



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

**CR-103** (7/23/95)

**Agency:** Department of Agriculture

- Permanent Rule
- Emergency Rule
- Expedited Repeal

**(1) Date of adoption:** June 27, 1996

**(2) Purpose:** Language was rewritten for clarity and update, which allows for planting certain varieties of beans under sprinklers. In addition, the rule amendment will make growing standards the same as in the State of Idaho.

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

Repealed:  
 Amended: 16-316-280, 16-316-327  
 Suspended:

**(4) Statutory authority for adoption:** Chapter 15.49 RCW  
Other Authority:

**PERMANENT RULE ONLY**

Adopted under notice filed as WSR 96-11-121 on May 21, 1996 (date).  
Describe any changes other than editing from proposed to adopted version: None

**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 or effectiveness of rule?:**

- Yes
  - No
- If yes, explain:

**(6) Effective date of rule:**

**Permanent Rules**

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

**Emergency Rules**

- Immediately
- Later (specify):

**CODE REVISER USE ONLY**

CODE REVISER'S OFFICE  
STATE OF WASHINGTON  
FILED

JUL 02 1996

TIME: 10:10 AM  
WSR 96-14-088

**Name (Type or Print)**  
James M. Jesernig

**Signature**

**Title**  
Director

**Date**  
July 1, 1996

**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:**

<b>Federal statute:</b>	New	-----	Amended	-----	Repealed	-----
<b>Federal rules or standards:</b>	New	-----	Amended	-----	Repealed	-----
<b>Recently enacted* state statutes:</b>	New	-----	Amended	-----	Repealed	-----

\*(current calendar year)

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

New	-----	Amended	-----	Repealed	-----
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**The number of sections adopted in the agency's own initiative:**

New	-----	Amended	<u>2</u>	Repealed	-----
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	-----	Amended	<u>2</u>	Repealed	-----
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	-----	Amended	-----	Repealed	-----
<b>Pilot rule making:</b>	New	-----	Amended	-----	Repealed	-----
<b>Other alternative rule making:</b>	New	-----	Amended	<u>2</u>	Repealed	-----

AMENDATORY SECTION (Amending Order 2092, filed 5/27/92, effective 5/27/92)

**WAC 16-316-280 Field tolerances.** Field tolerances shall be as follows:

(1)

	Field Producing		
	Found- ation	Regis- tered	Certi- fied
Other varieties or off-type plants	none found	0.1%	0.2%
Other crops	none found	0.1%	0.1%
Total seed-borne diseases	none found	none found	none found
Except as noted in subsection (6) of this section			

(2) ~~Snap ((beans and kidney beans grown under sprinkler irrigation will not be eligible for certification. Further snap))~~ and Kidney Beans shall be isolated by 1320 feet from known bacterial blight.

(3) (a) To be eligible for certification, Pintos, Red Mexicans, Pinks, Great Northerns, Small Whites, Navy Beans, and Black Turtle Beans may be grown for an unlimited number of generations under rill or sprinkler irrigation.

(b) To be eligible for certification, Kidney Beans may be grown for an unlimited number of generations under rill irrigation or for one generation under rill irrigation and, subsequently, for two generations under sprinkler irrigation. The fourth and unlimited subsequent generations of these may be grown and inspected with the same alternation of irrigation types.

(c) To be eligible for certification, Cranberry types, Taylor horticultural types, and Borlotto types of beans may be grown for unlimited generations under rill irrigation or for one generation under rill irrigation and, subsequently, for two generations under sprinkler irrigation. These types shall be subject to the following additional requirements:

(i) A maximum of nine total generations of these types of beans may be grown under the alternation of irrigation types; and

(ii) Any lot grown under sprinkler irrigation shall be officially sampled, serology tested and found free from bean bacterial quarantine diseases listed in WAC 16-494-013, prior to replanting under either sprinkler irrigation or rill irrigation.

