

# Chapter 16-322 WAC

## CERTIFICATION OF MINT PLANTING STOCK

### WAC

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### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

16-322-001	Promulgation. [Order 1087, § 16-322-001, filed 4/24/68, effective 5/24/68; Order 1017, filed 5/20/66; Order 952, Promulgation, filed 7/17/64; Order 888, Promulgation, filed 6/4/62.] Repealed by 00-23-095, filed 11/21/00, effective 12/22/00. Statutory Authority: Chapter 15.14 RCW.
16-322-020	Requirements for the production of certified mint rootstock. [Order 1017, Regulation 3, filed 5/20/66; Order 952, Regulation 3, filed 7/17/64; Order 888, Regulation 3, filed 6/4/62.] Repealed by 85-15-017 (Order 1865), filed 7/8/85. Statutory Authority: Chapter 15.14 RCW.
16-322-030	Field standards. [Order 888, Regulation 5, filed 6/4/62.] Now codified within WAC 16-322-035.

**WAC 16-322-010 Mint planting stock certification—Applications and fees.** (1) Mint planting stock may be designated as foundation stock, registered stock or certified stock if the planting stock and plants from which it has been propagated have been inspected, tested and determined to meet the requirements of this chapter.

(2) The applicant must furnish all information requested on the application for certification, including, but not limited to, the crop, variety, class planted, date planted, source of seed or plants, acreage, field number, applicant's name and address, applicant's signature, and date of application. The applicant must allow the department to take plants or plant parts from any planting for examination and/or testing. Application for inspection and testing of registered and certified stock must be filed with the Washington State Department of Agriculture, Plant Services Program, P.O. Box 42560, Olympia, WA 98504-2560 by May 1 of each year, accompanied by a seventy-five dollar application fee.

(3) Payment is due and payable upon completion of any service. Bill may be arranged subject to department policies and procedures.

(4) The department will remove any applicant from the certification program for nonpayment of fees.

[Statutory Authority: Chapter 15.14 RCW. 00-23-095, § 16-322-010, filed 11/21/00, effective 12/22/00; 85-15-017 (Order 1865), § 16-322-010, filed 7/8/85; Order 1017, Regulation 5, filed 5/20/66; Order 952, Regulation 5, filed 7/17/64; Order 888, Regulation 1, filed 6/4/62.]

**WAC 16-322-012 Definitions.** (1) "Certified planting stock" means planting stock produced directly from registered planting stock in compliance with this chapter.

(11/21/00)

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

(3) "Foundation planting stock" means planting stock originating directly from healthy clones maintained by Washington State University or other equivalent sources approved by the department.

(4) "Mint flea beetle" means the insect *Langitarsus ferrugineus*.

(5) "Mint planting stock" means any plant or propagative plant part of the genus *Mentha*.

(6) "Mint root borer" means the insect *Fumibotys fumalis*.

(7) "Mint rust" means the disease caused by the fungal organism *Puccinia menthae* Pers.

(8) "Mint stem borer" means the insect *Pseudogaris nigrina*.

(9) "Noxious weed" means a plant that when established is highly destructive, competitive, or difficult to control by cultural or chemical practices.

(10) "Off-type" means appearing under visual examination to be different from the species or variety listed on the application for registration or certification, or exhibiting symptoms of a genetic or nontransmissible disorder.

(11) "Registered planting stock" means planting stock produced directly from foundation planting stock in compliance with this chapter.

(12) "Root knot nematode" means the nematode *Meloidogyne hapla*.

(13) "Root lesion nematode" means any nematode of the genus *Pratylenchus*.

(14) "Strawberry root weevil" means the insect *Otiorynchus ovatus*.

(15) "Verticillium wilt" means the disease caused by the fungus *Verticillium dahliae*.

[Statutory Authority: Chapter 15.14 RCW. 00-23-095, § 16-322-012, filed 11/21/00, effective 12/22/00; 85-15-017 (Order 1865), § 16-322-012, filed 7/8/85; Order 1017, Regulation 1, filed 5/20/66; Order 952, Regulation 1, filed 6/4/62.]

**WAC 16-322-015 Requirements for the production of registered and certified mint rootstock.** (1) Planting sites for production of certified or registered mint planting stock must be inspected and approved by the department at least thirty days prior to planting. At a minimum, land for a planting site must fulfill all of the following conditions:

(a) It must not have grown mint previously;

(b) It must be free of noxious weeds;

(c) It must be at least five thousand feet from any field infested with verticillium wilt of mint; and

(d) It must be at least one thousand feet from any mint field not of equal standard.

(2) In all cases where adjoining fields are planted with different species or varieties of mint, the fields must be separated by a minimum of twenty feet to prevent mechanical

mixing during harvesting and transport of mint planting stock.

(3) Soil borne insects, noxious weeds and nematodes must be controlled.

(4) Fields must be free of off-type mint plants.

(5) Roguing certified or registered mint fields without permission of the department is prohibited.

(6) Hay from registered planting stock fields may be harvested for oil if the harvesting equipment is sterilized prior to entry into the registered field by steam cleaning or by other methods approved by the department.

(7) All sanitation methods and procedures must be approved by the department.

(8) All sources of water used to irrigate certified or registered planting stock fields must be approved by the department.

(9) Harvesting equipment must be sterilized by steam cleaning, or other approved methods before being used on another lot or farm.

[Statutory Authority: Chapter 15.14 RCW. 00-23-095, § 16-322-015, filed 11/21/00, effective 12/22/00; 85-15-017 (Order 1865), § 16-322-015, filed 7/8/85; Order 1087, § 16-322-015, filed 4/24/68, effective 5/24/68; Order 1017, Regulation 2, filed 5/20/66; Order 952, Regulation 2, filed 7/17/64; Order 888, Regulation 2, filed 6/4/62.]

