massey
Bob Johnson
- Opponents: None
- (e) None