

FROM: AGRICULTURE
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG. (Southwest Corner, Ground Floor)
OLYMPIA 98504

The enclosed rules Permanent rules , being Order No. 1506
Emergency rules

relating to (Name of rules or description of subject matter)

forest tree seed certification

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

pursuant to Notice No. 7457 ① filed with the code reviser
on 3/17/77 ② were regularly adopted as permanent rules of
(date)
this agency at Olympia on 4/11/77 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 May 11, 1977 ③

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

pursuant to its finding in the attached administrative order,
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
(place) (date)
are herewith filed in the office of the code reviser pursuant to
chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter
34.04 RCW and of the Open Public Meetings Act of 1971, chapter
42.30 RCW have been fulfilled.

Dated this eleventh day of April 1977.

STATE OF WASHINGTON
FILED

APR 11 1977

CODE REVISER'S OFFICE

DOCKET # 8110 FILE # 30

AGRICULTURE
(AGENCY)
Ray F. Shoemaker
By _____
Director of Agriculture
Title

① Notice number as appears on the copy of notice returned to you by
reviser'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
reviser'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:
RCW 34.04.040. Leave this space blank except in such special cases.
[Order 9, filed 9/25/74, eff. 10/25/74] [Form CR-2: Rev. 9/21/74]

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE

ADMINISTRATIVE ORDER NO. 1506

(1) I, GARY STROHMAIER, Director, Department of Agriculture of the State of Washington, by virtue of the authority vested in me under chapters 34.04 RCW, and 15.49 RCW after due notice and after carefully and fully considering the oral and written views of the public received in a meeting open to the public held in the Department of Agriculture Seed Branch Office, 2015 South First Street, Yakima, Washington at 11:00 a.m. on April 7, 1977

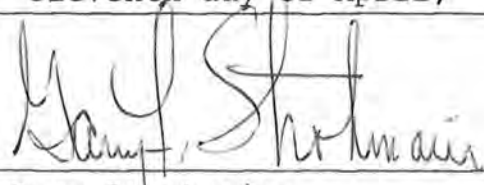
as required by chapters 34.04 and 42.30 RCW, do promulgate and adopt the annexed rules and regulations, to wit:

AMD: WAC 16-319 of chapter 15.49 RCW, and
REP: WAC 16-319-071 of chapter 15.49 RCW
relating to forest tree seed certification.

as permanent rules of this agency.

(2) This order after being first recorded in the order register of this agency shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED eleventh day of April, 1977

By 
Gary Strohmaier

Director of Agriculture

Title

WAC 16-319-020 FOREST TREE SEED CERTIFICATION STANDARDS. 1/

(1) Purpose. The purpose of certification of forest reproductive material is to make available reproductive material properly identified by species or species and cultivar, and by source or source and origin.

(2) Definitions 1/

(a) Applicant means person or organization who submits application for certification of forest reproductive material to certifying agency and who assumes responsibility for compliance with these standards.

(b) Audit means periodic examination and check by certifying agency of any part or all of the records and procedures specified in field standards and processing standards, and of additional records pertinent to inventory and distribution of reproductive material including verification of corresponding physical inventory to assure that no significant errors or omissions exist.

(c) Batch means all or part of a lot of reproductive material of a single species collected during one crop season from within stated seed zones(s) and from within stated 500-foot elevation increment(s) and collected or processed at one time. Batches may be combined subsequently with other batches into a lot. Batches shall be identified distinctively as they are processed by number and/or code or as specified on the Certificate of Genetic Identity.

(d) Buyer means person who first receives reproductive material from the collector.

(e) Certificate of Genetic Identity means a document describing the ancestry and breeding behaviour of a lot of reproductive material.

(f) Certificate of Origin means a document issued by certifying agency which verifies source and origin of reproductive material by field inspection and audit.

(g) Certification of reproductive material means execution by certifying agency of field inspection, plant/warehouse inspection and/or audit to accomplish the purpose described in paragraph (1).

(h) Certifying Agency means the duly designated state agent: In Oregon State, the Oregon Seed Certification Service, Cooperative Extension Service, 102 Farm Crops Building, Oregon State University, Corvallis, Oregon 97331. In Washington State, Washington State Crop Improvement Association, Inc., 513 North Front Street, Yakima, Washington 98901.

