

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Agriculture

(agency name)

Administrative Order No. 1976

(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:

Rules relating to certification and inspection of seed in Chapters 15-304 WAC, 15-315 WAC and 15-405 WAC

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

This action is taken pursuant to Notice No. WSR 88-07-114 filed with the code reviser on 3/23/88. These rules shall take effect: [x] 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, 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 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 15.40 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 May 13 19 88 By C. Alan Pettibone Director

STATE OF WASHINGTON FILED MAY 13 1988 CODE REVISER'S OFFICE WSR 88-11-042

AMENDATORY SECTION (Amending Order 1930, filed 5/22/87)

WAC 16-304-040 SCHEDULE OF CHARGES. (1) Testing fees shall be as follows:

	SAMPLE MIN. SIZE	PURITY (a)	NOXIOUS ONLY	GERM (b)
Bentgrass	2 oz.	\$30.00	\$15.00	\$16.00
Bluegrass	4 oz.	21.00	13.00	14.00
Bromegrass	6 oz.	22.00	13.00	11.50
Fescue	4 oz.	21.00	13.00	11.50
Orchardgrass	4 oz.	24.00	15.00	13.00
Ryegrass	4 oz.	21.00	13.00	10.50
Crested Wheatgrass	4 oz.	24.50	15.00	<del>((13.00</del> <u>14.00</u>
Other Wheatgrasses	6 oz.	36.00	22.00	<del>((13.00</del> <u>14.00</u>
Other grasses	4 oz.	17.00	10.50	10.50
Beans and peas	1 1/4 lb.	13.00	7.50	11.50
Cereals	1 1/4 lb.	13.50	9.00	11.50
Other crops	4 oz.	13.50	9.00	11.50
Mixture (for each additional kind)		10.50		13.00
Beets		18.00	8.50	17.00
Rapeseed		32.00	9.00	16.00
Carrot		13.50	9.00	11.50

(a) Purity - analysis to determine percent pure, other crop, inert, and weeds based on working sample as prescribed by Federal Seed Act (example: One gram - bluegrass; five grams - alfalfa; and one hundred grams - wheat) and examined for Washington state noxious weeds based on minimum sample size as prescribed by Federal Seed Act (example: Ten grams - bluegrass; fifty grams - alfalfa; five hundred grams - wheat).

(b) Germination - test prescribed by Federal Seed Act to determine percent germination of seed sample based on four hundred seeds.

(c) Purity and germination - includes both (a) and (b). This combination of tests provides information needed to label seed under state and federal acts.

(d) Tetrazolium test - a chemical test that measures viability and germination potential. (A germination test should also be obtained.)

(2) Special tests: (Standard noxious exam size unless otherwise specified).

(a) Crop and/or weed exam..... Noxious only  
fee plus \$ 3.50  
(or hourly rate when applicable)

All crop seeds and/or all weed seeds are listed as number per pound.  
(b) Poa annua check for bentgrass and bluegrass - each  
five grams..... \$16.00  
Poa annua check for other grasses - each 10 grams..... \$16.00

(c) Sod seed analysis -  
Bluegrass..... \$56.00  
Fescue..... \$40.00  
Ryegrass..... \$32.00

(A special test of turf grasses - for those who need a detailed

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PURITY  
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\$46.00	\$21.00	14	12
35.00	21.00	16	14
33.50	21.00	18	16
32.50	21.00	20	18
37.00	21.00	22	20
31.50	21.00	24	22
		25	23
37.50	21.00	27	25
		28	26
		29	27
49.00	21.00	31	29
		32	30
27.50	21.00	34	32
24.50	21.00	36	34
25.00	21.00	38	36
25.00	21.00	40	38
		41	39
	21.00	43	41
35.00		44	42
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examination of seed before purchase and/or use.)  
 Bluegrass test includes purity, twenty-five gram all weed/all crop, except ten gram Poa annua exam. Ryegrass and Fescue test includes purity, one hundred gram all weed/all crop. (Fluorescent required on ryegrass; germ and fluorescent test additional fee.)

- (d) Fluorescent test - (four hundred seed test)..... \$13.00
- (e) Pest and disease, soil exam or similar..... \$16.00
- (Reported on seed analysis certificate.) A visual examination of a representative sample.
- (f) Sod analysis check - twenty-five gram exam to evaluate if a lot appears to be sod quality (phone report only)..... \$18.00
- (g) Variety separation of Kentucky bluegrass..... \$18.00
- If separated at time of purity analysis..... \$ 9.00
- (h) Sodium hydroxide test for presence of red and/or white wheat..... \$10.00
- (i) Brassica seed chemical identification test..... \$10.00
- (j) Analysis of partially cleaned, uncleaned or field run seed with excessive inert, other crop or weed seeds (per hour). \$16.00
- (3) Inventory testing for germination: A service to provide opportunity to have carry-over seed stocks except mixtures tested at lowest possible charge. Not an official germination test.
- (a) Reports may not be mailed until all tests are completed.
- (b) Samples shall be plainly labeled "inventory samples."
- (c) Samples shall be reported according to the sender's designation. The laboratory shall assume no responsibility for correct identification. These samples and tests shall not become a part of our permanent record.
- (d) The fee for this service shall be one-half the regular germination fee.
- (e) Inventory testing for germination will be run as germination space is available, with the understanding that regular service samples have priority.
- (4) Miscellaneous laboratory fees:
- (a) Rush samples (including phone report if requested at time sample is submitted)..... \$10.00
- (b) Phone reports on test result, per call..... ((~~\$8.00~~))  
\$3.50
- (c) Preliminary report on germination (phone report only)..... \$ 8.00
- (d) Morphological test..... \$ 8.00 (alfalfa or clover examined under magnification for combine damage.)
- (e) Additional mailing of report (each destination)..... \$ 1.50
- (f) Recopies of reports (minimum fee)..... \$ 2.50
- Revised reports (minimum fee)..... \$ 5.00
- (or hourly fee when applicable)
- (g) I.S.T.A. rules test
- PURITY
- GERMINATION
- Alfalfa, clover ((~~\$35.00~~)) ((~~\$17.50~~))  
\$20.00 \$14.00
- Kentucky bluegrass ((~~\$45.00~~)) \$14.00  
\$30.00
- Peas, lentils ((~~\$26.00~~)) ((~~\$17.50~~))  
\$20.00 \$14.00
- (h) Canadian rules test
- PURITY
- GERMINATION
- Alfalfa, clover ((~~\$35.00~~)) ((~~\$17.50~~))  
\$20.00 \$14.00
- Kentucky bluegrass ((~~\$45.00~~)) \$14.00  
\$30.00
- Peas, lentils ((~~\$26.00~~)) ((~~\$17.50~~))  
\$20.00 \$14.00
- (i) Seed count..... \$16.00

