



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (4/25/96)

Agency: Agriculture

- Permanent Rule
- Emergency Rule
- Expedited Repeal

(1) Date of adoption: May 14, 1997

(2) Purpose: Revise existing rules and standards for certification of seed potatoes.

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

Repealed: WAC 16-324-360, 380, 390, 400, 410, 430, 435, 445, 450, 460, 470, 480, 490, 500, 510, 520, 530, 540, 600, 605, 610, 620, 630, 650, 660, 670 and 680

Amended: WAC 16-324-370, 16-324-375, 16-324-420

Suspended:

(4) Statutory authority for adoption: RCW 15.14.030

Other Authority:

PERMANENT RULE ONLY

Adopted under notice filed as WSR 97-07-075 on 3/19/97.

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
or Expedited Repeal | 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)

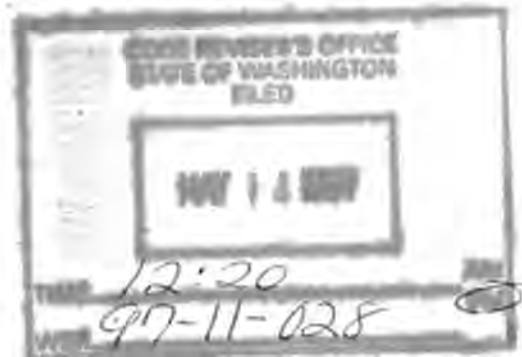
Jim Jesernig

Signature

Title
Director

Date
May 14, 1997

CODE REVISER USE ONLY



**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:

Federal statute:	New	Amended	Repealed
Federal rules or standards:	New	Amended	Repealed
Recently enacted state statutes:	New	Amended	Repealed

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

New	16	Amended	3	Repealed	27
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The number of sections adopted in the agency's own initiative:

New	Amended	Repealed
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	3	Amended	1	Repealed	2
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The number of sections adopted using:

Negotiated rule making:	New	Amended	Repealed			
Pilot rule making:	New	Amended	Repealed			
Other alternative rule making:	New	16	Amended	3	Repealed	27

NEW SECTION

WAC 16-324-361 Definitions. The definitions set forth in this section shall apply throughout this chapter, unless the context otherwise requires:

(1) "Certification" means that the lot of seed potatoes was inspected and meets the requirements of this chapter.

(2) "Cull" means any lot of potatoes rejected for certification for any reason. Seed lots failing to meet the minimum requirements of Washington state's rules and standards for certification shall be considered culls.

(3) "Department" means the department of agriculture of the state of Washington.

(4) "Director" means the director of the department of agriculture or his/her duly appointed representative.

(5) "Disease tested" means tested for potato viruses, PVA, PVM, PVS, PVX, PVY, leafroll, spindle tuber viroid, *Erwinia carotovora* ssp. *carotovora* (soft rot), *Erwinia carotovora* ssp. *atroseptica* (black leg) and *Clavibacter michiganense* spp. *sependonicum* (ring rot).

(6) "In vitro" means in an artificial environment outside the living organism.

(7) "Micropropagated" means potato stock propagated using aseptic laboratory techniques and culture media to promote plant tissue growth.

(8) "Microtubers" means tubers produced in vitro by a micropropagated plant or plantlet.

(9) "Minitubers" means tubers produced under controlled greenhouse conditions.

(10) "Nematode" means a disease (infestation) of plant parasitic nematodes of potatoes including but not limited to the genus *Meloidogyne*.

(11) "Nuclear stock" means plantlets, microtubers, minitubers, or seed potatoes produced from prenuclear stock, and grown in the field for the first time.

(12) "Plot" means a seed potato planting that is 0.25 acre or less in size.

(13) "Powdery scab" means the disease caused by the fungus *Spongospora subterranea*.

(14) "Prenuclear" means micropropagated plants in vitro or tubers in vitro. Also included are plants or minitubers produced in a greenhouse.

(15) "Recertification" means the process of certifying a seed lot that was certified the previous year.

(16) "Ring rot" means the disease caused by the bacterium *Clavibacter michiganense* ssp. *sepedonicum*.

(17) "Rogue" means a method of removing undesired plant specimens from a lot whereby all plant parts including vines, tubers, and seed pieces are completely removed from a field. Rogueing for plant disease shall also include removing all plants and their parts immediately adjacent to the diseased suspect plant.

