

Chapter 16-325 WAC
SEED POTATO ISOLATION DISTRICT

Last Update: 8/15/23

WAC

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WAC 16-325-005 Promulgation—Establishing an isolation district.

The production of high quality seed potatoes within the state requires conditions that are as free as possible from insect pests and plant diseases. The production of other potatoes intermixed with or in close proximity to a concentrated seed potato production area poses an increased risk of introduction of insect pests and plant diseases. To mitigate this problem this chapter establishes a seed potato isolation district requiring commercial potato production within the boundaries to be enrolled in the seed potato certification program.

[Statutory Authority: Chapter 15.15 RCW. WSR 98-09-071, § 16-325-005, filed 4/20/98, effective 5/21/98.]

WAC 16-325-010 Definitions. The definitions in this section shall apply throughout this chapter.

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

(2) "Director" means the director of the department of agriculture or a duly appointed representative.

(3) "Potato" means plants or plant parts of *Solanum tuberosum*.

(4) "Seed potatoes" means vegetatively propagated tubers of *Solanum tuberosum* used for propagation, research, breeding, or production.

(5) "Seed potato certification program" means the program in which certified seed potatoes are produced, as set forth in chapter 16-324 WAC.

[Statutory Authority: RCW 15.14.015, 15.15.010, 17.24.011, and 17.24.041. WSR 23-17-083, § 16-325-010, filed 8/15/23, effective 9/15/23. Statutory Authority: Chapter 15.15 RCW. WSR 98-09-071, § 16-325-010, filed 4/20/98, effective 5/21/98.]

WAC 16-325-015 Regulated area. The seed potato isolation district consists of that area of Whatcom County lying within the following boundaries:

On the west the boundary follows Georgia Straight from the Canadian border south to Slater Road.

On the north the boundary follows the Canadian border from Georgia Straight easterly to South Pass Road.

On the east the boundary follows South Pass Rd. southwesterly to the point where the eastern edge of Range 4 East intersects South Pass Road, then south along the eastern boundary of Range 4 East to the Nooksack River (south of the town of Deming).

On the south the boundary follows the Nooksack River northwesterly to the City of Everson, south from Everson on Mission Road to Smith

Road, westerly on Smith Rd to Interstate 5, southeasterly on Interstate 5 to Slater Road, westerly on Slater Road to Rural Ave., southwesterly on Rural Ave. to Marine Dr., westerly on Marine Dr. to Ferndale Rd., northerly on Ferndale Rd. to Slater then westerly on Slater to Georgia Straight.

[Statutory Authority: Chapter 15.15 RCW. WSR 02-09-030, § 16-325-015, filed 4/9/02, effective 5/10/02; WSR 98-09-071, § 16-325-015, filed 4/20/98, effective 5/21/98.]

WAC 16-325-020 Regulations for potato production within the seed potato isolation district. All potato plantings in excess of one acre must be enrolled in the seed potato certification program described in chapter 16-324 WAC. All commercial potato plantings of one acre or less must either be enrolled in the seed potato certification program or planted exclusively with certified seed potatoes. Affected growers shall be responsible for all associated fees as required in chapter 16-324 WAC. All potatoes entering the isolation district for planting, processing or further sale, except for those intended for immediate human consumption, must be derived from tested mother lots and found negative for bacterial ring rot by an approved laboratory at origin. This requirement does not apply to shipments merely transiting through the district where the potatoes will not be planted, processed, or sold within the district. Shipments entering or transiting through the isolation district must be covered in a manner that safeguards pathogen dispersal.

The receiver must give prior notification to the department of all lots of seed potatoes entering the isolation district and hold all shipments for 24 hours after delivery, to allow the department to contact the receiver for inspection. Notification may be by email or facsimile to:

- Email: PlantServices@agr.wa.gov; or
- Facsimile: 360-902-2094.

Documentation must include bacterial ring rot test results from a laboratory approved by the director and a bill of lading showing address of shipper and receiver.

[Statutory Authority: RCW 15.14.015, 15.15.010, 17.24.011, and 17.24.041. WSR 23-17-083, § 16-325-020, filed 8/15/23, effective 9/15/23. Statutory Authority: Chapter 15.15 RCW. WSR 98-09-071, § 16-325-020, filed 4/20/98, effective 5/21/98.]

WAC 16-325-025 Exceptions. The director may allow the production of potatoes, otherwise prohibited, by special permit. The permit shall specify under what conditions and in what location production will be allowed and must be obtained prior to planting.

[Statutory Authority: Chapter 15.15 RCW. WSR 98-09-071, § 16-325-025, filed 4/20/98, effective 5/21/98.]

WAC 16-325-030 Violations. (1) At the option and expense of the owner or owners or their responsible agents, potatoes shipped into or planted in the isolation district in violation of this chapter may be returned to the point of origin or destroyed. Destruction will be done

in a manner that safeguards pathogen dispersal as approved by the department and shall be monitored by the department.

(2) Anyone violating the terms of this chapter or chapter 16-482 WAC may be subject to civil and/or criminal penalties as provided in law.

[Statutory Authority: RCW 15.14.015, 15.15.010, 17.24.011, and 17.24.041. WSR 23-17-083, § 16-325-030, filed 8/15/23, effective 9/15/23.]