- (j) Extra charge for samples requiring special preparation for germination, i.e., New Zealand spinach, pelleted seeds, spinach, chard, etc..... \$16.00
- (k) Hourly fee for miscellaneous services..... \$16.00
- (l) Service charge for submitted federal phytosanitary certificates, per certificate..... \$ 5.00
- (m) All states noxious weed examination..... (~~(\$12.00)~~)  
\$7.00
- (n) Fee for special handling service (i.e., Federal Express, Air Parcel Post, or air freight) for documents or seed samples..... \$3.50
- (o) Fee for facsimile transmission of documents, per document..... \$3.50

AMENDATORY SECTION (Amending Order 1756, filed 3/31/82, effective 5/1/82)

WAC 16-304-050 MISCELLANEOUS CHARGES.

- (1) Sanitary certificate..... \$20.00
- (2) Service sampling or similar service: The fee for each service requested shall be:
  - (a) Peas, beans, small grains or seeds of similar size per cwt..... (~~(\$-0.03)~~)  
\$0.05
  - (b) For all other kinds - per cwt..... \$ 0.15
  - (c) Minimum charge..... \$16.00
- (3) Tagging and sealing or similar service: The fee for each service requested shall be:
  - (a) For all kinds of seed - per cwt..... \$ 0.15
  - (b) Minimum fee..... \$16.00
- (4) Checkweighing, checkloading, or similar service shall be - per hour..... \$16.00  
Minimum fee..... \$16.00

(5) If requested to make a special trip to provide a service, the person requesting said service may be charged at the rate of \$16.00 per hour travel time plus mileage fee set by statute plus the specific fee for said service. All standby time shall be charged at the rate of \$16.00 per man hour.

(6) Test plot examinations or consultant work in plots, fields, conditioning plants, etc. shall be at the rate of \$16.00 per hour plus mileage and travel time.

(7) Requests for services not listed - most appropriate fee.

AMENDATORY SECTION (Amending Order 1809, filed 6/9/86)

WAC 16-304-110 ANNUAL SEED INSPECTION CHARGE. Each person required to obtain a seed labeling permit, pursuant to RCW 15.49.400, of the Washington State Seed Act, shall also, pursuant to RCW 15.49-.310 and 15.49.370, pay a general seed inspection charge annually to the department in the amount of ten cents per one hundred dollars gross annual dollar sales in excess of ten thousand dollars of agricultural and/or vegetable seed distributed in this state during the preceding fiscal year: PROVIDED, That no assessment shall be collected on (1) seed for which the assessment has been previously collected, except when such seed has been relabeled; (2) agricultural or

vegetable seed distributed out of state; (3) seed distributed in containers of four ounces or less; (4) stock seed; and (5) seed distributed by governmental agencies, such as but not limited to the United States Department of Agriculture national foundation seed project: PROVIDED FURTHER, That erroneous and overpayments shall be refunded on request. Requests for refund shall be filed by June 30 of the year following the due date. Agricultural and/or vegetable seeds distributed under bailment contract shall be valued at the producer-conditioner agreement rate in lieu of sale.

The assessment fees for the period beginning July 1, ((1985)) 1987 through June 30, ((1986)) 1988 shall be ((due-August-1,--1986 and)) payable by February 1, ((1987)) 1989. The assessment fees for the period beginning July 1, ((1986)) 1988 through June 30, ((1987)) 1989 shall be ((due-August--1,--1987--and)) payable by February 1, ((1988)) 1990.

The assessment may accompany the annual application for the seed labeling permit. A penalty of ten percent of the assessment fee or minimum of ten dollars, whichever is greater, shall be added to all assessments not paid by February 1. These funds shall only be used for seed control activities. The annual seed labeling permit may not be issued until all assessments and penalties have been satisfied.

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

WAC 16-304-130 SEED INSPECTION ASSESSMENT--EFFECTIVE DATES. This rule is effective through June 30, ((1988)) 1990. Between January 1, ((1988)) 1990 and March 1, ((1988)) 1990, the assessment program shall be reviewed by the seed branch advisory committee, who will recommend whether to continue the seed assessment program. Such recommendations shall be considered at a public hearing under the authority of chapter 42.30 RCW, the Open Public Meetings Act, and chapter 34.04 RCW, the Administrative Procedure Act. The advisory committee shall also recommend the objectives of the seed quality control activities and shall review expenditures of assessment funds to verify such funds are being used only for seed quality control activities.

AMENDATORY SECTION (Amending Order 1452, filed 5/13/76)

WAC 16-316-195 SAMPLING. A representative sample of each lot of seed for certification shall be obtained by the ~~((certifying-agency))~~ department for laboratory analysis. The sample shall be obtained in accordance with official sampling procedures or with mechanical sampling device approved by the ~~((certifying--agency))~~ department. The entire lot ~~((must))~~ shall be cleaned and in condition for sale at the time of sampling.

