

- Statutory Authority: RCW 47.01.101(5) and 47.68.210.
- 12-28-020 Pilots and operation of aircraft. [Regulation 2, Section II, filed 7/20/61.] Repealed by 83-01-039 (Order 75), filed 12/13/82. Statutory Authority: RCW 47.01.101(5) and 47.68.210.
- 12-28-030 Restrictions as to chemical application. [Regulation 2, Section III, filed 7/20/61.] Repealed by 83-01-039 (Order 75), filed 12/13/82. Statutory Authority: RCW 47.01.101(5) and 47.68.210.
- 12-28-040 Violations and penalties. [Regulation 2, Section IV, filed 7/20/61.] Repealed by 83-01-039 (Order 75), filed 12/13/82. Statutory Authority: RCW 47.01.101(5) and 47.68.210.
- 12-28-050 Persons excepted from rules. [Regulation 2, Section V, filed 7/20/61.] Repealed by 83-01-039 (Order 75), filed 12/13/82. Statutory Authority: RCW 47.01.101(5) and 47.68.210.
- 12-28-060 Severability. [Regulation 2, filed 7/20/61.] Repealed by 83-01-039 (Order 75), filed 12/13/82. Statutory Authority: RCW 47.01.101(5) and 47.68.210.

WAC 12-28-001 through 12-28-060 Repealed. See Disposition Table at beginning of this chapter.

Chapter 12-32 WAC

OPERATING RULES FOR SPECIFIC AREAS

WAC

- 12-32-001 through 12-32-010 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 12-32-001 Lake Washington and Lake Washington Ship Canal—Promulgation. [Regulation 1, Promulgation, filed 7/20/61.] Repealed by 83-01-039 (Order 75), filed 12/13/82. Statutory Authority: RCW 47.01.101(5) and 47.68.210.
- 12-32-010 Lake Washington and Lake Washington Ship Canal—Flight and operation rules. [Regulation 1, Flight Rules, filed 7/20/61.] Repealed by 83-01-039 (Order 75), filed 12/13/82. Statutory Authority: RCW 47.01.101(5) and 47.68.210.

WAC 12-32-001 through 12-32-010 Repealed. See Disposition Table at beginning of this chapter.

Chapter 12-36 WAC

SPECIFICATIONS FOR DOWNED AIRCRAFT RESCUE TRANSMITTERS

WAC

- 12-36-001 through 12-36-040 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 12-36-001 Promulgation. [Order 69-1, § 12-36-001, filed 11/14/69, effective 1/1/70.] Repealed by 83-01-039 (Order 75), filed 12/13/82. Statutory Authority: RCW 47.01.101(5) and 47.68.210.
- 12-36-010 Operation. [Order 69-1, § 12-36-010, filed 11/14/69, effective 1/1/70.] Repealed by 83-01-039 (Order 75), filed 12/13/82. Statutory Authority: RCW 47.01.101(5) and 47.68.210.
- 12-36-020 Device quality. [Order 70-3, § 12-36-020, filed 8/17/70; Order 69-1, § 12-36-020, filed 11/14/69, effective 1/1/70.] Repealed by 83-01-039 (Order 75), filed 12/13/82. Statutory Authority: RCW 47.01.101(5) and 47.68.210.

- 12-36-030 Transmission capabilities. [Order 69-1, § 12-36-030, filed 11/14/69, effective 1/1/70.] Repealed by 83-01-039 (Order 75), filed 12/13/82. Statutory Authority: RCW 47.01.101(5) and 47.68.210.
- 12-36-040 Dual frequency requirement. [Order 69-1, § 12-36-040, filed 11/14/69, effective 1/1/70.] Repealed by 83-01-039 (Order 75), filed 12/13/82. Statutory Authority: RCW 47.01.101(5) and 47.68.210.

WAC 12-36-001 through 12-36-040 Repealed. See Disposition Table at beginning of this chapter.

Title 16 WAC

AGRICULTURE, DEPARTMENT OF

Chapters

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Chapter 16-06 WAC

PUBLIC RECORDS

WAC

- 16-06-010 Purpose.
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 16-06-060 Availability of public records.
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 16-06-110 Denial of request.
 16-06-120 Review of denial of request for inspection or copying of public records.
 16-06-130 Records index.
 16-06-140 Public records request form.

WAC 16-06-010 Purpose. The department of agriculture is a department of state government created by RCW 43.17.020. It shall hereafter in this chapter be referred to as the "department." Where appropriate, department also refers to its staff and employees. The department promulgates this chapter to ensure compliance with the provisions of chapter 42.17 RCW, and in particular with sections of that act dealing with public records. [Statutory Authority: RCW 42.17.250 - 42.17.340. 83-01-098 (Order 1779), § 16-06-010, filed 12/20/82.]

WAC 16-06-020 Definitions. (1) "Public records" means any writing containing information relating to the conduct of governmental or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

(2) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation including letters, words, pictures, sounds or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents. [Statutory Authority: RCW 42.17.250 - 42.17.340. 83-01-098 (Order 1779), § 16-06-020, filed 12/20/82.]

WAC 16-06-030 Description of organization. The administrative offices of the department are located in the General Administration Building, Olympia, Washington. The department is organized into six divisions: (1) The division of agricultural development, (2) the division of plant industry, (3) the division of animal industry, (4) the division of dairy and food, (5) the division of grain and agricultural chemicals, and (6) the division of regulatory services. The department maintains service locations or major field offices in eleven cities. Each of these offices is headed by a supervisor or chief. [Statutory Authority: RCW 42.17.250 - 42.17.340. 83-01-098 (Order 1779), § 16-06-030, filed 12/20/82.]

WAC 16-06-040 Operations and procedures. The general course and method of channeling and determining the operations of each major division of the department and the nature of requirements for all formal and informal procedures connected therewith are summarized in the following subsection, each of which is the immediate responsibility of an assistant director who is designated as the supervisor of that division.

(1) **Agricultural development.** The director of agriculture, through the division of agricultural development, shall exercise all of the powers and perform all the duties relating to the development of markets, state and federal cooperative marketing programs, land utilization for agricultural purposes, water resources, transportation, and farm labor, as such matters relate to the production, distribution and sale of agricultural commodities.

(2) **Plant industry.** The director of agriculture, through the division of plant industry, shall exercise all

the powers and perform all the duties prescribed by law relating to horticulture, and horticultural products. He shall enforce and supervise the administration of all laws relating to horticulture, horticultural products, and horticultural interests.

(3) **Animal industry.** The director of agriculture, through the division of animal industry, shall exercise all the powers and perform all duties prescribed by law relating to diseases among domestic animals and the quarantine and destruction of diseased animals. He shall enforce and supervise the administration of all laws relating to meat inspection, the prevention, detection, control and eradication of diseases of domestic animals, and all other matters relative to the diseases of livestock and their effect upon the public health.

(4) **Dairy and food.** The director of agriculture, through the division of dairy and food, shall exercise all powers and perform all duties prescribed by law with respect to the inspection of foods, food products, drinks, milk and milk products, and dairies and dairy products and the components thereof. He shall enforce and supervise the administration of all laws relating to foods, food products, drinks, milk and milk products, dairy and dairy products, and their inspection, manufacture, and sale.

(5) **Grain and agricultural chemicals.** The director of agriculture, through the division of grain and agricultural chemicals, shall exercise all powers and perform all duties prescribed by law with respect to grains, grain and hay products, grain and terminal warehouses in relation thereto, commercial feeds, commercial fertilizers, and chemical pesticides. He shall enforce and supervise the administration of all laws relating to grains, grain and hay products, grain and terminal warehouses in relation thereto, commercial feeds, commercial fertilizers, and chemical pesticides.

(6) **Regulatory services.** The director of agriculture, through the division of regulatory services shall exercise all the powers and perform all the duties prescribed by law relating to commission merchants, livestock identification, livestock brand registration and inspection. He shall enforce and supervise the administration of all laws relating to commission merchants, livestock identification and shall have the power to enforce all laws relating to any division under the supervision of the director of agriculture. [Statutory Authority: RCW 42.17.250 - 42.17.340. 83-01-098 (Order 1779), § 16-06-040, filed 12/20/82.]

WAC 16-06-050 Public records designees. The assistant director of each division shall be in charge of the public records for that division, and the deputy director shall be in charge of general administration records. [Statutory Authority: RCW 42.17.250 - 42.17.340. 83-01-098 (Order 1779), § 16-06-050, filed 12/20/82.]

WAC 16-06-060 Availability of public records. (1) All public records of the department, as defined in WAC 16-06-020 are deemed to be available for public inspection and copying pursuant to these rules, except as

otherwise provided by RCW 42.17.260, 42.17.310, 42.17.330, WAC 16-06-100, and 16-06-110.

(2) Public records of the department maintained in the administrative offices will be available for inspection and copying during the customary office hours of the department. For the purposes of this chapter, the customary office hours are 8:00 a.m. to noon and 1:00 p.m. to 5:00 p.m., Monday through Friday, excluding legal holidays. Specific records not available in the administrative offices will be made available pursuant to the procedures described in WAC 16-06-070. [Statutory Authority: RCW 42.17.250 - 42.17.340. 83-01-098 (Order 1779), § 16-06-060, filed 12/20/82.]

WAC 16-06-070 Requests for public records. In accordance with requirements of chapter 42.17 RCW that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be obtained by members of the public at the administrative offices of the department upon compliance with the following procedures:

(1) All requests shall be made in writing. A form prescribed by the department shall be available at the administrative offices. The written request or prescribed form shall be submitted or presented to the assistant director of the appropriate division at the administrative offices of the department during customary office hours. The request shall include the following information:

(a) The name and address of the person requesting the record.

(b) The time of day and calendar date on which the request was received at the administrative offices of the department.

(c) The nature of the request.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records designee to whom the request is made, to assist the member of the public in appropriately identifying the public record requested.

(3) When it appears that a request for a record is made by or on behalf of a party to a lawsuit or a controversy to which the department is also a party, or when such a request is made by or on behalf of an attorney for such a party, the request shall be referred for appropriate response to the assistant attorney general assigned to the department.

(4) If the record is not maintained in the administrative offices of the department, the public records designee, after approving the request, will retrieve the record and advise the person making the request by telephone or mail of the time and place the record will be available, which time will be as reasonably soon after the request is made as possible. [Statutory Authority: RCW 42.17.250 - 42.17.340. 83-01-098 (Order 1779), § 16-06-070, filed 12/20/82.]

WAC 16-06-080 Fees. (1) No fee shall be charged for the inspection of public records.

(2) The department shall charge a fee of twenty cents per page of copy for providing copies of public records

and for the use of agency equipment. This charge is the amount necessary to reimburse the department for its costs incident to such copying and shall be payable at the time copies are furnished. The copy machine shall be operated by staff persons only. [Statutory Authority: RCW 42.17.250 - 42.17.340. 83-01-098 (Order 1779), § 16-06-080, filed 12/20/82.]

WAC 16-06-090 Protection of public records. In order to adequately protect the public records of the department, the following rules have been adopted:

(1) No public records shall be removed from the department's premises.

(2) Inspection of any public record shall be conducted in the presence of a designated department employee.

(3) No public records may be marked or altered in any manner during inspection.

(4) Public records that are maintained in a file or jacket, or chronological order, may not be dismantled except by a designated department employee for purposes of copying.

(5) Upon request of a member of the public to examine an entire file or group of documents, as distinguished from a request to examine certain individual documents, the department shall be allowed a reasonable time to inspect the file to determine whether information protected from disclosure by RCW 42.17.310 is contained therein. The department shall promptly notify the party making the request that a preliminary inspection is being undertaken, and the department shall not be deemed in violation of its obligation otherwise to reply promptly to requests for public documents by reason of causing such an inspection to be performed.

(6) The department shall not give, sell or provide access to lists of individuals requested for commercial purposes, and the department shall not do so unless specifically authorized or directed to by law: *Provided*, That lists of applicants for professional licenses and of professional licenses shall be made available to those professional associations or educational organizations recognized by their professional licensing or examination board, upon payment of a reasonable charge therefor: *Provided further*, That such recognition may be refused only for a good cause pursuant to a hearing under the provisions of chapter 34.04 RCW. [Statutory Authority: RCW 42.17.250 - 42.17.340. 83-01-098 (Order 1779), § 16-06-090, filed 12/20/82.]

WAC 16-06-100 Exemptions. (1) The department reserves the right to determine that a public record requested in accordance with the procedures outline in WAC 16-06-070 is exempt under the provisions of chapter 42.17 RCW and other applicable laws.

(2) In addition, pursuant to chapter 42.17 RCW, the department reserves the right to delete identifying details when it makes available or publishes any public record, in any case when there is a reason to believe that disclosure of such details would be an invasion of personal privacy or vital governmental interests. In each case, the justification shall be explained in writing.

(3) The department reserves the right provided by RCW 42.17.330 to move the various superior courts to enjoin the examination of any specific public record when it believes such examination would substantially and irreparably damage any person, or would substantially and irreparably damage vital governmental functions. [Statutory Authority: RCW 42.17.250 - 42.17.340. 83-01-098 (Order 1779), § 16-06-100, filed 12/20/82.]

WAC 16-06-110 Denial of request. The department reserves the right to refuse, in whole or in part, as provided by RCW 42.17.310, a written request for inspection of any public record. Each denial of a request for a public record shall include a written statement by the public records designee of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld. [Statutory Authority: RCW 42.17.250 - 42.17.340. 83-01-098 (Order 1779), § 16-06-110, filed 12/20/82.]

WAC 16-06-120 Review of denial of request for inspection or copying of public records. (1) Any person who objects to the denial of a written request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement that constituted or accompanied the denial by the public records designee.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records designee denying the request shall refer it to the director. The petition shall be reviewed promptly by the director and the action of the public records designee approved or disapproved. [Statutory Authority: RCW 42.17.250 - 42.17.340. 83-01-098 (Order 1779), § 16-06-120, filed 12/20/82.]

WAC 16-06-130 Records index. The department finds that it would be unduly burdensome and would interfere with agency operations currently to develop an index of records as specified in RCW 42.17.260(2), because of the complexity and diversity of its operations and the resulting volume of correspondence, report, surveys, staff studies, and other materials. The department will make available for public inspection and copying all indexes which may at a future time be developed for agency use. [Statutory Authority: RCW 42.17.250 - 42.17.340. 83-01-098 (Order 1779), § 16-06-130, filed 12/20/82.]

WAC 16-06-140 Public records request form. The department hereby adopts a form entitled "Request for public record" for use by all persons requesting inspection and/or copying of department public records. The form may be secured from the administrative offices of the department. [Statutory Authority: RCW 42.17.250 - 42.17.340. 83-01-098 (Order 1779), § 16-06-140, filed 12/20/82.]

Chapter 16-54 WAC ANIMAL IMPORTATION

WAC

16-54-001	Repealed.
16-54-004	Repealed.
16-54-071	Domestic equine.
16-54-082	Domestic bovine animals.
16-54-111	Swine.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

16-54-001	Promulgation. [Order 957, filed 7/22/66, effective 8/22/66.] Repealed by 81-10-047 (Order 1730), filed 5/1/81. Statutory Authority: Chapters 16.36 and 16.40 RCW.
16-54-004	Promulgation. [Order 1488, § 16-54-004, filed 11/2/76.] Repealed by 81-10-047 (Order 1730), filed 5/1/81. Statutory Authority: Chapters 16.36 and 16.40 RCW.

WAC 16-54-001 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-54-004 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-54-071 Domestic equine. Domestic equine animals shall be accompanied by an official health certificate stating that they are free from clinical symptoms of infectious and communicable disease. All equine over six months of age must have a record of a negative test for the diagnosis of equine infectious anemia made within six months prior to entry. Horses moving to Washington from Oregon are excluded from test requirements. [Statutory Authority: Chapters 16.36 and 16.44 RCW. 82-24-040 (Order 1778), § 16-54-071, filed 11/24/82. Statutory Authority: Chapters 16.36 and 16.40 RCW. 81-10-047 (Order 1730), § 16-54-071, filed 5/1/81; Order 1540, § 16-54-071, filed 10/17/77; Order 1430, § 16-54-071, filed 2/9/76. Formerly WAC 16-54-070.]

WAC 16-54-082 Domestic bovine animals. All domestic bovine animals (including bison) except those for immediate slaughter at a federally inspected establishment, or to a quarantined registered feed lot, or beef breed cattle or slaughter only dairy breed cattle consigned to a state-federal approved stockyard, shall be accompanied by a health certificate (WAC 16-54-030) and shall meet the following requirements:

(1) Tuberculosis. All beef and dairy cattle must originate from herds not under quarantine in a not less than modified accredited area.

(2) Brucellosis. Cattle originating from states other than Washington: All domestic bovine animals (including bison) moving into Washington, except those consigned to quarantined registered feed lots, or to federally inspected slaughter establishments for immediate slaughter, or beef breed cattle or slaughter only dairy breed cattle consigned to a state-federal approved stockyard, shall be moved on a permit issued by the animal health division of the department of agriculture and

an official interstate health certificate, and shall meet the following requirements:

(a) All cattle must be negative to an official brucellosis test conducted within forty-five days prior to date of entry and will be quarantined on the premises of destination and kept [separated] [separate] from all other cattle for retest not less than thirty nor more than sixty days from the date of previous test, except that the following classes of cattle are exempt from these test requirements:

(i) Calves under six months of age.

(ii) Steers and spayed heifers.

(iii) Officially vaccinated dairy cattle under twenty months of age and officially vaccinated beef cattle under twenty-four months of age.

(iv) Immediate slaughter cattle going directly to a federally inspected slaughter establishment.

(v) Cattle consigned directly to a quarantined registered feed lot.

(vi) Cattle from certified brucellosis free herds.

(vii) Beef breed cattle eligible for brucellosis testing coming from contiguous states certified brucellosis free may be moved to state-federal approved livestock markets in Washington to meet entry health requirements. Cattle of the beef breeds from such equal status states and having the same import requirements as Washington are exempt from second test and quarantine requirements if found brucellosis negative on entry.

(b) After January 1, 1979, all female dairy cattle must be identified as official brucellosis calfhood vaccines before entry. Except the following classes of cattle are exempt from this requirement:

(i) Calves under four months of age.

(ii) Those cattle consigned directly to a federally inspected slaughter plant.

(iii) Those cattle consigned directly to a quarantined registered feed lot.

(iv) Spayed heifers.

(c) Herd owners desiring to move cattle into Washington for temporary grazing purposes must obtain a prior permit from the animal health division. All brucellosis test eligible cattle moving on a temporary grazing permit must be officially brucellosis tested negative within twelve months of entry into Washington. They must originate in a county or other political subdivision of equal status where brucellosis has not been diagnosed in the preceding twelve months, or officially brucellosis tested negative within thirty days prior to entry. [Statutory Authority: Chapters 16.36 and 16.40 RCW. 82-03-019 (Order 1752), § 16-54-082, filed 1/14/82; 81-10-047 (Order 1730), § 16-54-082, filed 5/1/81. Statutory Authority: Chapters 16.36 and 16.44 RCW. 78-06-116 (Order 1579), § 16-54-082, filed 6/7/78; Order 1540, § 16-54-082, filed 10/17/77.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 16-54-111 Swine. (1) Slaughter swine. Swine not known to be affected with or exposed to infectious or

communicable diseases may be moved into the state without health certificate to a federally inspected slaughter establishment or public livestock market specifically approved under Part 76, Title 9, Code of Federal Regulations for immediate slaughter and shall not be diverted enroute for any purpose. The waybills or certificates for movement must state "for slaughter only."

(2) Feeder and breeder swine.

(a) Swine must be accompanied by a permit issued by the department of agriculture state veterinarian, or the state veterinarian's representative, and an official health certificate stating they are clinically free from infectious and contagious disease or exposure thereto. The consignor and consignee will be properly listed with exact mailing address and destination clearly shown.

(b) Swine brucellosis. All swine imported for breeding purposes over six months of age entering the state of Washington must be tested and found negative to brucellosis within thirty days prior to entry or originate in a validated brucellosis free herd or area. Swine from herds where brucellosis is known to exist will not be admitted.

(c) Swine pseudorabies. All swine being imported into the state of Washington must be:

(i) Tested and found negative to pseudorabies within thirty days prior to the date of importation, and

(ii) Isolated and held in quarantine at the point of final destination until retested and found negative to pseudorabies at least twenty-one days after the date of importation.

(d) The following classes are exempt from these pseudorabies test requirements:

(i) Swine originating from a pseudorabies qualified herd.

(ii) Swine being shipped directly to a federally inspected slaughter establishment for immediate slaughter. [Statutory Authority: Chapters 16.36 and 16.44 RCW. 83-02-001 (Order 1780), § 16-54-111, filed 12/23/82; Order 1540, § 16-54-111, filed 10/17/77; Order 1430, § 16-54-111, filed 2/9/76. Formerly WAC 16-54-110.]

Chapter 16-86 WAC

CATTLE, GOATS--BRUCELLOSIS AND TUBERCULOSIS

WAC

16-86-015

16-86-095

Washington cattle sale requirements.

Requirements for authorizing payment to veterinarians for official calfhood vaccination.

WAC 16-86-015 Washington cattle sale requirements. (1) No breeding cattle may be sold in this state unless within the thirty days immediately preceding the change of ownership the animal has been tested for brucellosis and the result of that test is negative. Except the following classes of cattle are exempt from this test requirement:

(a) Calves under twelve months of age.

(b) Cattle sold or consigned to a registered quarantine feed lot.

(c) Cattle sold or consigned to an official slaughter establishment for slaughter within fourteen days.

(d) Steers and spayed heifers.

(e) Officially calfhooed vaccinated dairy cattle under twenty months of age and officially vaccinated beef cattle under twenty-four months of age from herds not under quarantine.

(2) The department shall review operation of WAC 16-86-015(1) in August 1982 to determine the results of the testing program in terms of the numbers of suspects and reactors discovered and the status of the brucellosis situation in the state. The purpose of the review is to assess the need for changes.

Unless after a hearing renewal is determined to be necessary, WAC 16-86-015(1) shall expire on August 1, 1983.

