

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

DEPARTMENT OF AGRICULTURE

(agency name)

Administrative Order No. 1855

(1) I, C. Alan Pettibone, director of Washington State Department of Agriculture

do promulgate and adopt at Olympia, Washington (place)

the annexed rules relating to:

CHAPTER WAC 16-470 HONEY BEE TRACHEAL MITE QUARANTINE.

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

This action is taken pursuant to Notice No. filed with the code reviser on. These rules shall take effect:

- thirty days after they are filed with the code reviser 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, C. Alan Pettibone, find that an emergency exists and that this 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 the emergency is:

Acarine disease is known to occur in several areas of the United States and is not known to occur in Washington. These rules prescribe specific testing and inspection procedures to determine that bees entering Washington state are free from honey bee tracheal mite in order to prevent the introduction of acarine disease. If acarine disease becomes established in Washington State, it would have a detrimental effect on the bee industry. These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 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:

- (a) This rule is promulgated pursuant to RCW 17.24 and 15.60 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(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.

APPROVED AND ADOPTED May 22, 1985

STATE OF WASHINGTON FILED

MAY 22 1985

By C. Alan Pettibone

Director

Title

[Form CR-7: Rev. 7/23/82]

CODE REVISER'S OFFICE WSR 85-11-088

NEW SECTION

WAC 16-470-200 QUARANTINE--HONEY BEE TRACHEAL MITE. The director finds that honey bee tracheal mite is detrimental to the welfare of the apiculture industry of Washington state and a quarantine is established to prevent the introduction of the tracheal mite into Washington state.

NEW SECTION

WAC 16-470-210 ARTICLES UNDER QUARANTINE--HONEY BEE TRACHEAL MITE HOSTS AND CARRIERS. The following listed articles are prohibited from movement into Washington state from areas under quarantine (see WAC 16-470-220) except as provided for in this chapter: PROVIDED, That Washington resident apiarists may move their honey bee colonies back into Washington state pending inspection as prescribed by the department:

- (1) Honey bee colonies, nuclei, queens, packages of bees with or without queens of the species Apis mellifera; and
- (2) Used hives including their comb, except when free of live bees for seven days or longer immediately prior to entry into Washington state.

NEW SECTION

WAC 16-470-220 HONEY BEE TRACHEAL MITE--AREA UNDER QUARANTINE--EXTERIOR. Areas under quarantine include all states and foreign countries: PROVIDED, That

- (1) All states with surveys that find no honey bee tracheal mite may ship quarantined articles into Washington state (see WAC 16-470-230(4)).
- (2) All states without surveys may ship quarantined articles into Washington state when an annual survey has been conducted since January 1984. This survey shall consist of a pooled sample (five to ten bees per colony) of one hundred or more bees per selected apiary, and at least fifty bees from the sample taken shall be dissected and examined for honey bee tracheal mite; or
- (3) All states where honey bee tracheal mite is known to occur since January 1983 that have state quarantines regulating counties where honey bee tracheal mite has been known to occur may ship quarantined articles into Washington state when noninfested counties are sampled annually as provided for in subsection (2) of this section, and infested counties are sampled annually as follows:
 - (a) One sample per fifty colonies shall be taken. The sample taken shall consist of five hundred bees; and
 - (b) A minimum of ten percent of the colonies shall be sampled; and
 - (c) One hundred bees from each sample shall be dissected and examined for honey bee tracheal mite; and
 - (d) Sampling shall have been completed within the previous calendar year.

NEW SECTION

WAC 16-470-230 HONEY BEE TRACHEAL MITE--RESTRICTIONS. (1) Any apiculture operation infested with honey bee tracheal mite is not eligible for certification of quarantined articles for shipment into Washington state.

(2) Washington state resident apiarists may move their colonies from states designated in WAC 16-470-220 (1), (2), and (3) into Washington state for annual sampling as prescribed by the department during the months of August, September, and October prior to movement to a southern state. These colonies shall be considered under quarantine pending laboratory analysis of samples.

(3) Any apiarist who moves quarantined articles between more than one state and Washington state shall be sampled annually as provided in WAC 16-470-220(2).

(4) All certificates issued on quarantined articles shall bear a statement indicating that a state annual survey has been conducted and no honey bee tracheal mite was found, and they are in compliance with this chapter.

(5) Nets shall be required on all loads of honey bee colonies entering or leaving Washington state.

(6) All states having more restrictive quarantine requirements than this chapter shall comply with their own import requirements when shipping quarantined articles into Washington state.