AMENDATORY SECTION (Amending Order 1851, filed 5/2/85)

WAC 16-316-230 ALFALFA SEED CERTIFICATION FEES.

(1) Seedling applications: Due within sixty days after planting, however, may be accepted after due date at the discretion of the certifying agency.

(a) Seedling application fee:  
Per variety, per grower..... \$15.00

(b) Late seedling penalty fee:..... \$15.00  
This additional fee shall be charged for each seedling application received more than sixty days after planting.

(c) Seedling acreage fee: (per acre)..... \$ 1.75  
(Refundable if acreage is withdrawn before inspection.)  
Required of seedling fields to be harvested for certification the year of planting. Notification of seedling field to be harvested for certification and required fees are due July 31, however, may be accepted after due date with ten dollars late penalty fee at the discretion of the certifying agency.

(2) Renewal applications: Due June ((7)) 15, however, may be accepted after due date at the discretion of the certifying agency.

(a) Renewal application fee:  
Per variety, per grower..... \$15.00

(b) Renewal acreage fee: (per acre)..... \$ 1.75  
(Refundable if acreage is withdrawn before inspection.)

(c) Late renewal penalty fee:..... \$15.00  
This additional fee shall be charged for each renewal application received after June 15.

(3) Reinspection: Other than isolation (each field)..... \$20.00

If a field is rejected for certification, the grower may apply for reinspection after the cause for rejection has been corrected. Only two reinspections are permitted for each field each year.

(4) Production fee includes sampling and tagging per cwt.: ..... \$ 0.50

The sampling and production fees are billed at completion of tests. If none of the seed is tagged, ten cents of the fifty cents cwt. production fee charged is refundable.

(5) Purity and germination test: ..... Fees as established by the director of agriculture.

(6) Fees for retagging, or services not listed in this rule shall be the most applicable fee established by the director of agriculture.

(7) Fees for reissue of tags shall be ten cents a tag with a minimum fee of ten dollars.

AMENDATORY SECTION (Amending Order 1737, filed 5/15/81)

WAC 16-316-315 PHYTO-SANITARY CERTIFICATION--FEE AND CHARGES.

(1) Fee for area and field inspection:

(a) Field inspection (payable with application):  
(i) All seed except wheat seed. For each required inspection (per acre or fraction thereof)..... \$ 4.00

(with minimum fee of \$20.00 per field per inspection)

(ii) Wheat seed only. For each required inspection (per acre or fraction thereof)..... \$ .75

An additional charge of ((\$-0.50)) fifty cents per acre shall be charged for each disease requested in excess of two.



- (b) Area inspection (~~((per-100-lbs))~~)  
~~(per one hundred pounds)~~..... \$ 0.05  
 Billed at time certificate is issued with a minimum of ~~((20.00))~~ twenty dollars and a maximum of ~~((150.00))~~ one hundred fifty dollars per certificate.
- (2) Late application penalty fee..... \$10.00  
 This additional fee shall be charged for each application received after due date.
- (3) Sampling fee when sampling is required:
  - (a) Beans, peas, lentils, cereal grains (~~((per-100-lbs))~~)  
~~(per one hundred pounds)~~ ..... \$ 0.05
  - (b) Other crops (~~((per-100-lbs))~~)  
~~(per one hundred pounds)~~..... \$ 0.15
- (4) Serology test:..... Fee to be established by the state of Idaho.

An official ~~((5))~~ five pound sample is required from each ~~((10,000))~~ ten thousand pounds or portion thereof. Officially drawn samples will be submitted to: State Plant Pathologist, Idaho Department of Agriculture, P.O. Box 410, Twin Falls, Idaho 83301.

- (5) Fees for services not listed in this ~~((order))~~ rule shall be set on the basis of the actual cost to the department of agriculture or the most appropriate fee established ~~((with))~~ shall be used.
- (6) Laboratory analysis of plant material: An additional fee of ~~((18.00))~~ eighteen dollars per field shall be charged when necessary to examine plant material in the laboratory to verify disease.

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

WAC 16-316-350 GRASS SEED CERTIFICATION FEES--SEEDLING APPLICATIONS. (1) All fees for seedlings planted from January 1 through June 30 shall be due September 1, and all fees for seedlings planted July 1 through December 31 shall be due April 1 of the following year: PROVIDED, That such applications may be accepted after due date at the discretion of the certifying agency upon payment of the late seedling penalty fee.

- (a) Seedling application fee:  
 Per variety, per grower..... \$15.00
- (b) Late seedling penalty fee: (per kind)..... \$15.00  
 This additional fee shall be charged for seedling applications received ~~((more--than--sixty--days--after--planting))~~ after due date.

(c) Seedling producing application fee:  
 Per variety, per grower..... \$15.00  
 Required of seedling fields to be harvested for certification the year of planting. Notification of seedling field to be harvested for certification and required fees shall be due July 31: PROVIDED, That such application may be accepted after due date with ten dollars late penalty fee at the discretion of the certifying agency.

(2) Renewal applications: Due May 1: PROVIDED, That such applications may be accepted after due date at the discretion of the certifying agency upon payment of the late renewal penalty fee.

- (a) Renewal application fee:  
 Per variety, per grower..... \$15.00
- (b) Late renewal penalty fee: (per kind)..... \$15.00  
 This additional fee shall be charged for renewal applications received after May 1.

(3) Annual grasses inspection fee: (per acre)..... \$1.75  
Applications are due within sixty days after planting.

(4) Reinspection: Other than isolation (each field)..... \$20.00  
 If a field is rejected for certification, the grower may apply

for reinspection after the cause for rejection is corrected. Only two reinspections are permitted for each field each year.

