

State of Washington

Department of Agriculture

(agency name)

Administrative Order No. 1701

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

do promulgate and adopt at Olympia, Washington (place)

the annexed rules relating to:

Sod certification in WAC 16-321-001; WAC 16-321-010; WAC 16-321-020; WAC 16-321-030; WAC 16-321-040; WAC 16-321-050; WAC 16-321-060; WAC 16-321-070; WAC 16-321-090; WAC 16-321-100; WAC 16-321-110; and WAC 16-321-120.

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

This action is taken pursuant to Notice No. WSR 80-04-117 filed with the code reviser on April 2, 1980. 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 ADOPTED May 30, 1980

FILED

MAY 30 1980

By Bob J. Mickelson Director of Agriculture Title

CODE REVISER'S OFFICE WSR 80-06-104



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.

1. Rules pertaining to production, certification and distribution of seed in Washington state (Statutory Authority RCW 15.49).
2. Amendments of the seed regulations included a forty percent increase in laboratory seed testing fees; amendments to regulations on seed quarantine, small grain seed labeling requirements, treated seed labeling requirements; and amendments to seed certification for clover, alfalfa, grass, bean, pea, lentil, soybean, small grain, tree seed, sod quality seed certification. New regulations were adopted for sod and sod seed certification standards.

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4. Proponents:

Department of Agriculture
Duward Massie
Les Clemons
Bob Prentice
A. Sumida
W. Eldridge
Ted Dionne

Opponents: None

5. No agency comments.

Chapter 16-321 WAC
GRASS SOD - CERTIFICATION STANDARDS

WAC	
16-321-001	Purpose
16-321-010	Grass Sod Certification Standards
16-321-020	By Whom Certified
16-321-030	Varieties Eligible
16-321-040	Application for Sod Certification
16-321-050	Certification Fees
16-321-060	Land Requirements
16-321-070	Eligibility of Seed Stock
16-321-080	Field Standards
16-321-090	Specific Requirements
16-321-100	Inspection
16-321-110	Labeling
16-321-120	Responsibility and Obligations

NEW SECTION

WAC 16-321-001 PURPOSE. The purpose of sod certification is to maintain and make available to the public high quality sod of turfgrasses so grown and distributed as to insure genetic identity and purity and high degree of freedom from weeds, diseases, injurious insects, and other pests.

NEW SECTION

WAC 16-321-010 GRASS SOD CERTIFICATION STANDARDS. The General Seed Certification Standards and Grass Seed Certification Standards are basic and together with the Sod Quality Certified Seed Standards and the following specific regulations shall constitute the standards for Grass Sod Certification in Washington state.

NEW SECTION

WAC 16-321-020 BY WHOM CERTIFIED. Grass sod certification in the state of Washington shall be conducted by Washington state department of agriculture in cooperation with the Institute of Agri Sciences, Washington State University and Association of Official Seed Certification agencies.

NEW SECTION

WAC 16-321-030 VARIETIES ELIGIBLE. Only those species and varieties tagged sod quality certified seed by an official certification agency shall be eligible for sod certification.

NEW SECTION

WAC 16-321-040 APPLICATION FOR SOD CERTIFICATION. Application for sod certification together with payment of fees and verification of seed stock must be submitted to the Washington state department of agriculture, Seed Branch, Yakima, Washington, thirty days prior to field preparation to allow time for preplant inspection.

NEW SECTION

WAC 16-321-050 CERTIFICATION FEES.

Application fee.....	\$10.00
Preplant inspection.....	\$ 2.00/acre
Sod field inspection.....	\$10.00/acre
(including sod certification labels)	

Application due dates: January 1 for spring planting; June 1 for fall planting.

NEW SECTION

WAC 16-321-060 LAND REQUIREMENTS. (1) The land on which certified sod is to be established must have been in the production of cultivated crops or clean fallow for at least two growing seasons preceding the seeding of the turfgrass for sod certification, unless the previous crop was of the same variety or varieties grown for certified sod or seed or unless the soil was satisfactorily treated with a recommended soil fumigant or herbicide program.

(2) No manure or other potentially contamination material shall be applied on sod fields entered for certification.

