

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Agriculture

(agency name)

Administrative Order No.

1972

(1) I, C. Alan Pettibone

, director of

do promulgate and adopt at

Olympia, WA

(place)

the annexed rules relating to:

Varroa Mite Quarantine in Chapter 16-470 WAC

(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:

These rules are in response to emergency rules adopted by the United States Department of Agriculture concerning a quarantine on bees for Varroa Mite. This action is necessary to prevent the spread and/or introduction of Varroa Mite, an external mite that infests bees.

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 15.60 and 17.24 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 April 7 1988

By

[Signature]

Deputy Director

Title

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

STATE OF WASHINGTON FILED APR 7 1988 CODE REVISER'S OFFICE WSR 88-09-002

NEW SECTION

WAC 16-470-600 Quarantine--Varroa mite. (1) The department of agriculture with the cooperation of the United States Department of Agriculture, APHIS, PPQ, surveyed Washington state honey bee colonies in 1986 and 1987 for Varroa mite and all results were negative. The director finds that Varroa mite is detrimental to the welfare of the apiculture industry of Washington state and a quarantine is hereby established to prevent the further spread and/or introduction into and/or through Washington state.

(2) The following definitions shall apply to WAC 16-470-605 through 16-470-620:

(a) "Varroa" means Varroa mite (Varroa jacobsonii) an external mite of bees and is a regulated article as specified by the United States Department of Agriculture.

(b) "Bee" means all bees, live and dead, of the genus *Apis*; hives and hive equipment, shipping and storage containers and vehicles used at apiaries; combs with brood cells; pollen for bee food which are regulated articles as specified by the United States Department of Agriculture, and any other article or means of conveyance determined to present a risk of spreading Varroa mite as specified by the United States Department of Agriculture.

(c) "Survey and certification" means to survey for Varroa mite and certify that bees are free from Varroa mite as specified by the United States Department of Agriculture, and to issue a state or federal document on each shipment of bees attesting to the fact the bees are free from Varroa mite.

NEW SECTION

WAC 16-470-605 Varroa mite--Area under quarantine--Exterior. Areas under quarantine for Varroa mite shall include all states and districts of the United States and foreign countries as specified by the United States Department of Agriculture.

NEW SECTION

WAC 16-470-610 Varroa mite--Restrictions--Exterior. All bees from quarantined areas for Varroa mite shall be certified and/or treated as specified by the United States Department of Agriculture.

NEW SECTION

WAC 16-470-615 Varroa mite--Area under quarantine--Interior. A quarantine area for Varroa mite containing approximately sixty-one square miles within Klickitat county is

hereby established, and shall be that area of land lying between State Highway 97 on the west, Goldendale-Goodnoe Road on the north, Goodnoe Station Road on the east, and the Columbia River on the south; and being bordered by dry scab rock hills and mountains on the north, east and west, and the Columbia River to the south, this described site is determined to be a reasonable location for a quarantine area, and contains the only known bees in Washington state that were identified as having had Varroa mite.

Locations in the county suitable to beekeeping are isolated at a suitable distance to protect bees from contamination by the department quarantine bee yard sites. Historically and today, Klickitat county contains very few resident bees or apiculture operations and very little bee pasture.

NEW SECTION

WAC 16-470-620 Varroa mite--Restrictions--Interior. (1) To protect the national migratory beekeeping industry, all colonies leaving the state may be required to be certified as apparently free from Varroa mite prior to movement.

(2) Any apiculture operation located in the designated quarantine area of Klickitat county or honey bee colonies located therein shall not be removed therefrom until treated by the department as specified by the United States Department of Agriculture and found free of Varroa mite.

(3) No colonies presently outside of the designated quarantine area boundaries in Klickitat county shall be moved into that designated quarantine area without the express permission of the department: PROVIDED, That colonies of bees shall be permitted to transit through the designated area as specified by the United States Department of Agriculture to and from other locations.

(4) Any colonies found to be in Washington state without Varroa-free certification as specified by the United States Department of Agriculture may be required to be moved to the quarantine area of Klickitat county pending survey by the department, or as specified by the United States Department of Agriculture.

(5) All colonies found with Varroa mite upon survey by the department may be required to be moved to the quarantine area of Klickitat county pending disposition procedures.