((4)) (5) Inspection and final certification fees: Inspection and final certification fees shall be based on pounds sampled and billed upon completion of required tests (Option A). Those dealers requesting sampling and tagging privileges and/or participation in Option B shall sign a memorandum of agreement that shall expire on June 30 of each year. Memorandum may be terminated by the director if conditioner violates certification standard or requirements of memorandum.

(a) Option A: When based on pounds sampled, and billed at completion of required laboratory tests, the fees shall be:

(i) Inspection and final certification fee..... \$ 0.80 per one hundred pounds. (If no seed is tagged, twenty cents of the final certification fee is refundable upon request.)

(ii) Service fee for out-of-state origin..... \$ 0.30 per one hundred pounds.

(iii) Blend fee shall be as established by blend rule, and in addition to above fees. However, blend fee not applicable to salvage blends.

(iv) Payment of fees shall be the responsibility of the person signing the application. However, conditioner may assume this responsibility.

(b) Option B: When based on pounds tagged after required laboratory tests are completed, the fees shall be:

(i) Inspection and final certification fee..... \$ 1.10 per one hundred pounds. (Minimum fee per tagging)..... \$10.00

(ii) Service fee for out-of-state origin..... \$ 0.65 per one hundred pounds.

(iii) Blend fee (in addition to fee established by blend rule) shall be payable upon completion of blend on total weight of blend, and shall be as follows:

(A) Washington origin certified seed used in blend..... \$ 1.00 per one hundred pounds.

(B) Out-of-state origin certified seed used in blend..... \$ 0.60 per one hundred pounds: PROVIDED, That those fees listed in (a) and (b) above are not applicable to certified seed that is tagged and sealed, and on which final fees have been paid.

(C) A refund or credit shall be issued for the percent of the blend lot not tagged. (For example, if forty percent of the blend is not tagged, forty percent of the fees charged under Option B above is refundable.) Requests for refunds shall be made by June 30 following final disposition of the blend.

((5)) (6) Payment of fees shall be the responsibility of the conditioner. A conditioner choosing this program shall handle all certified grasses in his warehouse under this program for the entire crop year. Upon termination or nonrenewal of Option B memorandum of agreement, conditioner shall be responsible for Option A fees on all certified seed not tagged at termination date.

((6)) (7) Fees for services such as O.E.C.D. and sod quality, etc., shall be in addition to the fees listed in these standards.

((7)) (8) Purity and germination test fees shall be as established by the director of agriculture.

((8)) (9) Fees for retagging, or services not listed in this rule shall be the most applicable fee established by the director of agriculture.

((9)) (10) Fees for reissue of tags shall be ten cents per tag with a minimum fee of ten dollars.

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

WAC 16-316-370 GRASS SEED STANDARDS. Seed standards for grass shall be as follows:

## PART ONE OF TABLE

Crop & type of Reproduction	Symbol (as defined in WAC 16- 316-360)	Min. %		Min. %		Max. %	
		Germ Fndt. Reg.	Cert.	Pure Fndt. Reg.	Cert.	Inert Fndt. Reg.	Cert.
<u>Bluegrass</u>							
Sherman	(A)	70	70	90	90	10	10
Canby	(A)	70	70	90	90	10	10
Kentucky	(A)	80(e)	80(e)	97	97(d)	3	3
Merion Kentucky	(A)	80(e)	80(e)	92	92(d)	8	8
Canada and Upland	(A)	80	80	96	92(d)	4	8
<u>Bromegrass</u>							
Smooth Brome	(C)	80	85	95	95	5	5
Meadow Brome	(C)	80	85	95	95	5	5
((-----))							
Mountain Brome	(S)	85	85	95	95	5	5
Deertongue	(C)	50	50	97	95	3	5
<u>Fescue</u>							
Tall and meadow	(C)	80	85	95	97	5	3
Hard and sheep, Idaho, Red Fescue	(C)	80	85	95	95	5	5
Other Fescue (Chewings)	(C)	80	90	95	95	5	5
Orchardgrass	(C)	80	85	85	90	15	10
			80 for Pennlate & Latar				
Ryegrass	(C)	((85(g)-90(g)))		96	97	4	3
		85	90				
Pennfine	(C)	((85(g)-85(g)))		96	97	4	3
		85	85				
Timothy	(C)	80	85	97	97	3	3
<u>Wheatgrass</u>							
Beardless	(C)	80	85	90	90	10	10
Bluebunch	(C)	80	85	90	90	10	10
Intermediate	(C)	80	85	95	95	5	5
Pubescent	(C)	80	85	95	95	5	5
Western, Streambank, Thickspike	(C)	80	85	90	90	10	10
Crested, and Siberian	(C)	80	85	90	95	10	5
Slender	(S)	80	85	90	95	10	5
Tall	(C)	80	85	95	95	5	5
Indian Ricegrass	(C)	80*	80*	95	90	5	10

Crop & type of Reproduction	Symbol (as defined in WAC 16-316-360)	Min. % Germ Fndt.		Min. % Pure Fndt.		Max. % Inert Fndt.	
		Reg.	Cert.	Reg.	Cert.	Reg.	Cert.
<u>Puccinellia distans</u>	(C)	80	80	95	95	5	5
<u>Basin Wildrye and Russian Wildrye</u>	(C)	80	80	90	90	10	10
<u>Bentgrass</u>	(C)	85	85	98	98	2	2
<u>Redtop</u>	(C)	80	80	92	92	8	8
<u>Ann. Canarygrass</u>	(C)	85	85	99	99	1	1