(18) "Seed lot" means a field, in whole or in part, or a group of fields producing seed potatoes, or the potato tubers harvested from a seed potato field.

(19) "Seed potatoes" mean vegetatively propagated tubers used for potato production that have been produced outside of or within the state of Washington and are being handled for seed purposes, propagation, or reproduction within the state of Washington.

(20) "Seed source" means seed potatoes produced by an individual grower within a particular seed production area.

(21) "Trace" means a barely perceivable indication of plant disease that amounts to less than 0.001 percent of sample.

(22) "Tolerance" means the maximum acceptable percentage of potato plants or tubers exhibiting visual symptoms of disease or defect during inspection of a representative sample.

(23) "Unit method" means a method of planting in which cut seed pieces from one tuber are dropped consecutively in a row, or in which all tubers from one plant are dropped consecutively in a row.

AMENDATORY SECTION (Amending Order 1587, filed 11/21/78)

WAC 16-324-370 General guidance. (1) Participation in this program shall be voluntary and may be withdrawn at the option of the applicant. Farming and sanitation practices are the responsibility of the grower. Certification, approvals, determinations, and supervision mentioned herein shall be conducted by the department.

(2) ~~((All applications and department records will be maintained as public records for a period of seven years.~~

~~(3))~~ Failure to comply with the requirements of these rules shall be cause for refusal or cancellation of approval of any planting or the certification of any seed as certified seed potatoes.

~~((4) Certification means that the lot of seed potatoes was inspected and meets the requirements of this order.~~

~~(5))~~ (3) The state of Washington department of agriculture makes no warranty, expressed or implied, or representation as to the freedom from disease or quality of certified seed. Certification is based solely on visual inspections of sample plants and tubers of each lot which were found to meet tolerances prescribed in this ~~((order))~~ chapter.

AMENDATORY SECTION (Amending Order 2083, filed 4/24/91, effective 5/25/91)

WAC 16-324-375 ~~((Certified seed potato))~~ Application and withdrawal. (1) Application shall be made on a form provided by the department. Applications for certification shall reach the state department of agriculture, ~~((seed branch, Yakima,~~

Washington,)) on or before June 15 of each year. Late applications, without prior approval, will be assessed a late application fee of twenty dollars per application. Applications shall be accompanied by the appropriate fee, as well as tags, certificates or other evidence of eligibility. (~~An application shall be made for each variety.~~)

(2) Prospective growers entering the certification program for the first time shall be interviewed by the department before their applications are processed. This is in order that the applicant knows what is expected and what may be expected from the certifying agency.

(3) Separate applications shall be required for each variety, seed source, and seed lot.

(4) Separate applications shall be required for each seed source field location that is separated by more than one hundred feet.

(5) Applications shall be accompanied by a field location map so that any inspector can identify each lot and the lot location.

(6) Withdrawal of a seed lot from the certification program shall be made on a form provided by the department (~~which shall become part of the permanent public record~~).

NEW SECTION

WAC 16-324-381 Certified seed potato stock--Fees. (1) Seed potato certification fees shall be twenty-nine dollars per acre or fraction thereof.

(2) The certification fee for a field plot shall be twenty dollars per application.

(3) The department may assess an additional fee charged on a time and mileage basis.

(4) Applications shall be accompanied by fifty percent of the total certification fee and payable on or before June 15 of each year. For purposes of certification fee assessment, acreage may be adjusted by no more than ten percent on or before July 15 of each year.

(5) Final payment of the certification fees is due and payable November 1 of each year: *Provided*, That fees for five acres or less must be paid in full at the time of application.

(6) Refunds of the certification fee may be made only if the withdrawal form is received by the department prior to the first field inspection.

(7) Lots rejected before the second inspection shall not be subject to the final one-half payment of the certification fee.

(8) Certification fees shall not be refunded after two field inspections have been completed.

(9) Failure to pay fees when due shall result in removing the applicant from this program.

(10) No application from any grower owing the Washington state department of agriculture for previous fees may be considered.

NEW SECTION

WAC 16-324-382 Seed potato classification. (1) All seed potatoes entered for certification shall be classified on the basis of production phases as follows:

(a) Prenuclear (PN) - Prefield seed stocks for laboratory and greenhouse production or direct field plantings.

(b) Nuclear (N) - First field production year.

(c) Generation 1 (G1) - Second field production year.

(d) Generation 2 (G2) - Third field production year.

(e) Generation 3 (G3) - Fourth field production year.