(i) Character means a distinctive trait, but not necessarily an invariable feature, exhibited by all individuals of a group and capable of being described or measured: e.g., growth; form; color; resistance to disease, insects, weather, animals, etc.

(j) Code means a unique identification of a group of pertinent records about a lot of forest reproductive material.

(k) Collector means a person who collects forest reproductive material at its source.

(l) Elevation means altitude above sea level and is coded in 500-foot increments as follows:

0 - 500 feet -- Code 05	2501 - 3000 feet -- Code 30
501 -1000 feet -- Code 10	3001 - 3500 feet -- Code 35
1001 -1500 feet -- Code 15	3501 - 4000 feet -- Code 40
1501 -2000 feet -- Code 20	4001 - 4500 feet -- Code 45
2001 -2500 feet -- Code 25	4501 - 5000 feet -- Code 50
	and so forth.

1/ Underscoring in the text indicates a direct reference to specific terms which are defined or described herein.

(m) Field inspection means observation by certifying agency of all activities and records involved in propagation, collection, buying, production, and transportation of forest reproductive material to assure compliance with field standards.

(n) Forest reproductive material means plant material of genera and species of trees which will be used for forestry.

(o) Genetic identity means the ancestry and breeding background of the forest reproductive material.

(p) Genetic superiority means that forest reproductive material originated from tree(s) whose superiority in one or more characters important to forestry has been proven by tests conducted in specified environments.

(q) Location means description by seed zone or portion thereof and elevation.

(r) Lot means a homogeneous quantity of forest reproductive material.

(i) For Tested and Selected classes, it is of a single species or cultivar collected during one crop season from the distinctively described population of trees as specified on the Certificate of Genetic Identity.

(ii) Four Source Identified class, it is a single species collected during one crop season from within state seed zone(s) and from within 500-foot elevation increment(s).

(iii) For Audit class, it is a single species collected during one crop season from within stated seed zone(s) and from within 500-foot elevation increment(s).

(iv) Lots shall be identified by number and/or code.

(s) Origin means the location of the indigenous parents; for nonindigenous parents, it is the location from which the seed or plants were originally introduced.

(t) Plant/warehouse inspection means observation by certifying agency of all activities and records involved in receiving, processing, storage and labeling of forest reproductive material to assure compliance with processing standards.

(u) Producer means person, company, bureau or agency with overall responsibility for producing forest reproductive material.

(v) Provenance means the original geographic source of seed, pollen or propagules.

(w) Reproductive material means seed, pollen, trees, cuttings, scions, etc., originating from forest trees.

(x) Seed zone means a geographic area delineated on Western Forest Tree Seed Council's Tree Seed Zone Map published July 1973, or similarly authoritative maps of seed zones as approved by certifying agency.

(y) Source means the location of the immediate parents, the origin of which may be indigenous, nonindigenous, or unknown.

(z) Test means evaluation of parents by comparing the performance of their offspring under more controlled conditions than exist for the parent(s) or other applicable tests which evaluate specific character(s) of the parents.

(aa) Unit of measure means a consistent volume of measure, i.e., bushels, pounds, grams, number, cubic centimeters, etc.

Further, such forest reproductive material is produced and processed in a manner assuring genetic identity common with the tested material, and, for nursery stock, that it was produced from tested reproductive material. Said forest reproductive material shall be labeled with a blue label stating "Tested". Certifying agency shall examine trees and reproductive material; exercise field, plant, and warehouse inspection, and audit all pertinent records involved.

(2) Selected class means that reproductive material came from trees that were selected for specific character(s) as described in the Certificate of Genetic Identity. Two subclasses are recognized:

Subclass A: Reproductive material is obtained from selected trees and, in addition for tree seed, the male parent(s) is also selected.

Subclass B: Applies to tree seed when only one parent is selected.

Both subclasses shall be labeled with a green label stating "Selected" and the subclass. Certifying agency shall examine trees and reproductive material; exercise field, plant, and warehouse inspection, and audit all pertinent records involved.

(a) Selected Subclass A means that the donor or parents of the reproductive material are selected, known, and of record, but have no test results of record, and, for nursery stock, that it was produced from Selected Subclass A or better reproductive material.

(b) Selected Subclass B means that only one parent of the tree seed is selected, known, and of record and reproductive material has not been tested, and, for nursery stock, that it was produced from Selected Subclass B or better reproductive material.

