



**RULE-MAKING ORDER**  
(RCW 34.05.360)

**CR-103** (10/1/89)

Agency: Agriculture

- Permanent Rule  
 Emergency Rule

(1) Date of adoption: March 10, 1992

(2) Purpose:

To protect Washington agriculture and natural resources from non-native, aggressive species of noxious weeds.

(3) Citation of existing rules affected by this order:

Repealed:

Amended: 16-752-600 through 16-752-660

Suspended:

(4) Authority for adoption:

Statute: Chapters 17.10 and 17.24 RCW

Other Authority:

(5.1) PERMANENT RULE ONLY

Pursuant to notice filed as WSR 92-03-106 on January 17, 1992 (date).

Describe any changes other than editing from proposed to adopted version:

Section 16-752-605 was added to specify the quarantine area.

(5.2) EMERGENCY RULE ONLY

Pursuant to RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes  No If yes, explain:

(6) Effective date of rule:

Permanent Rules

Emergency Rules

31 days after filing

Immediately

Other (specify) \_\_\_\_\_ \*

Later (specify) \_\_\_\_\_

\*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

**CODE REVISER USE ONLY**

CODE REVISER'S OFFICE  
STATE OF WASHINGTON  
FILED

MAR 10 1992

TIME: 10:50

WSR: 92-03-025

NAME (TYPE OR PRINT)

C. Alan Pettibone

SIGNATURE

*C. Alan Pettibone, Deputy Director*

TITLE  
Director

DATE

3/10/92

## NOXIOUS WEED SEED AND PLANT QUARANTINE

NEW SECTION

WAC 16-752-600 ESTABLISHING THE NOXIOUS WEED SEED AND PLANT QUARANTINE. Washington agriculture and natural resources are threatened by nonnative, aggressive species of noxious weeds. A number of these noxious weeds are transported and sold within the state of Washington both as nursery plants and as seeds in packets of flower seeds or "wildflower mixes." Subsequent "escape" of these ornamentals has been a documented source of a number of infestations and has resulted in large public and private expenditures by landowners and land managers, weed boards, and weed districts and the department of agriculture to achieve the control mandated in chapter 17.10 RCW. The director of agriculture, pursuant to the powers provided in chapters 17.10 and 17.24 RCW, finds that regulation of the sale of these seed packets and plants is necessary to protect Washington agriculture and natural resources and prevent public and private costs of control.

Note: For rules prescribing the limits of prohibited and restricted noxious weed seeds as contaminants in certified seed, see WAC 16-300-010 through 16-300-025.

NEW SECTION

WAC 16-752-605 NOXIOUS WEED SEED AND PLANT QUARANTINE--QUARANTINE AREA. The area under the noxious weed seed and plant quarantine includes all counties within the state of Washington and all states, territories, and districts of the United States.

NEW SECTION

WAC 16-752-610 NOXIOUS WEED SEED AND PLANT QUARANTINE--REGULATED ARTICLES. All plants, plant parts, and seeds in packets, blends, and "wildflower mixes" of the following listed species are regulated under the terms of this noxious weed quarantine:

Scientific Name	Common Names
<i>Amorpha fruticosa</i>	indigobush, lead plant
<i>Anchusa officinalis</i>	common bugloss, alkanet, anchusa
<i>Anthriscus sylvestris</i>	wild chervil
<i>Carduus acanthoides</i>	plumeless thistle
<i>Carduus nutans</i>	musk thistle, nodding thistle
<i>Centaurea diffusa</i>	diffuse knapweed
<i>Centaurea jacea</i>	brown knapweed, rayed knapweed, brown centaury horse-knobs, hardheads
<i>Centaurea maculosa</i>	spotted knapweed
<i>Centaurea macrocephala</i>	bighead knapweed
<i>Centaurea nigra</i>	black knapweed
<i>Centaurea nigrescens</i>	Vochin knapweed
<i>Chaenorrhinum minus</i>	dwarf snapdragon