(3) After September 1, 1979, no female dairy cattle may be sold or introduced into commercial dairy herds in the state of Washington unless they are properly identified as official brucellosis vaccinates; except the following classes of cattle are exempt from this requirement:

(a) Calves under four months of age: *Provided*, That female calves under four months acquired by the commercial herd and natural female additions shall be officially brucellosis calfhooed vaccinated and identified before the age of twelve months or removed from the herd.

(b) Female cattle over two years of age in Washington herds.

(c) After January 1, 1980, female cattle over three years of age in Washington herds.

(d) After January 1, 1981, female cattle over four years of age in Washington herds.

(e) After January 1, 1982, female cattle over five years of age in Washington herds.

(f) After January 1, 1983, female cattle over six years of age in Washington herds.

(4) All Washington cattle shall be individually identified and permanently recorded as to herd of origin prior to being sold or consigned for slaughter. Such identity shall be transferred to the blood sample taken for MCI test purposes. These records shall be made available to the department upon request. Except the following classes of cattle shall be exempt from this requirement:

(a) Cattle under twenty-four months of age. (Not parturient or post parturient.)

(b) Steers and spayed heifers. [Statutory Authority: Chapters 16.36 and 16.40 RCW. 81-14-078 (Order 1742), § 16-86-015, filed 7/1/81; 81-10-048 (Order 1731), § 16-86-015, filed 5/1/81; 79-09-076 (Order 1642), § 16-86-015, filed 8/30/79; 79-07-089 (Order 1634), § 16-86-015, filed 6/29/79; 78-12-053 (Order 1588), § 16-86-015, filed 11/29/78; Order 1539, § 16-86-015, filed 10/17/77.]

WAC 16-86-095 Requirements for authorizing payment to veterinarians for official calfhooed vaccination. The fee schedule for payment by the department to accredited veterinarians for official brucellosis calfhooed

vaccination shall be at a rate prescribed by the director not to exceed one dollar per animal.

(1) Official vaccination report - Calfhooed vaccinations must be reported to the department within thirty days of occurrence on an approved report form (AGRI 030-3003) issued by the Washington state department of agriculture for the purpose of identifying and recording by official calfhooed vaccination eartag or registry tattoo calves officially brucella vaccinated.

(2) Accredited veterinarians in private practice may make claim to the department for each beef breed or dairy breed female bovine calf they officially vaccinate in the state of Washington.

(a) No claim for payment shall be made except for those officially calfhooed vaccinated.

(b) No claim for payment shall be made unless an approved brucella vaccine is used for official calfhooed vaccination.

(c) No claim for payment shall be made prior to submitting to the department the official calfhooed vaccination report, countersigned by the owner of the animal, identifying by official calfhooed vaccination eartag or registry tattoo each individual calf vaccinated. [Statutory Authority: Chapters 16.36 and 16.40 RCW. 81-10-049 (Order 1732), § 16-86-095, filed 5/1/81, effective 7/1/81; 79-09-076 (Order 1642), § 16-86-095, filed 8/30/79.]

Chapter 16-96 WAC

PRODUCTION RECORD BRANDS

WAC

16-96-130 Brand inspection fees.

WAC 16-96-130 Brand inspection fees. The fee for inspecting cattle and calves of or for brands, and/or any other method of identifying cattle and calves, shall be forty-five cents per head, except at those public livestock markets in Oregon, which are declared to be brand inspection points for Washington, where the fee shall be thirty cents per head. [Statutory Authority: RCW 16.57.220. 82-10-038 (Order 1762), § 16-96-130, filed 4/30/82. Statutory Authority: Chapter 16.57 RCW. 82-04-001 (Order 1753), § 16-96-130, filed 1/21/82. Statutory Authority: RCW 16.57.160 and 16.57.240. 81-19-026 (Order 1748), § 16-96-130, filed 9/9/81; Order 1277, § 16-96-130, filed 7/31/72, effective 9/1/72; Order 1058, Regulation 1, filed 7/19/67, effective 8/20/67.]

Chapter 16-101 WAC

MILK AND MILK PRODUCTS

WAC

16-101-715 Aseptically processed milk and milk products.
 16-101-720 Aseptic processing.
 16-101-725 Labeling.
 16-101-730 Aseptically processed milk—Suspension of Grade A permit.
 16-101-735 Processing.
 16-101-740 Sanitation requirements.

WAC 16-101-715 Aseptically processed milk and milk products. Section 1, Paragraph N, Part 1, Grade "A" Pasteurized Milk Ordinance, Page 20, 2nd Paragraph, Item N, shall be changed to read:

This definition is not intended to include such products as sterilized milk and milk products hermetically sealed in a container and so processed either before or after sealing as to prevent microbial spoilage such as evaporated milk, evaporated skim milk, condensed milk (sweetened or unsweetened), dietary products (except as defined herein), infant formula, butter, ice cream and other frozen desserts, dry milk products (except as defined herein), canned eggnog in a rigid metal container, butter or cheese except when they are combined with other substances to produce any pasteurized or aseptically processed milk or milk products defined herein.

Aseptically processed milk and milk products are products hermetically sealed in a container and so thermally processed in conformance with 21 CFR 113 and 108 (adopted in 1975) and the provision of this ordinance so as to render the product free from microorganisms capable of reproducing in the product under normal nonrefrigeration conditions of storage and distribution. This product shall be free of viable microorganisms (including spores) of public health significance.

[Statutory Authority: Chapter 15.36 RCW. 82-14-014 (Order 1766), § 16-101-715, filed 6/28/82.]

WAC 16-101-720 Aseptic processing. Paragraph S2, Page 21 shall read:

Aseptic processing – the term aseptic processing when used to describe a milk product means that the product has been subjected to sufficient heat processing, and packaged in a hermetically sealed container, to conform to the applicable requirements of 21 CFR 113 and the provisions of Section 7, Item 16 p of this ordinance and maintain commercial sterility of the product under normal nonrefrigerated conditions.

[Statutory Authority: Chapter 15.36 RCW. 82-14-014 (Order 1766), § 16-101-720, filed 6/28/82.]

WAC 16-101-725 Labeling. Section 4, Labeling, Part 1, Grade A Pasteurized Milk Ordinance, Page 23, shall be changed to read:

5. The words "keep refrigerated after opening" in the case of aseptically processed milk and milk products.

6. In the case of aseptically processed and packaged milk and milk products, words that are acceptable to F.D.A.

7. The word "ultrapasteurized" if the milk or milk product has been ultrapasteurized.

[Statutory Authority: Chapter 15.36 RCW. 82-14-014 (Order 1766), § 16-101-725, filed 6/28/82.]

WAC 16-101-730 Aseptically processed milk--Suspension of Grade A permit. A new paragraph is added to Section 6, Page 25, Part 1, Grade "A" Pasteurized Milk Ordinance to read:

Whenever a container or containers of aseptically processed milk or milk products is found to be unsterile due to underprocessing, the regulatory agency shall consider this to be an imminent hazard to public health and shall suspend the permit of the milk plant for sale of aseptically processed milk and milk products. No aseptically processed milk or milk product shall be sold until it can be shown that the processes, equipment and procedures used are suitable for consistent production of a sterile product. All products from the lot that are found to contain one or more unsterile units shall be recalled and disposed of as directed by the regulatory agency.

[Statutory Authority: Chapter 15.36 RCW. 82-14-014 (Order 1766), § 16-101-730, filed 6/28/82.]

WAC 16-101-735 Processing. Section 7, Paragraphs one and two, Page 25, Part 1, Grade "A" Pasteurized Milk Ordinance are changed to read:

All Grade "A" raw milk for pasteurization, ultrapasteurization or aseptic processing and all Grade "A" pasteurized, ultrapasteurized or aseptically processed milk and milk products shall be produced, processed and pasteurized, ultrapasteurized or aseptically processed to conform with the following chemical, bacteriological and temperature standards and the sanitation requirements of this section.

No process or manipulation other than pasteurization, ultrapasteurization or aseptic processing, processing methods integral therewith, and appropriate refrigeration shall be applied to milk and milk products for the purpose of removing or deactivating microorganisms.

To Section 7, Table 1, add lines 10, 11 and 12, Page 26.

Grade A Aseptically Processed Milk Products

<u>temperature</u>	<u>none</u>
<u>bacterial limit</u>	<u>no growth by test specified in Section 6</u>

Antibiotics – No zone equal to or greater than sixteen mm with Bacillus Stearothermophilus disc assay method.

[Statutory Authority: Chapter 15.36 RCW. 82-14-014 (Order 1766), § 16-101-735, filed 6/28/82.]

WAC 16-101-740 Sanitation requirements. Sanitation requirements for Grade "A" pasteurized, ultrapasteurized and aseptically processed milk and milk products.

Item 16 p, Pasteurization shall be changed to read:

Pasteurization shall be performed as defined in Section 1, Definition S of this ordinance. Aseptic processing shall be performed in accordance with 21 CFR 113 and 108 (adopted in 1975).

Item 17 p, Cooling of Milk

Provided, That aseptically processed milk and milk products to be packaged in hermetically sealed containers shall be exempt from the cooling requirements of this item.

[Statutory Authority: Chapter 15.36 RCW. 82-14-014 (Order 1766), § 16-101-740, filed 6/28/82.]

Chapter 16-129 WAC

LABELING AND ADVERTISING OF PRODUCTS RESEMBLING GENUINE DAIRY PRODUCTS

WAC

16-129-001	Repealed.
16-129-010	Declaration of purpose.
16-129-020	Definitions.
16-129-025	When products deemed not to be filled dairy products.
16-129-030	Products resembling dairy products—When deemed to be misbranded, falsely labeled or falsely advertised.
16-129-040	Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

16-129-001	Promulgation. [Order 1101, Promulgation, § 16-129-001, filed 10/18/68, effective 2/1/69.] Repealed by 83-02-031 (Order 1781), filed 12/29/82. Statutory Authority: Chapters 69.04 and 15.38 RCW.
16-129-040	Effective date. [Order 1101, § 16-129-040, filed 10/18/68, effective 2/1/69.] Repealed by 83-02-031 (Order 1781), filed 12/29/82. Statutory Authority: Chapters 69.04 and 15.38 RCW.

WAC 16-129-001 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-129-010 Declaration of purpose. (1) The director finds that because of the advent in the market place of food products which are nondairy food products, and filled dairy products, (a) which closely resemble, and which are made in semblance of genuine dairy products, and (b) which are manufactured in a manner so as to possess in a substantial degree the physical characteristics of genuine dairy products, and (c) which are frequently mistaken both physically and organoleptically for genuine dairy products, and (d) which are held out and sold or marketed as being usable for the same or similar purposes as genuine dairy products, and (e) which are most frequently packaged in the same types, sizes and shapes of glass, paper and plastic containers which historically consumers have associated with the marketing of genuine dairy products, and the labeling, appearance characteristics and other marketing techniques of said packages or containers used for such food products are frequently misleading to consumers in that they are confused and led to believe that they are buying genuine milk products; and the director further finds that as a result of the foregoing conditions and circumstances there is insufficient distinction in the names and other labeling of the said products described above and genuine dairy products; that it is necessary in order to

prevent confusion among consumers and for the protection of the public health to promulgate regulations establishing definitions and standards of labeling and advertising for said products.

(2) It is the finding of the director that RCW 69.04.190 provides that rules may be adopted for the purpose of promoting honesty and fair dealings in the interest of consumers in the following areas: standards for identity of the product, standards of quality, and standards of fill, and no authority is set for the adoption of regulations as to where the product may be physically located at point of sale. [Statutory Authority: Chapters 69.04 and 15.38 RCW. 83-02-031 (Order 1781), § 16-129-010, filed 12/29/82; Order 1101, § 16-129-010, filed 10/18/68, effective 2/1/69.]

WAC 16-129-020 Definitions. (1) "Products resembling genuine dairy products" means any food product for human consumption other than genuine dairy products, as set forth and defined in subsection (4) of this regulation, and which has the appearance, taste, smell, texture and color of genuine dairy products and which taken as a whole bears a resemblance to, or is in semblance of, any genuine dairy products: *Provided*, That the term "products resembling genuine dairy products" shall not include oleomargarine.

(2) The term "nondairy" means and refers to any product resembling a dairy product as defined in subsection (1) of this regulation and which contains no dairy products or components of dairy products.

(3) "Filled dairy products" means those products which are defined as filled dairy products by RCW 15.38.020.

(4) "Genuine dairy products" means those certain milk products as defined by RCW 15.36.011, and dairy products as defined by RCW 15.32.010 and 15.32.051, or regulations adopted thereunder.

(5) Other terms used in this regulation shall have the definition or definitions as set forth in chapter 69.04 RCW. [Statutory Authority: Chapters 69.04 and 15.38 RCW. 83-02-031 (Order 1781), § 16-129-020, filed 12/29/82; Order 1101, § 16-129-020, filed 10/18/68, effective 2/1/69.]

WAC 16-129-025 When products deemed not to be filled dairy products. A "filled dairy product" as defined by RCW 15.38.020 does not include a product that meets the following conditions:

(1) The product bears a statement on the main display panel of the package or container stating that the food product is an "imitation" followed by the name of the milk product imitated, i.e. "imitation milk", "imitation cheddar cheese," in letters not less than one-half the size of the product name, but in no case may the letters be smaller than 18 point type size; and the label must also bear a statement that the product contains dairy ingredients to which has been added a fat or oil filler; and

(2) The label on the product clearly states the ingredients and nutritional value, to include but not limited to vitamins, minerals, protein, and calories, but makes no

representation or comparison to a genuine dairy product. [Statutory Authority: Chapters 69.04 and 15.38 RCW. 83-02-031 (Order 1781), § 16-129-025, filed 12/29/82.]

WAC 16-129-030 Products resembling dairy products—When deemed to be misbranded, falsely labeled or falsely advertised. (1) Any product resembling a genuine dairy product shall be deemed to be misbranded and to have a misleading label when its package or immediate container or dispenser bears a statement, or legend using dairy terms or words or designs commonly associated with dairying or genuine dairy products, except to the extent that such words or terms are necessary to meet legal requirements for labeling: *Provided*, That the term "nondairy" may be used as an informative statement.

(2) Any advertisement or display concerning a product resembling a dairy product shall be deemed to be false and misleading if by its content such advertisement or display makes use of any dairy terms, or words or designs commonly associated with dairying or genuine dairy products, except that any such word may be included in the seller's or manufacturer's registered name under which he regularly does business: *Provided*, That this does not include any name registered as a subterfuge to include a dairy term: *Provided further*, That the term "nondairy" may be used as an informative statement.

(3) No representation or suggestion that any product resembling a genuine dairy product is approved or sanctioned by the federal food and drug administration, the Washington state department of agriculture, or any other governmental entity, shall be made in any labeling or advertisement.

(4) Any label concerning a product resembling a dairy product shall clearly set forth a list of ingredients of which such product consists. The label shall also set forth and name the specific kind of vegetable fat or oil contained in the product: *Provided*, That, if a blend or variety of oils is used, the ingredient statement shall contain the term "vegetable oil" in the appropriate place in the ingredient statement, with a qualifying phrase following the ingredient statement, such as "vegetable oils are soybean, cottonseed and coconut oils", or "vegetable oil may be cottonseed, coconut or soybean oil". [Statutory Authority: Chapters 69.04 and 15.38 RCW. 83-02-031 (Order 1781), § 16-129-030, filed 12/29/82; Order 1101, § 16-129-030, filed 10/18/68, effective 2/1/69.]

WAC 16-129-040 Repealed. See Disposition Table at beginning of this chapter.

**Chapter 16-200 WAC
FEEDS, FERTILIZERS AND LIVESTOCK
REMEDIES**

WAC
16-200-001 Repealed.

16-200-002 Repealed.
16-200-006 Repealed.
16-200-007 Repealed.
16-200-805 Tonnage fees.
16-200-815 Adulteration.
16-200-880 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

16-200-001 Promulgation. [Order 453, Promulgation, effective 3/1/46.] Repealed by 81-18-058 (Order 1747), filed 9/1/81. Statutory Authority: RCW 15.53.9018.
16-200-002 Promulgation. [Order 619, Promulgation, effective 2/11/52. Applies to WAC 16-200-512 and to chapter 16-28 WAC.] Repealed by 81-18-058 (Order 1747), filed 9/1/81. Statutory Authority: RCW 15.53.9018.
16-200-006 Promulgation. [Order 1032, Promulgation, filed 9/13/66, effective 11/15/66; Order 999, Promulgation, filed 12/10/65. Applies to WAC 16-200-700 through 16-200-743.] Repealed by 81-18-058 (Order 1747), filed 9/1/81. Statutory Authority: RCW 15.53.9018.
16-200-007 Promulgation. [Order 1164, § 16-200-007, filed 10/1/70; Order 1016, filed 5/20/66. Applies to WAC 16-200-750 through 16-200-870.] Repealed by 81-18-058 (Order 1747), filed 9/1/81. Statutory Authority: RCW 15.53.9018.
16-200-880 Promulgation. [Order 1432, § 16-200-880, filed 3/12/76.] Repealed by 81-18-058 (Order 1747), filed 9/1/81. Statutory Authority: RCW 15.53.9018.

WAC 16-200-001 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-200-002 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-200-006 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-200-007 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-200-805 Tonnage fees. Pursuant to RCW 15.53.9018, each initial distributor of a commercial feed in this state shall pay to the department of agriculture an inspection fee of eight cents per ton on all commercial feed sold by such person during the year. Exceptions to payment of this fee are as authorized in RCW 15.53.9018. [Statutory Authority: RCW 15.53.9018. 81-18-058 (Order 1747), § 16-200-805, filed 9/1/81.]

WAC 16-200-815 Adulteration. Pursuant to RCW 15.53.902, a commercial feed or feed ingredient shall also be deemed to be adulterated if it contains more than twenty parts per billion aflatoxin B₁. [Statutory Authority: RCW 15.53.902. 82-23-057 (Order 1776), § 16-200-815, filed 11/17/82.]

WAC 16-200-880 Repealed. See Disposition Table at beginning of this chapter.

Chapter 16-212 WAC

GRAIN, HAY, BEANS AND PEAS--INSPECTION FEES

WAC

- 16-212-020 Grain and commodity inspection points.
- 16-212-030 General provisions for hourly charges.
- 16-212-050 Certificates.
- 16-212-060 Inspection and/or weighing fees.
- 16-212-065 Sampling, testing, and certification of wheat for sedimentation values.
- 16-212-070 Inspection of miscellaneous commodities.
- 16-212-080 Miscellaneous.
- 16-212-120 Grades and standards.

WAC 16-212-020 Grain and commodity inspection points. The following cities in the state of Washington are hereby designated as inspection points for the purpose of inspecting and weighing standardized grains, hay, beans, peas, lentils and other commodities: Colfax, Kalama, Longview, Pasco, Seattle, Spokane, Tacoma and Vancouver. [Statutory Authority: RCW 22.09.460. 81-24-066 (Order 1751), § 16-212-020, filed 12/2/81; Order 1404, § 16-212-020, filed 6/30/75; Order 1118, § 16-212-020, filed 5/29/69, effective 7/1/69; Order 1031, Regulation 2, filed 9/9/66, effective 10/10/66; Order 981, filed 6/1/65; Order 790, effective 9/1/59.]

WAC 16-212-030 General provisions for hourly charges.

(1) **Straight time, rate per hour** \$16.00
 This hourly rate shall be applied on any job where the fee is not sufficient to provide revenue of \$16.00 per hour per man.

(2) **Overtime, and night shift rate per hour:**

(a) For shifts from 3:00 a.m. until 8:00 a.m., a fee of \$12.00 per hour per man shall be charged in addition to the regular inspection and weighing fees.

(b) Whenever a service is requested before or after working hours, Monday through Friday, or anytime on Saturdays, Sundays or holidays, a fee of \$8.00 per hour per man shall be charged in addition to the regular inspection and weighing fees: *Provided*, That whenever an employee is called from his home after regular working hours, or on Saturdays, Sundays or holidays, a minimum of four hours shall be charged at the rate of \$8.00 per hour.

(c) Whenever a night shift (6:00 p.m. to 3:00 a.m.) is requested later than 3:00 p.m. the day prior to the start of the requested shift, a fee of \$12.00 per hour per man shall be charged in addition to the regular fees.

(d) Whenever a night shift (6:00 p.m. to 3:00 a.m.) is requested by 3:00 p.m. the day prior to the start of the requested shift, a fee of \$4.00 per hour per man shall be charged in addition to the regular fees: *Provided*, That the workload is sufficient in size so that inspection and weighing fees generated that shift will defray the department's cost of \$16.00 per hour per man. If not, an additional overtime fee shall be assessed to equal \$16.00 per hour per man.

(e) Whenever a night shift (6:00 p.m. to 3:00 a.m.) is requested the day prior to the start of the requested

night shift and is not cancelled by 5:00 p.m. the day prior to the start of the requested night shift, and the service cannot be performed for that shift through no fault of the department, a fee of \$20.00 per hour per man shall be charged for a minimum of four hours.

(f) At all designated inspection points, for night shifts, Monday through Friday (usually from 6:00 p.m. to 3:00 a.m.) that are, or will be, continuous for a period of one month or longer, with only an occasional work stoppage, additional fees per hour will not apply: *Provided*, That the workload is sufficient in size so that inspection and weighing fees generated that shift will defray the department's cost of \$16.00 per hour per man. If not, an additional overtime charge shall be assessed to equal \$16.00 per hour per man.

(i) The department shall be given at least thirty days notice, in writing, of cancellation of any continuous night shift operation.

(ii) The term "occasional work stoppage" shall mean union stop work meetings usually held once per month.

(3) **Standby rate per hour** \$20.00
 Whenever a service is requested before or after working hours, Monday through Friday or anytime on Saturdays, Sundays or holidays, and service cannot be performed through no fault of the department, a Standby rate of \$20.00 per hour per man shall be charged. Before or after regular working hours, Monday through Friday, a minimum of two hours shall be charged, and anytime on Saturdays, Sundays or holidays a minimum of four hours shall be charged. [Statutory Authority: RCW 22.09.460. 81-24-066 (Order 1751), § 16-212-030, filed 12/2/81. Statutory Authority: Chapter 22.09 RCW. 80-06-100 (Order 1705), § 16-212-030, filed 5/30/80; Order 1490, § 16-212-030, filed 3/1/77; Order 1404, § 16-212-030, filed 6/30/75; Order 1267, § 16-212-030, filed 5/31/72; Order 1118, § 16-212-030, filed 5/29/69, effective 7/1/69; Order 1031, Regulation 3, filed 9/9/66, effective 10/10/66; Order 981, filed 6/1/65; Order 790, effective 9/1/59.]