**WAC 16-322-025 Mint planting stock inspections.** (1)

The department will conduct a minimum of two field inspections of registered and certified mint planting stock at times when plants are likely to express symptoms or damage from verticillium wilt, mint root borer, mint flea beetle, mint stem borer, strawberry root weevil, root knot nematode and root lesion nematode. Additional inspections and tests may be conducted if they are judged necessary by the department.

(a) The department will conduct the first field inspection in or about July. The department will analyze samples for tomato spotted wilt virus, impatiens necrotic spot virus and potato virus Y.

(b) The department will conduct the second field inspection in or about late September. The department will analyze samples of feeder roots from each acre for root knot nematode and root lesion nematode. Samples of stolons will be collected and examined for mint root borers. The department will note the presence of noxious weeds.

(2) The department will inspect certified and registered mint planting stock after harvest.

(3) All inspections and analyses performed by the department under provisions of this chapter are charged in compliance with provisions of chapter 16-470 WAC.

(4) The department will issue an inspection certificate for each inspection. The inspection certificate will note the presence of pests detected by analysis or visual inspection and, when possible, the level of infestation. Inspection certificates will be furnished to the grower, and copies will be available upon request to any other person.

(5) It is the responsibility of the grower to notify the department before mint hay is cut, so that the required inspections can be performed.

(6) Certification may be denied if the department is unable to complete the required field or post harvest inspections.

[Statutory Authority: Chapter 15.14 RCW. 00-23-095, § 16-322-025, filed 11/21/00, effective 12/22/00; 85-15-017 (Order 1865), § 16-322-025, filed 7/8/85; Order 1017, Regulation 4, filed 5/20/66; Order 952, Regulation 4, filed 7/17/64; Order 888, Regulation 4, filed 6/4/62.]

**WAC 16-322-035 Washington standards for mint planting stock.** (1) **Washington No. 1** mint planting stock

consists of mint rhizomes with similar varietal characteristics which are (a) fresh, (b) firm, (c) moist, (d) free of mold, (e) free of detectable, detrimental insects, nematodes, diseases and other pests, and (f) reasonably free of excess soil.

(2) **Tolerances.** In order to allow for variations incident to proper grading and packing, not more than a combined total of five percent, by count, of the rhizomes in any lot may fail to meet the requirements of Washington No. 1 as defined in this section.

(3) **Specific requirements.**

Pests and Diseases	Tolerance for:		
	Foundation planting stock	Registered planting stock	Certified planting stock
Mint flea beetle	0	0	1%
Rootknot nematode	0	0	0
Verticillium wilt	0	0	0
Mint rust	Trace	Trace	1%
Other pests and diseases	1%	1%	1%

[Statutory Authority: Chapter 15.14 RCW. 00-23-095, § 16-322-035, filed 11/21/00, effective 12/22/00; 85-15-017 (Order 1865), § 16-322-035, filed 7/8/85; Order 1087, § 16-322-035, filed 4/24/68, effective 5/24/68; Order 1017, Regulation 6, filed 5/20/66; Order 952, Regulation 6, filed 7/17/64; Emergency Order 949, filed 5/18/64; Order 888, Regulations 5 and 6, filed 6/4/62.]

**WAC 16-322-040 Certifying agency issuance of certificate.** (1) Issuance of a state of Washington certified plant tag, stamp or other document under this chapter means only that the tagged, stamped or otherwise documented mint planting stock has been subjected to procedures and requirements described in this chapter and determined to be in compliance with its standards and requirements. The department disclaims all express or implied warranties, including without limitation, implied warranties of merchantability and fitness for particular purpose, regarding all plants, plant parts, and plant materials under this chapter.

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

(3) Participation in the mint planting stock certification program is voluntary.

[Statutory Authority: Chapter 15.14 RCW. 00-23-095, § 16-322-040, filed 11/21/00, effective 12/22/00; 85-15-017 (Order 1865), § 16-322-040, filed 7/8/85; Order 1017 (part), filed 5/20/66; Order 952 (part), filed 7/17/64; Order 888, Regulation 7 (part), filed 6/4/62.]

**WAC 16-322-045 Identification and movement of mint rootstock.** (1) The department will issue a certificate for mint planting stock that meets the requirements of this chapter and will authorize the use of official certificates and seals for the identification of such planting stock. The certifi-

icate will indicate presence of noxious weeds at the final field inspection and the level of infection by pests listed in WAC 16-322-025(1).

(2) Any person selling certified mint planting stock is responsible for the identity of the planting stock bearing each certificate and for such planting stock meeting the requirements of the certification program. Persons issued certificates authorized by the program must account for all planting stock produced and sold and must keep and allow the department to examine all necessary records.

(3) All registered and certified mint planting stock moving from the place of origin must be conveyed in clean trucks and covered by new plastic or clean canvas tarps and properly sealed.

(4) The department will deny certification for any mint planting stock that fails to meet the minimum standards, tolerances and criteria established in this chapter.

[Statutory Authority: Chapter 15.14 RCW. 00-23-095, § 16-322-045, filed 11/21/00, effective 12/22/00; 85-15-017 (Order 1865), § 16-322-045, filed 7/8/85; Order 1087, § 16-322-045, filed 4/24/68, effective 5/24/68; Order 1017, Regulation 7, filed 5/20/66; Order 952, Regulation 7, filed 7/17/64; Emergency Order 949, filed 5/18/64; Subsection (1) from Order 888, Regulation 7, filed 6/4/62.]