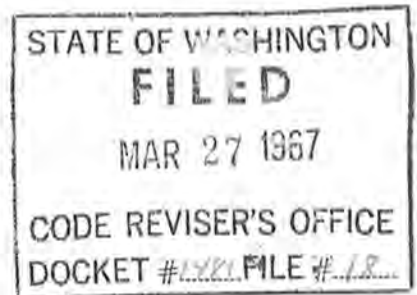


STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 1045

(Supersedes Order No. 969)

Effective May 1, 1967



GENERAL RULES FOR SEED CERTIFICATION

I, Donald W. Moos, Director of Agriculture of the State of Washington by virtue of the authority vested in me under Chapter 15.48 RCW, after due notice as provided under Chapters 42.32 and 34.04 RCW, and a public hearing held in Yakima, Washington on March 8, 1967, do hereby promulgate the following regulations relating to the certification of agricultural seeds:

Regulation 1. General Seed Certification Standards.

Section 1. The purpose of seed certification is to maintain and make available sources of high quality seeds and propagating materials of plant varieties so grown and distributed as to insure genetic identity and genetic purity. The word seed or seeds as used in these standards shall be understood to include all propagating materials.

Section 2. Seed certification in the state of Washington is conducted by the Washington State Department of Agriculture in cooperation with the Washington State Crop Improvement Association, Inc., Institute of Agricultural Sciences, Washington State University, and International Crop Improvement Association, Inc.

1. Certification of field peas, small grain, and sorghum shall be conducted by the Washington State Crop Improvement Association, Inc., as per memorandum of agreement between the Washington State Department of Agriculture and the Washington State Crop Improvement Association, Inc., dated August 19, 1953, vesting the authority with the Washington State Crop Improvement Association, Inc., as agent for the purpose of certifying certain crop seeds.
2. Certification of seeds other than field peas, small grain, and sorghum shall be conducted by the Seed Branch, State Department of Agriculture, Yakima, Washington.
3. The certification of horticultural plants or plant products shall be conducted by the Division of Horticulture, State Department of Agriculture, Olympia, Washington.

Section 3. Only those varieties that are accepted by the certifying agency as meriting certification, in accordance with the criteria listed below shall be eligible for certification. For those crops

where variety review boards do exist, it is recommended that varieties be submitted for review to determine their merit for certification.

A. Acceptance of a variety for certification shall be based on the following:

1. A statement and supporting evidence by the originator, developer or owner requesting certification that the variety has been adequately tested to determine its value and probable area of adaptation, and that it merits certification, and that it is distinguishable from other varieties, as set forth in Article 5, International Code of Nomenclature for Cultivated Plants, which reads as follows:

"The term cultivar (variety) denotes an assemblage of cultivated individuals which are distinguished by any characters (morphological, physiological, cytological, chemical or others) significant for the purposes of agriculture, forestry or horticulture, and which, when reproduced (sexually or asexually) retain their distinguishing features".

2. A statement on origin and breeding procedure.
3. A description of the morphological characteristics, (such as color, height, uniformity, leaf, head or flower characteristics, etc.) physiological characteristics, disease and insect reactions, and any other identifying characteristics of value to field inspectors and such other pertinent factors as the breeder or sponsor considers relevant.
4. Evidence of performance, including data on yield, insect or disease resistance and other factors supporting the value of the variety. These performance tests may be conducted by private seed firms or Agricultural Experiment Stations, and shall include appropriate check varieties which are used extensively in the area of intended usage.
5. A statement giving suggested region of probable adaptation and purposes for which the variety will be used. This shall include where the breeder of the variety has tested it and anticipates recommending and merchandising.
6. Procedure for maintenance of stock seed classes shall be described. At the time a variety is accepted for certification, a sample lot of breeder seed shall be presented to the certifying agency. This to be retained as a control varietal sample against which all future seed stock released for certified seed production may be tested to establish continued trueness of variety.

Section 4. Limitation of Generations:

1. Except as provided elsewhere in this section, the number of generations through which a variety may be multiplied shall

be limited to that specified by the originating breeder or owner of a variety, but shall not exceed two generations beyond foundation seed.