WAC 16-212-050 Certificates.

(1) **Copies of certificates, export, after original issuance, each run** \$2.00

(The above shall apply to "Divided Original Export Certificate". Each numbered set of certificates shall constitute a "run").

(2) Extra copies of inspection, protein or weight certificates per copy \$1.00

[Statutory Authority: RCW 22.09.460. 81-24-066 (Order 1751), § 16-212-050, filed 12/2/81. Statutory Authority: Chapter 22.09 RCW. 80-06-100 (Order 1705), § 16-212-050, filed 5/30/80; Order 1404, § 16-212-050, filed 6/30/75, effective 8/1/75; Order 1267, § 16-212-050, filed 5/31/72; Order 1118, § 16-212-050, filed 5/29/69, effective 7/1/69; Order 1031, Regulation 6, filed 9/9/66, effective 10/10/66; Order 981, filed 6/1/65; Order 790, effective 9/1/59.]

WAC 16-212-060 Inspection and/or weighing fees.

- (1) **Combination inspection and weighing fees.** Ships, barges and transfers of bulk grain.
 - (a) From vessel to elevator per ton \$ 0.12
 - (b) Bin transfers per ton \$ 0.12
 - (c) From elevator to vessel per ton \$ 0.12
(Inspection - \$0.065 per ton)
(Weighing - \$0.055 per ton)
- (2) **Inspection only.** (Sample, Inspect, Grade and Certificate).
 - (a) Railroad boxcars or open hopper-type cars at designated hold tracks or at plants for original and all subsequent original inspections per car \$10.40
 - (b) Covered hopper-type cars which are sampled by United States Department of Agriculture approved mechanical belt, spout, or leg-type samplers at plants per car \$12.60
 - (c) Covered hopper-type cars sampled by methods other than by (b) above for original and all subsequent original inspections per car \$17.60
 - (d) Additional factors requested (that do not affect the grade)
 - (i) added to existing certifications per factor \$ 2.00
 - (ii) factor certification only per certificate \$ 2.45
 - (e) Reinspection of rail boxcars and covered hopper-type cars on the basis of file sample per reinspection \$ 6.75
(In case of a material error in grade, a corrected certificate will be issued without a fee.)
 - (f) If a new sample is requested (refer to (2) above).
- (3) **Weigh only.**
 - (a) From railroad boxcars, covered hopper-type cars, or vessels to elevator per ton (grain only) \$ 0.09
 - (b) From elevator to railroad boxcars, covered hopper-type cars or vessels per ton (grain only) \$ 0.09
 - (c) Bin transfers per ton (grain only) \$ 0.09
 - (d) Weigh only (other than grain) per ton \$ 0.11
 - (e) Weigh (grain by-products into maximum 30-ton portable containers, fitness inspection of

container, weigh by-product and sample) per container \$ 8.00

- (4) **Submitted samples: inspection; factor information only; and file review** \$ 5.00

(Example of factor information only—where the submitted sample is less than 1,000 grams in size, factor information may be provided on request for the above fee.)

- (5) **Inspection of ships as to condition.**
 - (a) Per hold and/or tank \$ 21.00
 - (b) Minimum charge \$108.00

(c) Ship's holds and/or tank condition inspections will be made on ships at anchor in midstream when requested.

(i) A minimum of two hours of regular time at \$16.00 per hour (one man) for general cargo vessels and a minimum of four hours of regular time at \$16.00 per hour (two men) shall be charged for tankers in addition to the established inspection fee.

(ii) These inspections can only be made at the convenience of the grain inspection office, during daylight hours, under safe working conditions, when weather conditions permit.

(iii) These inspections can only be made within the area of the designated tidewater grain inspection office.

(iv) A ship's officer or company agent shall accompany the licensed shiphold inspector/s.

- (6) **Trucks.**
 - (a) Inspect only per truck \$ 10.00
 - (b) Weigh only per truck \$ 5.00

[Statutory Authority: RCW 22.09.460. 81-24-066 (Order 1751), § 16-212-060, filed 12/2/81. Statutory Authority: Chapter 22.09 RCW. 80-06-100 (Order 1705), § 16-212-060, filed 5/30/80; Order 1490, § 16-212-060, filed 3/1/77; Order 1404, § 16-212-060, filed 6/30/75, effective 8/1/75; Order 1267, § 16-212-060, filed 5/31/72; Order 1118, § 16-212-060, filed 5/29/69, effective 7/1/69; Order 1031, Regulation 4, filed 9/9/66, effective 10/10/66; Order 981, filed 6/1/65; Order 790, effective 9/1/59.]

WAC 16-212-065 Sampling, testing, and certification of wheat for sedimentation values.

- (1) Sampling and certification of identifiable lots per sample \$ 5.00
- (2) Reinspection per file sample, lot \$ 5.00
- (3) Submitted sample certification per sample \$ 5.00
- (4) For sampling service only, to provide a sedimentation sample (minimum charge one hour) per hour \$16.00
- (5) Protein analysis (per certificate) \$ 4.00

- (6) Falling number test (per certificate) \$10.00

[Statutory Authority: RCW 22.09.460. 81-24-066 (Order 1751), § 16-212-065, filed 12/2/81; Order 1490, § 16-212-065, filed 3/1/77; Order 1404, § 16-212-065, filed 6/30/75, effective 8/1/75; Order 1380, § 16-212-065, filed 1/28/75; Order 1267, § 16-212-065, filed 5/31/72; Order 1118, § 16-212-065, filed 5/29/69, effective 7/1/69; Order 1031, Regulation 7, filed 9/9/66, effective 10/10/66; Order 981, filed 6/1/65; Order 891, filed 7/2/65.]

WAC 16-212-070 Inspection of miscellaneous commodities.

- (1) Hay inspection.
 - (a) Complete inspection (minimum charge \$30.00) per ton \$ 1.00
 - (b) Factor inspection (minimum charge \$20.00) per ton \$ 1.00
 - (c) Submitted sample inspection per sample \$ 5.00
- (2) Inspection of beans, peas, lentils, and similar commodities (minimum charge) \$15.00
 - (a) Inspection of bags at inspection points per cwt \$ 0.04
 - (b) Commodity inspection point, bulk per ton \$ 0.20
 - (c) Submitted sample inspection per sample \$10.00

(3) Whenever the lot size or workload is not of sufficient size so that inspection and/or weighing fees generated will defray the department's cost of \$16.00 per hour per man, an additional fee shall be assessed to equal \$16.00 per hour per man.

(4) Whenever service is required at points other than at the designated inspection point, car mileage fees as per WAC 16-212-080(5) shall be charged and added to inspection and weighing charges. [Statutory Authority: RCW 22.09.460. 81-24-066 (Order 1751), § 16-212-070, filed 12/2/81; Order 1490, § 16-212-070, filed 3/1/77; Order 1404, § 16-212-070, filed 6/30/75, effective 8/1/75; Order 1267, § 16-212-070, filed 5/31/72; Order 1118, § 16-212-070, filed 5/29/69, effective 7/1/69; Order 1031, Regulation 8, filed 9/9/66, effective 10/10/66; Order 981, filed 6/1/65; Order 891, filed 7/2/62; Order 790, effective 9/1/59.]

WAC 16-212-080 Miscellaneous.

- (1) Weighing, checking and/or sampling commodities if not covered by WAC 16-212-060(3)(a), (b) and (c) minimum charge per hour \$16.00
- (2) Mailing samples, minimum charge \$ 1.00 (actual cost if greater than minimum)
- (3) Sampling only, bulk commodities
 - (a) Minimum charge \$ 4.00
 - (b) Covered hopper-type cars \$11.00

- (4) Fee for pickup samples on routes established by the department per sample \$ 0.50

- (5) Car mileage per mile \$ 0.15

(6) In all cases where no fee has been established for services, the charge for such service shall be as provided in WAC 16-212-030, hourly charges.

(7) Any charges made in addition to the basic fees provided for in WAC 16-212-040 through 16-212-070 shall be classified as additional charges. [Statutory Authority: RCW 22.09.460. 81-24-066 (Order 1751), § 16-212-080, filed 12/2/81; Order 1490, § 16-212-080, filed 3/1/77; Order 1404, § 16-212-080, filed 6/30/75, effective 8/1/75; Order 1267, § 16-212-080, filed 5/31/72; Order 1118, § 16-212-080, filed 5/29/69, effective 7/1/69; Order 1031, Regulation 9, filed 9/9/66, effective 10/10/66; Order 981, filed 6/1/65; Order 790, effective 9/1/59.]

WAC 16-212-120 Grades and standards. The grades and standards established by the United States Department of Agriculture as of January 1, 1982, for all grains and commodities included within the provisions of this chapter are hereby adopted as the grades and standards for such grains and commodities in this state. [Statutory Authority: RCW 22.09.460. 81-24-066 (Order 1751), § 16-212-120, filed 12/2/81; Order 1490, § 16-212-120, filed 3/1/77; Order 1423, § 16-212-120, filed 9/24/75; Order 1267, § 16-212-120, filed 5/31/72; Order 1118, § 16-212-120, filed 5/29/69, effective 7/1/69; Order 1031, Regulation 12, filed 9/9/66, effective 10/10/66; Order 981, filed 6/1/65.]

Chapter 16-224 WAC

DESIGNATION OF WAREHOUSE STATIONS

WAC	
16-224-001	Repealed.
16-224-002	Repealed.
16-224-003	Repealed.
16-224-020	Definition.
16-224-030	Outside storage.
16-224-040	Historical depositor.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

16-224-001	Promulgation. [Order 1270, § 16-224-001, filed 5/30/72; Order 1154, § 16-224-001, filed 5/28/70, effective 7/1/70; Order 1119, § 16-224-001, filed 5/28/69, effective 7/1/69; Order 1097, § 16-224-001, filed 7/2/68; Order 1057, filed 7/14/67, effective 8/15/67.] Repealed by 81-15-057 (Order 1745), filed 7/17/81. Statutory Authority: Chapter 22.09 RCW.
16-224-002	Promulgation. [Order 1400, § 16-224-002, filed 5/29/75, effective 7/1/75.] Repealed by 81-15-057 (Order 1745), filed 7/17/81. Statutory Authority: Chapter 22.09 RCW.
16-224-003	Promulgation. [Order 1474, § 16-224-003, filed 6/21/76.] Repealed by 81-15-057 (Order 1745), filed 7/17/81. Statutory Authority: Chapter 22.09 RCW.

WAC 16-224-001 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-224-002 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-224-003 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-224-020 Definition. "Permanent enclosed storage space" means a structure that has a foundation and both rigid walls and roof. [Statutory Authority: Chapter 22.09 RCW. 81-15-057 (Order 1745), § 16-24-020, filed 7/17/81.]

WAC 16-224-030 Outside storage. The department of agriculture will allow the storing of grain outside the warehouseman's permanent enclosed storage space under the following conditions: (1) When the warehouseman has no permanent enclosed storage space available.

(2) Outside storage must be on ground properly landscaped to provide adequate drainage and must be approved by the department prior to its use.

(3) Stockpiles created by a licensed warehouseman at a location not filled through his permanent enclosed storage facility will have a separate letter designation and license fee.

(4) For outside storage up to thirty-three and one-third percent of the warehousemen's permanent enclosed storage capacity, a new worth of twenty cents per bushel must be maintained in addition to the net worth requirements of WAC 16-212-130.

(5) A warehouseman may request the department of agriculture to approve his outside storage in excess of thirty-three and one-third percent of his permanent enclosed storage capacity and must maintain a net worth of thirty cents per bushel on this excess unless it contains adequate aeration and is covered with a covering approved by the department of agriculture: *Provided*, That if the excess contains aeration and is covered with a covering approved by the department of agriculture the net worth requirement will be twenty cents per bushel.

(6) All outside storage must be properly crowned and removed from the sides of building no later than October 15 of the crop year.

(7) Violation of this regulation will be considered a violation of Title 22 RCW and may result in the suspension of the warehouseman's license. [Statutory Authority: Chapter 22.09 RCW. 81-15-057 (Order 1745), § 16-24-030, filed 7/17/81.]

WAC 16-224-040 Historical depositor. Prior to allocating warehouse space on the basis of historical deposits, each warehouseman shall, for the purposes of the definition of "historical depositor" as set forth in RCW 22.09.010(15), file with the department of agriculture a policy statement setting forth the criteria that identifies a person who in the normal course of business operations has consistently made deposits, in the same warehouse, of commodities produced on the same land. Any subsequent changes in this policy shall be filed with the department. [Statutory Authority: RCW 22.09.010(15). 81-21-023 (Order 1750), § 16-224-040, filed 10/13/81.]

Chapter 16-230 WAC

USE OF CHEMICALS AND CHEMICALLY TREATED MATERIALS IN CERTAIN COUNTIES

WAC

16-230-170 Aerial equipment—Boom length, pressure, nozzle requirement, nozzle height of discharge and smoke device requirements for the entire area under order.

WAC 16-230-170 Aerial equipment—Boom length, pressure, nozzle requirement, nozzle height of discharge and smoke device requirements for the entire area under order. (1) Boom length restrictions:

(a) Fixed wing: The working boom length shall not exceed 3/4 of the distance from the center of aircraft to wing tip on each side of aircraft.

(b) Helicopters: The working boom length shall not exceed 6/7 of the distance from the center of rotor to rotor tip on each side of the aircraft for rotors 40 feet or under or 3/4 of the distance from the center of rotor to rotor tip on each side of the aircraft where the rotor exceeds 40 feet while applying restricted use desiccants and defoliant.

(2) Pressure restrictions: Maximum pressure at the nozzles for all aerial applications of restricted use desiccants and defoliant shall be 25 psi.

(3) Nozzle requirements for applications of restricted use desiccants and defoliant:

(a) Fixed wing:

(i) Aircraft shall not be equipped with core plates or any device or mechanism which would cause a sheet, cone, fan or other dispersion of the discharged material. Nozzle orifices shall not be less than 0.094 inches: *Provided*, That the RD8-46 Raindrop® nozzles may be used with a minimum orifice diameter of 0.156 inches;

(ii) Nozzles shall be directed downward and backward 135 degrees from the direction of flight.

(b) Helicopter:

(i) Straight stream jet nozzles, without core plates, with a minimum orifice diameter of 0.063 inches;

(ii) Straight stream jet nozzles with a minimum orifice diameter of 0.125 inches with No. 46 core plates or larger;

(iii) RD8-46 Raindrop® nozzles may be used with a minimum orifice diameter of 0.156 inches;

(iv) Nozzles shall be directed downward and backward 135 degrees from the direction of flight for applications over 50 miles per hour and 90 degrees downward and backward for applications under 50 miles per hour.

(4) Height of discharge requirements by aircraft of restricted use desiccants and defoliant: The nozzles must be closed while either descending onto or ascending from the target field, and also ascending or descending over an obstacle or obstruction within the target field that would alter the height of application more than ten feet.

(5) Smoke device requirements: All aircraft applying restricted use desiccants and defoliant shall utilize a smoke device to determine wind directions and temperature inversion situations.

(6) The Washington state department of agriculture may issue a permit upon receipt of a written request to apply restricted use desiccants and defoliant within the area under order as described in WAC 16-230-150 with nozzles, nozzle type, drift control additives and/or arrangements other than those allowed herein. The director will consider safety factors and the possible exposure to susceptible crops in the areas of proposed application before a permit will be issued. [Statutory Authority: RCW 17.21.030. 82-14-081 (Order 1767), § 16-230-170, filed 7/6/82. Statutory Authority: Chapters 15.58 and 17.21 RCW. 80-05-005 (Order 1682), § 16-230-170, filed 4/4/80; 79-02-046 (Order 1591), § 16-230-170, filed 1/29/79; 78-02-053 (Order 1548), § 16-230-170, filed 1/19/78; Order 1545, § 16-230-170, filed 11/30/77.]

Chapter 16-231 WAC RESTRICTED USE HERBICIDES

WAC

16-231-115	Area 1.
16-231-120	Area 1A.
16-231-125	Area 2.

WAC 16-231-115 Area 1. (1) Area 1 description. (Lands generally within the Columbia Basin Irrigation Project.) This area includes all lands lying within a boundary line starting at the Columbia River and the south section line of Section 24, T13N, R27E; thence east along the section lines and the Basin Hill Road seventeen miles more or less to State Highway 17; thence northerly along State Highway 17, five miles more or less to State Highway 260; thence east along State Highway 260 five miles more or less to the Moor Road; thence north two miles more or less to the Burlington Northern Railroad tracks; thence northwesterly four miles more or less along the Burlington Northern tracks to the Adams County line; thence west nineteen miles more or less along the Adams County line to the northwest corner of Section 6, T14N, R28E; thence south four miles along the Grant County line to the southwest corner of Section 19, T14N, R28E; thence west four miles more or less to the Columbia River; thence southerly and easterly along the Columbia River six miles more or less to the south section line of Section 24, T13N, R27E.

(2) Area 1 restrictions.

(a) The use or application of low volatile formulations of restricted use herbicides is prohibited on and after April 5 through October 31 of each year: *Provided*, That low volatile ester formulations of 2,4-DB may be applied to alfalfa and red clover seed crops on and after November 1 through April 30 of the following year.

(b) On and after April 5 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: *Provided*, That applications of restricted use herbicides on asparagus shall be made using nozzles having minimum nozzle orifice diameter of 0.072 inches.

(c) On and after November 1 through April 4 of the following year, aircraft applications of restricted use herbicides shall be allowed using the Caution Area Restrictions (see WAC 16-230-675). On and after April 5 through October 31, aircraft applications of restricted use herbicides shall be allowed using the Danger Area Restrictions (see WAC 16-230-675).

(d) On and after April 5 through October 31, aircraft applications of restricted use herbicides shall be prohibited within one mile of any commercial vineyard: *Provided*, That on and after April 5 through October 31, written requests to apply MCPA to peas and corn located one-half to one mile from commercial vineyards will be considered: *Provided Further*, That on and after April 5 through April 30 written requests to apply 2,4-DB on alfalfa and red clover seed crops located one-half to one mile from commercial vineyards will be considered. [Statutory Authority: Chapters 15.58 and 17.21 RCW. 81-07-044 (Order 1726), § 16-231-115, filed 3/16/81; 80-03-037 (Order 1676), § 16-231-115, filed 2/20/80.]

WAC 16-231-120 Area 1A. (1) Area 1A description. This area includes all lands lying within a boundary line starting at the Snake River and the east section line of Section 25, T9N, R30E; thence north fifteen miles more or less along the section lines to the northeast corner of Section 12, T11N, R30E; thence west one mile more or less to State Highway 17; thence north along State Highway 17 nine miles more or less to the Basin Hill Road; thence west seventeen miles more or less along the Basin Hill Road and the section lines to the south section of Section 24, T13N, R27E and the Columbia River; thence south and southeasterly along the Columbia River to the Snake River; thence northeasterly along the Snake River to the east section line of Section 25, T9N, R30 E.

(2) Area 1A restrictions.

(a) The use or application of low volatile formulations of restricted use herbicides is prohibited on and after April 5 through October 31 of each year: *Provided*, That low volatile ester formulations of 2,4-DB may be applied to alfalfa and red clover seed crops on and after November 1 through April 30 of the following year.

(b) On and after April 5 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.052 inches: *Provided*, That applications of restricted use herbicides on asparagus shall be made using nozzles having minimum nozzle orifice diameter of 0.072 inches.

(c) On and after April 5 through October 31, aircraft applications of restricted use herbicides shall be prohibited except by written permit issued by the department: *Provided*, That on and after November 1 through April 4 of the following year, aircraft applications of restricted use herbicides shall be allowed using the Caution Area Restrictions (see WAC 16-230-675). [Statutory Authority: Chapters 15.58 and 17.21 RCW. 81-07-044 (Order 1726), § 16-231-120, filed 3/16/81; 80-03-037 (Order 1676), § 16-231-120, filed 2/20/80.]

WAC 16-231-125 Area 2. (1) Area 2 description. This area includes all of the lands in Franklin County lying west and south of a line starting at the northwest corner of Section 36, T14N, R30E; thence east along the Hendricks Road five miles more or less to the northeast corner of Section 34, T14N, R31E; thence south fifteen miles more or less to the Eltopia and Eye Road; thence easterly along the Eltopia and Eye Road to the Brass Road; thence easterly along the Brass Road to the Bannenburg Road; thence southeasterly along the Bannenburg Road to the northwest corner of Section 6, T10N, R33E; thence south along the section line to the Snake River; thence southwesterly along the Snake River to the east section line of Section 25, T9N, R30E; thence north fifteen miles more or less along the section lines to the northeast corner of Section 12, T11N, R30E; thence west one mile more or less to State Highway 17; thence northerly along State Highway 17 fourteen miles more or less to the northwest corner of Section 36, T14N, R30E.

(2) Area 2 restrictions.

(a) The use or application of low volatile formulations of restricted use herbicides is prohibited on and after April 5 through October 31 of each year: *Provided*, That ground applications of low volatile formulations of restricted use herbicides may be made from April 5 through April 30 using nozzles having a minimum orifice diameter of 0.036 inches.

(b) On and after May 1 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches.

(c) On and after April 5 through October 31, aircraft applications of restricted use herbicides shall be made using the Danger Area Restrictions (see WAC 16-230-675). [Statutory Authority: Chapters 15.58 and 17.21 RCW. 81-07-044 (Order 1726), § 16-231-125, filed 3/16/81; 80-03-037 (Order 1676), § 16-231-125, filed 2/20/80.]

Chapter 16-232 WAC

RESTRICTED USE HERBICIDES IN CERTAIN COUNTIES

WAC

16-232-010	Area 1.
16-232-300	Area under order.
16-232-305	Restricted use herbicides.
16-232-310	Area 1.
16-232-315	Wind conditions.
16-232-320	Distribution, use and application.