(f) Generation 4 (G4) - Fifth field production year.

(g) Generation 5 (G5) - Sixth field production year.

(2) The class of any seed lot shall be determined by its production phase as defined in subsection (1) of this section. If a seed lot fails to meet the standards established in this chapter for its production phase, then it shall be reclassified to the next later generation for which it meets established standards. If a seed lot fails to meet minimum standards established for G5, it shall be rejected from certification.

NEW SECTION

WAC 16-324-391 Eligibility requirements. (1) Planting stocks shall be derived from seed stocks that have been disease tested, certified by an official seed certifying agency and continued identity maintained in an approved manner.

(2) To be eligible for recertification, a seed stock shall meet or exceed the minimum requirements for field inspection, latent virus testing, and post harvest testing as established in this chapter. A seed stock that has more than a trace amount of virus disease noted during any field inspection shall not be recertified, unless it has been post harvest tested and meets the minimum standards established in WAC 16-324-420.

(3) Planting stocks from other states or countries shall be eligible for current season certification if the planting stock meets or exceeds the minimum requirements of Washington standards for certification of seed potatoes and is eligible for recertification in the state or country of origin.

(4) A seed lot shall not be eligible for current season certification if it is blended from two or more different sources of seed.

(5) Tubers culled out during the grading process shall not be eligible for recertification.

(6) Seed stocks shall be eligible for current season certification for a maximum of six field production years.

(7) Generation 5 (G5), shall not be eligible for recertification.

NEW SECTION

WAC 16-324-392 Isolation requirements. (1) Prenuclear stock shall be produced in a laboratory or greenhouse approved by the department.

(2) Nuclear and Generation 1 shall be produced only in field locations approved by the department.

(3) Generation 2 through Generation 5 shall be isolated by at least three hundred fifty feet from other potatoes except seed potatoes entered for certification.

(4) When ring rot is found in a field planted with more than one lot of seed, the entire field shall be rejected unless at least six feet between lots has been left unplanted or planted to some other crop.

NEW SECTION

WAC 16-324-393 Land requirements. (1) Any land known to be infested with parasitic potato nematode shall not be accepted.

(2) Any land planted with seed potatoes found to have ring rot shall not be eligible for certified seed potato production for at least three years. Presence of volunteer potato plants in a field with ring rot history shall disqualify the current field crop for certification. Plants outside of the defined row shall be considered volunteers. Exceptions to this may be approved by the department when cultural practice has been proven to be successful. Cultural practices may include, but are not limited to, mechanical means (such as deep plowing) and/or chemical means (such as fumigants or other material) for seed bed preparation. Materials and methods shall be recorded with the department. Whichever method is used, it shall be approved by the department and shall be adequate to maintain variety and disease purity.

(3) Nuclear class shall be produced on land that has not been planted with potatoes for any of the previous six years. (New ground is preferred.)

(4) Generation 1 class shall be produced on land that has not been planted with potatoes for any of the previous four years.

(5) Generation 2, 3, 4, and 5 classes shall be produced on land that has not been planted with potatoes during the previous year unless the prior potato crop was certified seed potatoes of a higher class and of the same variety. Volunteer plants from a previously planted seed potato crop that are present at the time of the field inspection shall cause the designated class of the current crop to be changed to an appropriate later generation designation.

NEW SECTION

WAC 16-324-394 Production requirements--Prenuclear class.
Requirements for production of pre-nuclear class of seed potatoes are as follows:

(1) Basic requirements for plant material increase:

(a) All micropropagation facilities shall be approved by the department.

(b) All material shall be documented as to source of variety and shall be a variety approved by the department.

(c) All tests required shall be conducted by a laboratory approved by the department.

(d) Entry level material shall be isolated from all other material and limited to fifty in vitro propagules per line selection. All plant material to be mass micropropagated shall be disease tested.

(2) Testing requirements for mother plants. Yearly testing of one hundred percent of the mother plants shall be required as follows:

(a) *Clavibacter michiganense* ssp. *sepedonicum* by gram stain, or immunofluorescent antibody stain, or Richardsons Media, or other methods approved by the department.

(b) *Erwinia* species by crystal violet pectate, or other methods approved by the department.

(c) Potato viruses - X, Y, S, M, A, and leafroll by ELISA.

(d) Potato spindle tuber viroid by cDNA, dot hybridization or gel electrophoresis.

(e) All plant material to be mass propagated shall test negative for the pathogens listed above in this subsection.