(3) Source Identified Class means that the reproductive material came from within a seed zone(s) or portion thereof and from within a 500-foot elevation increment(s). Two subclasses are recognized:

Subclass A: Personally supervised production.

Subclass B: Procedurally supervised production.

Both classes of said reproductive material shall be labeled with a yellow label stating "Source Identified" and the subclass. Certifying agency shall exercise field inspection, plant/warehouse inspection, and audit.

(a) Subclass A Source Identified means that applicant and certifying agency personally know beyond a reasonable doubt the seed zone(s) or portion thereof and 500-foot elevation increment(s) within which cones and/or reproductive material were collected; and, for nursery stock, that it was produced from Subclass A Source Identified or better reproductive material. Certifying agency knows location from applicant's prior written plan of his reproductive material collecting and/or producing activities.

(b) Subclass B Source Identified means that applicant and certifying agency know reproductive material is identified as collected from within a seed zone(s) or portion thereof and from within a 500-foot elevation increment(s), and for nursery stock, that it was produced from Subclass B Source Identified or better reproductive material.

(4) Audit Class means that the applicant's records of procurement, processing, storage, and distribution state that the reproductive material was collected from within stated seed zone(s) or described portions thereof and from within 500-foot elevation increment(s), and, for nursery stock, certifying

agency knows that it was produced from Audit Class or better reproductive material. Containers of said reproductive material shall carry a serially numbered brown and white label stating "Audit Certificate". All records of the applicant for this class of reproductive material are subject to audit.

AMD

WAC 16-319-041 APPLICATION FOR CERTIFICATION OF FOREST REPRODUCTIVE MATERIAL. (1) The conditions of applicant's submittal and of certifying agency's acceptance of application are:

(a) All reproductive material acquired or distributed by applicant of a type for which certification is requested is subject to audit.

(b) Applicant shall be responsible for payment of fees for certification services.

(c) Applicant is responsible for developing a record keeping system and labels available and satisfactory to the certifying agency.

(d) Certifying agency reserves the right to refuse certification service to applicant.

(e) Application for audit certificate reproductive material is collected.

(2) The application, with a copy of the Certificate of Genetic Identity form for Tested and Selected classes, for current year's production of reproductive material shall be received by certifying agency from applicant not later than three days prior to initiation of collection, production, or propagation of reproductive material. Payment for requested services is prescribed below:

(3) Schedule of fees. Fees may be adjusted at the beginning of a crop year if certifying agency determines that costs are significantly more or less than anticipated: PROVIDED, That increases shall not exceed 25 percent of the following schedules:

(a) Service for certification of Tested and Selected classes, including review of test plans, audit of pertinent records and field inspection, shall be charged for at the rate of \$15.00 per man-hour job time payable as services are performed. This fee shall apply whether or not approved for such.

(b) The fee for Source Identified classes of tree seed is sixty cents (\$0.60) per bushel of cones collected for each lot containing 60 bushels or more collected in one crop year of a single species from a single zone or portion thereof and from a single elevation increment.

(i) The fee for each lot as defined above containing less than 60 bushels of cones shall be a maximum of \$36.00: PROVIDED, That the certifying agency, due to specific circumstances, may waive this maximum fee or a part thereof.

(ii) Sixty percent of the fee for the estimated collection of cones shall be paid with the application, the remainder to be paid when billed by the certifying agency after processing is completed. The full \$0.60 per bushel fee shall apply to all bushels presented for source identified certification whether or not approved for such.

(iii) Source identified certification services for other types of reproductive material shall be at the rate of \$15.00 per man-hour job time payable as services are performed. These fees shall apply for source identified certification whether or not approved for such.

(c) The fee for Audit Class reproductive material is: \$15.00 per man-hour job time for audit payable as services are performed. This fee shall apply for audit class whether or not offered material qualifies.

(d) The fee for audit of reproductive material not entered for certification service is payable as services are performed at the rate of \$15.00 per man-hour job time required by and satisfactory to certifying agency to exercise said audit simultaneously with audit of reproductive material for which applicant has requested certification service.

(e) Other services requested by applicant, i.e., education to comply with these standards, advising on the development of record keeping system directly connected with certification needs, etc., may be provided at the rate of \$15.00 per man-hour job time payable as services are performed.