(3) Field must meet standards set forth by sections (1) and (2) of WAC 16-321-090.

NEW SECTION

WAC 16-321-070 ELIGIBILITY OF SEED STOCK. (1) All seed stock being planted for certified sod must meet Washington state sod quality seed standards, have an official sod quality certificate analysis from state of origin and be tagged "sod quality" by an official agency.

(2) Sod quality seed mixtures must be approved by the certifying agency.

(3) Documentary evidence, such as sod quality certificate analysis, tag and purchase record, must be submitted to certifying agency with application to establish planting stock eligibility.

(4) Sample of seed stock as prepared for planting shall be submitted to the certifying agency for reference file.

NEW SECTION

WAC 16-321-080 FIELD STANDARDS. (1) Isolation: A field to be eligible for certification of sod must be isolated by a five foot border or a barrier that will prevent encroachment of mechanical mixing during harvesting.

(2) Units of Certification: A field or marked block within a field shall be considered the unit for certification. If for any reason sections of a field do not meet certification requirements, the portion of field meeting certification requirements may be certified provided it is adequately defined or outlined, (such as bordering with chemical treatment).

(3) Management: A sod field for lifting shall show evidence of good management.

(4) Quality of product: The sod shall be of uniform density, color and texture.

NEW SECTION

WAC 16-321-090 SPECIFIC REQUIREMENTS. (1) Tolerances for plants of other crops (per 1000 square feet):

FACTORS:

MAXIMUM:

Other turfgrass species not included in planting stock	3 plants per 1000 square feet
Other crop plants	0 plants per 1000 square feet
Noxious weeds	0 plants per 1000 square feet
Objectionable weeds	3 plants per 1000 square feet

(2) Tolerance for plants other than crop:

(a) Unacceptable plants - none allowed. "Unacceptable plants" shall include prohibited and restricted noxious weeds in accordance with the provisions of the Washington State Seed Act, and other weeds difficult to control selectively through cultural or chemical methods, such as nutgrass (*Cyperus esculentus*), goosegrass (*Eleusine indica*), annual bluegrass (*Poa annua*), and any variety or species of weedy perennial grass.

(b) Objectionable plants - maximum three plants per 1000 square feet. "Objectionable plants" shall include the following: Crabgrass (*Digitaria* spp.), dandelion (*Taraxacum officinale*), wood sorrel (*Oxalis suropaca*), ground ivy (*Glechoma hederacea*), yarrow (*Achillea millefolium*), annual chickweed (*Stellaria media*), mouse-ear chickweed (*Cerastium vulgatum*), field chickweed (*Cerastium arvense*), speedwell (*Veronica* spp.), knotweed (*Polgonum aviculare*), purslane (*Portulaca oleracea*), heal-all (*Prunella vulgaris*), knawel (*Scleranthus annuus*), black medic (*Medicago lupulina*), white clover (*Trifolium repens* L.), and any other broadleaf or grassy weed which may detract from sod quality.

(3) Pests and Diseases: Every field within the certification program shall be maintained reasonably free of pests and diseases.

(4) Mixtures shall contain a minimum of ten percent by weight of any variety.

NEW SECTION

WAC 16-321-100 INSPECTION. (1) A preplanting inspection shall be made prior to field preparation of fields to be planted for sod to determine if land requirements have been met. A written report shall show the grower's name, number of acres, location, crop history for past six years, weed and crop present, and variety or varieties to be planted.

(2) At least two field inspections shall be made, the first after establishment, the second prior to lifting. If field is harvested prior to lift inspection, that crop will not be eligible for certification. Rejection of sod from certification may be made any time sod quality is below standard.

(3) After fields have met the requirements for certification, inspection may be made at intervals required to maintain certification eligibility.

(4) Field conditions which make it difficult to perform satisfactory field inspections may be cause for rejection of sod from certification.

NEW SECTION

WAC 16-321-110 LABELING. All sod when sold as certified shall have an official sod certification label properly affixed to invoice.

NEW SECTION

WAC 16-321-120 RESPONSIBILITY AND OBLIGATIONS. Responsibility for any obligations arising from the sale or shipment of sod which has been certified rests with the grower or subsequent handler making the sale or shipment.