(3) Sampling requirements for mass propagated plants or tubers.

(a) Samples shall be taken prior to kill down or shipping plantlets. A minimum of one percent (of no less than twenty samples) of the plants or tuber population shall be tested for potato virus X, potato virus Y, potato virus S, potato leafroll virus, *Erwinia* spp. and *Clavibacter michiganense* ssp. *sepedonicum* in the manner described for testing requirements for mother plants in subsection (2) of this section. No more than five plants or tubers shall be bulked per sample.

(b) Prenuclear class stock shall have a zero tolerance for all pathogens listed above.

(4) Private micropropagation labs shall make samples of propagation material available to the department for further testing when requested.

(5) Propagators shall select tubers or mother plants that are true-to-type. Such material shall be derived from more than a single tuber; ten to twenty tubers shall be selected to maximize the genetic base of each line and to avoid selecting a tuber or mother plant that may carry a genetic mutation uncharacteristic of the variety. Micropropagated plants shall not be derived from callus culture due to the possibility of somatic mutations or variants.

(6) Detailed records of the progress of all increases shall be maintained by the department or private labs engaged in the production of pre-nuclear material. These records shall include:

(a) A numbering code or system used to identify the explants or clones and their origins;

(b) The amount of time this material has been in tissue culture, and the dates and numbers of transfers that have occurred since initiation or selection;

(c) The testing/inspection history of all such material.

(7) Material planted for recertification at a pre-nuclear level shall have been produced either under standard aseptic microbiological techniques (i.e., in vitro micropropagation) or in an insect proofed greenhouse using sterilized potting media and water known to be free of bacterial potato pathogens. Material shall be produced under phytosanitary standards established in this chapter.

(8) The laboratory and/or greenhouses used to produce material to be accepted as pre-nuclear shall be open to inspection by department personnel on a periodic basis, and contain only material that has satisfied initial testing requirements.

(9) All greenhouse-produced material shall be inspected by the certification agency in the state of origin for disease and off-types during the growing cycle. One inspection shall be performed for transplant material and at least two inspections shall be performed for tuber-producing plants.

(10) Tubers and tuber storage facilities shall be inspected by the certification agency in the state of origin and satisfy requirements for sanitation and proper storage as approved by the department.

(11) All lines used in the production of pre-nuclear material shall be field-plot tested on at least an annual basis with particular emphasis on the evaluation of the phenotype (trueness-to-type), yield ability, and freedom from disease symptoms. Such testing shall be the responsibility of the participant and the certification agency in the state of origin.

(12) Well water shall be the source of irrigation for pre-nuclear stock.

NEW SECTION

WAC 16-324-395 Production requirements--Field grown seed potatoes. (1) Nuclear class.

(a) Material planted for recertification at a nuclear level shall have been produced either under standard aseptic microbiological techniques or in an insect proofed greenhouse using sterilized potting media and water known to be free of bacterial potato pathogens.

(b) Each lot shall be distinctly separated in the field and in storage.

(c) If a ground rig is used for spraying, a wide enough spray row shall be allowed so that tires will not touch plants during the growing season.

(d) Cut seed and single drop seed shall be sorted and planted separately, with single drop seed identified.

(e) Access to fields shall be severely restricted. Entrance shall only be allowed in the presence of the grower.

(2) To produce nuclear, Generation 1 and Generation 2 stock, a grower shall have successfully produced certified seed potatoes the previous two years with no ring rot disease noted during this

period. Exceptions to this are possible on approval by the department.

(3) Generations 1, 2, 3, 4 and 5.

(a) A distinct separation of at least six feet shall be left unplanted or planted to some other crop between lots of a different class and between different varieties of potatoes that have a similar enough tuber type, color skin or shape characteristics that varietal mixture would not be readily identifiable during the storage, sorting and grading process.

(b) No separation shall be required between lots of a red variety and another variety with obviously different skin color.

(c) When more than one lot of seed potatoes is planted in the same field, each lot shall be staked or marked so that any inspector not previously having been at the location can identify each lot, variety, single drop planting and different seed source.

NEW SECTION

WAC 16-324-396 Sanitation requirements. (1) Chemicals used in the sanitation of equipment shall be those recommended by the *Pacific Northwest Plant Disease Control Handbook*. Vector control shall be maintained throughout the growing season as recommended by the *Pacific Northwest Plant Disease Control Handbook*.