WAC 16-232-010 Area 1. (1) Area 1 description. (Columbia River Buffer Area.) An area starting at the intersection of the Northern Pacific Railroad and the Washington-Oregon state line, [Section 15,] T6N, R32E; thence north nineteen miles more or less to the Snake River; thence westerly along the Snake River and southerly along the Columbia River to the Washington-Oregon state line; thence east to the point of beginning.

(2) Area 1 restrictions.

(a) The use or application of low volatile ester formulations of restricted use herbicides is prohibited on and after April 5 through October 31.

(b) On and after April 5 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.031 inches.

(c) On and after April 5 through April 30, aerial applications of restricted use herbicides shall be made using the Danger Area Restrictions (see WAC 16-230-675).

(d) On and after May 1 through October 31, aerial applications shall be prohibited except by written permit issued by the department. [Statutory Authority: Chapters 15.58 and 17.21 RCW. 81-07-041 (Order 1724), § 16-232-010, filed 3/13/81; 80-03-026 (Order 1665), § 16-232-010, filed 2/20/80.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 16-232-300 Area under order. All lands lying within the boundaries of Kittitas County. [Statutory Authority: RCW 17.21.030. 82-08-030 (Order 1754), § 16-232-300, filed 3/31/82.]

WAC 16-232-305 Restricted use herbicides. All formulations of Dicamba (Banvel) and all formulations of phenoxy hormone-type herbicides including 2,4-D, 2,4,5-T and MCPA are by this order declared to be restricted use herbicides. [Statutory Authority: RCW 17.21.030. 82-08-030 (Order 1754), § 16-232-305, filed 3/31/82.]

WAC 16-232-310 Area 1. (1) Area 1 description. An area starting at the intersection of Canyon Road and Thrall Road on the south line of Section 30, T17 N, R19E, thence east along Thrall Road three and one-half miles more or less to Billeter Road; thence south approximately one-half mile; thence east approximately one and one-half miles to Wilson Road; thence south on Wilson Road for one-half mile to intersection of Fourth Parallel Road; thence east on Fourth Parallel Road for approximately three-fourths mile to Anderson Road; thence south on Anderson Road for one-half mile more or less to E. Kern Road; thence east on E. Kern Road for approximately one-half mile; thence south approximately one and one-half miles to the north boundary of Section 18, T16, R20; thence west for two and one-half miles to intersection of I82; thence northwest for approximately three miles to the northeast corner of Section 5, T16, R19; thence west for two miles more or less to the Canyon Road; thence north for one mile more or less on the Canyon Road to the point of beginning.

(2) Area 1 restrictions.

(a) On and after April 15 through October 31, aircraft applications of restricted use herbicides shall be made using Danger Area Restrictions (see WAC 16-230-675). On and after April 15 through October 31, aircraft applications are prohibited within 500 feet of all

orchards: *Provided*, That aircraft applications may be allowed when written permission is received from the owner of the orchard.

(b) The use or application of low volatile formulations of restricted use herbicides is prohibited on and after April 15 through October 31 of each year on all lands within 500 feet of all orchards: *Provided*, That low volatile ester formulations may be used when written permission is received from the owner of the orchard.

(c) On and after April 15 through October 31, ground applications of restricted use herbicides shall be made using nozzles having a minimum orifice diameter of 0.036 inches on all lands within 500 feet of all orchards. [Statutory Authority: RCW 17.21.030. 82-08-030 (Order 1754), § 16-232-310, filed 3/31/82.]

WAC 16-232-315 Wind conditions. The use or application of restricted use herbicides shall be prohibited in Area 1 when the mean sustained wind velocity is over twelve miles on and after April 15 through October 31: *Provided*, That applications of allowable restricted use herbicides shall be exempt from these wind restrictions when applying fifty gallons or more per acre. [Statutory Authority: RCW 17.21.030. 82-08-030 (Order 1754), § 16-232-315, filed 3/31/82.]

WAC 16-232-320 Distribution, use and application. The distribution, use and application of restricted use herbicides in counties east of the crest of the Cascade Mountains shall comply with the restrictions in WAC 16-230-600 through WAC 16-230-675 and WAC 16-228-165(1)(o). [Statutory Authority: RCW 17.21.030. 82-08-030 (Order 1754), § 16-232-320, filed 3/31/82.]

**Chapter 16-300 WAC
NOXIOUS WEED SEEDS**

WAC 16-300-020 Restricted noxious weed seeds.

WAC 16-300-020 Restricted noxious weed seeds. (1) Restricted (secondary) noxious weed seeds are the seeds of weeds which are objectionable in fields, lawns, and gardens of this state, but which can be controlled by cultural or chemical practices.

WAC 16-304-040 Schedule of charges. (1) Testing fees shall be as follows:

	SAMPLE MIN. SIZE	PURITY (a)	NOXIOUS ONLY	GERM (b)	PURITY & GERM (c)	TETRA- ZOLIUM 200 Seeds
Bentgrass	2 oz.	\$21.50	\$13.00	\$11.50	\$33.00	\$18.00
Bluegrass	4 oz.	18.00	11.00	12.00	30.00	18.00
Bromegrass	6 oz.	19.00	11.00	10.00	30.00	18.00
Fescue	4 oz.	18.00	11.00	10.00	28.00	18.00
Orchardgrass	4 oz.	21.00	13.00	11.00	32.00	18.00
Ryegrass	4 oz.	18.00	11.00	9.50	27.50	18.00
Crested Wheatgrass	4 oz.	21.50	13.00	11.00	32.50	18.00

(2) It shall be unlawful for any person to distribute mislabeled seed. Seed shall be deemed to be mislabeled if it consists of or contains any of the restricted noxious weed seeds listed below in excess of the number declared on the label.

English or Common Name	Botanical or Scientific Name
Bermudagrass	Cynodon dactylon (L.) Pers.
Blue lettuce	Lactuca pulchella (Pursh.) DC.
Docks and Sorrel	Rumex spp.
Dodder	Cuscuta spp.
Field pennycress (fanweed)	Thlaspi arvense
Field sandbur	Cenchrus pauciflorus Benth.
Gromwell (only in small grain)	Lithospermum arvense
Halogeton	Halogeton glomeratus C.A. Mey.
Jointed goatgrass (only in small grain)	Aegilops cylindrica
Medusahead	Elymus caput-medusae L. or Taeniatherum asperum (Sim.) Nevski
Plantains	Plantago spp.
Poverty weed	Iva axillaris Pursh.
Puncturevine	Tribulus terrestris L.
St. Johnswort	Hypericum perforatum L.
Dalmation toadflax	Linaria dalmatica (L.) Mill.
Yellow toadflax	Linaria vulgaris Hill.
Western ragweed	Ambrosia psilostachya DC.
Wild mustard	Brassica kaber (DC.) L.C. Wheeler Var.
Wild oat	Avena fatua L.
Yellow starthistle	Centaurea solstitialis L.

[Statutory Authority: RCW 15.49.370. 82-08-031 (Order 1755), § 16-300-020, filed 3/31/82, effective 5/1/82. Statutory Authority: Chapter 15.49 RCW. 79-05-066 (Order 1604), § 16-300-020, filed 4/30/79; 78-03-103 (Order 1554), § 16-300-020, filed 3/1/78, effective 4/1/78; Order 1413, § 16-300-020, filed 8/15/75; Order 1149, § 16-300-020, filed 4/16/70; Order 946, Regulation 2, filed 4/20/64; Order 849, Regulation 2, effective 6/30/61.]

**Chapter 16-304 WAC
SAMPLING AND TESTING OF SEEDS**

WAC 16-304-040 Schedule of charges.
16-304-050 Miscellaneous charges.
16-304-110 Annual seed inspection charge.
16-304-130 Effective dates.

	SAMPLE MIN. SIZE	PURITY (a)	NOXIOUS ONLY	GERM (b)	PURITY & GERM (c)	TETRA- ZOLIUM 200 Seeds
Other						
Wheatgrasses	6 oz.	31.00	19.00	11.00	42.00	18.00
Other grasses	4 oz.	15.00	9.50	9.50	24.50	18.00
Beans & Peas	1 1/4 lb.	11.00	6.50	10.00	21.00	18.00
Cereals	1 1/4 lb.	11.50	8.00	10.00	21.50	18.00
Other crops	4 oz.	11.50	8.00	10.00	21.50	18.00
Mixture (for each additional kind)		9.50		11.00		18.00
Beets		12.00	7.50	15.00	27.00	

(a) Purity - analysis to determine percent pure, other crop, inert, and weeds based on working sample as prescribed by Federal Seed Act (example: 1 gram - bluegrass; 5 grams - alfalfa; and 100 grams - wheat) and examined for Washington state noxious weeds based on minimum sample size as prescribed by Federal Seed Act (example: 10 grams - bluegrass; 50 grams - alfalfa; 500 grams - wheat).

(b) Germination - test prescribed by Federal Seed Act to determine percent germination of seed sample based on 400 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 5 grams \$14.00

Poa annua check for other grasses - each 10 grams \$14.00

(c) Sod seed analysis -

Bluegrass \$49.00

Fescue \$35.00

Ryegrass \$28.00

(A special test of turf grasses - for those who need a detailed examination of seed before purchase and/or use).

Bluegrass test includes purity, 25 gram all weed/all crop, except 10 gram Poa annua exam. Ryegrass and Fescue test includes purity, 100 gram all weed/all crop. (Fluorescent required on Ryegrass; germ and fluorescent test additional fee).

(d) Fluorescent test - (400 seed test) \$11.00

(e) Pest & disease, soil exam or similar \$14.00
(Reported on Seed Analysis Certificate). A visual examination of a representative sample.

(f) Sod analysis check - 50 gram exam to evaluate if a lot appears to be sod quality (phone report only) \$13.00

(g) Variety separation of Kentucky bluegrass . \$16.00
If separated at time of purity analysis \$ 8.00

(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 will not be mailed until all tests are completed.

(b) Samples must be plainly labeled "Inventory Samples".

(c) Samples will be reported according to the sender's designation. The laboratory will assume no responsibility for correct identification. These samples and tests will not become a part of our permanent record.

(d) The fee for this service will 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 \$ 8.00

(b) Phone reports on test result, per call \$ 2.50

(c) Preliminary report on germination (phone report only) \$ 7.00

(d) Morphological test \$ 7.00

(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
(or hourly fee when applicable)

(g) ISTA test - Purity and germination fee plus 50 percent

(h) Extra charge for samples requiring special preparation for germination, i.e. Beets, pelleted seeds, etc. \$ 5.50

(i) Hourly fee for miscellaneous services \$16.00

[Statutory Authority: RCW 15.49.370. 82-08-032 (Order 1756), § 16-304-040, filed 3/31/82, effective 5/1/82. Statutory Authority: Chapter 15.49 RCW. 80-06-103 (Order 1688), § 16-304-040, filed 5/30/80; 79-05-072 (Order 1616), § 16-304-040, filed 4/30/79; Order 1501, § 16-304-040, filed 3/31/77; Order 1477, § 16-304-040, filed 6/18/76; Order 1245, § 16-304-040, filed 4/13/72; Order 1195, § 16-304-040, filed 4/16/71; Order 1115, § 16-304-040, filed 4/17/69, effective 5/18/69; Order 1018, Regulation 4, filed 5/31/66; Order 917, Regulation 8, filed 4/25/63; Order 848, Regulation 4, effective 6/30/61.]

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
 - (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.

[Statutory Authority: RCW 15.49.370. 82-08-032 (Order 1756), § 16-304-050, filed 3/31/82, effective 5/1/82. Statutory Authority: Chapter 15.49 RCW. 81-11-020 (Order 1736), § 16-304-050, filed 5/15/81; 80-06-103 (Order 1688), § 16-304-050, filed 5/30/80; Order 1477, § 16-304-050, filed 6/18/76; Order 1361, § 16-304-050, filed 6/12/74; Order 1195, § 16-304-050, filed 4/16/71; Order 1115, § 16-304-050, filed 4/17/69, effective 5/18/69; Order 1018, Regulation 5, filed 5/31/66; Order 848, Regulation 5, effective 6/30/61.]

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 10 cents per one hundred dollars gross annual dollar sales in excess of \$10,000 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 must 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-processor agreement rate in lieu of sale.

The assessment fees for the period beginning July 1, 1981 through June 30, 1982 shall be due August 1, 1982 and payable by February 1, 1983. The assessment fees for the period beginning July 1, 1982 through June 30, 1983 shall be due August 1, 1983 and payable by February 1, 1984.

The assessment may accompany the annual application for the seed labeling permit. A penalty of ten percent of the assessment fee or minimum of \$10.00, 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. [Statutory Authority: RCW 15.49.310, 15.49.370 and 15.49.400. 82-10-067 (Order 1764), § 16-304-110, filed 5/5/82, effective 7/1/82. Statutory Authority: Chapter 15.49 RCW. 80-06-101 (Order 1683), § 16-304-110, filed 5/30/80; 79-05-062 (Order 1605), § 16-304-110, filed 4/30/79; 78-04-070 (Order 1571), § 16-304-110, filed 3/31/78, effective 7/1/78.]

WAC 16-304-130 Effective dates.

This regulation is effective through June 30, 1984. Between January 1, 1984 and March 1, 1984, 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. [Statutory Authority: RCW 15.49.310, 15.49.370 and 15.49.400. 82-10-067 (Order 1764), § 16-304-130, filed 5/5/82, effective 7/1/82. Statutory Authority: Chapter 15.49 RCW. 80-06-101 (Order 1683), § 16-304-130, filed 5/30/80; 78-04-070 (Order 1571), § 16-304-130, filed 3/31/78, effective 7/1/78.]

Chapter 16-316 WAC
SEED CERTIFICATION

WAC

16-316-0011	Repealed.
16-316-0016	Repealed.
16-316-0019	Repealed.
16-316-0020	Repealed.
16-316-0021	Repealed.
16-316-0022	Repealed.
16-316-0025	Repealed.
16-316-0026	Repealed.
16-316-0027	Repealed.
16-316-0029	Repealed.
16-316-0037	Repealed.
16-316-0038	Repealed.
16-316-004	Repealed.
16-316-0043	Repealed.
16-316-0044	Repealed.
16-316-0045	Repealed.
16-316-0053	Repealed.
16-316-0058	Repealed.
16-316-0059	Repealed.
16-316-006	Repealed.
16-316-0062	Repealed.
16-316-0065	Repealed.
16-316-0081	Repealed.
16-316-0086	Repealed.
16-316-0096	Repealed.
16-316-160	Prohibited noxious weeds.
16-316-165	Objectionable weeds.
16-316-214	Limitation of liability.
16-316-230	Certification fees.
16-316-270	Certification fees.
16-316-310	Application for inspection and due dates.
16-316-315	Fee and charges.
16-316-326	Phyto-sanitary certificate for peas.
16-316-370	Seed standards.
16-316-440	Certification fees.
16-316-470	Field pea, lentil, soybean, sorghum and small grains seed certification standards.
16-316-472	Eligible varieties and eligible stock seed.
16-316-474	Application and fees.
16-316-476	Repealed.
16-316-478	Repealed.
16-316-482	Repealed.
16-316-484	Mechanical sampling.
16-316-486	Certified seed sale certificate.
16-316-520	Repealed.
16-316-530	Repealed.
16-316-535	Repealed.
16-316-540	Repealed.
16-316-545	Repealed.
16-316-550	Repealed.
16-316-555	Repealed.
16-316-560	Repealed.
16-316-565	Repealed.
16-316-570	Labeling and sealing of certified seed of small grains by grower.
16-316-572	Certifying agency issuance of certificate.
16-316-620	Standards.
16-316-660	Certification fees.
16-316-690	Repealed.
16-316-695	Repealed.
16-316-700	Repealed.
16-316-701	Definitions of terms for standards.
16-316-705	Repealed.
16-316-710	Repealed.
16-316-715	Miscellaneous field and seed inspection standards.
16-316-717	Field pea standards.
16-316-719	Lentil standards.
16-316-721	Soybean standards.
16-316-723	Sorghum standards.
16-316-724	Small grains standards.
16-316-725	Repealed.

16-316-726	Repealed.
16-316-727	Chick pea standards.
16-316-728	Repealed.
16-316-790	Varieties eligible for seed certification.
16-316-800	Grass varieties eligible.
16-316-810	Red clover varieties eligible.
16-316-815	Other clover varieties.
16-316-820	Alfalfa varieties eligible.
16-316-830	Bean varieties eligible.
16-316-900	Repealed.
16-316-905	Repealed.
16-316-910	Repealed.
16-316-915	Repealed.
16-316-920	Repealed.
16-316-925	Repealed.
16-316-930	Repealed.
16-316-935	Repealed.
16-316-940	Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

16-316-0011	Promulgation. [Order 1249, § 16-316-0011, filed 4/13/72, effective 5/14/72; Order 1181, § 16-316-0011, filed 4/16/71.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
16-316-0016	Promulgation. [Order 1313, § 16-316-0016, filed 4/24/73; Order 1255, § 16-316-0016, filed 4/13/72, effective 5/14/72; Order 1185, § 16-316-0016, filed 4/16/71.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
16-316-0019	Promulgation. [Order 1311, § 16-316-0019, filed 4/24/73; Order 1258, § 16-316-0019, filed 4/13/72, effective 5/14/72; Order 1188, § 16-316-0019, filed 4/16/71.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
16-316-0020	Promulgation. [Order 1259, § 16-316-0020, filed 4/13/72, effective 5/14/72.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
16-316-0021	Promulgation. [Order 1020, filed 5/27/66.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
16-316-0022	Promulgation. [Order 1256, § 16-316-0022, filed 4/13/72, effective 5/14/72.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
16-316-0025	Promulgation. [Order 1046, Promulgation, filed 3/27/67, effective 5/1/67; Order 971, filed 4/2/65; Order 917, filed 4/25/63; Order 884, filed 1/31/62; Order 850, filed 5/24/61; Order 842, filed 4/6/61; Order 811, filed 5/3/60; Orders 785, 754, 715, 703, 678, and 649, filed 3/22/60.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
16-316-0026	Promulgation. [Order 1251, § 16-316-0026, filed 4/13/72, effective 5/14/72.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
16-316-0027	Promulgation. [Order 1312, § 16-316-0027, filed 4/24/73; Order 1254, § 16-316-0027, filed 4/13/72, effective 5/14/72.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
16-316-0029	Promulgation. [Order 1368, § 16-316-0029, filed 6/12/74.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
16-316-0037	Promulgation. [Order 1415, § 16-316-0037, filed 8/15/75.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.

- 16-316-0038 Promulgation. [Order 1417, § 16-316-0038, filed 8/15/75.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
- 16-316-004 Promulgation. [Order 1047, Promulgation, filed 3/28/67, effective 5/1/67; Order 973, filed 4/2/65; Order 917, filed 4/25/63; Order 884, filed 1/31/62; Order 850, filed 5/24/61; Order 842, filed 4/6/61; Order 811, filed 5/3/60; Orders 785, 754, 715, 703, 678, and 649, filed 3/22/60.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
- 16-316-0043 Promulgation. [Order 1416, § 16-316-0038 (codified § 16-316-0043), filed 8/15/75.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
- 16-316-0044 Promulgation. [Order 1414, § 16-316-0037 (codified § 16-316-0044), filed 8/15/75.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
- 16-316-0045 Promulgation. [Order 978, Promulgation, filed 4/15/65; Order 884, filed 1/31/62; Order 850, filed 5/24/61; Order 842, filed 4/6/61; Order 811, filed 5/3/60; Orders 785, 754, 715, 703, 678, 649, filed 3/22/60.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
- 16-316-0053 Promulgation. [Order 1459, § 16-316-0053, filed 5/13/76.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
- 16-316-0058 Promulgation. [Order 1466, § 16-316-0058, filed 5/13/76.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
- 16-316-0059 Promulgation. [Order 1460, § 16-316-0059, filed 5/13/76.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
- 16-316-006 Promulgation. [Order 1010, filed 3/4/66.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
- 16-316-0062 Promulgation. [Order 1465, § 16-316-0062, filed 5/13/76.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
- 16-316-0065 Promulgation. [Order 1011, filed 3/4/66.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
- 16-316-0081 Promulgation. [Order 1375, § 16-316-008 (codified as WAC 16-316-0081), filed 7/31/74.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
- 16-316-0086 Promulgation. [Order 1367, § 16-316-0085 (codified as WAC 16-316-0086), filed 6/12/74.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
- 16-316-0096 Promulgation. [Order 1365, § 16-316-0095 (codified as WAC 16-316-0096), filed 6/12/74.] Repealed by 82-08-033 (Order 1757), filed 3/31/82, effective 5/1/82. Statutory Authority: RCW 15.49.310 and 15.49.370.
- 16-316-476 Land requirements. [Order 1458, § 16-316-476, filed 5/13/76; Order 1312, § 16-316-476, filed 4/24/73; Order 1254, § 16-316-476, filed 4/13/72, effective 5/14/72.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-478 Isolation requirements. [Statutory Authority: Chapter 15.49 RCW. 80-06-112 (Order 1693), § 16-316-478, filed 5/30/80; Order 1458, § 16-316-478, filed 5/13/76; Order 1312, § 16-316-478, filed 4/24/73; Order 1254, § 16-316-478, filed 4/13/72, effective 5/14/72.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-482 Seed standards. [Order 1492, § 16-316-482, filed 3/31/77; Order 1458, § 16-316-482, filed 5/13/76; Order 1366, § 16-316-482, filed 6/12/74; Order 1312, § 16-316-482, filed 4/24/73; Order 1254, § 16-316-482, filed 4/13/72, effective 5/14/72.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-520 Small grain seed certification standards. [Statutory Authority: Chapter 15.49 RCW. 79-05-056 (Order 1622), § 16-316-520, filed 4/30/79; Order 1459, § 16-316-520, filed 5/13/76; Order 1185, § 16-316-520, filed 4/16/71.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-530 Application and fees. [Statutory Authority: Chapter 15.49 RCW. 79-05-056 (Order 1622), § 16-316-530, filed 4/30/79; 78-03-113 (Order 1562), § 16-316-530, filed 3/1/78, effective 4/1/78; Order 1459, § 16-316-530, filed 5/13/76; Order 1367, § 16-316-530, filed 6/12/74; Order 1313, § 16-316-530, filed 4/24/73; Order 1255, § 16-316-530, filed 4/13/72, effective 5/14/72; Order 1185, § 16-316-530, filed 4/16/71.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-535 Land requirements. [Order 1459, § 16-316-535, filed 5/13/76; Order 1367, § 16-316-535, filed 6/12/74; Order 1313, § 16-316-535, filed 4/24/73; Order 1255, § 16-316-535, filed 4/13/72, effective 5/14/72; Order 1185, § 16-316-535, filed 4/16/71.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-540 Isolation requirements. [Statutory Authority: Chapter 15.49 RCW. 79-05-056 (Order 1622), § 16-316-540, filed 4/30/79; Order 1459, § 16-316-540, filed 5/13/76; Order 1313, § 16-316-540, filed 4/24/73; Order 1185, § 16-316-540, filed 4/16/71.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-545 Field standards. [Statutory Authority: Chapter 15.49 RCW. 80-06-106 (Order 1694), § 16-316-545, filed 5/30/80; 79-05-056 (Order 1622), § 16-316-545, filed 4/30/79; Order 1459, § 16-316-545, filed 5/13/76; Order 1415, § 16-316-545, filed 8/15/75; Order 1367, § 16-316-545, filed 6/12/74; Order 1313, § 16-316-545, filed 4/24/73; Order 1255, § 16-316-545, filed 4/13/72, effective 5/14/72; Order 1185, § 16-316-545, filed 4/16/71.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-550 Seed standards. [Statutory Authority: Chapter 15.49 RCW. 79-09-095 (Order 1646), § 16-316-550, filed 8/31/79; 79-05-056 (Order 1622), § 16-316-550, filed 4/30/79; Order 1493, § 16-316-550, filed 3/31/77; Order 1459, § 16-316-550, filed 5/13/76; Order 1415, § 16-316-550, filed 8/15/75; Order 1367, § 16-316-550, filed 6/12/74; Order 1313, § 16-316-550, filed 4/24/73; Order 1244, § 16-316-550, filed 4/13/72, effective 5/14/72; Order 1185, § 16-316-550, filed 4/16/71.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-555 Mechanical sampling. [Order 1459, § 16-316-555, filed 5/13/76; Order 1313, § 16-316-555, filed 4/24/73; Order 1244, § 16-316-555, filed 4/13/72, effective 5/14/72; Order 1185, § 16-316-555, filed 4/16/71.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-560 Seed-borne diseases. [Order 1459, § 16-316-560, filed 5/13/76; Order 1185, § 16-316-560, filed 4/16/71.] Repealed by 81-15-032 (Order 1744),

- filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-565 Certified seed sale certificate. [Order 1493, § 16-316-565, filed 3/31/77; Order 1459, § 16-316-565, filed 5/13/76; Order 1415, § 16-316-565, filed 8/15/75; Order 1185, § 16-316-565, filed 4/16/71.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-690 Lentil seed certification standards. [Statutory Authority: Chapter 15.49 RCW. 79-05-058 (Order 1618), § 16-316-690, filed 4/30/79; Order 1464, § 16-316-690, filed 5/13/76; Order 1188, § 16-316-690, filed 4/16/71.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-695 Eligible variety and stock seed. [Statutory Authority: Chapter 15.49 RCW. 80-06-113 (Order 1696), § 16-316-695, filed 5/30/80; Order 1464, § 16-316-695, filed 5/13/76; Order 1258, § 16-316-695, filed 4/13/72, effective 5/14/72; Order 1188, § 16-316-695, filed 4/16/71.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-700 Application and fees. [Statutory Authority: Chapter 15.49 RCW. 78-03-109 (Order 1564), § 16-316-700, filed 3/1/78, effective 4/1/78; Order 1464, § 16-316-700, filed 5/13/76; Order 1368, § 16-316-700, filed 6/12/74; Order 1311, § 16-316-700, filed 4/24/73; Order 1258, § 16-316-700, filed 4/13/72, effective 5/14/72; Order 1188, § 16-316-700, filed 4/16/71.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-705 Land requirements. [Order 1464, § 16-316-705, filed 5/13/76; Order 1311, § 16-316-705, filed 4/23/73; Order 1188, § 16-316-705, filed 4/16/71.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-710 Isolation requirements. [Order 1464, § 16-316-710, filed 5/13/76; Order 1311, § 16-316-710, filed 4/24/73; Order 1258, § 16-316-710, filed 4/13/72, effective 5/14/72; Order 1188, § 16-316-710, filed 4/16/71.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-725 Seed standards. [Order 1494, § 16-316-725, filed 3/31/77; Order 1464, § 16-316-725, filed 5/13/76; Order 1368, § 16-316-725, filed 6/12/74; Order 1311, § 16-316-725, filed 4/24/73; Order 1258, § 16-316-725, filed 4/13/72, effective 5/14/72; Order 1188, § 16-316-725, filed 4/16/71.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-726 Mechanical sampling. [Order 1464, § 16-316-726, filed 5/13/76; Order 1311, § 16-316-726, filed 4/24/73; Order 1258, § 16-316-726, filed 4/13/72, effective 5/14/72.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-728 Certified seed sale certificate. [Order 1494, § 16-316-728, filed 3/31/77; Order 1464, § 16-316-728, filed 5/13/76; Order 1417, § 16-316-728, filed 8/15/75; Order 1258, § 16-316-728, filed 4/13/72, effective 5/14/72.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-900 Soybean seed certification standards. [Statutory Authority: Chapter 15.49 RCW. 79-05-061 (Order 1617), § 16-316-900, filed 4/30/79; Order 1466, § 16-316-900, filed 5/13/76; Order 1375, § 16-316-900, filed 7/31/74.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-905 Eligible variety and stock seed. [Order 1466, § 16-316-905, filed 5/13/76; Order 1414, § 16-316-905, filed 8/15/75; Order 1375, § 16-316-905, filed 7/31/74.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-910 Application and fees. [Statutory Authority: Chapter 15.49 RCW. 78-03-100 (Order 1569), § 16-316-910, filed 3/1/78, effective 4/1/78; Order 1466, § 16-316-910, filed 5/13/76; Order 1375, § 16-316-910, filed 7/31/74.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-915 Land requirements. [Order 1466, § 16-316-915, filed 5/13/76; Order 1375, § 16-316-915, filed 7/31/74.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-920 Isolation requirements. [Order 1466, § 16-316-920, filed 5/13/76; Order 1375, § 16-316-920, filed 7/31/74.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-925 Field standards. [Statutory Authority: Chapter 15.49 RCW. 80-06-108 (Order 1698), § 16-316-925, filed 5/30/80; 79-05-061 (Order 1617), § 16-316-925, filed 4/30/79; Order 1466, § 16-316-925, filed 5/13/76; Order 1375, § 16-316-925, filed 7/31/74.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-930 Seed standards. [Order 1491, § 16-316-930, filed 3/31/77; Order 1466, § 16-316-930, filed 5/13/76; Order 1375, § 16-316-930, filed 7/31/74.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-935 Mechanical sampling. [Order 1466, § 16-316-935, filed 5/13/76; Order 1375, § 16-316-935, filed 7/31/74.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.
- 16-316-940 Certified seed sale certificate. [Order 1491, § 16-316-940, filed 3/31/77; Order 1466, § 16-316-940, filed 5/13/76; Order 1414, § 16-316-940, filed 8/15/75; Order 1375, § 16-316-940, filed 7/31/74.] Repealed by 81-15-032 (Order 1744), filed 7/10/81. Statutory Authority: Chapter 15.49 RCW.

WAC 16-316-0011 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0016 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0019 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0020 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0021 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0022 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0025 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0026 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0027 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0029 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0037 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0038 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-004 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0043 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0044 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0045 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0053 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0058 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0059 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-006 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0062 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0065 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0081 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0086 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-0096 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-316-160 Prohibited noxious weeds. The following weeds shall be considered prohibited noxious weeds for the purpose of seed certification:

English or Common Name	Botanical or Scientific Name
Austrian fieldcress	Rorippa austriaca (Crantz) Bess.
Field bindweed	Convolvulus arvensis L.
Hedge bindweed	Convolvulus sepium L.
Camelthorn	Alhagi camelorum Fisch.
Canada thistle	Cirsium arvense (L.) Scop.
Dodder	Cuscuta spp.
Hairy whitetop	Cardaria pubescens (C.A. Mey.)
Hoary cress	Cardaria draba (L.) Desv.
Jointed goatgrass	Aegilops cylindrica
Leafy spurge	Euphorbia esula L.
Perennial pepperweed	Lepidium latifolium L.

English or Common Name	Botanical or Scientific Name
Perennial sowthistle	Sonchus arvensis L.
Quackgrass	Agropyron repens (L.) Beauv.
Russian knapweed	Centaurea repens L.
Silverleaf nightshade	Solanum elaeagnifolium Cav.
Sorghum perennial such as, but not limited to, johnsongrass, sorghum alnum, and perennial sweet sudangrass	Sorghum spp.
Tansy ragwort	Senecio jacobaea L.
Yellow-flowering skeleton weed	Chondrilla juncea L.

[Statutory Authority: RCW 15.49.310 and 15.49.370. 82-08-033 (Order 1757), § 16-316-160, filed 3/31/82, effective 5/1/82. Statutory Authority: Chapter 15.49 RCW. 79-09-097 (Order 1648), § 16-316-160, filed 8/31/79; Order 1452, § 16-316-160, filed 5/13/76; Order 1181, § 16-316-160, filed 4/16/71.]

WAC 16-316-165 Objectionable weeds. The following weeds shall be considered objectionable weeds for the purpose of seed certification:

English or Common Name	Botanical or Scientific Name
Bermudagrass	Cynodon dactylon (L.) Pers.
Blue lettuce	Lactuca pulchella (Pursh.) DC.
Docks and Sorrel	Rumex spp.
Field pennycress (fanweed)	Thlaspi arvense
Field sandbur	Cenchrus pauciflorus Benth.
Halogeton	Halogeton glomeratus C.A. Mey.
Medusahead	Elymus caput-medusae L. or Taeniatherum asperum (Sim) Nevski
Plantains	Plantago spp.
Poverty weed	Iva axillaris Pursh.
Puncturevine	Tribulus terrestris L.
St. Johnswort	Hypericum perforatum L.
Dalmation toadflax	Linaria dalmatica (L.) Mill.
Yellow toadflax	Linaria vulgaris Hill.
Western ragweed	Ambrosia psilostachya DC.
Wild mustard	Brassica kabera (DC.) L.C. Wheeler Var.
Wild oat	Avena fatua L.
Yellow starthistle	Centaurea solstitialis L.
Gromwell (in small grain)	Lithospermum arvense

[Statutory Authority: RCW 15.49.310 and 15.49.370. 82-08-033 (Order 1757), § 16-316-165, filed 3/31/82, effective 5/1/82. Statutory Authority: Chapter 15.49 RCW. 79-05-068 (Order 1612), § 16-316-165, filed 4/30/79; 78-03-114 (Order 1557), § 16-316-165, filed 3/1/78, effective 4/1/78; Order 1452, § 16-316-165, filed 5/13/76; Order 1181, § 16-316-165, filed 4/16/71.]

WAC 16-316-214 Limitation of liability. The Washington state department of agriculture warrants that the seed has been produced and conditioned according to the certification rules and regulations promulgated under the Washington State Seed Act, chapter 15.49 RCW. The department of agriculture makes no warranty, expressed or implied, or any representation as to the freedom from disease or quality of certified seed. [Statutory Authority: RCW 15.49.310 and 15.49.370. 82-08-033 (Order 1757), § 16-316-214, filed 3/31/82, effective 5/1/82.]

WAC 16-316-230 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 \$10.00

(b) **Late seedling penalty fee:** \$10.00

This additional fee shall be charged for each seedling application received more than sixty days after planting.

(c) **Seedling acreage fee:** (per acre) \$ 1.50

(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 \$10.00 late penalty fee at the discretion of the certifying agency.

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

(a) **Renewal application fee:**

Per variety, per grower \$10.00

(b) **Renewal acreage fee:** (per acre) \$ 1.50

(Refundable if acreage is withdrawn before inspection).

(c) **Late renewal penalty fee:** \$10.00

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.: \$ 0.40

The sampling and production fees are billed at completion of tests. If none of the seed is tagged, \$ 0.10 of the \$ 0.30 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 order shall be the most applicable fee established by the director of agriculture.

(7) Fees for reissue of tags shall be \$ 0.05 a tag with a minimum fee of \$5.00.

[Statutory Authority: Chapter 15.49 RCW. 81-11-023 (Order 1735), § 16-316-230, filed 5/15/81; 79-05-077 (Order 1609), § 16-316-230, filed 4/30/79; Order 1499, § 16-316-230, filed 3/31/77; Order 1453, § 16-316-230, filed 5/13/76; Order 1305, § 16-316-230, filed 4/24/73; Order 1182, § 16-316-230, filed 4/16/71.]

WAC 16-316-270 Certification fees.

(1) **Applications:** Due July 1, however, may be accepted after due date at the discretion of the certifying agency.

(a) **Application fee:**

Per variety, per grower \$10.00

(b) **Acreage fee:**

(i) One inspection: (per acre) \$ 1.50

One inspection is required for certification of Great Northern, Red Mexican, Pinto, Pink, and Small White Beans.

(ii) Two inspections: (per acre) \$ 3.00

Includes windrow inspection which is required for: Certification of Snap Beans, Kidney Beans, and eligibility for shipment into Idaho. For phytosanitary certification see WAC 16-316-327.

(iii) Acreage fee is refundable if acreage is withdrawn before inspection.

(c) **Late application penalty fee:** \$10.00

This additional fee shall be charged per grower for applications received after July 1.

(2) **Reinspection:** (each field) \$20.00

If a field is rejected for reasons other than bacterial diseases at the first inspection, the grower may apply for reinspection after the cause for rejection has been corrected. Only two reinspections are permitted for each field each year.

(3) **Production fee** includes sampling and tagging per cwt.: \$ 0.30

The production fees are billed at completion of tests.

(4) **Purity and germination tests:** Fees as established by the director of agriculture.

(5) Fees for retagging or services not listed in this order shall be the most applicable fee established by the director of agriculture. [Statutory Authority: RCW 15.49.310 and 15.49.370. 82-08-033 (Order 1757), § 16-316-270, filed 3/31/82, effective 5/1/82. Statutory Authority: Chapter 15.49 RCW. 80-06-111 (Order 1691), § 16-316-270, filed 5/30/80; 79-05-067 (Order 1611), § 16-316-270, filed 4/30/79; Order 1500, § 16-316-270, filed 4/11/77; Order 1454, § 16-316-270, filed 5/13/76; Order 1411, § 16-316-270, filed 8/15/75; Order 1304, § 16-316-270, filed 4/24/73; Order 1183, § 16-316-270, filed 4/16/71.]

WAC 16-316-310 Application for inspection and due dates. (1) The applicant must submit an application for each field stating the disease or diseases for which inspection is requested.

(a) Due dates for applications for field inspections are as follows:

- (i) Western Washington: Fall plantings . . . April 15
- Spring plantings June 1
- (ii) Eastern Washington: Fall plantings . . . April 15
- Peas in Columbia Basin May 15
- Peas East Highway 395 (Palouse) June 15
- Beans July 1
- All other crops June 1

(b) Applications for crops requiring a fall inspection are due 30 days prior to inspection time and not later than September 15. Applications may be accepted after September 15 at the discretion of the Seed Branch.

(2) To be eligible for *pseudomonas pisi* phyto-sanitary certificate for peas or other diseases based on area surveillance, the applicant must file a report listing acreage and general location (such as block and unit if possible) before May 1.

(3) Applications received after due date will be assessed a late fee - acceptance is at the discretion of the certifying agency.

(4) Each applicant shall submit applications and/or required reports stating diseases for which inspection is to be made and the number of inspections required and/or requested.

(5) Applications must be submitted to the Seed Branch, 2015 South 1st Street, Yakima, Washington 98903, before due date with required fees.

(6) Only one kind of crop is permitted on each application. [Statutory Authority: Chapter 15.49 RCW. 81-11-021 (Order 1737), § 16-316-310, filed 5/15/81; 79-09-101 (Order 1652), § 16-316-310, filed 8/31/79; Order 1502, § 16-316-310, filed 3/31/77; Order 1455, § 16-316-310, filed 5/13/76; Order 1251, § 16-316-310, filed 4/13/72, effective 5/14/72.]

WAC 16-316-315 Fee and charges. (1) Fee for area and field inspection:

(a) Field inspection (payable with application). For each required inspection (per acre or fraction thereof)..... \$ 4.00
(with minimum fee of \$20.00 per field per inspection)

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

(b) Area inspection (per 100 lbs)..... \$ 0.05
Billed at time certificate is issued with a minimum of \$20.00 and a maximum of \$150.00 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)..... \$ 0.05

(b) Other crops (per 100 lbs)..... \$ 0.15

(4) Serology test:..... Fee to be established by the state of Idaho.

An official 5 pound sample is required from each 10,000 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 shall be set on the basis of the actual cost to the department of agriculture or the most appropriate fee established will be used.

(6) Laboratory analysis of plant material: An additional fee of \$18.00 per field shall be

charged when necessary to examine plant material in the laboratory to verify disease.

[Statutory Authority: Chapter 15.49 RCW. 81-11-021 (Order 1737), § 16-316-315, filed 5/15/81; 79-05-071 (Order 1626), § 16-316-315, filed 4/30/79; 78-03-101 (Order 1559), § 16-316-315, filed 3/1/78, effective 4/1/78; Order 1455, § 16-316-315, filed 5/13/76; Order 1251, § 16-316-315, filed 4/13/72, effective 5/14/72.]

WAC 16-316-326 Phyto-sanitary certificate for peas. (1) Specific diseases of peas for which phyto-sanitary certificate will be issued:

(a) *Pseudomonas pisi* (Sackett)

(b) *Pea Seed-borne Mosaic Virus* - based on two field inspections.

(2) Pea seed to be eligible for a phyto-sanitary certificate stating freedom from *Pseudomonas pisi* (Sackett):

(a) Based on area inspection must be free of the disease in question as determined by area inspection of at least [ten percent] of the acreage. The department of agriculture will also conduct a survey of county extension agents, extension pathologists, and plant pathologists at experiment stations and Washington State University. Each company desiring his production eligible must make inspections of the fields throughout the growing season. If symptoms of said disease are found, it must be reported to the Seed Branch, Department of Agriculture, 2015 South 1st Street, Yakima, Washington 98903, immediately. At the end of the growing season, and not later than September 1, each applicant must file a report with the Seed Branch, Department of Agriculture, based on company pathologist inspections and what other information he may have if the disease in question was or was not observed.

(b) Based on field inspection must be free of said disease as determined by one field inspection made during growing stage most optimum for detecting of said disease.

(3) Pea seed to be eligible for certificate stating freedom from *Pea Seed-borne Mosaic Virus* must be free of said disease as determined by one inspection at two to four weeks after seedling emergence, and second inspection one to two weeks before dry pod stage.

It is recommended that breeding nurseries, isolation nurseries, and/or small seed-increase plots be entered for inspection. [Statutory Authority: Chapter 15.49 RCW. 81-11-021 (Order 1737), § 16-316-326, filed 5/15/81; 79-05-071 (Order 1626), § 16-316-326, filed 4/30/79; 78-03-101 (Order 1559), § 16-316-326, filed 3/1/78, effective 4/1/78; Order 1455, § 16-316-326, filed 5/13/76.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 16-316-370 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. % Germ Fndt.		Min. % Pure Fndt.		Max. % Inert Fndt.	
		Reg.	Cert.	Reg.	Cert.	Reg.	Cert.
Bluegrass							
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	(A)	80	80	96	92(d)	4	8
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
Fescue							
Tall	(C)	80	85	95	97	5	3
Hard Fescue	(C)	80	85	95	95	5	5
Other Fescue	(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
Pennfine	(C)	85(g)	85(g)	96	97	4	3
Timothy	(C)	80	85	97	97	3	3
Wheatgrass							
Beardless	(C)	80	85	90	90	10	10
Intermediate	(C)	80	85	95	95	5	5
Pubescent	(C)	80	85	95	95	5	5
Streambank	(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
Puccinellia distans	(C)	80	80	95	95	5	5

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.
Bluegrass						
Sherman	.05	.3	.1	.5	1/10 grams	1/1 gram
Canby	.05	.3	.1	.5(d)	1/10 grams	1/1 gram
Kentucky	.05	.3	.1	.5(d)	1/10 grams	1/1 gram
Merion Kentucky	.05	.3	.1	.5(d)	1/10 grams	2/1 gram
Canada	.05	.3	.1	.5(d)	1/10 grams	1/1 gram
Smooth Brome	.05	.3(c)	.1	.5	1/50 grams	10/50 grams
Meadow Brome	.05	.3(c)	.1	.5	1/50 grams	10/50 grams
Mountain Brome	.3	.5	.5	1.0	1/50 grams	10/50 grams
Deertongue	.50	.5(c)	1.0	1.0	1%	—

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.
Fescue						
Tall	.03	.3(c)	.1	.5	2/50 grams	10/50 grams
Hard Fescue	.03	.3(c)	.1	.5	1/50 grams	5/50 grams
Other Fescue	.03	.3(c)	.1	.5	1/50 grams	5/50 grams
Orchardgrass	.03	.3(c)	.1	.5	3/50 grams	10/50 grams
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
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
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 distans	.3	.5	.5	1.0	1/10 grams	1/1 grams

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

(a) Not to exceed twenty-five hundredths of one percent (.25%) other grass species for certified seed.

(b) Grass seed must not contain more than 45 per lb. for registered seed, 90 per pound for blue tag seed, singly or collectively, of objectionable weed seeds. (See current general rules.) Grass seed must be free of the seed of prohibited noxious weeds.

(c) A tolerance of .5% will be allowed for samples containing weedy bromus spp., provided the total of all other weed seeds does not exceed .3%.

(d) A 3% tolerance of other Kentucky Bluegrass varieties will be allowed in Merion. (Note: containing minimum 92% Merion.) In Canada Bluegrass, 3% Kentucky Bluegrass will be permitted.

(e) A standard tetrazolium (200 seed) test may be used in lieu of germination test.