## PART TWO OF TABLE

Crop & type of Reproduction	Max. % Weeds (b) Fndt.		Max. % Other Crop Fndt. (a)		Max. No. seeds of other grass spp.	
	Reg.	Cert.	Reg.	Cert.	Fndt.	Reg.
<u>Bluegrass Sherman</u>	.05	.3	.1	.5	1/10 grams	1/1 gram
<u>Canby</u>	.05	.3	.1	.5 (d)	1/10 grams	1/1 gram
<u>Kentucky</u>	.05	.3	.1	.5 (d)	1/10 grams	1/1 gram
<u>Merion Kentucky</u>	.05	.3	.1	.5 (d)	1/10 grams	2/1 gram
<u>Canada, Upland</u>	.05	.3	.1	.5 (d)	1/10 grams	1/1 gram
<u>Bromegrass Smooth Brome</u>	.05	.3 (c)	.1	.5	1/50 grams	10/50 grams
<u>Meadow Brome</u>	.05	.3 (c)	.1	.5	1/50 grams	10/50 grams
<u>Mountain Brome</u>	.3	.5	.5	1.0	1/50 grams	10/50 grams
<u>Deertongue</u>	.50	.5 (c)	1.0	1.0	1%	-----
<u>Fescue Tall and Meadow</u>	.03	.3 (c)	.1	.5	2/50 grams	10/50 grams
<u>Hard and sheep, Idaho, Red, Fescue</u>	.03	.3 (c)	.1	.5	1/50 grams	5/50 grams
<u>Other Fescue (Chewings)</u>	.03	.3 (c)	.1	.5	1/50 grams	5/50 grams
<u>Orchardgrass</u>	.03	.3 (c)	.1	.5	3/50 grams	10/50 grams

Crop & type of Reproduction	Max. % Weeds (b) Fndt.		Max. % Other Crop Fndt. (a)		Max. No. seeds of other grass spp.	
	Reg.	Cert.	Reg.	Cert.	Fndt.	Reg.
Ryegrass	.1	.3(c)	.1	.5	1/50 grams	5/50 grams
Pennfine	.1	.3(c)	.1	.5	1/50 grams	5/50 grams
Timothy	.1	.3	.1	.5	1/50 grams	5/50 grams
Wheatgrass						
Beardless	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams
Blue Bunch	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams
Intermediate	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams
Pubescent	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams
Western, Streambank	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams
Crested, and Siberian	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams
Slender	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams
Tall	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams
Indian Ricegrass	.3	.5	.5	1.0	1/50 grams	5/50 grams
Puccinellia distantis	.3	.5	.5	1.0	1/10 grams	1/1 grams
Basin Wildrye and Russian Wildrye	.1	.3(c)	.1	.5	1/50 grams	5/50 grams
Bentgrass	.3(q)	.4(q)	.2	.6		
Redtop	.3(q)	.5(q)	.5	2		
Ann. Canarygrass	.1	.3	1/lb.	3/lb.		

The following (a)-(f) are notes to the above table.

(a) Not to exceed twenty-five hundredths of one percent other grass species for certified seed.

(b) Grass seed shall not contain more than forty-five per pound for registered seed, ninety per pound for blue tag seed, singly or collectively, of objectionable weed seeds. (See current general rules.) Grass seed shall be free of the seed of prohibited noxious weeds.

(c) A tolerance of five-tenths of one percent may be allowed for samples containing weedy bromus spp.: PROVIDED, That the total of all other weed seeds does not exceed three-tenths of one percent.

(d) A three percent tolerance of other Kentucky Bluegrass varieties may be allowed in Merion. (Note: Containing minimum ninety-two percent Merion.) In Canada Bluegrass, three percent Kentucky Bluegrass may be permitted.

(e) A standard tetrazolium (two hundred seed) test may be used in lieu of germination test.

(f) A tolerance of eight-tenths of one percent may be allowed in registered and certified wheatgrass containing small grain seed: PROVIDED, That the total of all other crop seed does not exceed one-tenth of one percent for registered class and five-tenths of one percent for certified class.

(g) ((Acceptable-maximum-fluorescence-allowed:

Variety	Foundation	Registered	Certified
NK-100	3-12%		3-12%
Noflea	2%		5%
Pelo	1%	2%	5%
Pennfine	0-1%		0-3%
Cropper	0		3%
NK-200	0		3%
Yorktown	0	0	2%
Loretta			2%))

Blue tag seed shall not contain over nine hundred seeds per pound, singly or collectively, of the following weeds: Plaintain spp., Big Mouse-ear Chickweed, Yarrow, Spotted Cat's Ear, and Dandelion.

(i) A maximum of .50 percent weed seed may be allowed in bentgrass containing silver hairgrass: PROVIDED, That the total of all other weed seed does not exceed .40 percent.

(ii) 1.50 percent other fine bentgrasses and .50 percent redtop may be allowed in certified bentgrass containing a minimum of 98.00 percent total bentgrass.

\* or seventy percent by Tz test

AMENDATORY SECTION (Amending Order 1941, filed 7/10/87)

WAC 16-316-525 FIELD PEA--LENTIL--SOYBEAN--SORGHUM--SMALL GRAIN--ELIGIBLE VARIETY AND STOCK SEED.