(4) Fields must be rogued of weeds, off-type plants, volunteer plants, and plants showing symptoms of seed-borne diseases. Excessive night-shade shall be a cause for rejection.

~~((4))~~ (5) A field to be eligible for certification must have clean, cultivated boundaries at least ten feet wide.

((+5+)) 1 Excessive weeds, poor stands, lack of vigor, or any other condition which is apt to make inspection inaccurate may be cause for rejection of the field.

((+6+)) (7) Bean fields, including those planted with a dominant I-gene cultivar, showing virus-like mosaic symptoms will not be accepted as free of seedborne virus diseases until seed samples are tested serologically, or with serology and a grow out test and found to be free of seedborne virus diseases.

AMENDATORY SECTION (Amending Order 2093, filed 6/9/92, effective 7/10/92)

**WAC 16-316-327 Phyto-sanitary certificate for beans. (1)**

Specific bacterial diseases of beans for which phyto-sanitary certificates may be issued are:

- (a) *Halo Blight - Pseudomonas phaseolicola* (Burk.) Dows.
- (b) *Common Bean Blight - Xanthomonas phaseoli* (E.F. Sm.) Dows.
- (c) *Fuscous Blight - Xanthomonas phaseoli var. fuscans* (Burk.) (Hedges) Dows.
- (d) *Bean Bacterial Wilt - Corynebacterium flaccumfaciens* (Hedges) Dows.
- (e) Or any varieties or new strains of these diseases.
- (f) *Brown Spot Disease - Pseudomonas syringae*.
- (g) *Bean Anthracnose - Colletotrichum lindemuthianum*.
- (h) *Seedborne viral diseases*.

(2) Common bean seed to be eligible for a phyto-sanitary certificate covering the bacterial diseases listed above, shall be free of the diseases in question as determined by field inspection during the growing season and by a windrow inspection. (Serology test and greenhouse test may be accepted in lieu of windrow inspection at the discretion of the department of agriculture.)

(3) ~~((Snap beans and kidney beans grown under sprinkler irrigation shall not be eligible for phyto sanitary certificates covering bacterial diseases.))~~ (a) To be eligible for a phyto-sanitary certificate covering bacterial diseases, Pintos, Red Mexicans, Pinks, Great Northerns, Small Whites, Navy Beans, and Black Turtle Beans may be grown for an unlimited number of generations under rill or sprinkler irrigation.

(b) To be eligible for a phyto-sanitary certificate covering bacterial diseases, Kidney Beans may be grown for an unlimited number of generations under rill irrigation or for one generation under rill irrigation and, subsequently, for two generations under sprinkler irrigation. The fourth and unlimited subsequent generations of these may be grown and inspected with the same alternation of irrigation types.

(c) To be eligible for a phyto-sanitary certificate covering bacterial diseases, Cranberry types, Taylor horticultural types, and Borlotto types of beans may be grown for unlimited generations under rill irrigation or for one generation under rill irrigation and, subsequently, for two generations under sprinkler irrigation. These types shall be subject to the following additional requirements:

(i) A maximum of nine total generations of these types of beans may be grown under the alternation of irrigation types; and

(ii) Any *St* grown under sprinkle irrigation shall be officially sampled, serology tested and found free from bean bacterial quarantine diseases listed in WAC 16-494-013, prior to replanting under either sprinkler irrigation or rill irrigation.

(4) To be eligible for phyto-sanitary certificate, field planted shall be free of halo blight the previous two years.

(5) To be eligible for phyto-sanitary certificate, fields shall be 1320 feet from an incident of diseases listed in subsection (1) of this section. It is recommended that equipment be disinfected between fields.

(6) Field inspection requirements:

At least two field inspections are required for beans being inspected for the bacterial diseases listed above:

(a) The first inspection is required when factors effecting diseases are most evident.

(b) The second inspection is required when the plants are in the windrow.

(7) All bean seed entered into the phyto-sanitary inspection program shall comply with the bean seed quarantine rules. See WAC 16-494-001 through 16-494-062.