(2) Seed stocks entered for certification shall be planted and harvested prior to handling any other seed stock. The earliest generation shall be handled prior to lower classes within the program. All equipment used in the cutting, planting, digging, storage, and sorting process shall be sanitized between lots and varieties. When cutting nuclear stock, gloves and knives shall be sanitized between each tuber cut.

(3) Precautions shall be taken when roguing, irrigating, or cultivating to prevent the spread of potato pathogens. Only sanitized footwear shall be allowed in the field.

(4) Only department-approved containers shall be used during the digging, storage, and packing process.

(5) Appropriate procedures for sanitizing shall include steam cleaning or use of a pressure washer to eliminate all dirt and dry matter, followed by application of an approved chemical to kill bacteria.

NEW SECTION

WAC 16-324-397 Field inspection. (1) Each seed lot shall be visually inspected on a sample basis. Seed lots shall be subjected to at least two inspections. The first inspection shall be made before the rows have filled in or the vines touch in the row. The seed lots shall be traversed sufficiently to accurately evaluate the factors to be considered with a minimum sample of one hundred plants per acre. Seed lots shall be considered ready for

inspection at all times. Notification shall be given to grower or grower representative when the first inspection is to be performed. A second inspection shall be performed at a time determined by the inspector, considering the variety and the growing season. Additional inspections shall be made when deemed necessary.

(2) Seed lots not meeting minimum field inspection standards at the time of inspection shall be rejected.

(3) The grower shall be responsible for notifying the department of unusual field conditions which will cause premature dying from any cause prior to the final reading of the field.

(4) Any field condition, i.e., weeds, frost, insect, disease, premature dying from any cause, or any condition making inspection evaluation impossible will be cause for the following actions:

(a) Post harvest testing shall be required for any seed lot with any field condition preventing adequate field evaluation at the time of the first field inspection.

(b) At the discretion of the department, inability to perform the final field inspection evaluation of a seed lot for any reason may be cause for rejection from certification, and/or the seed lot shall not be eligible for recertification and shall be required to be post harvest tested.

(5) Ring rot found in a seed lot of a seed operation shall be cause for removing the lot from certification. Additional inspections shall be required on remaining seed lots. All other seed lots associated with or planted after the rejected lot shall be ineligible for recertification.

(6) In the suspected presence of ring rot disease in plants and tubers, or nematode infestation of tubers, or powdery scab disease on tubers, samples shall be submitted to a department-approved laboratory for testing. Samples may be sent to more than one laboratory to determine the presence or absence of plant disease or infestation.

(7) A certified seed production growers list shall be published annually after the final field inspection showing the inspection results.

(8) At the option of the grower, seed sources shall be represented in a seed lot source trial. The presence of ring rot in the sample shall be cause for rejection of seed lots planted from the same seed source by the grower submitting the sample.

NEW SECTION

WAC 16-324-398 Field inspection disease tolerance. (1) 0.0% tolerance is not intended, nor shall be construed, to mean that the lot inspected is free from the disease. In case of ring rot, nematode, or powdery scab, it means that the disease was not identified during any visual inspection.

(2) First and second field inspection tolerances.

Factor	Nuclear		G 1		G 2		G 3		G 4		G 5	
	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd
Varietal mixture	0.00	0.00	0.00	0.00	0.02	0.01	0.05	0.01	0.08	0.05	0.20	0.10
Mosaic	0.00	0.00	0.00	0.00	0.01	TR (*)	0.50	0.25	0.50	0.25	2.00	1.00
Leafroll	0.00	0.00	0.00	0.00	0.01	TR (*)	0.03	0.01	0.08	0.05	0.40	0.20

Total visible virus	0.00	0.00	0.10	0.00	0.50	0.50	2.00	1.00	2.00	1.00	2.00	2.00
Phytoplasmas	0.00	0.00	0.00	0.00	0.10	0.10	0.20	0.20	0.50	0.50	1.00	1.00
Black leg	0.00	0.00	0.10	0.10	0.50	0.50	1.00	1.00	2.00	2.00	4.00	2.00
Ring rot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Nematode	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Spindle tuber viroid	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Powdery scab	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

*TR=Trace

NEW SECTION

WAC 16-324-401 Latent virus testing requirements. (1) PVX testing shall be required for Nuclear, Generation 1 and Generation 2 class seed potatoes. PVX testing shall be optional for all other classes.