(f) A tolerance of .8% will be allowed in registered and certified wheatgrass containing small grain seed, providing the total of all other crop seed does not exceed .1% for registered class and .5% for certified class.

(g) Acceptable maximum fluorescence allowed:

Variety	Foundation	Registered	Certified
NK-100	3 - 12%	—	3 - 12%
Norlea	2%	—	5%
Pelo	1%	2%	5%

Variety	Foundation	Registered	Certified
Pennfine	0 - 1%	—	0 - 3%
Cropper	0	—	3%
NK-200	0	—	3%
Yorktown	0	0	2%
Loretta		—	2%

[Statutory Authority: RCW 15.49.310 and 15.49.370. 82-08-033 (Order 1757), § 16-316-370, filed 3/31/82, effective 5/1/82. Statutory Authority: Chapter 15.49 RCW. 79-09-100 (Order 1650), § 16-316-370, filed 8/31/79; 79-05-060 (Order 1610), § 16-316-370, filed 4/30/79; 78-03-112 (Order 1560), § 16-316-370, filed 3/1/78, effective 4/1/78; Order 1504, § 16-316-370, filed 3/31/77; Order 1485, § 16-316-370, filed 9/8/76; Order 1418, § 16-316-370, filed 8/15/75; Order 1362, § 16-316-370, filed 6/12/74; Order 1306, § 16-316-370, filed 4/24/73; Order 1252, § 16-316-370, filed 4/13/72, effective 5/14/72; Order 1184, § 16-316-370, filed 4/16/71.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 16-316-440 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 \$10.00
- (b) *Late seedling penalty fee:* \$10.00
This additional fee shall be charged for each seedling application received more than sixty days after planting.
- (c) *Seedling acreage fee:* (per acre) \$ 1.50
(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 \$10.00 late penalty fee at the discretion of the certifying agency.

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

- (a) *Renewal application fee:*
Per variety, per grower \$10.00
- (b) *Renewal acreage fee:* (per acre) \$ 1.50
(Refundable if acreage is withdrawn before inspection).

(c) *Late renewal penalty fee:* \$10.00
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.: \$ 0.40
The production fee is billed at completion of tests. If none of the seed is tagged, \$ 0.10 of the \$ 0.30 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 order shall be the most applicable fee established by the director of agriculture.

(7) Fees for reissue of tags shall be \$0.05 a tag with a minimum fee of \$5.00. [Statutory Authority: Chapter 15.49 RCW. 81-11-019 (Order 1734), § 16-316-440, filed 5/15/81; 79-05-078 (Order 1621), § 16-316-440, filed 4/30/79; Order 1495, § 16-316-440, filed 3/31/77; Order 1457, § 16-316-440, filed 5/13/76; Order 1307, § 16-316-440, filed 4/24/73; Order 1253, § 16-316-440, filed 4/13/72, effective 5/14/72.]

WAC 16-316-470 Field pea, lentil, soybean, sorghum and small grains seed certification standards. The general seed certification standards are basic and together with the following specific standards constitute the standards for seed certification of field pea, lentil, soybean, sorghum, and small grains. [Statutory Authority: Chapter 15.49 RCW. 81-15-032 (Order 1744), § 16-316-470, filed 7/10/81; 79-05-074 (Order 1600), § 16-316-470, filed 4/30/79; Order 1458, § 16-316-470, filed 5/13/76; Order 1254, § 16-316-470, filed 4/13/72, effective 5/14/72.]

WAC 16-316-472 Eligible varieties and eligible stock seed. (1) The eligibility of varieties shall be approved by the certifying agency.

(2) Foundation seed is eligible to produce registered seed or certified seed.

(3) Registered seed is eligible to produce certified seed.

(4) Certified seed is not eligible for recertification, except as provided in general seed certification standards. [Statutory Authority: Chapter 15.49 RCW. 81-15-032 (Order 1744), § 16-316-472, filed 7/10/81; 80-06-112 (Order 1693), § 16-316-472, filed 5/30/80; 79-09-105 (Order 1656), § 16-316-472, filed 8/31/79;

Order 1492, § 16-316-472, filed 3/31/77; Order 1458, § 16-316-472, filed 5/13/76; Order 1312, § 16-316-472, filed 4/24/73; Order 1254, § 16-316-472, filed 4/13/72, effective 5/14/72.]

WAC 16-316-474 Application and fees. (1) An application for seed certification with application fee, field inspection fee, and late application fee (if due) for each field must be filed by or for each grower with Washington State Crop Improvement Association, Inc., the certifying agency for seeds of field pea, lentil, soybean, sorghum and small grains.

(2) Due dates:

(a) Field pea - June 1

(b) Lentil - June 1

(c) Soybean - July 1

(d) Sorghum - July 15

(e) Small grains - June 1 for winter varieties; July 1 for spring varieties.

(f) After due date, an application with late application fee may be accepted for service.

(3) Fees:

(a) Application fee per variety per grower ... \$10.00

(b) Field inspection fee per acre \$ 1.10

(c) Late application fee \$10.00

(d) Reinspection fee \$20.00

minimum for each field which did not pass field inspection plus \$ 0.20 [for] each acre over 25. The reinspection fee for isolation requirements only for a field of any size is \$20.00.

(e) Final certification fee \$ 0.13 per cwt. of clean seed sampled, which shall be charged to conditioning plant, or production fee \$ 0.13 per cwt. of production from fields inspected which is utilized for seed, which shall be charged to conditioning plant or, if none, to applicant.

(f) Sampling fee \$ 0.10 per cwt. of clean seed sampled, with minimum charge of \$10.00 per sample, which shall be charged to conditioning plant in lieu of mechanical sampling.

(4) A field may be withdrawn upon notification by the applicant to the certifying agency's office before field inspection. In such case, the field inspection fee shall be refunded upon request until June 30 of the year following harvest.

(5) Harvest before field inspection causes forfeitures of both the application and field inspection fees, and completion of certification. [Statutory Authority: Chapter 15.49 RCW. 81-15-032 (Order 1744), § 16-316-474, filed 7/10/81; 78-03-110 (Order 1563), § 16-316-474, filed 3/1/78, effective 4/1/78; Order 1458, § 16-316-474, filed 5/13/76; Order 1366, § 16-316-474, filed 6/12/74; Order 1312, § 16-316-474, filed 4/24/73; Order 1254, § 16-316-474, filed 4/13/72, effective 5/14/72.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 16-316-476 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-478 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-482 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-484 Mechanical sampling. Seed for certification must be sampled by automatic mechanical sampler installed by a conditioning plant and acceptable to the certifying agency, or alternatively must be sampled by a representative of the certifying agency and in which latter case the sampling fee shall be charged to the conditioning plant. [Statutory Authority: Chapter 15.49 RCW. 81-15-032 (Order 1744), § 16-316-484, filed 7/10/81; Order 1458, § 16-316-484, filed 5/13/76; Order 1312, § 16-316-484, filed 4/24/73; Order 1254, § 16-316-484, filed 4/13/72, effective 5/14/72.]

WAC 16-316-486 Certified seed sale certificate. (1) A certified seed sale certificate must be executed for seed pending final certification whenever it is transshipped.

(2) A certified seed sale certificate or a copy of invoice available to certifying agency showing identification of certifying agency, variety, type and kind, certification class, pounds, field number and/or lot number, purchaser, vendor, and date must be executed for certified seed when in bulk. [Statutory Authority: Chapter 15.49 RCW. 81-15-032 (Order 1744), § 16-316-486, filed 7/10/81; Order 1492, § 16-316-486, filed 3/31/77; Order 1458, § 16-316-486, filed 5/13/76; Order 1416, § 16-316-486, filed 8/15/75; Order 1312, § 16-316-486, filed 4/24/73; Order 1254, § 16-316-486, filed 4/13/72, effective 5/14/72.]

WAC 16-316-520 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-530 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-535 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-540 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-545 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-550 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-555 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-560 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-565 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-570 Labeling and sealing of certified seed of small grains by grower. The certifying agency may authorize a grower who has his own equipment and conditions his own seed to label and seal certified seed of small grains. [Statutory Authority: Chapter 15.49 RCW. 81-15-032 (Order 1744), § 16-316-570, filed 7/10/81; Order 1459, § 16-316-570, filed 5/13/76; Order 1367, § 16-316-570, filed 6/12/74; Order 1313, § 16-316-570, filed 4/24/73; Order 1185, § 16-316-570, filed 4/16/71.]

WAC 16-316-572 Certifying agency issuance of certificate. The issuance by Washington State Crop Improvement Association, Inc., the certifying agency, of a certified seed label or certificate for a lot of seed affirms solely that such seed properly identified by a dealer has been subjected to the seed certification standards and procedures implemented by Washington State Crop Improvement Association, Inc., and that Washington State Crop Improvement Association, Inc. has acted in accordance with those standards and procedures established for seed certification. The issuance of a certified seed label or certificate for a lot of seed neither warrants that any other person or entity has acted in accordance with such standards and procedures, nor constitutes any other warranty, express or implied, with respect to yield, quality, incidence of off-types or other contaminating seeds, or tolerance to diseases, insects, or growing conditions, or any other characteristics of the seed. [Statutory Authority: Chapter 15.49 RCW. 81-15-032 (Order 1744), § 16-316-572, filed 7/10/81.]

WAC 16-316-620 Standards. Seed standards for sod quality grass seed are as follows:

Variety	Mini- mum Purity	Mini- mum Germin- ation	Maxi- mum* Other Crop	Maxi- mum- ** Weed
Merion Kentucky Bluegrass	95%	80%	0.1%	.02%
Other varieties of Kentucky Bluegrass	97%	80%	0.1%	.02%
Red Fescue	98%	90%	0.1%	.02%
Chewings Fescue	98%	90%	0.1%	.02%

*Must be free of ryegrass, orchardgrass, timothy, bentgrass, big bluegrass, Poa trivialis, smooth brome, reed canarygrass, tall fescue, clover, meadow foxtail and Canby bluegrass. Maximum allowable Canada bluegrass .02%.

**Must be free of dock, chickweed, crabgrass, plantain, short-awn foxtail, black medic, annual bluegrass, velvetgrass, Rattail fescue and prohibited noxious weed seeds.

[Statutory Authority: RCW 15.49.310 and 15.49.370. 82-08-033 (Order 1757), § 16-316-620, filed 3/31/82,

effective 5/1/82. Statutory Authority: Chapter 15.49 RCW. 79-05-057 (Order 1619), § 16-316-620, filed 4/30/79; 78-03-107 (Order 1565), § 16-316-620, filed 3/1/78, effective 4/1/78; Order 1503, § 16-316-620, filed 3/31/77; Order 1462, § 16-316-620, filed 5/13/76; Order 1302, § 16-316-620, filed 4/24/73; Order 1186, § 16-316-620, filed 4/16/71.]

WAC 16-316-660 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 \$10.00
- (b) *Late seedling penalty fee:* \$10.00
This additional fee shall be charged for each seedling application received more than sixty days after planting.
- (c) *Seedling acreage fee:* (per acre) \$ 1.50
(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 \$10.00 late penalty fee at the discretion of the certifying agency.

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

- (a) *Renewal application fee:*
Per variety, per grower \$10.00
- (b) *Renewal acreage fee:* (per acre) \$ 1.50
(Refundable if acreage is withdrawn before inspection).
- (c) *Late renewal penalty fee:* \$10.00
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. \$ 0.40
The production fee is billed at completion of tests. If none of the seed is tagged, \$ 0.10 of the \$ 0.30 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 order shall be the most applicable fee established by the director of agriculture.

(7) Fees for reissue of tags shall be \$0.05 a tag with a minimum fee of \$5.00. [Statutory Authority: Chapter 15.49 RCW. 81-11-022 (Order 1738), § 16-316-660, filed 5/15/81; 79-05-076 (Order 1602), § 16-316-660, filed 4/30/79; Order 1497, § 16-316-660, filed 3/31/77; Order 1463, § 16-316-660, filed 5/13/76; Order 1303, § 16-316-660, filed 4/24/73; Order 1187, § 16-316-660, filed 4/16/71.]

WAC 16-316-690 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-695 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-700 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-701 Definitions of terms for standards. (1) "Land standards" means the number of years that must elapse between the destruction of a stand of a kind, and establishment of a stand of a specified class of a variety of the same kind (i.e., number of years out of production of same crop kind).

(2) "Isolation standards" means the distance in feet from any contaminating source (i.e., distance from other fields of same crop kind).

(3) "Field standards" means the tolerances permitted as determined by established field inspection procedures.

(4) "Seed standards" means the tolerances permitted as determined by established seed inspection procedures.

(5) "Tolerances stated as 'none', or 'no' or 'zero'" means none found as determined by established inspection procedures. [Statutory Authority: Chapter 15.49 RCW. 81-15-032 (Order 1744), § 16-316-701, filed 7/10/81.]

WAC 16-316-705 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-710 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-715 Miscellaneous field and seed inspection standards. (1) The field inspection will be made:

(a) For field pea – when seedcrop is in full bloom;

(b) For lentil – when seedcrop is in full bloom;

(c) For soybean – when seedcrop is in full bloom and/or of mature color;

(d) For sorghum – when seedcrop is in full bloom, and optionally again when seedcrop begins to show mature color;

(e) For small grains – when seedcrop is fully headed and of mature color.

(2) Any condition or practice which permits or causes contamination of the seedcrop, such as failure to prevent seed formation in bindweeds, Canada thistle or jointed goatgrass, or excess weeds, or mechanical field mixing, shall be cause for rejection upon inspection for field standards.

(3) No prohibited noxious weed seeds are permitted upon inspection for seed standards.

(4) Germination minimum refers to germination when sampled.

(5) If chemically controllable seed-borne diseases are noted upon inspection for field standards and seed standards for small grains, treatment of seed is required. [Statutory Authority: Chapter 15.49 RCW. 81-15-032 (Order 1744), § 16-316-715, filed 7/10/81; 80-06-113 (Order 1696), § 16-316-715, filed 5/30/80; Order 1464, § 16-316-715, filed 5/13/76; Order 1368, § 16-316-715, filed 6/12/74; Order 1311, § 16-316-715, filed 4/24/73; Order 1258, § 16-316-715, filed 4/13/72, effective 5/14/72; Order 1188, § 16-316-715, filed 4/16/71.]

WAC 16-316-717 Field pea standards. (1) Field pea – Land, Isolation, and Field Standards:

CLASS	LAND	ISOLATION	FIELD	
	MINIMUM YEARS	MINIMUM FEET	OFF-TYPE MAXIMUM PLANTS/ACRE	OTHER CROP MAXIMUM PLANTS/ACRE
Foundation	5*	3	None	None**
Registered	3*	3	10	None**
Certified	2*	3	20	5**

* Also required is minimum number of years the following crop kinds were out of production:

NUMBER OF YEARS
MINIMUM

	Lentil	Austrian pea
Foundation	5	10
Registered	3	10
Certified	2	10

** Refers to vetch, except that no Austrian pea or rye is permitted.

(2) Field pea – Seed Standards:

CLASS	OFF-TYPE MAXIMUM SEEDS/LB	PURE SEED MINIMUM %	INERT MAXIMUM %	OTHER CROP MAXIMUM SEEDS/LB	WEED MAXIMUM %	GERMINATION MINIMUM %
Foundation	None	99.00	1.00	None	None	90.00
Registered	None	99.00	1.00	None	0.25**	90.00
Certified	1	99.00	1.00	3*	0.25**	90.00

* No Austrian pea or rye is permitted.
 ** Other tolerance for weed seed:

OBJECTIONABLE WEED SEED
MAXIMUM

Registered	1/lb
Certified	2/lb

[Statutory Authority: Chapter 15.49 RCW. 81-15-032 (Order 1744), § 16-316-717, filed 7/10/81.]

WAC 16-316-719 Lentil standards. (1) Lentil – Land, Isolation, and Field standards.

CLASS	LAND	ISOLATION	FIELD	
	MINIMUM YEARS	MINIMUM FEET	OFF-TYPE MAXIMUM PLANTS/ACRE	OTHER CROP MAXIMUM PLANTS/ACRE
Foundation	5	300*	None	None
Registered	4	20*	10	10**
Certified	3	20*	30	30**

* Reduce to three feet from fields producing a certified class of the same variety. In addition, each lentil field for certification must be isolated from small grain fields by three feet. To prevent mechanical field mixing of swathed lentil seedcrop, the planting of small grain between lentil fields, except for three feet of isolation, is recommended.
 ** Refers to barley and vetch, each.

(2) Lentil – Seed Standards:

CLASS	OFF-TYPE MAXIMUM SEEDS/LB	PURE SEED MINIMUM %	INERT MAXIMUM %	OTHER CROP MAXIMUM %	WEED MAXIMUM %	GERMINATION MINIMUM %
Foundation	None	99.00*	1.00*	None	None	85.00
Registered	1	99.00*	1.00*	0.05**	0.05***	85.00
Certified	4	99.00*	1.00*	0.10**	0.05**	85.00

* A total of three percent inert-matter will be allowed in samples containing decorticated seed provided total of all other inert matter does not exceed one percent.
 ** No vetch is permitted.
 *** Other tolerance for weed seed:

OBJECTIONABLE WEED SEED
MAXIMUM

Registered	1/lb
Certified	2/lb

[Statutory Authority: Chapter 15.49 RCW. 81-15-032 (Order 1744), § 16-316-719, filed 7/10/81.]

WAC 16-316-721 Soybean standards. (1) Soybean – Land, Isolation, and Field standards:

CLASS	LAND STANDARDS	ISOLATION STANDARDS	FIELD STANDARDS	
	MINIMUM YEARS	MINIMUM FEET	OFF-TYPE MAXIMUM %	OTHER CROP MAXIMUM NO STANDARD
Foundation	1*	3	0.10	—
Registered	1*	3	0.01	—
Certified	1*	3	0.20	—

* Waived if the previous crop was grown from an equal or higher certified class of seed of the same variety.

(2) Soybean – Seed Standards:

CLASS	OFF-TYPE MAXIMUM %	PURE SEED MINIMUM %	INERT MAXIMUM %	OTHER CROP MAXIMUM SEEDS/LB	WEED MAXIMUM SEEDS/LB	GERMINATION MINIMUM %
Foundation	0.10	98.00	2.00	None	None	85.00
Registered	0.20	98.00	2.00	None	1	85.00
Certified	0.20	98.00	2.00	1 per 2 lb.	2	85.00

[Statutory Authority: Chapter 15.49 RCW. 81-15-032 (Order 1744), § 16-316-721, filed 7/10/81.]

WAC 16-316-723 Sorghum standards. (1) Sorghum – Land, Isolation and Field standards:

CLASS	LAND STANDARDS	ISOLATION STANDARDS	FIELD STANDARDS***	
	MINIMUM YEARS	MINIMUM FEET	OFF-TYPE MAXIMUM RATIO	OTHER CROP MAXIMUM NO STANDARD
Foundation	1*	1,000**	None	—
Registered	1*	1,000**	1 head/50,000	—
Certified	1*	1,000**	1 head/20,000	—

* Waived if the previous crop was grown from an equal or higher certified class of seed of the same variety.

** Refers to fields of other varieties or same variety which does not meet tolerance of off-types.

*** Other tolerances for field standards:

	JOHNSONGRASS MAXIMUM	HEAD SMUT MAXIMUM	KERNEL SMUT MAXIMUM
Foundation	None	None	None
Registered	None	None	None
Certified	None	1 head/10,000	1 head/2,500

(2) Sorghum – Seed standards:

CLASS	OFF-TYPE MAXIMUM %	PURE SEED MINIMUM %	INERT MAXIMUM %	OTHER CROP MAXIMUM %	WEED MAXIMUM %	GERMINATION MINIMUM %
Foundation	None	97.00	3.00**	None	0.10	80.00
Registered	None	97.00	3.00**	0.03	0.10	80.00
Certified	0.01*	97.00	3.00**	0.07***	0.10	80.00

* Or two seeds per pound.

** Where two percent or more is cracked.

*** Or ten seeds per pound.

[Statutory Authority: Chapter 15.49 RCW. 81-15-032 (Order 1744), § 16-316-723, filed 7/10/81.]

WAC 16-316-724 **Small grains standards.** (1) Small grains (barley, oat, rye, triticale, wheat) – Land, Isolation, and Field standards:

CLASS	LAND STANDARDS MINIMUM YEARS	ISOLATION STANDARDS MINIMUM FEET	FIELD STANDARDS	
			OFF-TYPE MAXIMUM PLANTS/ACRE	OTHER CROP MAXIMUM PLANTS/ACRE
Foundation	1*	3**	None	None***
Registered	1*	3**	5	5***
Certified	1*	3**	15	15***

- * Waived if the previous crop was grown from an equal or higher certified class of seed of the same variety.
- ** Refers to distance from other small grain fields. In addition, each rye field for certification must be isolated from fields producing a certified class of the same variety by three feet, and from other rye fields by six hundred sixty feet. Each triticale field for certification must be isolated from fields producing a certified class of the same variety by three feet, and from other triticale, rye and wheat fields by three hundred feet.
- *** Refers to other small grains, except that no rye or triticale is permitted in barley, oat, or wheat; no vetch is permitted.

(2) Small grains – Seed standards:

CLASS	OFF-TYPE MAXIMUM SEEDS/LB	PURE SEED MINIMUM %	INERT MAXIMUM %	OTHER CROP MAXIMUM %	WEED MAXIMUM %	GERMINATION MINIMUM %
Foundation	None	99.00	1.00	None	None	85.00
Registered	1	99.00	1.00	0.05*	0.05**	85.00
Certified	4	99.00	1.00	0.10*	0.05**	85.00

* Other tolerance for other crop seed:

**OTHER SMALL GRAINS
MAXIMUM**

Foundation	None
Registered	1/lb
Certified	2/lb

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

** Other tolerances for weed seed:

	OBJECTIONABLE WEED SEED MAXIMUM	WILD OAT MAXIMUM
Foundation	None	None
Registered	None	None
Certified	1/lb	None, except 1/lb in barley and oat

[Statutory Authority: Chapter 15.49 RCW. 81-15-032 (Order 1744), § 16-316-724, filed 7/10/81.]

WAC 16-316-725 **Repealed.** See Disposition Table at the beginning of this chapter.

WAC 16-316-726 **Repealed.** See Disposition Table at the beginning of this chapter.