Kind, type	Variety
Barley, spring	Advance, Belford, Andre, Clark, Columbia (P), Cougar, Flynn, Gus (P), ((Kimberly,)) Klages, Kombar (P), ((Larker,)) Lindy (P), ((Lud (P),)) Menuet (P), Morex, Nova (P), Onda (P), Piston (P), Poco (P), Seven (P), Steptoe, ((Westbred)) WestBred Gustoe (P), ((Westbred)) WestBred 501 (P), WestBred Sprinter (P), Whitford (P)
Barley, winter	((Adair,)) Boyer, ((Easton,)) Hesk, Kamiak, Luther, Mal, Scio, Showin
Oat, spring	Appaloosa, Border, Cayuse, Monida, Ogle, Park,
Rye, winter	Puma, Rymin

Kind, type	Variety
Wheat, spring	Bliss, Bronze Chief (P), Copper, Dirkwin, Edwall, Fielder, Kodiak (P), <u>Landmark (P)</u> , McKay, NK 751 (P), Owens, Penawawa, <u>Tammy (P)</u> , Treasure, Urquie, Wampum, ((Wald <sub>7</sub> )) Wared, Waverly, WestBred 803 (P), WestBred 881 (P), WestBred 906R (P), WestBred 911 (P), <u>WestBred 926 (P)</u> , WS-1 (P), W-444 (P), Yecora Rojo
Wheat, winter	<u>Andrews</u> , Basin (P), Batum, Cashup (P), Crew Daws, Dusty, Hatton, Hill-81, John, Lewjain, McCall, Moro, Nugaines, Paha, Sprague, Stephens, Tres, Tyee, Wanser

Triticale, spring Juan, Whitman  
Triticale, Winter Flora

(P) means proprietary

The eligibility of other varieties may be approved by the certifying agency.

Foundation seed is eligible to produce registered seed or certified seed.

Registered seed is eligible to produce certified seed.

Certified seed is not eligible for recertification.

AMENDATORY SECTION (Amending Order 1941, filed 7/10/87)

WAC 16-316-724 SMALL GRAINS STANDARDS. (1) Small grains (barley, oat, rye, and field standards:

CLASS	LAND STANDARDS	ISOLATION STANDARDS	OFF-
	MINIMUM YEARS	MINIMUM FEET	MAX PLANTS
Foundation	1*	3**	Not
Registered	1*	3**	5
Certified	1*	3**	15

\* Waived if the previous crop was grown from an equal or higher certified class.  
 \*\* Refers to distance from other small grain fields. In addition, each rye field is isolated from fields producing a certified class of the same variety fields by six hundred sixty feet. Each triticale field for certification producing a certified class of the same variety by three feet, and field fields by three hundred feet for foundation and registered class, and triticale fields by three hundred feet for foundation and registered class, and triticale fields unless stated by plant breeder.

\*\*\* Refers to other small grains, except that no rye or triticale is permitted and vetch is permitted.

479	23
481	25
481	25
483	27
483	27
484	28
485	29
486	30
488	32
488	32
489	33
490	34
491	35
492	36
493	37
493	37
494	38
494	38
495	39
496	40

OTS	3
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triticale, wheat) - land, iso-	-2184;1	6
	724;3	7

FIELD STANDARDS	517	9
OTHER CROP	519	11
MAXIMUM	520	12
PLANTS/ACRE	521	13
None***	522	14
5***	523	15
15***	524	16

s of seed of the same variety.	527	19
ld for certification shall be	532	24
three feet, and from other rye	533	25
all be isolated from fields	536	28
other triticale, rye and wheat	538	30
e feet for certified class,	539	31
	539	31
ed in barley, oat, or wheat; no	543	35
	543	35
-----	543	35



(2) Small grains - seed standards:

CLASS	<u>OTHER SMALL GRAINS AND/OR OFF-TYPE</u> MAXIMUM SEEDS/LB	PURE SEED MINIMUM %	INERT MAXIMUM %	OTHER CROP MAXIMUM %
Foundation	None	((99.00-----1.00)) 98.00	2.00	None
Registered	((1-----2	99.00 98.00	1.00 2.00	0.05* 0.03
Certified	4	((99.00-----1.00) 98.00	1.00 2.00	0.10* 0.05

((\*---Other-tolerance-for-other-crop-seed:

OTH

Foundation-----  
Registered-----  
Certified-----

No rye or triticale is permitted in barley, oat or wheat; no vetch is perm

\*\* Other tolerances for weed seed:

OBJECTIONABLE WEED SEED  
MAXIMUM

Foundation	None	
Registered	None	
Certified	1/lb	No

AMENDATORY SECTION (Amending Order 1930, filed 5/22/87)

WAC 16-316-800 GRASS VARIETIES ELIGIBLE. (1) Following are the grass varieties eligible and the certifying scheme for each:

- Bentgrass: (subject to poa annua quarantine)
  - Seaside Creeping\*\*
  - Putter Creeping
  - Emerald Creeping\*\*
- Big Bluegrass: Sherman\*\*
- Canada Bluegrass: (subject to poa annua quarantine) Reubens\*\*
- Canby Bluegrass: Canbar\*\*
- Kentucky Bluegrass: (subject to poa annua quarantine)
  - A-34 (Bensun)\*\*
  - Abbey\*\*
  - Adelphi\*\*
  - Alpine
  - Amason\* (Amazon\*)
  - America\*
  - Ampellia\*

WEED MAXIMUM %	GERMINATION MINIMUM %		
		545	37
		548	40
		549	41
		550	42
		551	43
		552	44
	85.00	553	45
(None) 0.01**		554	46
0.05**)	85.00	555	47
0.01**		556	48
0.05**)	85.00	557	49
0.03**		558	50
		559	51
SMALL-GRAINS MAXIMUM		561	53
		562	54
-None		563	55
-1/1b		564	56
2/1b))		565	57
ed.		567	59
		568	60
WILD OAT MAXIMUM		570	62
		571	63
None		572	64
None		573	65
except 1/1b		574	66
in oat		575	67

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OTS 3  
-2184;1 6  
800;3 7

- 587 8
- 588 9
- 589 10
- 590 11
- 591 12
- 592 13
- 593 14
- 594 15
- 595 16
- 596 17
- 597 18
- 598 19
- 599 20
- 600 21
- 601 22

