

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Agriculture

(agency name)

Administrative Order No. 1936

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

do promulgate and adopt at Olympia, WA (place)

the annexed rules relating to:

Chapter 16-316 concerning rapeseed varieties eligible for certification and objectionable weeds in seeds.

(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:

The amendments were proposed by interested parties at a recent hearing concerning other related amendments to the seed certification rules. This action will allow these proposals to be effective immediately in order to accommodate the services provided to 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:

[X] (a) This rule is promulgated pursuant to RCW 15.49 RCW 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 June 18 1987

By [Signature] Deputy Director Title

STATE OF WASHINGTON FILED

JUN 23 1987

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

CODE REVISER'S OFFICE WSR 87-14-011

AMENDATORY SECTION (Amending Order 1757, filed 3/31/82, effective 5/1/82)

WAC 16-316-165 SEED CERTIFICATION--OBJECTIONABLE WEEDS. The following weeds shall be considered objectionable weeds for the purpose of seed certification:

| ENGLISH OR COMMON NAME | BOTANICAL OR SCIENTIFIC NAME |
|----------------------------|---|
| Bermudagrass | Cynodon dactylon (L.) Pers. |
| Blue lettuce | Lactuca pulchella (Pursh.) DC. |
| Docks and Sorrel | Rumex spp. |
| Field pennycress (fanweed) | Thlaspi arvense |
| Field sandbur | Cenchrus pauciflorus Benth. |
| Halogeton | Halogeton glomeratus C.A. Mey. |
| Medusahead | Elymus caput-medusae L. or Taeniatherum asperum (Sim) Nevski |
| Plantains | Plantago spp. |
| Poverty weed | Iva axillaris Pursh. |
| Puncturevine | Tribulus terrestris L. |
| St. Johnswort | Hypericum perforatum L. |
| Dalmation toadflax | Linaria dalmatica (L.) Mill. |
| Yellow toadflax | Linaria vulgaris Hill. |
| Western ragweed | Ambrosia psilostachya DC. |
| Wild mustard | Brassica kaber (DC.) L.C. Wheeler Var. |
| Wild oat | Avena fatua L. |
| Yellow starthistle | Centaurea solstitialis L. |
| Gromwell (in small grain) | Lithospermum arvense |
| <u>Bedstraw</u> | <u>Galium aparine (in alfalfa only - inclusion of this species on weed list means certified class is limited to a maximum 18 per pound with no tolerance for foundation or registered seed)</u> |

AMENDATORY SECTION (Amending Order 1889, filed 6/9/86)

WAC 16-316-832 RAPSEED VARIETIES ELIGIBLE FOR CERTIFICATION. Following are the rapeseed varieties eligible and certification scheme for each:

| | |
|----------|-------------------|
| Bridger* | <u>Lindoro-oo</u> |
| Cascade* | <u>Rubin</u> |
| Ceres | <u>Wn-988</u> |