WAC 16-316-727 Chick pea standards. (1) Chick pea – land, isolation, and field standards:

CLASS	LAND ISOLATION		OFF-TYPE MAXIMUM PLANTS/ACRE	OTHER CROP MAXIMUM PLANTS/ACRE	ASCOCHYTA BLIGHT
	MINIMUM YEARS	MINIMUM FEET			
Foundation	3	3	None	None*	None
Registered	2	3	10	10*	None
Certified	1	3	20	20*	None

*Refers to vetch except that no Austrian pea or rye is permitted

(2) Chick pea – seed standards:

CLASS	OFF-TYPE	PURE SEED	INERT	OTHER CROP	WEED	GERMINATION
	MAXIMUM SEEDS/LB	MINIMUM %	MAXIMUM %	MAXIMUM SEEDS/LB	MAXIMUM %	MINIMUM %
Foundation	None	99.00	1.00	None	None	85.00
Registered	None	99.00	1.00	None	0.25**	85.00
Certified	1	99.00	1.00	3*	0.25**	85.00

* No vetch, Austrian pea or rye is permitted.

** Other tolerance for weed seed:

OBJECTIONABLE WEED SEED
MAXIMUM

Registered	1/lb
Certified	2/lb

[Statutory Authority: RCW 15.49.370. 82-08-034 (Order 1758), § 16-316-727, filed 3/31/82, effective 5/1/82.]

WAC 16-316-728 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-790 Varieties eligible for seed certification. (1) Following are the lists of varieties eligible and certification scheme:

* These varieties are certified on a limited generation basis where:

Foundation seed is eligible to produce certified seed;
Certified seed is not eligible for recertification.

** These varieties are certified on the generation basis where:

Foundation seed is eligible to produce registered seed;
Registered seed is eligible to produce certified seed;
Certified seed is not eligible for recertification.

*** These varieties are not certified on a generation basis:

Certified seed is eligible to produce certified seed.

pvpV=plant variety protected to be sold or advertised by variety name only as a class of certified seed.

(2) As the list of varieties is subject to change, other varieties may be eligible upon approval of the certifying agency. [Statutory Authority: RCW 15.49.310 and 15.49.370. 82-08-033 (Order 1757), § 16-316-790, filed 3/31/82, effective 5/1/82. Statutory Authority: Chapter 15.49 RCW. 81-11-018 (Order 1733), § 16-316-790, filed 5/15/81; 79-05-065 (Order 1603), § 16-316-790, filed 4/30/79; 78-03-099 (Order 1568), § 16-316-790, filed 3/1/78, effective 4/1/78.]

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)	Astoria Colonial*** Bardot Colonial* Highland Colonial** Seaside 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-20-6* A-34 (Bensun)** Adelphi** Argyle** Baron** Birka* Bonnieblue (Pac)** Bono (Birdie)* Bristol* Cheri (Golf)* Cougar* Delta* Eclipse* Enmundi*pvpV Fylking**

Georgetown**
 Geronimo*
 Glade**
 Holiday*
 Kenblue*
 I-13**
 Majestic**
 Merion**
 Mystic*
 Newport**
 Nugget*
 Pacific*pvvV
 Parade*
 Park**
 Pennstar*
 Plush*
 Ram I*pvvV
 Rugby*
 Sydsport*
 S-21**
 Touchdown*
 Troy**
 Victa*
 Wabash*
 Meadow Brome: Regar**
 Mountain Brome: Bromar**
 Smooth Brome: Baylor*
 Blair*
 Bromex*
 Manchar**
 Sac**
 Saratoga*
 Deertongue: Tioga*
 Fescue: Cascade Chewings**
 (subject to poa annua
 quarantine - except tall
 fescue) Jamestown Chewings*pvvV
 Durar Hard**
 Scaldis Hard*
 Dawson Red*
 Novorubra Red*
 Pennlawn Red*
 Ruby Red*
 Wintergreen Red*
 Covar Sheep**
 Alta Tall**
 Fawn Tall*
 Forager Tall*
 Orchardgrass: Hay King*
 Latar**
 Pennlate*
 Potomac*
 Redtop: Streaker
 Indian Ricegrass: Nezpar**
 Perennial Ryegrass: Belle*
 (subject to poa annua
 quarantine) Cropper*
 Diplomat*pvvV
 Elka*
 Jackpot

NK-100*
 Yorktown*pvvV
 Norlea*
 Pennfine*pvvV
 Pelo**
 Yorktown II[*pvvV]
 Manhattan*
 LP-20*
 Puccinellia distans:
 Timothy:
 Wheatgrass:
 Fults*
 Champlain*
 Climax*
 Clair*
 Mohawk**
 Pronto*
 Whitmar Beardless**
 Secar Bluebunch**
 Fairway Crested*
 Nordan Crested**
 Amur Intermediate***
 Greenar
 Intermediate**
 Oahe Intermediate*
 Tegmar Intermediate*
 Siberian**
 Greenleaf Pubescent*
 Luna Pubescent**
 Topar Pubescent**
 Primar Slender**
 P-27 Siberian
 Sodar Streambank**
 Critana Thickspike**
 Alkar Tall**
 Basin Wild Rye: Magnar**

(2) Variety restrictions.

	NO. OF SEED HARVESTS	
	FOUNDATION REGISTERED	CERTIFIED
(a) Kentucky Bluegrass:		
Baron	5	5
Birka	2 + 3 Cert.	5
Bonnieblue	2 + 5 Cert.	5
Bristol	4	4
Cougar	3	6
Enmundi	4	5
Georgetown	5	5
Geronimo	6	6
Kenblue	5	7
Majestic	3 + 5 Cert.	5
Pacific	5	5
Parade	5	5
Ram-I	2	6
Rugby	3 + 2 Cert.	5
Sydsport		5
Touchdown	2 + 5 Cert.	5
(b) Deertongue:		
Tioga		6
(c) Orchardgrass:		
Pennlate	3	6
(d) Perennial Ryegrass:		
Belle	4 + 2 Cert.	5
Diplomat	5 + 2 Cert.	5
Elka	4	4
Pennfine	2 + 2 Cert.	4
Yorktown II	4 + 3 Cert.	4
Manhattan	2 + 5 Cert.	5

[Statutory Authority: RCW 15.49.310 and 15.49.370. 82-08-033 (Order 1757), § 16-316-800, filed 3/31/82, effective 5/1/82. Statutory Authority: Chapter 15.49 RCW. 81-11-018 (Order 1733), § 16-316-800, filed 5/15/81; 80-06-105 (Order 1697), § 16-316-800, filed 5/30/80; 79-05-065 (Order 1603), § 16-316-800, filed 4/30/79; 78-06-013 (Order 1575), § 16-316-800, filed 5/10/78; 78-03-099 (Order 1568), § 16-316-800, filed 3/1/78, effective 4/1/78; Order 1505, § 16-316-800, filed 3/31/77; Order 1456, § 16-316-800, filed 5/13/76; Order 1420, § 16-316-800, filed 8/15/75; Order 1365, § 16-316-800, filed 6/12/74.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 16-316-810 Red clover varieties eligible. (1) Following are the red clover varieties eligible and the certification scheme for each:

Arlington*
Chesapeake*
E-688*
Flare*
Florex*
Florie*
Hamidori*
Kenland*
Kenstar*pvvV
Lakeland*
Pennscott*
Prosper I*
Redland*pvvV
Redland II*
Redman*
Ruby**
Tristan*

(2) **Variety restrictions.** Kenstar: No seed production permitted year of seeding. [Statutory Authority: RCW 15.49.310 and 15.49.370. 82-08-033 (Order 1757), § 16-316-810, filed 3/31/82, effective 5/1/82. Statutory Authority: Chapter 15.49 RCW. 80-06-105 (Order 1697), § 16-316-810, filed 5/30/80; 79-05-065 (Order 1603), § 16-316-810, filed 4/30/79; 78-06-013 (Order 1575), § 16-316-810, filed 5/10/78; 78-03-099 (Order 1568), § 16-316-810, filed 3/1/78, effective 4/1/78; Order 1505, § 16-316-810, filed 3/31/77; Order 1456, § 16-316-810, filed 5/13/76; Order 1420, § 16-316-810, filed 8/15/75; Order 1365, § 16-316-810, filed 6/12/74.]

WAC 16-316-815 Other clover varieties.

White Clover: Sacramento Ladino*
Star*

[Statutory Authority: RCW 15.49.310 and 15.49.370. 82-08-033 (Order 1757), § 16-316-815, filed 3/31/82, effective 5/1/82.]

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

A-24**
A-59**
Agate*
Anchor*
Answer*
Apalachee*
Aquarius*
Apollo*
Apollo II*
Arc*
Arnim*
Atlas*
Atra-55*
Baker*pvvV
Blazer*
Cimarron*
Citation*
Classic*
Conquest*
Dawson*
Defender*
Delta**
Duke*
Dupuits*
Epic*
Expo*
G-777*
G-7730*
Gladiator*
Hi-Phy*
Honeoye*pvvV
Iroquois*
Ladak**
Ladak 65*
Liberty**
Maverick*
Marathon*
Mesilla**
Multileaf*pvvV
Narragansett**
Nomad**
Nugget*
Olympic*
Oneida*pvvV
Peak*
Perry*
Phytor*
Polar II*
Primal*
Prowler*
Raidor*
Ramsey*
Ranger**
Saranac*
Saranac AR*pvvV
Spredor 2*
SX-10*
SX-418*

	NO. OF SEED HARVESTS			
	Breeder	Foundation	Registered	Certified
Team*				
Tempo*				
Thor*	123	2		4
Titan*	130	3		5
Trident*				
Trumpetor*				
Vernal*				
Vancor*				
Vanguard*				
Vernema*				
Vista*				
Voris A77*				
WL-220*				
Warrior*				
Washoe*				
Weevlchek*				
WL-215*				
WL-219*				
WL-221*				
WL-311*				
WL-312*				
WL-313*				
WL-315*				
WL-316*				
WL-318*				
120*				
123*				
130*				
521*				
520*				
530*				

[Statutory Authority: RCW 15.49.310 and 15.49.370. 82-08-033 (Order 1757), § 16-316-820, filed 3/31/82, effective 5/1/82. Statutory Authority: Chapter 15.49 RCW. 81-11-018 (Order 1733), § 16-316-820, filed 5/15/81; 80-06-105 (Order 1697), § 16-316-820, filed 5/30/80; 79-05-065 (Order 1603), § 16-316-820, filed 4/30/79; 78-06-013 (Order 1575), § 16-316-820, filed 5/10/78; 78-03-099 (Order 1568), § 16-316-820, filed 3/1/78, effective 4/1/78; Order 1505, § 16-316-820, filed 3/31/77; Order 1456, § 16-316-820, filed 5/13/76; Order 1420, § 16-316-820, filed 8/15/75; Order 1365, § 16-316-820, filed 6/12/74.]

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

Red Mexican:	Bigbend** NW-59** NW-63** Rufus**
Pinto:	NW-410 NW-590 Olathe**pvpV
	Pindak** U of I 114*** Wyo 166**
Pink:	Gloria** Roza** Viva**
Small White:	Chief** Aurora** Bonus**
	NW-395**
Kidney:	Royal Red**
Snap Bean:	Yakima** Apollo** Epoch**
Navy:	NW 395**
Great Northern:	Harris**
Black Turtle:	Black Turtle Soup** #39
	Black Beauty** Ebony**pvpV

[Statutory Authority: RCW 15.49.310 and 15.49.370. 82-08-033 (Order 1757), § 16-316-830, filed 3/31/82, effective 5/1/82. Statutory Authority: Chapter 15.49 RCW. 80-06-105 (Order 1697), § 16-316-830, filed 5/30/80; 79-05-065 (Order 1603), § 16-316-830, filed 4/30/79; 78-06-013 (Order 1575), § 16-316-830, filed 5/10/78; Order 1505, § 16-316-830, filed 3/31/77; Order 1456, § 16-316-830, filed 5/13/76; Order 1420, § 16-316-830, filed 8/15/75; Order 1365, § 16-316-830, filed 6/12/74.]

(2) Variety restrictions.

	NO. OF SEED HARVESTS			
	Breeder	Foundation	Registered	Certified
Answer		2		5
Apollo II				3
Baker	2	3		6
Blazer		3		
Defender	2	3		5
Duke		3		5
Epic		4		6
Expo		3		5
G-7730		3		5
Honeoye		3		6
Iroquois		3		6
Maverick		3		5
Multileaf		3		6
Oneida		3		6
Peak		3		
Perry	2	3		6
Polar II	2	3		5
Prowler	2	3		5
Raidor	2	3		5
Ranger (Beginning with 1980 Plantings)				6
Saranac		3		6
Saranac AR		3		6
Spredor 2	2	3		5
Trident		2		5
Trumpetor	2	3		5
Vancor	2	3		5
Vernema		4		6
Voris A-77		2		5
WL-221		3		
WL-313		3		
WL-315		3		5
WL-316		3		5
120		3		

WAC 16-316-900 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-905 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-910 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-915 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-920 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-925 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-930 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-935 Repealed. See Disposition Table at the beginning of this chapter.

WAC 16-316-940 Repealed. See Disposition Table at the beginning of this chapter.

**Chapter 16-528 WAC
WHEAT**

WAC
16-528-040 Assessments and collection.

WAC 16-528-040 Assessments and collection. (1) **Assessments.** The annual assessment on wheat shall be one-quarter of one percent of the net receipts at the point of sale. The assessment shall be levied and paid by the producer, or deducted, as provided in this section, whether the wheat is sold in this or any other state.

(2) **Collection of assessments.** The collection of the assessment made and levied by the wheat commission, pursuant to the provisions of the act, shall be paid by the producer thereof upon all commercial quantities of wheat sold, processed, stored or delivered for sale, processing or storage by him, under any or all of the methods of collections set forth in RCW 15.66.150, in accordance with rules and regulations to be promulgated by the wheat commission: *Provided, however,* That no assessment shall be levied or collected on wheat grown and used by the producer for feed, seed, or personal consumption.

(3) **Funds.** All moneys collected by the wheat commission shall be used only for the purposes of paying for the costs or expenses arising in connection with carrying out the purposes and provisions of the act and the wheat marketing order. At the end of each fiscal year, the commission shall credit each producer with any amount paid by such producer in excess of one-quarter of one percent of the net receipts at the point of sale. Refund may be made only upon satisfactory proof given by the producer in accordance with reasonable rules and regulations prescribed by the director. [Statutory Authority: Chapter 15.66 RCW. 82-11-002 (Order 1765), § 16-528-040, filed 5/6/82, effective 7/1/82; Order 1450, § 16-528-040, filed 4/30/76; Marketing Order, Article IV, effective 4/30/58.]

Assessments and collection: See also WAC 16-528-210, 16-528-220, 16-528-230.

**Chapter 16-536 WAC
DRY PEAS AND LENTILS**

WAC
16-536-010 Definitions of terms.
16-536-020 The dry pea and lentil board.
16-536-040 Assessments and collections.

WAC 16-536-010 Definitions of terms. For the purpose of this marketing order:

(1) "Director" means the director of agriculture of the state of Washington or his duly appointed representative.

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

(3) "Act" means the Washington State Agriculture Enabling Act of 1961 or chapter 15.65 RCW.

(4) "Person" means any person, firm, association or corporation.

(5) "Affected producer" means any person who produces, or causes to be produced, in commercial quantities, dry peas and/or lentils in the state of Washington.

(6) "Commercial quantity" means all the dry peas and/or lentils produced for market in any calendar year by any producer.

(7) "Affected handler" means any person who acts as principal or agent or otherwise in processing, selling, marketing or distributing dry peas and/or lentils not produced by him.

(8) "Dry pea and lentil commodity board" hereinafter referred to as "board" means the dry pea and lentil commodity board formed under the provisions of WAC 16-536-020.

(9) "Dry peas" means and includes all kinds and varieties of dry peas grown in the state of Washington, including chick peas and commercially grown wrinkled peas raised for seed: *Provided,* That it shall not include dry peas used by the producer thereof for feed, seed and personal consumption : *Provided Further,* That the inclusion of commercially grown wrinkled peas raised for seed will not become effective until approved by a referendum vote of the affected commercial wrinkled pea seed producers.

(10) "Lentils" means and includes all kinds and varieties of lentils grown in the state of Washington: *Provided,* That it shall not include lentils used by producers thereof on his premises for feed, seed, and personal consumption.

(11) "Marketing season" or "fiscal year" means the twelve month period beginning with July 1 of any year and ending with the last day of June, both dates being inclusive.

(12) "Producer-handler" means any person who acts both as a producer and as a handler with respect to dry peas and/or lentils. A producer-handler shall be deemed to be a producer with respect to the dry peas and/or lentils which he produces, and a handler with respect to the dry peas and/or lentils which he handles, including those produced by himself.

(13) "Affected area" means that portion of the state of Washington located east of the summit of the Cascade Mountains.

(14) "Sell" includes offer for sale, expose for sale, have in possession for sale, exchange, barter or trade.

(15) "Affected unit" means one hundred pounds of cleaned dry peas and/or lentils. [Statutory Authority: Chapter 15.65 RCW. 82-15-020 (Order 1768), § 16-536-010, filed 7/13/82; Marketing Order Article I § A, filed 3/26/65.]

WAC 16-536-020 The dry pea and lentil board. (1) **Administration.** The provisions of this order and the applicable provisions of the act shall be administered and enforced by the board as the designee of the director.

(2) **Board membership.**

(a) The board shall consist of ten members. Eight members shall be affected producers elected as provided in this article. One member shall be an affected handler elected as provided in this article. The director shall appoint one member of the board who is neither an affected producer nor an affected handler to represent the department and the public.

(b) For the purpose of nomination and election of producer members of the board, the affected area of the state of Washington shall be divided into four representative districts as follows:

(i) District I shall have three board members, being positions 1, 2 and 3 and shall include the county of Whitman.

(ii) District II shall have two board members, being positions 4 and 5 and shall include the county of Spokane.

(iii) District III shall have one board member being position 6 and shall include the counties of Walla Walla, Garfield, Columbia and Asotin.

(iv) District IV shall have two board members, being positions 7 and 8 shall include all other counties of the state of Washington located east of the summit of the Cascade Mountains: *Provided*, That the addition of another member, being position 8, shall not become effective until approved by a referendum vote of the affected commercial wrinkled pea seed producers.

(3) **Board membership qualifications.**

(a) The affected producer members of the board shall be practical producers of dry peas and/or lentils in the district in and for which they are nominated and elected and shall be citizens and residents of the state of Washington, over the age of twenty-five years, each of whom is and has been actually engaged in producing dry peas and/or lentils within the state of Washington for a period of five years and has during that time derived a substantial portion of his income therefrom and who is not engaged in business, directly or indirectly, as a handler or other dealer.

(b) The affected handler member of the board shall be a practical handler of dry peas and/or lentils and shall be a citizen and resident of the state of Washington, over the age of twenty-five years and who is and has been, either individually or as an officer or an employee of a corporation, firm, partnership association or cooperative actually engaged in handling dry peas and/or lentils within the state of Washington for a period of five years and has during that period derived a substantial portion of his income therefrom.

(c) The qualifications of members of the board must continue during their term of office.

(4) **Term of office.**

(a) The term of office for members of the board shall be three years, and one-third of the membership as nearly as possible shall be elected each year.

(b) Membership positions on the board shall be designated numerically; affected producers shall have positions one through seven, the affected handler shall have position eight and the member appointed by the director position nine.

(c) The term of office for the initial board members shall be as follows:

Positions one, two and three – one year

Positions four, five and six – two years

Positions seven, eight, nine, and ten – three years

No elected member of the board may serve more than two full consecutive three-year terms.

(5) **Nomination and election of board members.**

(a) For the purpose of nominating candidates for election to board membership the director shall call separate meetings of affected producers and affected handlers.

(b) Each year the director shall call for nomination meetings in those districts whose board members term is about to expire. Such meetings shall be held at least thirty days in advance of the date set by the director for the election of board members. Notice of every such meeting shall be published in newspapers of general circulation within the affected district not less than ten days in advance of the date of such meeting and in addition, written notice of every such meeting shall be given to all affected producers within such affected district and handlers according to the list maintained by the director pursuant to RCW 15.65.200 of the act. Nonreceipt of notice by any interested person shall not invalidate the proceedings at such nomination meeting. Any qualified affected producer or handler may be nominated orally for membership on the board at such nomination meetings. Nominations may also be made within five days after any such meeting by written petition filed with the director signed by not less than five affected producers or affected handlers.

(6) **Election of board members.**

(a) Members of the board shall be elected by secret mail ballot within the month of May under the supervision of the director. Affected producer members of the board shall be elected by a majority of the votes cast by the affected producers within the affected district. Each affected producer shall be entitled to one vote. The affected handler member of the board shall be elected by a majority of votes cast by the affected handlers. Each affected handler shall be entitled to one vote.

(b) If a nominee does not receive a majority of the votes on the first ballot a runoff election shall be held by mail in a similar manner between the two candidates for such position receiving the largest number of votes.

(c) Notice of every election for board membership shall be published in a newspaper of general circulation within the affected district not less than ten days in advance of the date of such election. Not less than ten days prior to every election for board membership, the director shall mail a ballot of the candidates to each affected producer and affected handler entitled to vote whose name appears upon the list of such affected producers

and affected handlers maintained by the director in accordance with RCW 15.65.200. Any other affected producer or affected handler entitled to vote may obtain a ballot by application to the director upon establishing his qualifications. Nonreceipt of a ballot by an affected producer or affected handler shall not invalidate the election of any board member.

(7) **Vacancies prior to election.** In the event of a vacancy on the board, the remaining members shall select a qualified person to fill the unexpired term.

(8) **Quorum.** A majority of the members shall constitute a quorum for the transaction of all business and the carrying out of all duties of the board.

(9) **Board compensation.** No member of the board shall receive any salary or other compensation, but each member shall receive ten dollars for each day in actual attendance on or traveling to and from meetings of the board or on special assignment for the board, together with subsistence and traveling expense at the rate allowed by law to state employees: *Provided*, That the method of determining whether per diem rates or actual subsistence and lodging shall be allowed shall be determined by resolution or rule of the board in advance of the incurrence of such expenses by a board member.