Scientific Name	Common Names
<i>Chrysanthemum leucanthemum</i>	oxeye daisy, white daisy, whiteweed, field daisy, marguerite, poorland flower
<i>Cytisus scoparius</i>	Scotch broom
<i>Daucus carota</i>	wild carrot, Queen Anne's lace
<i>Echium vulgare</i>	blueweed, blue thistle, blue devil, viper's bugloss, snake flower
<i>Heracleum mantegazzianum</i>	giant hogweed, giant cow parsnip
<i>Hibiscus trionum</i>	Venice mallow, flower-of-an-hour, bladder ketmia, modesty, shoo-fly
<i>Hieracium aurantiacum</i>	orange hawkweed, orange paintbrush, red daisy, flameweed, devil's weed, grim-the-collier
<i>Hieracium pratense</i>	yellow hawkweed, yellow paintbrush, devil's paintbrush, yellow devil, field hawkweed, king devil
<i>Hypericum perforatum</i>	common St. Johnswort, goatweed, St. Johnswort
<i>Isatis tinctoria</i>	dyers' woad
<i>Kochia scoparia</i>	kochia, summer-cyprus, burning-bush, fireball, Mexican fireweed
<i>Linaria genistifolia</i> spp. <i>dalmatica</i>	Dalmatian toadflax
<i>Lepidium latifolium</i>	perennial pepperweed
<i>Mirabilis nyctaginea</i>	wild four o'clock, umbrella-wort
<i>Onopordum acanthium</i>	Scotch thistle
<i>Proboscidea louisianica</i>	unicorn-plant
<i>Salvia aethiopsis</i>	Mediterranean sage
<i>Silybum marianum</i>	milk thistle
<i>Torilis arvensis</i>	hedgearsley
<i>Ulex europaeus</i>	gorse, furze
<i>Zygophyllum fabago</i>	Syrian bean-caper

NEW SECTION

WAC 16-752-620 NOXIOUS WEED SEED AND PLANT QUARANTINE--PROHIBITED ACTS. It is prohibited to transport, buy, sell, offer for sale, or to distribute plants or plant parts of the regulated species listed in WAC 16-752-610 into or within the state of Washington or to sell, offer for sale, or distribute seed packets of the seed, flower seed blends, or wildflower mixes of these regulated species into or within the state of Washington.

NEW SECTION

WAC 16-752-630 NOXIOUS WEED SEED AND PLANT QUARANTINE--EXCEPTIONS. The prohibition on transporting of plants and plant parts

shall not apply to plant or plant parts collected for herbariums, research in control methods, creation of pressed specimens, or for educational or identification purposes and other scientific activities: PROVIDED, That all activities requiring live plants are conducted in such a manner as to prevent infestation. In addition, plants or plant parts may be transported, as a part of a noxious weed control activity, to a sanitary landfill, to be burned, or otherwise for disposition under the supervision of a noxious weed control agency.

NEW SECTION

WAC 16-752-640 NOXIOUS WEED SEED AND PLANT QUARANTINE--PERMITS. The director may allow the movement of materials, otherwise prohibited, by special permit. Such permit shall specify the terms and conditions under which movement is allowed.

NEW SECTION

WAC 16-752-650 NOXIOUS WEED SEED AND PLANT QUARANTINE--DISPOSITION OF REGULATED ARTICLES. Any plants, plant parts, or seed packets transported, bought, sold, or offered for sale in violation of this noxious weed quarantine shall be subject to destruction or shipment out-of-state or other disposition in a manner prescribed by the director to prevent infestation. Any action shall be at the expense of the owner or the owner's agent and without compensation.

NEW SECTION

WAC 16-752-660 NOXIOUS WEED SEED AND PLANT QUARANTINE--PENALTIES. Any person who violates the terms of the noxious weed quarantine, as provided in WAC 16-752-600 through 16-752-650, or who aids or abets in such violation, shall be subject to the civil and/or criminal penalties provided in chapter 17.24 RCW.