2. The following exceptions to the above limitations of generations are permitted:
 - a. Unlimited recertification of the certified class may be permitted for older crop varieties where foundation seed is not being maintained.
 - b. The production of an additional generation of the certified class may be permitted on a one-year basis when:
 - (1) An emergency is declared prior to the planting season by the certifying agency stating that foundation and registered seed supplies in the United States are not adequate to plant the needed acreage of the variety.
 - (2) Permission of the originating breeder and/or owner of the variety is obtained (if applicable).
 - (3) The additional generation of certified seed produced to meet the emergency need is declared to be ineligible for certification.

Section 5. Four classes of seed shall be recognized in seed certification, namely; breeder, foundation, registered, and certified.

1. Breeder seed is seed or vegetative propagating material directly controlled by the originating, or in certain cases, the sponsoring plant breeder, institution, or firm. Breeder seed supplies the source for the initial and recurring increase of foundation seed.
2. Foundation seed (Identified by White Tags) shall be first-generation seed increased from breeders seed or its equivalent. Production must be carefully supervised and approved by the certifying agency and/or the agricultural experiment station.
3. Registered seed (Identified by Purple Tags) shall be the progeny of foundation seed that is so handled as to maintain satisfactory genetic identity and purity and that has been approved and certified by the certifying agency.
4. Certified seed (Identified by Blue Tags) shall be the progeny of foundation or registered seed that is so handled as to maintain satisfactory genetic identity and purity and that has been approved and certified by the certifying agency.

Section 6. Certification tags, labels, and seals must be obtained from the certifying agency and must be attached to seed containers

under the supervision of or by a representative of the certifying agency

1. Certification tags or labels shall be attached to the container in a manner that prevents easy removal and reattachment.
2. Methods of sealing will depend upon the type of containers used and method of handling.
3. Certified Seed Bulk Sale Certificates may be used in lieu of tags with the approval of the certifying agency.

Section 7. Seed that fails to meet certification requirements because of genetic purity is not eligible for tagging. At the discretion of the certifying agency, seed that fails to meet certification requirements on factors other than genetic purity may be designated substandard. The certification tag or labels attached to such seed shall clearly show the respects in which the seed is substandard.

Section 8. The certifying agency shall have authority to reject from certification any lot of seed not meeting these regulations.

Section 9. The certifying agency reserves the right to refuse certification on any lot of seed if, in the opinion of the certifying agency, the color, appearance or condition of the seed might be detrimental to the certification program.

Section 10. Crops approved for certification for which rules are not in effect may be certified under the latest Minimum Rules for Seed Certification published by the International Crop Improvement Association. Fees for such certification shall be the most applicable fees in effect.

Section 11. Person or company found guilty of violation or misuse or abuse of these regulations shall be subject to prosecution under the Washington State Seed Law.

1. Proof of violation may result in removal of privileges of certifying, dealing in or handling certified seeds for at least one year.

Section 12. The following weeds shall be considered Prohibited Noxious Weeds for the purpose of seed certification:

<u>English or Common</u>	<u>Botanical or Scientific Name</u>
Austrian field cress	Roripa austriaca
Bindweed (wild morning glory)	Convolvulus arvensis
	Convolvulus sepium
Blue flowering lettuce	Lactuca pulchella
Camelthorn	Alhagi camelorum
Canada thistle	Cirsium arvense
Common barberry bushes (rust-susceptible species of barberry and mahonia)	Berberis spp. Mahonia spp.

Dalmation toadflax	Linaria dalmatica
Dodder	Cuscuta spp.
Leafy spurge	Euphorbia esula
Johnson grass	Sorghum halepense
Perennial peppergrass	Lepidium latifolium
Perennial sow thistle	Sonchus arvensis
Quackgrass	Agropyron repens
Russian knapweed	Centaurea repens (C. Picris)
Sorghum alnum	Sorghum alnum
Tansy ragwort	Senecio jacobaea
White horse nettle (Silver- leaf nightshade)	Solanum elaeagnifolium
White-top (hoary cress)	Cardaria Draba, Cardaria Draba var. repens, Cardaria pubescens
Yellow-flowering skeleton weed	Chondrilla juncea L.
Yellow toadflax (butter-and-eggs)	Linaria vulgaris