Argyle\*\*  
 Banff\*\*  
 Barblue\*pvv  
 Baron\*\*  
 Birka\*  
 Bono (Birdie)\*  
 Bronco  
Chateau\*\*  
 Cheri (Golf)\*  
 Classic\*\*  
Coventry\*\*  
 Destiny  
 Dawn  
 Eclipse\*  
 Enmundi\*pvv  
 Estate  
Freedom\*  
 Fylking\*\*  
 Georgetown\*\*  
 Geronimo\*  
 Glade\*\*  
 Haga\*  
 Harmony\*  
 Holiday\*  
 Huntsville  
 Ikone\*\*  
 Julia\*  
 Kenblue\*  
 Kyosti\*  
 Leikra  
 Liberty\*\*  
 Limosine  
 Majestic\*\*  
 Merion\*\*  
 Monopoly\*  
 Mystic\*  
 Nassau\*\*  
 Newport\*\*  
 Nugget\*  
 Nutop\*  
 Parade\*  
 Park\*\*  
 Paso  
 Pennstar\*  
 Plush\*  
Princeton\_104\*  
 Ram I\*pvv  
 Rugby\*  
Suffolk\*  
 Swing\*  
 Sydsport\*  
 S-21\*\*  
 Tendos  
 Touchdown\*\*  
 Troy\*\*  
 Wabash\*  
 Welcome\*

Rough Bluegrass:

Colt

Meadow Brome:

Regar\*\*

Mountain Brome:

Bromar\*\*

Smooth Brome:	Baylor*
	Beacon*
	Bravo
	Jubilee
	Manchar**
	Rebound*
	Saratoga*
Fescue:	Countess Chewings**pvpV
(subject to poa annua	Arid Tall*
quarantine - except tall	Barcel Tall**pvpV
fescue)	Barfalla Chewings**
	Barfalla Chewings**
	Baruba Chewings
	Durar Hard**
	Finelawn 1-Tall**
	Joseph Idaho**
	Nezpurs Idaho*pvpV
	Logro Slender Creeping
	Red**pvpV
	<u>Chesapeake Tall*</u>
	Manade Tall*
	Mesa-Tall Turf Type
	Rebel Tall*
	Safe Tall*
	Southern Cross Tall
	Covar Sheep**
	Fawn Tall*
	Beaumont Meadow*
	First Meadow**
	Forager Tall*
	Wrangler-Tall Turf Type
Orchardgrass:	Hay King*
	<u>Hay King II*</u>
	Latar**
	<u>Natsumidori (summer green)*</u>
	Paiute**
	Pennlate*
	Potomac*
Redtop:	Streaker*
Indian Ricegrass:	Nezpar**
Perennial Ryegrass:	All*Star**
(subject to poa annual	Friend**pvpV
quarantine)	
Puccinellia distans:	Fults*
Timothy:	Clair*
	Climax*
	Hokuo*
	Hokusen*
	Kempus*
	<u>Kunpu*</u>
	Nosappu*
	Promesse*
	Senpoku*
Wheatgrass:	Whitmar Beardless**
	Secar Bluebunch**
	Fairway Crested*
	Ruff Crested*
	Nordan Crested**
	Ephraim Rhizomatous Crested**

Greenar  
 Intermediate\*\*  
 Oahe Intermediate\*  
 Tegmar Intermediate\*  
 Siberian\*\*  
 Greenleaf Pubescent\*  
 Luna Pubescent\*\*  
 Topar Pubescent\*\*  
 P-27 Siberian\*\*  
 Sodar Streambank\*\*  
 Critana Thickspike\*\*  
 Alkar Tall\*\*

Basin Wild Rye:

Magnar\*\*

Russian Wild Rye:

Bozoisky Select\*\*

(2) Variety restrictions.

	FOUNDATION	NO. OF SEED HARVESTS REGISTERED	CERTIFIED
(a) Kentucky Bluegrass:			
Baron		5	5
Birka		2 + 3 Cert.	5
Enmundi		4	5
Georgetown		5	5
Geronimo		6	6
Kenblue		5	7
Majestic		3 + 5 Cert.	5
Parade		5	5
Ram-I		2	6
Rugby		3 + 2 Cert.	5
Sydsport			5
Touchdown		2 + 5 Cert.	5
(b) Orchardgrass:			
Pennlate		3	6

AMENDATORY SECTION (Amending Order 1930, filed 5/22/87)

WAC 16-316-820 ALFALFA VARIETIES ELIGIBLE. (1) Following are the alfalfa varieties eligible and the certification scheme for each:

- Agate\*
- Anchor\*
- Answer\*
- Aquarius\*
- Apollo II\*
- Armor\*
- Atlas\*
- Atra-55\*
- Baker\*pvpV
- Big Ten\*
- Blazer\*
- Challenger\*
- Chief\*\*
- Cimarron\*
- Classic\*
- Crusader\*\*
- DK-135\*
- Drummor\*
- Eagle\*
- Endure\*

Excaliber\*  
 Gladiator\*  
 G-2815\*  
 G-7730\*  
GH-737\*\*  
 Hi-Phy\*  
 Honeoye\*pvvV  
 Iroquois\*  
 Julius\*  
Magnum III\*  
 Maxim\*  
 Mesilla\*\*  
 Mohawk\*  
 Oneida\*pvvV  
 Peak\*  
 Perry\*  
 Phytor\*  
 Polar II\*  
 Preserve\*  
 Primal\*  
 Ranger\*\*  
 Riley\*  
 Saranac\*  
 Saranac AR\*pvvV  
 Shenandoah\*  
 Sparta\*  
 Spredor 2\*  
 Sverre\*  
 SX-217\*  
 SX-418\*  
 Trumpetor\*  
 Turbo\*  
 Vernal\*  
 Vancor\*  
 Vernema\*  
 Vista\*  
 WL-220\*  
 Weevlchek\*  
 WL-221\*  
WL-225\*\*pvvV  
 WL-312\*  
 WL-313\*  
 WL-315\*pvvV  
 WL-316\*pvvV  
 WL-318\*  
 WL-320\*\*pvvV  
 Wrangler\*  
 88\*  
 120\*  
 123\*  
 130\*  
 521\*  
 520\*  
 526\*  
 530\*  
 531  
 532\*  
 581\*  
 5444\*  
 624\*  
 629\*

(2) Variety restrictions.