(2) Petiole samples shall be submitted by the grower in late August, or prior to vine kill, to a laboratory approved by the department. The cost of laboratory testing shall be borne by the applicant.

(3) The minimum number of plants per seed lot to be sampled for latent virus determination shall be one hundred. For nuclear class, a minimum of ten percent of the total number of plants per lot shall be sampled. For Generation 1, a minimum of two percent of the total number of plants per lot shall be sampled. For Generation 2, a minimum of fifty leaves per acre shall be sampled. For Generation 3, 4 and 5, a minimum of twenty leaves per acre shall be sampled. No more than five leaves shall be bulked per sample. The department may require additional testing.

NEW SECTION

WAC 16-324-402 Latent virus tolerance. (1) Latent virus disease tolerances listed in the table that follows and shall be based on positive ELISA test results.

PVX TOLERANCE TABLE: PERCENT DISEASE

NUCLEAR	G1	G2	G3	G4	G5
0.00	0.50	1.00	3.00	4.00	5.00

NEW SECTION

WAC 16-324-409 Post harvest test requirements. (1) Post harvest testing of all seed classes shall be optional. Seed lots

which fail the minimum requirements of the field inspection standards shall not be eligible for post harvest testing.

(2) The purpose of this test is to visually detect virus and virus-like plant symptoms in seed potato samples submitted by the grower. Diseases which cannot be observed visually at the time of inspection may be present.

(3) A minimum of four hundred tubers shall be submitted for each seed lot entered for post harvest testing. Seed lots less than one acre in size shall submit four tubers per total hundred weight with a minimum of fifty tubers. The applicant shall have the option of submitting additional tubers greater than the minimum number.

(4) The cost of post harvest testing shall be borne by the applicant.

(5) Seed stocks represented in the post harvest test which fail to meet the disease tolerance requirements set forth in this chapter shall not be eligible for recertification.

(a) The applicant shall notify in writing all receivers of a seed stock or seed lot that failed to meet post harvest test requirements set forth in WAC 16-324-420.

(b) Acceptance of this seed lot shall be based on a written buyer/seller agreement. A copy of the written notice and buyer/seller agreement shall be provided to the department as soon as practicable.

(6) Upon request of the applicant, the department shall submit samples of seed potatoes to an approved laboratory for ELISA testing to confirm a finding of visual virus disease symptoms. The applicant shall bear the cost of ELISA testing.

(7) In the event of a serious malfunction of the post harvest test facility, certification eligibility shall be based on field inspection readings.

AMENDATORY SECTION (Amending Order 4014, filed 10/22/92, effective 11/22/92)

WAC 16-324-420 ((Winter)) Post harvest test tolerances.

~~((1) The unit of certification will be each lot.
(2) Specific requirements. The diseases tolerated will be within the percentages listed in the table below, based on visual symptoms showing in the sample inspected. ELISA testing of samples shall be made upon request by the applicant at his or her expense.~~

Disease or defect	Foundation	Certified
Well defined mosaic	1.5%	2.0%
Leaf roll	0.5%	2.0%

~~(3) Diseases which cannot be observed visually at time of inspection may be present.))~~

TOLERANCE TABLE: PERCENT DISEASE

<u>Factor</u>	<u>NUCLEAR</u>	<u>G1</u>	<u>G2</u>	<u>G3</u>	<u>G4</u>	<u>G5</u>
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<u>Leafroll</u>	<u>0.00</u>	<u>0.25</u>	<u>0.50</u>	<u>0.75</u>	<u>1.00</u>	<u>2.00</u>
<u>Mosaic</u> <u>(well defined)</u>	<u>0.00</u>	<u>0.25</u>	<u>0.50</u>	<u>1.00</u>	<u>1.50</u>	<u>2.00</u>
<u>Total virus</u>	<u>0.00</u>	<u>0.50</u>	<u>0.75</u>	<u>1.00</u>	<u>1.50</u>	<u>3.00</u>

NEW SECTION

WAC 16-324-431 Digging, storage and premarketing. (1) Each seed lot shall be stored so as to maintain its identity. The storage bin or room (an area with a controlled access and enclosed by solid barriers) shall be so marked that any inspector not previously having been in the room or storage bin could identify each lot. All tubers from a unit planting method shall be numbered and stored as an identifiable unit for the next year's planting.

(2) Each storage or room containing more than one seed lot shall have a solid barrier between each lot that is not of the same seed source, variety or classification.