AMD

WAC 16-319-051 FIELD STANDARDS. (1) Tested and Selected Classes. Applicant shall maintain continuous record(s) satisfactory to certifying agency which maintains the identity of the reproductive material through all stages of production, collection, processing, storage, and disbursement from stores, and, in addition, such records as needed to trace the pedigree and document the performance of the reproductive material. The records shall include but are not limited to those involving:

(a) Selection, location, and origin of the parent trees.

(b) Pollen, seed, scions, etc., collection, processing, inventory, storage, and use in tree improvement and breeding programs.

(c) Design, establishment and management of test(s) and the collection, analysis and interpretation of test data.

(d) Nursery stock production.

Certifying agency shall inspect all phases of the field operation including periodic checks of parent trees, pollen and scion collections; pollinations; cone harvest, storage, processing and inventory; and tests, together with appropriate records used in the field. Certifying agency shall record and identify each lot of reproductive material produced in the field for use in tree improvement program(s) unless the applicant has provided an accurate and safe method of accountability from the field through processing and use.

(2) Source Identified Reproductive Material. Applicant shall develop and make corrent use of collector and buyer labels, collector registration, and transportation logs, and for nursery stock, labels and records identifying the stock as originating from Source Identified or better reproductive material.

(a) Subclass A.

(i) Control of collectors shall be such that applicant and certifying agency personally know beyond a reasonable doubt the seed zone or portion thereof and 500-foot elevation increment within which reproductive material was collected. Control of producers of nursery stock shall be such that applicant and certifying agency personally know beyond a reasonable doubt that the nursery stock was produced from Source Identified Subclass A or better reproductive material.

(ii) Applicant shall provide certifying agency with a written reproductive material collection and/or nursery stock production plan prior to collection of reproduction material or production of nursery stock.

(iii) Further, all following requirements of Subclass B shall be met.

(b) Subclass B

(i) All collectors shall be supervised sufficiently so that either buyers know where reproductive material was collected, or buyers shall purchase all reproductive material that collectors present for sale without differential of acceptance stated or implied, as to source, location, seed zone, or elevation.

(ii) Buyer shall require collector to sign collector's registration log prior to collection of reproductive material. He shall also issue collector's labels, and direct collector to complete them and place them in or attach them to each container of reproductive material before it is transported from point of collection. Coincident with purchase of reproductive material, he shall complete description on labels including species, source by seed zone, elevation increment, special collection area if any, certification class, date of purchase and his signature or initials.

(iii) Buyer shall maintain a buyer log on a form for all reproductive material received, listing species, seed zone, elevation increment, units of reproductive material, date of purchase, collector's name and buyer's name.

(iv) Buyer shall maintain transportation log showing species, seed zone, elevation increment, units of reproductive material, and date shipped.

(v) Producers of nursery stock shall be supervised sufficiently so that applicant knows that the stock was produced from Source Identified Subclass B or better reproductive material.

(vi) The certifying agency shall advise the applicant of problems or conditions that affect competent execution of these standards by certifying agency and applicant.

(3) Audit Class Reproductive Material

(a) Buyer shall require collector to sign collector's registration log and to complete collector's labels prior to purchase of reproductive material.

(b) Buyer shall maintain a buyer log on a form for all reproductive material received, listing species, seed zone, elevation increment, units of reproductive material, date of purchase, collector's name and buyer.

(c) Buyer or other shipper of reproductive material shall maintain a transportation log showing species, seed zone, elevation increment, units of reproductive material and date shipped.

(d) Producers of nursery stock shall maintain auditable records identifying the stock as being produced from Audit Class or better reproductive material.

AMD

WAC 16-319-061 PROCESSING STANDARDS. (1) Applicant shall maintain a continuous record for each lot and batch of reproductive material at each plant or warehouse, showing lot and batch number or code, species, seed zone, elevation increment, date received and units of reproductive material. Reproductive material stored at plant or warehouse prior to processing shall be assembled by lot or batch and so arranged as to be reasonably accessible for audit.

(2) Labels shall be maintained on containers until reproductive material is processed. During processing, labels shall

be removed and immediately deposited in a container marked with the lot or batch designation or code. Upon completely emptying the containers for each lot or batch, the package of labels from it shall be closed and set aside for examination by the certifying agency auditor.