	Breeder	NO. OF SEED HARVESTS		Certified
		Foundation	Registered	
Answer		2		5
Apollo II				3
Baker	2	3		6
Blazer		3		
Challenger	2	3		5
Chief		3	3	5
Crusader		3	3	5
Drumcor	2	3		5
G-7730		3		5
GH 737		3	3	5
Honeoye		3		6
Iroquois		3		6
Oneida		3		6
Peak		3		
Perry	2	3		6
Preserve	2	3		5
Polar II	2	3		5
Saranac		3		6
Saranac AR		3		6
Spredor 2	2	3		5
Trumpetor	2	3		5
Vancor	2	3		5
Vernema		4		6
WL-221		3		
WL-225		3	3	5
WL-313		3		
WL-315		3		5
WL-320		3	3	5
WL-316		3		5
Wrangler				6
120		3		
123		2		4
130		3		5
526		3		5

AMENDATORY SECTION (Amending Order 1930, filed 5/22/87)

WAC 16-316-830 BEAN VARIETIES ELIGIBLE. Following are the bean varieties eligible and the certification scheme for each:

Red Mexican: NW-59\*\* NW-63\*\* Rufus\*\*  
 U of I 42\*\*

Pinto: Holberg\*\* Fiesta\*pvv NW-410\*\* NW-590\*\*  
 Nodak\*\* Olathe\*\*pvv Pindak\*\* U of I 114\*\*\* Othello\*\*

Pink: Gloria\*\* Harold\*\* Roza\*\*  
 Victor\*\* Viva\*\*

Small White: Chief\*\* Bonus\*\* Aurora\*\*

Kidney: Royal Red\*\*,  
 Montcalm-Dark Red\*\*  
 Isabella-Light Red\*\*, Kardinal\*\*,  
 Kamiken\*\*  
 (({both-light-red}))

Snap Bean: Epoch\*pvv  
 ((BlueLake))

Navy: Bunsii\*\*, C-20\*\*, Hyden\*\*, Laker\*\*, NW 395\*\*, Seafarer\*\*  
 Duty (Pulsar)\*\*

Great Northern:  
Black Turtle:

Emerson\*\*, Harris\*\*  
Black Turtle Soup\*\* #39\*\*  
Black Beauty\*\* Ebony\*\*pvpV

AMENDATORY SECTION (Amending Order 1948, filed 8/13/87)

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

Bridger\* ((~~Lindora-00~~)) Lindora-00\*  
Cascade\* Rubin  
Ceres\* ((~~Wn-988~~)) Ww-988\*

AMENDATORY SECTION (Amending Order 1930, filed 5/22/87)

WAC 16-316-880 RAPESEED--SEED STANDARDS. Rapeseed standards shall be as follows:

Purity		Foundation	Registered	Certified
Pure seed	(Min.)	99.00%	99.00%	99.00%
Other crop and/or varieties	(Max.)	2/100 grams	2/100 grams	4/100 grams
Inert matter	(Max.)	1.00%	1.00%	1.00%
Weed seed	(Max.)	20/100 grams	20/100 grams	40/100 grams
Prohibited noxious weeds (1)		None	None	None
Objectionable weeds (2)	(Max.)	2/100 grams	2/100 grams	4/100 grams
(( <del>Oil</del> )) <u>Chemical Analysis</u> (3)				
Germination	(Min.)	85.00%	85.00%	85.00%

- Note:
- (1) None means none found during normal inspection procedures. None is not a guarantee that the lot is free of noxious weed seeds.
  - (2) Objectionable weed seeds are defined as: Restricted noxious plus: Brassica nigra, Sinapis arvensis, Brassica juncea, and Raphanus, raphanistrum.
  - (3) Erucic acid and glucosinolate content shall be within tolerances as described by the plant breeder for each variety.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-316-0401 CERTIFICATION FEES.



WAC 16-316-0451 LAND REQUIREMENTS.  
WAC 16-316-0501 ISOLATION REQUIREMENTS.  
WAC 16-316-0551 FIELD TOLERANCES.  
WAC 16-316-0601 BENT GRASS AND REDTOP SEED STANDARDS.

AMENDATORY SECTION (Amending Order 1703, filed 5/30/80)

WAC 16-495-085 DEFINITIONS. (1) Annual bluegrass - *Poa annua* and all related subspecies.

(2) Seed stock - those seeds of grasses which are to be planted for seed increase or with intent of seed increase; except this definition does not include: Big Bluegrass, Upland Bluegrass, Brome, Tall Fescue, Meadow Fescue, Oatgrass, Orchardgrass, Timothy, or Wheatgrass.

(3) Official seed laboratory - seed testing laboratory approved by the director, such as, but not limited to, Washington State Seed Lab, 2015 South 1st Street, Yakima, Washington; and Oregon State Seed Laboratory, Oregon State University, Corvallis, Oregon.

(4) Representative sample - sample drawn in accordance with sampling procedures adopted by the director.

(5) Annual bluegrass analysis certificate - a test report from an official laboratory showing freedom from annual bluegrass of a 10 gram sample for bentgrass or redtop; a 25 gram sample for bluegrass; ((50)) 25 gram sample for other grasses.

(6) Quarantine tag - a tag issued by Washington state department of agriculture to be sealed to each bag showing said seed has met quarantine requirements.