

TRANSMITTAL OF RULES ADOPTED

FROM: AGRICULTURE  
(Name of Agency)

TO: CODE REVISER  
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)  
Olympia 98501

The enclosed Permanent rules  , being order No. 1076  
Emergency rules  ,  
relating to (Name of rules or description of subject matter)

Emergency Quarantine Order and Rules and Regulations  
Concerning Bacterial Diseases of Beans and Providing  
Certain Exemptions.

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. \_\_\_\_\_ ① filed with the code reviser  
on \_\_\_\_\_ ② were regularly adopted as permanent rules of this  
(date)  
agency at \_\_\_\_\_ on \_\_\_\_\_ and are herewith  
(place) (date)  
filed in the office of the code reviser pursuant to chapter 34.04  
RCW. The effective date of such rules shall be \_\_\_\_\_ ③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of  
these rules is necessary for the preservation of the public  
health, safety, or general welfare and that observance of the  
requirements of notice and opportunity to present views on  
the proposed action would be contrary to the public interest,  
were regularly adopted as emergency rules of this agency at  
Olympia on 2/7/68 and are herewith filed in  
(place) (date)  
the office of the code reviser pursuant to chapter 34.04 RCW.

Dated this 7th day of February 19 68

STATE OF WASHINGTON  
**FILED**  
FEB 7 1968  
CODE REVISER'S OFFICE  
DOCKET # 1454 FILE # 19

Agriculture  
(AGENCY)  
By [Signature]  
Director  
Title

- ① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
- ② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
- ③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING: RCW 34.04.040. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.



STATE OF WASHINGTON  
OFFICE OF THE GOVERNOR  
OLYMPIA

STATE OF WASHINGTON  
**FILED**  
FEB 7 1968  
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DOCKET #      FILE #

DANIEL J. EVANS  
GOVERNOR

A PROCLAMATION BY THE GOVERNOR

WHEREAS, the bean industry of the State of Washington is of substantial economic importance to the State; and

WHEREAS, it has been determined that certain bacterial diseases, specifically:

Halo Blight, Pseudomonas medicaginis var. phaseolicola  
(Burk.) Dows.,

Common Bean Blight, Xanthomonas phaseoli (E. F. Sm.) Dows.,

Fuscos Blight, Xanthomonas phaseoli var. fuscans (Burk.),

Bean Bacterial Wilt, Corynebacterium flaccumfaciens  
(Hedges) Dows.,

or any variations or new strains of these diseases are very infectious and destructive to the bean industry in areas where it is known to exist; and

WHEREAS, the counties of Adams, Grant, Franklin, and Benton in the State of Washington are substantially free from infection by the above bacterial diseases; and

WHEREAS, most common bean seed producing areas outside the State are partially infected with one or more of the above listed bacterial diseases, and it has been found necessary to control importation of common bean seed into Adams, Benton, Franklin, and Grant counties in order to prevent infection from these bacterial diseases;

NOW, THEREFORE, I, Daniel J. Evans, Governor of the State of Washington hereby proclaim that effective February 7, 1968 any person prior to shipping, moving, or transporting any common beans for planting purposes into the regulated area shall forthwith notify the Department of Agriculture in writing of such person's intent to ship, move, or transport any common beans into said regulated area. Such notice of intent shall be accompanied by a copy of the Phyto-Sanitary Certificate issued for such common beans.

No beans shall be planted in the regulated area which are found to be or are known to be contaminated with the aforementioned diseases.

No common beans shall be shipped, transported, or moved into the regulated area for planting on or after the effective date of this quarantine unless such beans are accompanied by an origin Phyto-Sanitary Certificate showing that such common beans are free from the aforementioned diseases on the basis of at least one field inspection and one windrow inspection; PROVIDED, That the requirement for the windrow inspection portion of the Phyto-Sanitary Certificate requirement may be waived when (1) the bean seed is accompanied by an official certificate, issued by an approved testing agency stating such bean seed is free from the aforementioned diseases, based on an approved laboratory and/or greenhouse test, and/or any other methods approved by the Director, and when (2) said bean seed is planted only in fields entered into either (a) the Washington State Seed Certification program or (b) the Washington State Bean Seed Phyto-Sanitary Certificate program.

