

State of Washington

Department of Agriculture

(agency name)

Administrative Order No. 1621

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

do promulgate and adopt at Olympia, WA (place)

the annexed rules relating to:

Red clover seed certification standards in WAC 16-316-440 and WAC 16-316-460.

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

This action is taken pursuant to Notice No. WSR 79-03-070 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 APPROVED AND ADJUDGED FILED

April 30 1979

APR 30 1979

By [Signature] Deputy Director

Title

CODE REVISER'S OFFICE WSR 79-03-078

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

WAC 16-316-440 CERTIFICATION FEES. (1) Seedling Applications: Due within sixty days after planting, however, may be accepted after due date at the discretion of the certifying agency.

(a) Seedling application fee:
Per variety, per grower..... \$10.00

(b) Late seedling penalty fee:..... \$10.00
This additional fee shall be charged for each seedling application received more than sixty days after planting.

(c) Seedling acreage fee: (per acre)..... \$ 1.00
(Refundable if acreage is withdrawn before inspection). Required of seedling fields to be harvested for certification the year of planting.

Notification of seedling field to be harvested for certification and required fees are due July 31, however, may be accepted after due date with \$10.00 late penalty fee at the discretion of the certifying agency.

(2) Renewal applications: Due June 15, however, may be accepted after due date at the discretion of the certifying agency.

(a) Renewal application fee:
Per variety, per grower..... \$10.00

(b) Renewal acreage fee: (per acre)..... \$ 1.00
(Refundable if acreage is withdrawn before inspection).

(c) Late renewal penalty fee:..... \$10.00
This additional fee shall be charged for each renewal application received after June 15.

(3) Reinspection: ((First---reinspection included---with-acreage-fee---Second-reinspection)) Other than isolation (each field)..... \$20.00

If a field is rejected for certification, the grower may apply for reinspection after the cause for rejection has been corrected. Only two reinspections are permitted for each field each year.

(4) ((~~Sampling-Fee:--(per-100-lbs:)------\$-0.45~~)) Production fee ((-)) includes sampling and tagging per cwt.: ((~~(per-100-lbs:)~~))..... \$ ((~~0.45~~)) 0.30

The ((~~sampling-and~~)) production fee((~~s-are~~)) is billed at completion of tests. If none of the seed is tagged, 10% of the ((~~45~~)) 30% cwt. production fee charged is refundable.

(5) Purity & Germination test:..... Fees as established by the director of agriculture.

(6) Fees for ((~~resampling~~)) retagging, or services not listed in this order shall be the most applicable fee established by the director of agriculture.

(7) Fees for reissue of tags shall be \$0.05 a tag with a minimum fee of \$5.00.

AMENDATORY SECTION (Amending Order 1457, filed 5/13/76)

WAC 16-316-460 SEED STANDARDS. Seed standards shall be as follows:

(1)

Purity		Foundation ((*))	Blue Tag Certified ((*))
Pure seed	(Min.)	99.00%	99.00%
Other crops	(Max.)	18 per lb.	0.25%
Inert matter	(Max.)	1.00%	1.00%
Sweet clover	(Max.)	9 per lb.	90 per lb.
Weed seed	(Max.)	0.15%	0.25%

Purity	Foundation ((*))	Blue Tag Certified ((*))
Objectionable weed seeds (Max.)	none	90 per lb.
Germination (Minimum total germination and hard seeds)	85.00%	85.00%
OR <u>Tetrazolium (Minimum total tetrazolium and hard seeds)</u>	<u>87.00%</u>	<u>87.00%</u>

{ (*) } (2) Red Clover seed must be free of prohibited noxious weed seeds. FURTHER, the foundation class must also be free of Brassica spp.

(3) Foundation seed that has been rejected in the laboratory for prohibited noxious weed seeds may be reclassified to the certified blue tag class and may not be eligible for seed stock even though it is recleaned and meets certification standards.



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
Art G. Losey
406 General Admin. Bldg.
Olympia, WA 98504
753-5062
- Robert Eschbach
2015 So. 1st Street
Yakima, WA 98903
575-2750
- (d) Proponents:
- Department of Agriculture
Ted Dion
Les Clemmons
Jack McGillis
- Duward Massey
Bob Johnson
- Opponents: None
- (e) None