Section 13. The following weeds shall be considered Objectionable Weeds for the purpose of seed certification:

<u>English or Common Name</u>	<u>Botanical or Scientific Name</u>
Alkali mallow	Sida hederacea
Charlock (wild mustard)	Brassica kaber
Corncockle	Agrostemma githago
Docks	Rumex spp.
Fanweed	Thlaspi arvense
Halogeton	Halogeton glomeratus
Perennial groundcherry	Physalis longifolia and Physalis subglabrata
Perennial nutgrass (nut sedge)	Cyperus rotundus
Perennial rag weed	Ambrosia psilostachya
Plantains	Plantago spp.
Poverty weed (deathweed)	Iva axillaris
Puncturevine	Tribulus terrestris
Sheep sorrel (red sorrel)	Rumex acetosella
St. Johnswort (Klamath-weed)	Hypericum perforatum
Wild garlic (wild onion)	Allium vineale
Wild oats	Avena fatua
Yellow star-thistle	Centaurea solstitialis

Regulation 2. Procedure to follow for certification:

Section 1. Persons who wish to participate in this program must submit applications for seed certification in accordance with the requirements of these regulations and specific rules for each crop. The responsibility for payment of all fees rests with the applicant. (Applications are available from certified seed processors, county agents, or the Seed Branch office in Yakima.)

1. Seedling applications (applications for new planting of alfalfa, clover and grasses) are to be submitted as follows:
 - a. Separate applications must be submitted for each crop.

- b. Applications are due with a \$10.00 application fee within 60 days after planting. Applications may be accepted up to 6 months after planting, however, late applications (those received more than 60 days after planting) are assessed a \$10.00 late application fee.
 - c. Attach official tags from seed stock planted or other verification of seed stock used.
 - d. Additional fees are not required when it is necessary for a grower to reseed due to failure to get a stand. The grower shall advise the certifying agency the date of reseeding, and submit proof of seed stock used to reseed. Reseeding must be done within one year of original planting date.
2. Annual crops, (beans, peas, grain): A producing application must be submitted each year a grower plans to produce seed for certification.
- a. A separate application is required for each crop.
 - b. Attach official tags from seed stock planted or other verification of seed stock used.
3. Perennial crops, (alfalfa, clover, grass): After a stand is established, a renewal application shall be submitted each year that a grower plans to produce seed for certification.
4. Refer to certification regulations for the specific crop you plan to certify.

Section 2. All growers in the certification program shall:

1. Show that reasonable precaution has been taken to control contaminating crops and varieties, noxious weeds and seed-borne diseases.
2. Exercise precaution to prevent crop and lot mixture when harvesting.
3. Identify his crop with the assigned field number on each bag or box he delivers to the processor.
4. Have his seed cleaned at a processing plant which has been approved by the Seed Branch, Department of Agriculture.
5. Obtain approval of the certifying agency to raise more than one variety of the same crop.
6. Obtain approval of the certifying agency to ship seed eligible for certification out-of-state for processing.
(Report forms available from Seed Branch, Box 617, Yakima)
 - a. Advise certifying agency of destination, shipping weight

lot number, field number, expected date of shipment and other information concerning shipment that may be deemed necessary.

- b. Advise certifying agency date of arrival, receiving weight and lot number.
- c. Upon completion of processing, advise certifying agency of clean weight, lot number, screenings weight, bag count and have a sample drawn by a representative of the certifying agency in that state and submit sample to Seed Branch, Box 617, Yakima for testing.
- d. Washington Certification tags and seals will be mailed to nearest representative of the certifying agency if interstate tags are not used.
- e. Applicant is responsible for fees incurred under Washington's certification program and additional fees that may be assessed by any out-of-state cooperating agency.

