



RULE-MAKING ORDER
(RCW 34.05.360)

Order #5083

CR-103 (7/23/95)

Agency: Washington State Department of Agriculture

- Permanent Rule
- Emergency Rule
- Expedited Repeal

(1) Date of adoption: August 28, 1995

(2) Purpose:
Hop Rootstock: Add Powdery Mildew to definitions and field standards.

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

- Repealed:**
- Amended:** WAC 16-354-005, 010, 070
- Suspended:**

(4) Statutory authority for adoption: RCW 15.14.030(2), (5)
Other authority:

PERMANENT RULE ONLY

Adopted under notice filed as WSR 95-15-099 on July 19, 1995 (date).
Describe any changes other than editing from proposed to adopted version:

EMERGENCY RULE ONLY

Under 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:

EXPEDITED REPEAL ONLY

Under Preproposal Statement of Inquiry filed as WSR _____ on _____ (date).

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

- Yes
 - No
- If Yes, explain:

(6) Effective date of rule:

- | | |
|--|--|
| Permanent Rules | Emergency Rules |
| <input checked="" type="checkbox"/> 31 days after filing | <input type="checkbox"/> Immediately |
| <input type="checkbox"/> Other (specify) _____ * | <input type="checkbox"/> Later (specify) _____ |

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

NAME (TYPE OR PRINT)

Jim Jesernig

SIGNATURE

TITLE

Director

DATE

August 28, 1995

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

AUG 28 1995

TIME: 3:08
MSR 95-15-034

Note: If any category is left blank, it will be calculated as zero.

No descriptive text.

Count by whole WAC sections only, from the WAC number through the history note.

A section may be counted in more than one category.

The number of sections adopted in order to comply with: None

Federal statute:	New _____	Amended _____	Repealed _____
Federal rules or standards:	New _____	Amended _____	Repealed _____
Recently enacted* state statutes:	New _____	Amended _____	Repealed _____

*(current calendar year)

The number of sections adopted at the request of a nongovernmental entity:

New _____ Amended 3 Repealed _____

The number of sections adopted on the agency's own initiative: None

New _____ Amended _____ Repealed _____

The number of sections adopted in order to clarify, streamline, or reform agency procedures: None

New _____ Amended _____ Repealed _____

The number of sections adopted using:

Negotiated rule making:	New _____	Amended _____	Repealed _____
Pilot rule making:	New _____	Amended _____	Repealed _____
Other alternative rule making:	New _____	Amended <u>3</u>	Repealed _____

AMENDATORY SECTION (Amending Order 2077, filed 3/27/91, effective 4/27/91)

WAC 16-354-005 Hop rootstock--General. (1) Rootstocks of hops (*Humulus Lupulus L.*) may be designated as foundation stock, registered stock and certified stock when inspected, tested and found to be discernibly free from Iilar viruses and virus-like diseases, downy mildew, powdery mildew, verticillium wilt, crown gall, rootknot nematode, hop cyst nematode or other serious pests, by procedures and inspections outlined in this program.

(2) The issuance of a state of Washington certified plant tag or stamp under this chapter affirms only that the tagged or stamped hop rootstock has been subjected to certification procedures to determine compliance with standards by the department. The department disclaims all express or implied warranties, including without limitation, implied warranties of merchantability and fitness for particular purpose, regarding all plants, plant parts, and plant materials under this chapter.

(3) The department is not responsible for disease, genetic disorders, off-type, failure of performance, mislabeling, or otherwise, in connection with this chapter. No grower, nursery dealer, government official, or other person is authorized to give any expressed or implied warranty, or to accept financial responsibility on behalf of the department regarding this chapter.

(4) Participation in the hop rootstock certification program shall be voluntary.

AMENDATORY SECTION (Amending Order 2077, filed 3/27/91, effective 4/27/91)

WAC 16-354-010 Definitions. (1) "Iilar virus" means a grouping of viruses, including Apple Mosaic Virus and Prunus Necrotic Ringspot, which share common characteristics including spherical in shape, with genetic material in three different particles and commonly inducing ring spots in hosts.

(2) "Virus-like" means a transmissible disorder of unknown cause.

(3) "Index" means to determine virus infection by means of inoculation from the plant to be tested to an indicator plant or by any other method.

(4) "Foundation rootstock" means slips or rhizomes, cuttings and rooted plants taken from hop stocks established and maintained by Washington State University, that are indexed, and believed to be free from known viruses and which will be genetically uniform. Cuttings or rooted plants, which shall be used to establish certified mother blocks shall be furnished to the applicant for a fee determined by Washington State University.

(5) "Certified mother block" means a planting of hop stocks established from foundation rootstock.

(6) "Certified rootstock" means rootstock produced from certified mother blocks and meeting the requirements as herein provided.

(7) "Verticillium wilt" means the disease caused by *Verticillium albo-atrum* Reinke & Berth. or hop strains of this organism.

(8) "Downy mildew and/or black rot" means the disease caused by *Pseudoperonospora humuli* Miy. & Tak., G. W. Wils. Black roots caused by this disease shall not be permitted.

(9) "Powdery mildew" means the disease caused by *Sphaerotheca humuli* (DC) Burrill = *Sphaerotheca macularis* (WALLR.: FR) Lind.

(10) "Crown gall" means the disease caused by *Agrobacterium tumefaciens* E. F. Sm. & Towns., Conn.

~~((+10))~~ (11) "Rootknot nematode" means the nematode *Meloidogyne* sp.

~~((+11))~~ (12) "Hop cyst nematode" means the nematode *Heterodera humuli* Filipjev.

~~((+12))~~ (13) "Crown" means a slip or layered stem cutting with visible buds, that has been grown for one or two years.

~~((+13))~~ (14) "Fairly fresh" means that the roots or cuttings are not excessively wilted.

~~((+14))~~ (15) "Firm" means that the plant parts are not soft or spongy, although they may yield to slight pressure.

~~((+15))~~ (16) "Moist" means that the plant parts are reasonably turgid and not dried to a degree that would affect normal growth.

~~((+16))~~ (17) "Fairly clean" means that the plant parts are not matted or caked with dirt.

~~((+17))~~ (18) "Free from damage caused by mold" means that the plants shall be free from excessive mold or decay. Plants slightly affected by mold shall be allowed.

~~((+18))~~ (19) "Free from damage caused by freezing injury" means that the roots shall be of a normal color and only moderately affected by discolored roots which affect the normal growth of the plant.

~~((+19))~~ (20) "Broken or mutilated rootstock" means the breaking of the root section or splitting of the plant part or other mechanical injury that would affect the normal growth of the plant.

~~((+20))~~ (21) "Department" means the Washington state department of agriculture.

~~((+21))~~ (22) "Director" means the director of the Washington state department of agriculture or the director's authorized representative.

AMENDATORY SECTION (Amending Order 2077, filed 3/27/91, effective 4/27/91)

WAC 16-354-070 Hop rootstock field standards. (1) The unit of certification shall be the entire lot within the field standing at the time of inspection.

(2) Specific requirements. (Percentage tolerances)

	<u>Certified</u>
Downy mildew	1%
Nematodes (visible)	1%
Verticillium wilt	0
ilar viruses	0
<u>Powdery mildew</u>	<u>0</u>