(3) All reproductive material shall be handled in a manner to prevent lot mixture and maintain lot identity. All machinery, containers, and equipment shall be thoroughly cleaned before processing another lot or batch.

(4) Specific requirement: Certifying agency may refuse to certify reproductive material failing to meet the following maximum standards: Other distinguishable species or cultivars: Seed 0.5% by weight; trees, cuttings, scions, etc. 1% by number; pollen 1% by number.

(5) Labeling and sealing of Tested, Selected, or Source Identified reproductive material shall be done by the certifying agency.

(a) Labeling of Audit Class reproductive material will be done by the applicant with the label being affixed to the container: PROVIDED, That for small sales (any quantity of reproductive material less than a full container of a size normally used by the applicant) the label may be affixed to the invoice or sales slip.

(6) For each lot of Tested or Selected reproductive material, a Certificate of Genetic Identity shall be prepared and affirmed by the producer and, if verified, must be signed and sealed by the certifying agency before labels and seals are affixed to containers. Certificate shall include the following information:

(a) For both Tested and Selected reproductive material, the lot number or code and information on:

(i) The donor or parents which produced the reproductive material, including their selection generation, type of selection made, selected character(s), seed zone(s) and elevation increment(s) in which selection was made, and selection procedure.

(ii) For each prior selection generation, the same information.

(iii) For sexual reproductive material, whether pollination was controlled or not; if controlled, the pollen situation; if controlled, the pollen or pollen mix used, including identification of pollen parent(s), also the number of maternal parents, and, if applicable, the crossing design used.

(b) For Tested Reproductive Material only.

(i) A progeny, clonal, or other applicable test plan shall normally be submitted to the certifying agency for review and acceptance before installation. Acceptance of the test plan may be made after installation providing requirements in WAC 16-319-051(1) and WAC 16-319-061(b)(ii) are met. Applicant may request assistance from the certifying agency in the development of a plan.

(ii) The plan shall include in the test both randomization and replication for the material to be tested and the identity and background of the check material to be used.

(iii) Complete randomization and balanced randomized blocks are recommended. The actual design of the established test must be recorded in detail.

(iv) Trees to be planted for tests must be grown together in soil as uniform as possible, or, if they are grown in different soils, must be so distributed that like proportions of all clones or progenies are produced in each distinct class of

soil.

(v) Test measurements are to be presented in numerical form. Each character to be evaluated is to be measured separately. The genetic superiority as compared with the check must be clearly demonstrated for at least one of the characters being tested. Characters of economic importance in forestry identified in the test must be clearly reported if they are significantly inferior at the 95% confidence level to those of the check material.

(vi) The results of the test measurements and data shall be readily available to the certifying agency and prospective user or purchaser.

(7) A document, acceptable to the certifying agency for informing the purchaser of species and certification information of each item, and, for auditing purposes, shall be issued by the producer for each sale of Tested, Selected, Source Identified, and Audit Class reproductive material. Such document may be a Certificate of Origin for Tested, Selected, or Source Identified reproductive material, or an invoice, shipping order, or sales slip for Audit Class reproductive material. The certifying agency may authorize use of said Certificate of Origin for portions of reproductive material from labeled and sealed containers in lieu of labels and seals when relabeling and resealing by the certifying agency is impractical. No items of reproductive material ineligible for any class of certification shall be included on any Certificate of Origin.

(8) If a lot is composed of reproductive material from more than one seed zone, elevation increment or code in excess of seven percent (7%) if of contiguous seed zones, elevation increments, or codes or if in excess of two percent (2%) of other than contiguous seed zones, elevation increments, or codes, the certification label must show all seed zones, elevation increments, or codes either with or without the percentage of each.

(9) Any lot may be rejected if certifying agency determines that said lot fails to meet these standards. The privilege of certification may be withdrawn by certifying agency for a definite period of time in case of flagrant violations of these standards. If applicant believes an erroneous decision has been rendered, he may make written appeal to certifying agency for review by its governing body.

AMD WAC 16-319-081 AFFIRMATION BY CERTIFYING AGENCY. Affixing of label or label and seal to a container of forest reproductive material or to a Certificate of Origin or Certificate of Genetic Identity by the certifying agency affirms that to the best of its knowledge the reproductive material meets these Forest Reproductive Material Certification Standards.

REP WAC 16-319-071 is hereby repealed.