Section 3. Field inspections shall be made as follows:

1. A seedling field shall be inspected at the most appropriate time after receipt of seedling application. The inspection will be repeated prior to harvest in case the field produces seed the same season.
2. Field inspections shall be made each year that a crop of certified seed is to be produced while the crop is in blossom or when factors affecting certification are most evident.
3. A field will not be eligible for certification unless a field inspection has been made.
4. The unit of certification will be the entire field standing at the time of inspection. A portion of a field may be certified if the area to be certified is clearly defined.
5. A field producing Foundation or Registered seed that warrants a rejection because of noxious weeds may be reclassified to Certified Blue Tag class if upon reinspection these fields meet Certified Blue Tag standards.
6. If a field is rejected, the grower may apply for reinspection after the cause for rejection has been corrected. No more than two reinspections will be granted each field. See Specific crop rules for reinspection fee.

Section 4. The seed processor shall:

1. Notify the Seed Branch, State Department of Agriculture, of their intent to process seed for certification.

2. Request the Seed Branch to inspect their plant to determine if they can be approved to process seed for certification. Upon approval their name shall be added to the list of approved processing plants.
3. Handle all seed for certification in a manner so as to prevent mixture of lots, clearly identifying each lot with a lot number.
4. Show evidence of clean maintenance. Installations shall be easily accessible for cleaning and inspection and all equipment must be thoroughly cleaned between lots.
5. Obtain approval from the certifying agency for handling seed for certification in bulk.
6. Dispose of screenings in compliance with the Washington State Seed Law.
7. Obtain approval from the certifying agency to ship seed for certification out-of-state for processing.
8. Have his permit to process seed for certification rescinded should a subsequent inspection reveal that the processing of seed for certification is not being handled in the manner prescribed when the approval was granted and the operator fails to take corrective measures. The name of this establishment will then be removed from the list of approved processors, and the growers of seed for certification notified of the same.

Section 5. All seed for certification shall be packaged in clean, new containers of uniform weight when tagged and sealed.

Section 6. A representative sample of each lot of seed for certification shall be obtained by the certifying agency for laboratory analysis. The entire lot must be cleaned and in condition for sale at the time of sampling.

Section 7. Analysis of seed samples and definitions of analytical terms shall be in accordance with the rules of the Association of Official Seed Analysts as interpreted by the State and Federal Seed Laws.

Section 8. When harvesting, use clean equipment and take all precautions to prevent mixture. The field number must be put on all containers to insure identity when delivered to the cleaning plant.

Section 9. The applicant may withdraw a field from certification by notifying the certifying agency before the field is inspected. The acreage fee only is refundable.

Section 10. Upon completion of the cleaning process at the cleaning plant, a representative of the certifying agency will obtain a sample of the seed for the purpose of making a purity and germination analysis at the Seed Laboratory.

Section 11. When the purity and germination tests are completed and the seed is found to meet the required standards, certification tags shall be sealed to each bag with the official certification seal.

Regulation 3. Organization for Economic Cooperation and Development Certification Scheme.

1. O.E.C.D. certification is an international certification scheme limited to Federal Government membership. O.E.C.D. certification is implemented in the United States in cooperation with participating states through memorandum of agreement with Agricultural Research Service, U.S.D.A.
2. Only those crop varieties listed in O.E.C.D. publication "List of Cultivars Eligible for Certification Under O.E.C.D. Scheme" will be considered for O.E.C.D. certification in Washington.
3. Seed stock of foreign origin must be officially sealed and carry the white "Basic Seed" tag to be eligible for O.E.C.D. certification. Seed stock of the United States varieties must be Foundation class to be eligible for O.E.C.D. certification.
4. All lots of "Basic Seed" to be used for planting stock must be sampled by the Washington State Department of Agriculture before seals are broken. If this procedure is not followed, the seed will lose its O.E.C.D. eligibility.
5. Certification requirements as listed in Washington certification standards for each specific crop will be followed on all varieties: except seed produced of foreign varieties grown under the O.E.C.D. scheme will be O.E.C.D. certified as to genetic purity only in regard to seed standards. Seed will not be required to meet Washington minimum purity or germination seed standards, however, all seed must be officially sampled and tested prior to tagging.
6. O.E.C.D. tags will be printed and issued according to O.E.C.D. requirements.

I hereby certify that the foregoing is a true and correct copy of the regulations promulgated by the Department of Agriculture.



Donald W. Moos
Director of Agriculture
State of Washington

Signed at Olympia, Washington

Date: _____