(a) The presence of ring rot or nematode in a seed lot that is stored with other seed lots shall be cause for rejection of all seed lots that are not isolated or separated by a solid barrier.

(b) Seed lots previously known or found to be infected with ring rot at time of storage or noncertified potatoes shall not be stored within the same storage with certified seed potatoes.

(3) The applicant shall notify in writing receivers of a seed stock or receivers of a lot associated with a seed stock that has been found to be infected with ring rot. The applicant shall provide the department with a copy of this notification when it is sent to the receiver.

(4) All seed classes shall be graded according to state of Washington standards for seed potatoes and United States Standards for Grades of Seed Potatoes.

(5) Each container or sack shall be identified with the official Washington seed potato tags which shall show the grower's name, address, seed lot number, net weight, variety and classification unless such information is printed on the sacks or containers.

(6) The department shall issue tags to the grower. The grower shall:

(a) Tag the sack or container as the potatoes are sorted;

(b) Allow inspection of graded seed potatoes at any time;

(c) If seed potatoes are out-of-grade, remove the tags under the supervision of the inspector; and

(d) Return all unused tags to the inspector.

(7) Failure to comply with any of the requirements of this chapter shall be cause for the inspector to withhold the privilege of permitting the grower to tag at the grower's convenience.

(8) Failure to comply with subsection (6) (b) and (c) of this section shall be cause to reject a grower from the certification program.

(9) In order to maintain its certification status, a bulk shipment must be identified with information required in subsection (5) of this section.

NEW SECTION

WAC 16-324-446 Grading inspection. (1) The quality of the grading of seed potatoes is the full responsibility of the grower. The department shall monitor grading activities for compliance with the United States Standards for Seed Potatoes and established state standards for seed potatoes.

(2) Upon request, shipping point inspections for seed potatoes shall be performed by the department at the established rate for time and mileage. A federal-state inspection certificate shall be issued.

(3) Three colors of tags shall be permitted for use.

(a) Blue tags shall be used for seed potatoes which meet or exceed minimum requirements of United States Standards for US Number 1 grade of seed potatoes.

(b) Yellow tags shall indicate a contract grade between buyer and seller.

(c) White tags shall be used for seed potatoes which meet or exceed minimum requirements of US Number 1 standards for grade of seed potatoes: *Provided*, That the size shall not be less than one ounce or more than three ounces in weight.

(4) Compliance with the provisions of these standards shall not relieve the applicant or grower from responsibility for conforming with compliance agreements and applicable provisions of federal and state laws.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-324-360 Definitions.

WAC 16-324-380 Certified seed potato stock--Fees.

WAC 16-324-390 Requirements for production of foundation and/or certified seed potato stock.

WAC 16-324-400 Certified seed potato--Field inspection standards.

WAC 16-324-410 Winter test.

WAC 16-324-430 Certified seed potato--Digging, storage and premarketing.

WAC 16-324-435 Storage restrictions.

WAC 16-324-445 Certified seed potato--Grading inspection--Diseases and grades.

WAC 16-324-450 Certified seed potato--Specific requirements.

WAC 16-324-460 Washington No. 1 certified seed potatoes (blue tag stock).

WAC 16-324-470 Washington No. 2 certified seed potatoes (red tag stock).

WAC 16-324-480 Washington single drop certified seed potatoes (white tag stock).

WAC 16-324-490 Washington buff certified seed potatoes (buff tag stock).

WAC 16-324-500 Marking requirements.

WAC 16-324-510 Certified seed potato--Tolerances.

WAC 16-324-520 Certified seed potato--Derinition of terms.
WAC 16-324-530 Certified seed potato--Definition--Damage.
WAC 16-324-540 Certified seed potato--Definition--Serious
damage.
WAC 16-324-600 Limited generation (L.G.) certified seed
potato production.
WAC 16-324-605 Limited generation certified seed potato--
Requirements for production and eligibility
of prenuclear stock.
WAC 16-324-610 Limited generation certified seed potato--
Land requirements.
WAC 16-324-620 Limited generation certified seed potato--
Isolation requirements.
WAC 16-324-630 Limited generation certified seed potato--
Field inspection tolerances.
WAC 16-324-650 Limited generation certified seed potato--
Production phases.
WAC 16-324-660 Limited generation certified seed potato--
Sanitation.
WAC 16-324-670 Limited generation certified seed potato--
Tags.
WAC 16-324-680 Limited generation certified seed potato--
Storage.