(10) **Powers and duties of the board.** The board shall have the following powers and duties:

(a) To administer, enforce and control the provisions of this order as the designee of the director.

(b) To elect a chairman and such other officers as the board deems advisable.

(c) To employ and discharge at its discretion such personnel, including attorneys engaged in the private practice of law subject to the approval and supervision of the attorney general, as the board determines are necessary and proper to carry out the purpose of the order and effectuate the declared policies of the act.

(d) To pay only from moneys collected as assessments or advances thereon the costs arising in connection with the formulation, issuance, administration and enforcement of the order. Such expenses and costs may be paid by check, draft or voucher in such form and in such manner and upon the signature of the person as the board may prescribe.

(e) To reimburse any applicant who has deposited money with the director in order to defray the costs of formulating the order: *Provided*, That the total reimbursement to all applicants shall not exceed two thousand dollars.

(f) To establish a "Dry pea and lentil board marketing revolving fund" and such fund to be deposited in a bank or banks or financial institution or institutions, approved for the deposit of state funds, in which all money received by the board, except as the amount of petty cash for each day's needs, not to exceed one hundred dollars, shall be deposited each day or as often during the day as advisable.

(g) To keep or cause to be kept in accordance with accepted standards of good accounting practice, accurate records of all assessments, collections, receipts, deposits, withdrawals, disbursements, paid outs, moneys and other financial transactions made and done pursuant to this

order. Such records, books and accounts shall be audited at least annually subject to procedures and methods lawfully prescribed by the state auditor. Such books and accounts shall be closed as of the last day of each fiscal year of the state of Washington. A copy of such audit shall be delivered within thirty days after the completion thereof to the governor, the director, the state auditor and the board.

(h) To require a bond of all board members and employees of the board in a position of trust in the amount the board shall deem necessary. The premium for such bond or bonds shall be paid by the board from assessments collected. Such bond shall not be necessary if any such board member or employee is covered by any blanket bond covering officials or employees of the state of Washington.

(i) To prepare a budget or budgets covering anticipated income and expenses to be incurred in carrying out the provisions of the order during each fiscal year.

(j) To establish by resolution, a headquarters which shall continue as such unless and until so changed by the board. All records, books and minutes of board meetings shall be kept at such headquarters.

(k) To adopt rules and regulations of a technical or administrative nature, subject to the provisions of chapter 34.04 RCW (Administrative Procedure Act.)

(l) To carry out the provisions of RCW 15.65.510 covering the obtaining of information necessary to effectuate the provisions of the order and the act, along with the necessary authority and procedure for obtaining such information.

(m) To bring actions or proceedings upon joining the director as a party for specific performance, restraint, injunction or mandatory injunction against any person who violates or refuses to perform the obligations or duties imposed upon him by the act or order.

(n) To confer with and cooperate with the legally constituted authorities of other states and of the United States for the purpose of obtaining uniformity in the administration of federal and state marketing regulations, licenses, agreements or orders.

(o) To carry out any other grant of authority or duty provided designees and not specifically set forth in this section.

(11) **Procedures for board.**

(a) The board shall hold regular meetings, at least quarterly, with the time and date thereof to be fixed by resolution of the board.

(b) The board shall hold an annual meeting, at which time an annual report will be presented. The proposed budget shall be presented for discussion at the meeting. Notice of the annual meeting shall be given by the board at least ten days prior to the meeting through regular wire news services and radio-television press.

(c) The board shall establish by resolution, the time, place and manner of calling special meetings with reasonable notice to the members: *Provided*, That the notice of any special meeting may be waived by a waiver thereof by each member of the board. [Statutory Authority: Chapter 15.65 RCW. 82-15-020 (Order 1768),

§ 16-536-020, filed 7/13/82; Marketing Order Article II, §§ A through K, filed 3/26/65.]

WAC 16-536-040 Assessments and collections. (1) Assessments.

(a) The fixed annual assessment on all varieties of dry peas and dry lentils subject to this marketing order shall be as follows:

(i) Austrian and all other winter varieties – six cents per affected unit cleaned.

(ii) All other dry peas, including chick peas – seven cents per affected unit cleaned, except commercial wrinkled pea seed, which shall be five cents per affected unit cleaned: *Provided*, That such assessment on commercial wrinkled pea seed shall not become effective unless approved by a referendum vote of the affected wrinkled pea seed producers.

(iii) All varieties of dry lentils – eight cents per affected unit cleaned.

(b) Such assessments shall not be payable on any such dry peas and/or lentils used by the producer thereof on his premises for feed, seed and personal consumption.

(c) Handlers shall collect producer assessments from producers whose production they handle and remit the same to the board in accordance with procedures adopted by the board.

(2) **Collections.** Any moneys collected or received by the board pursuant to the provisions of the order during or with respect to any season or year may be refunded on a pro rata basis at the close of such season or year or at the close of such longer period as the board determines to be reasonably adapted to effectuate the declared policies of this act and the purposes of such marketing agreement or order, to all persons from whom such moneys were collected or received, or may be carried over into and used with respect to the next succeeding season, year or period whenever the board finds that the same will tend to effectuate such policies and purposes.

(3) **Penalties.** Any due and payable assessment herein levied in such specified amount as may be determined by the board pursuant to the provisions of the act and the order, shall constitute a personal debt of every person so assessed or who otherwise owes the same, and the same shall be due and payable to the board when payment is called for by it. In the event any person fails to pay the board the full amount of such assessment or such other sum on or before the date due, the board may, and is hereby authorized to add to such unpaid assessment or sum an amount not exceeding ten percent of the same to defray the cost of enforcing the collecting of the same. In the event of failure of such person or persons to pay any such due and payable assessment or other such sum, the board may bring a civil action against such person or persons in a state court of competent jurisdiction for the collection thereof, together with the above specified ten percent thereon, and such action shall be tried and judgment rendered as in any other cause of action for debt due and payable. [Statutory Authority: Chapter 15.65 RCW. 82-15-020 (Order 1768), § 16-536-040, filed 7/13/82; Order 1533, § 16-536-040, filed 6/8/77;

Marketing Order Article IV, §§ A through C, filed 3/26/65.]

Chapter 16-561 WAC

WASHINGTON RASPBERRY COMMISSION

WAC

16-561-040 Assessments and collections.

WAC 16-561-040 Assessments and collections. (1) Assessments.

(a) The annual assessment on all varieties of raspberries shall be one-half cent per affected unit (pound).

(b) For the purpose of collecting assessments, the board may:

(i) Require handlers to collect producer assessments from producers whose production they handle, and remit the same to the board; or

(ii) Require the person subject to the assessment to give adequate assurance or security for its payment.

(c) Subsequent to the first sale, no affected units shall be transported, carried, shipped, sold, marketed, or otherwise handled or disposed of until every due and payable assessment herein provided for has been paid and the receipt issued. The foregoing shall include all affected units shipped or sold, both inside and outside the state.

(2) **Collections.** Any moneys collected or received by the board pursuant to the provisions of the order during or with respect to any season or year, may be refunded on a prorata basis at the close of such season or year or at the close of such longer period as the board determines to be reasonably adapted to effectuate the declared policies of this act and the purposes of such marketing agreement or order, to all persons from whom such moneys were collected or received or may be carried over into and used with respect to the next succeeding season, year, or period whenever the board finds that the same will tend to effectuate such policies and purposes.

(3) **Penalties.** Any due and payable assessment herein levied in such specified amount as may be determined by the board pursuant to the provisions of the act and the order, shall constitute a personal debt of every person so assessed or who otherwise owes the same, and the same shall be due and payable to the board when payment is called for by it. In the event any person fails to pay the board the full amount of such assessment or such other sum on or before the date due, the board may, and is hereby authorized to, add to such unpaid assessment or sum an amount not exceeding ten percent of the same to defray the cost of enforcing the collecting of the same. In the event of failure of such person or persons to pay any such due and payable assessment or other such sum, the board may bring a civil action against such person or persons in a state court of competent jurisdiction for the collection thereof, together with the above specified ten percent thereon, and such action shall be tried and judgment rendered as in any other cause of action for debt due and payable. [Statutory Authority: Chapter

15.65 RCW. 81-09-003 (Order 1728), 16-561-040, filed 4/6/81; Order 1478, § 16-561-040, filed 7/29/76.]

Chapter 16-565 WAC

WASHINGTON CRANBERRY COMMISSION

WAC

16-565-041 Time, place, and method for payment and collection of assessments.

WAC 16-565-041 Time, place, and method for payment and collection of assessments. Effective with the 1981 crop, the following procedure is established for the reporting and payment of assessments levied pursuant to RCW 15.65.410 and WAC 16-565-040:

(1) All first handlers of cranberries for resale or for processing shall withhold the amount of the assessment from their remittance to growers and transmit same to the commission. All such assessments are due and payable on or before February 28 following the harvest period.

(2) All growers selling cranberries other than to first handlers for resale, including selling direct or through brokers, and including all sales at retail, shall pay the assessment directly to the commission on or before February 28 following the harvest period.

(3) Any assessment paid after the above deadline shall be accompanied by a penalty fee of ten percent as provided for in RCW 15.65.440. [Statutory Authority: RCW 15.65.410. 81-19-109 (Order 1, Resolution 1), § 16-565-041, filed 9/22/81.]

Chapter 16-608 WAC

SPECIAL LIVESTOCK SALES

WAC

16-608-001 Definitions.
16-608-010 Special permits.
16-608-020 Membership.

WAC 16-608-001 Definitions. For the purpose of these regulations:

(1) "Farmers cooperative association" means any properly incorporated cooperative association whose membership is made up of livestock producers.

(2) "Association of livestock breeders" means any properly incorporated association whose membership is made up of livestock breeders. In addition, all definitions contained in RCW 16.65.010 shall apply. [Statutory Authority: Chapter 16.65 RCW. 81-05-010 (Order 1720), § 16-608-001, filed 2/9/81.]

WAC 16-608-010 Special permits. Any farmers cooperative association or association of livestock breeders, or farmer selling his own livestock on his own premises by auction or any other method, who is requesting the approval of the director for a special sale, shall make such request in writing at least fifteen days prior to such proposed sale date and such sale date shall be approved

subject to the discretion of the director. [Statutory Authority: Chapter 16.65 RCW. 81-05-010 (Order 1720), § 16-608-010, filed 2/9/81.]

WAC 16-608-020 Membership. For the purpose of assuring that any sale proposed by a farmers cooperative association or association of livestock breeders is limited to the sale of their own livestock, any such association may be required to verify to the director that any person offering livestock for sale in such special sale was a member of the association at the time of the filing of any consignment application, contract or commitment. [Statutory Authority: Chapter 16.65 RCW. 81-05-010 (Order 1720), § 16-608-020, filed 2/9/81.]

Chapter 16-620 WAC

RELATING TO BRAND INSPECTION

WAC

16-620-100 Prescribed certificate of permit and bill of sale form.
16-620-210 Purchase of official forms.
16-620-255 Repealed.
16-620-280 Inspection—Annual and lifetime certificates.
16-620-290 Fees—Regular inspection points.
16-620-300 Other inspection points.
16-620-310 Repealed.
16-620-340 Inspection, special sales.
16-620-360 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

16-620-255 Brand identification on horses. [Statutory Authority: Chapter 16.57 RCW. 80-07-034 (Order 1707), § 16-620-255, filed 6/17/80.] Repealed by 82-04-001 (Order 1753), filed 1/21/82. Statutory Authority: Chapter 16.57 RCW.
16-620-310 Further inspection points. [Order 1379, § 16-620-310, filed 11/6/74.] Repealed by 82-04-001 (Order 1753), filed 1/21/82. Statutory Authority: Chapter 16.57 RCW.
16-620-360 Change of ownership. [Statutory Authority: Chapter 16.57 RCW. 80-07-034 (Order 1707), § 16-620-360, filed 6/17/80; Order 1379, § 16-620-360, filed 11/6/74.] Repealed by 82-04-001 (Order 1753), filed 1/21/82. Statutory Authority: Chapter 16.57 RCW.

WAC 16-620-100 Prescribed certificate of permit and bill of sale form. The certificate of permit and bill of sale form incorporated herein shall constitute the official form prescribed by the director under the provisions of RCW 16.57.240. Such form shall represent a bill of sale only after it has been presented to a brand inspector for validation and has been validated within seven days of the sale of cattle subject to brand inspection under the provisions of RCW 16.57.160 and WAC 16-620-020.

STATE OF WASHINGTON No.
DEPARTMENT OF AGRICULTURE
CERTIFICATE OF PERMIT OR BILL OF SALE

Required for transportation of cattle, hides, or carcasses within Washington State.

May be used for change of ownership of cattle or horses inspected by a Washington State Brand Inspector.

Validation by brand inspector required for bill of sale only

Owner	Date
<hr/>	
Sold to	City
<hr/>	
Point of Origin (Nearest Post Office)	County
<hr/>	
Destination (Consigned to)	City
<hr/>	
Hauled by (Signature)	
<hr/>	
Vehicle License No.	State
<hr/>	
No. of Livestock Breed Sex Brand Brand Location	
<hr/>	
<hr/>	
<hr/>	
Are the above cattle subject to a lien or mortgage? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Failure to disclose the existence of a lien or mortgage to a public livestock market constitutes a gross misde- meanor (RCW 16.65.150)	
I certify that I am the owner of the described livestock* <hr/>	
Address of Owner	City
<hr/>	

*If submitted by an authorized
agent on behalf of the owner
agent must sign here

When presented as proof of ownership at a public live-
stock market or slaughterhouse, the document becomes a
record of the Washington State Department of Agricul-
ture. Any person who falsifies or forges such a public
document is guilty of a felony. (RCW 40.16.630) [RCW
40.16.030].

AGR-070-7020 (Rev.8-81)

PLEASE PRINT CLEARLY

[Statutory Authority: RCW 16.57.160 and 16.57.240.
81-19-026 (Order 1748), § 16-620-100, filed 9/9/81.
Statutory Authority: Chapter 16.57 RCW. 79-07-098
(Order 1590), § 16-620-100, filed 6/29/79; Order
1167, § 16-620-100, filed 11/16/70, effective
12/17/70.]

Reviser's note: RCW 40.16.630, referred to in the above section,
does not exist. The intended reference appears to be to RCW 40.16-
.030, set forth in brackets.

WAC 16-620-210 Purchase of official forms. Books
of the official certificate of permit and bill of sale shall
be obtained from the regulatory services division of the
department of agriculture upon payment of one dollar.
[Statutory Authority: Chapter 16.57 RCW. 82-04-001

(Order 1753), § 16-620-210, filed 1/21/82. Statutory
Authority: RCW 16.57.160 and 16.57.240. 81-19-026
(Order 1748), § 16-620-210, filed 9/9/81; Order 1266,
§ 16-620-210, filed 5/18/72, effective 7/1/72.]

WAC 16-620-255 Repealed. See Disposition Table
at beginning of this chapter.

**WAC 16-620-280 Inspection--Annual and lifetime
certificates.** Pursuant to the provisions of chapter 296,
Laws of 1981, the owner of any horse may apply for an
annual or lifetime identification certificate. The fee for
an annual certificate shall be three dollars for any horse
bearing a brand readily visible and currently registered
with the director under the provisions of chapter 16.57
RCW or five dollars for any other horse. The fee for a
lifetime certificate shall be seven dollars and fifty cents
for any horse bearing a brand readily visible and cur-
rently registered with the director under the provisions
of chapter 16.57 RCW or twelve dollars and fifty cents
for any other horse. In the event the fees collected do not
cover the cost of the inspector in performing any such
inspection, an additional charge may be added at actual
costs. [Statutory Authority: Chapter 16.57 RCW. 82-
04-001 (Order 1753), § 16-620-280, filed 1/21/82;
Order 1379; § 16-620-280, filed 11/6/74.]

WAC 16-620-290 Fees--Regular inspection points.
The fee for identifying horses bearing individual identi-
fication symbols, as defined in chapter 16.57 RCW, at
public livestock markets and slaughterhouses shall be
two dollars per animal inspected and the fee for all other
horses shall be one dollar per animal inspected. Such in-
spection fees shall be applicable only during the sched-
uled time which the director of agriculture has
established as regular brand inspecting time at each such
public livestock market or slaughterhouse. Inspection
performed upon request during any other time at such
public livestock markets or slaughterhouses shall be ac-
tual costs. [Statutory Authority: Chapter 16.57 RCW.
82-04-001 (Order 1753), § 16-620-290, filed 1/21/82;
Order 1379, § 16-620-290, filed 11/6/74.]

WAC 16-620-300 Other inspection points. An in-
spection point shall also include a point agreed to by the
director when such point is to the economic advantage of
the department of agriculture in performing the inspec-
tion at such point. An inspection point shall include any
point mutually agreed to by the director and more than
one horse owner for the purpose of having multiple horse
inspections which would be of economic advantage to
the department in performing the inspection service. The
cost of brand inspection at such points shall be two dol-
lars per animal for any horse bearing an individual
identification symbol, as defined in chapter 16.57 RCW,
or one dollar per animal for any other horse. In the
event the fees collected do not cover the cost of the in-
spector in performing any such inspection, an additional
charge may be added at actual costs. [Statutory Au-
thority: Chapter 16.57 RCW. 82-04-001 (Order 1753),

§ 16-620-300, filed 1/21/82; Order 1379, § 16-620-300, filed 11/6/74.]

WAC 16-620-310 Repealed. See Disposition Table at beginning of this chapter.

WAC 16-620-340 Inspection, special sales. Inspection shall be mandatory at all special horse sales wherein horses of more than one owner are offered for sale either by private treaty or auction. Inspection charges at any such sale shall be collected and paid to the department of agriculture by the person or business entity conducting the sale. The department of agriculture may require the prepayment of said inspection charges. The charge for inspection at special sales shall be two dollars per animal for any horse bearing an individual identification symbol, as defined in chapter 16.57 RCW, or one dollar per animal for any other horse. If the inspection charges do not cover the total cost incurred by the department, the remainder shall be the responsibility of the person or business entity conducting the sale at actual cost. [Statutory Authority: Chapter 16.57 RCW. 82-04-001 (Order 1753), § 16-620-340, filed 1/21/82; Order 1379, § 16-620-340, filed 11/6/74.]

WAC 16-620-360 Repealed. See Disposition Table at beginning of this chapter.

Chapter 16-750 WAC

NOXIOUS WEED CONTROL BOARD--PROPOSED NOXIOUS WEED LIST

WAC 16-750-010 Proposed noxious weed list.

WAC 16-750-010 Proposed noxious weed list. In accordance with RCW 17.10.080, a proposed noxious weed list comprising the names of those plants which the noxious weed control board finds to be injurious to crops, livestock, or other property is hereby adopted as follows:

English or Common Name	Botanical or Scientific Name
Perennial weeds	
Baby's Breath	Gypsophila paniculata
Bindweed, field	Convolvulus arvensis
Blue Lettuce	Lactuca pulchella
Bluweed, Texas	Helianthus ciliaris
Bracken, western	Pteridium aquilinum
Canada Thistle	Cirsium arvense
Dalmation Toadflax	Linaria dalmatica
Gorse	Ulex europaeus
Hoary Cress or White Top	Cardaria draba
Johnsongrass	Sorghum halepense
Knapweed, diffuse	Centaurea diffusa
Knapweed, Russian	Centaurea repens
Leafy Spurge	Euphorbia esula
Lupine	Lupinus spp.
Nightshade, bitter	Solanum dulcamara
Nutsedge, yellow	Cyperus esculentus
Oxeye Daisy	Chrysanthemum leucanthemum
Pepperweed, perennial	Lepidium latifolium
Rush Skeletonweed	Chondrilla juncea

English or Common Name	Botanical or Scientific Name
St. Johnswort	Hypericum perforatum
Scotch Broom	Cytisus scoparius
Sowthistle, perennial	Sonchus arvensis
Tansy, common	Tanacetum vulgare
Waterhemlock, western	Cicuta douglasii
Watermilfoil, Eurasian	Myriophyllum spicatum
Wormwood, Absinthe	Artemisia absinthium
Yellow Toadflax	Linaria vulgaris

Biennial Weeds

Bull Thistle	Cirsium vulgare
Houndstongue	Cynoglossum officinale
Knapweed, spotted	Centaurea maculosa
Musk Thistle	Carduus nutans L.
Plumeless Thistle	Carduus acanthoides
Poison Hemlock	Conium maculatum
Scotch Thistle	Onopordum acanthium
Tansy Ragwort	Senecio jacobaea

Annual Weeds

Cocklebur	Xanthium spp.
Dodder	Cuscuta spp.
Goatgrass, jointed	Aegilops cylindrica
Hemp (Marijuana)	Cannabis sativa
Kochia	Kochia scoparia
Medusahead	Taeniatherum asperum
Puncturevine	Tribulus terrestris
Rye	Secale cereale L.
Sandbur, longspine	Cenchrus longispinus
Yellow Starthistle	Centaurea solstitialis

[Statutory Authority: RCW 17.10.080. 82-06-045 (Order 13, Resolution No. 13), § 16-750-010, filed 3/3/82. Statutory Authority: Chapter 17.10 RCW. 81-07-039 (Order 12, Resolution 12), § 16-750-010, filed 3/13/81; 80-03-075 (Order 11, Resolution 11), § 16-750-010, filed 2/29/80; 78-06-014 (Order 10, Resolution 10), § 16-750-010, filed 5/10/78; Order 8, § 16-750-010, filed 3/1/77; Order 7, § 16-750-010, filed 4/15/76; Order 5, § 16-750-010, filed 3/7/75; Order 4, § 16-750-010, filed 3/27/74; Order 3, § 16-750-010, filed 4/3/73; Order 2, § 16-750-010, filed 3/16/72; Order 1, § 16-750-010, filed 4/9/71.]

Title 24 WAC

APPLE ADVERTISING COMMISSION

Chapters

24-12 Assessments.

Chapter 24-12 WAC ASSESSMENTS

WAC 24-12-010	Amount of assessments.
24-12-011	Referendum mail ballot voting eligibility.

WAC 24-12-010 Amount of assessments. There is hereby levied upon all fresh apples grown annually in this state, and upon all apples packed as Washington apples, an assessment of 32.6 cents on each one hundred