The requirement for a Phyto-Sanitary Certificate will be waived for Pinto, Red Mexican, Great Northern, California Pink, California Small White, and Flat Small White beans grown West of the Continental Divide, when the seed is accompanied by an official certificate, issued by an approved testing agency stating such bean seed is free from the aforementioned diseases, based on an approved laboratory and/or greenhouse test, and/or any other methods approved by the Director. Each planting made from said bean seed shall be reported to the Director who shall have authority to enter and inspect said field.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the State of Washington to be affixed at Olympia, this 7th day of February, A.D., nineteen hundred and sixty-eight.



Governor of the State of Washington

BY THE GOVERNOR:



Secretary of State

STATE OF WASHINGTON  
DEPARTMENT OF AGRICULTURE  
OLYMPIA

EMERGENCY  
QUARANTINE ORDER NO. 1076  
(Effective February 7, 1968)

STATE OF WASHINGTON  
**FILED**  
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DOCKET # FILE #

Superseding Quarantine Order No. 1013 and Rules and Regulations Concerning Bacterial Diseases of Beans and Providing Certain Exemptions.

WHEREAS, the bacterial diseases known as: Halo Blight Pseudomonas medicaginis var. phaseolicola (Burk.) Dows., Common Bean Blight Xanthomonas phaseoli (E.F.Sm.) Dows., Fuscous Blight Xanthomonas phaseoli var. fuscans (Burk.), Bean Bacterial Wilt Corynebacterium flaccumfaciens (Hedges) Dows., and any new strains or variations of the above diseases hereinafter referred to as bacterial diseases are injurious to the species of beans (Phaseolus sp.); and

WHEREAS, when common beans are infected with the said bacterial diseases their production is greatly reduced and their use for seed purposes would further spread the infection; and

WHEREAS, a quarantine will be effective in preventing the introduction of the said bacterial diseases of beans into Adams, Benton, Franklin, and Grant Counties; and

WHEREAS, control of the said bacterial diseases of beans will provide the common bean growers of the State of Washington with a source of common beans for planting purposes which are disease free;

NOW, THEREFORE, I, Donald W. Moos, Director of the Department of Agriculture of the State of Washington, by virtue of the authority vested in me under Chapter 17.24 RCW relating to insect pest and plant diseases, do hereby proclaim and establish a quarantine to become effective February 7, 1968, setting forth the name of the diseases for which the quarantine is established, the area under quarantine, the regulated area, regulated articles, and the conditions governing the importation and movement of common beans into the regulated area. The adoption of this emergency order establishing a quarantine concerning bacterial diseases of beans is necessary for the immediate preservation of the public health, safety, and general welfare. It is necessary that this order become effective immediately.

DEFINITIONS:

(1) "Person" means a natural person, individual, firm partnership, corporation, company, society, and association, and every officer, agent or employee thereof. This term shall import either the singular or the plural as the case may be.

(2) "Director" means the director of the Department of Agriculture or his duly authorized representative.

(3) "Common Bean", Phaseolus vulgaris L.

(4) "Beans", Phaseolus sp.

(5) "Origin", means state where specific seed lot was grown.

QUARANTINE AREA:

All Counties of the State of Washington, not including Adams, Benton, Franklin, and Grant Counties, and all areas outside the State of Washington.

REGULATED AREA:

Adams, Benton, Franklin, and Grant Counties.

CONDITIONS:

(1) No beans shall be planted in the regulated area which are found to be or are known to be contaminated with the aforementioned diseases.

(2) No common beans shall be shipped, transported, or moved into the regulated area for planting on or after the effective date of this quarantine unless such beans are accompanied by an origin Phyto-Sanitary Certificate showing that such common beans are free from the aforementioned diseases on the basis of at least one field inspection and one windrow inspection; PROVIDED, That the requirement for the windrow inspection portion of the Phyto-Sanitary Certificate requirement may be waived when (1) the bean seed is accompanied by an official certificate, issued by an approved testing agency stating such bean seed is free from the aforementioned diseases, based on an approved laboratory and/or greenhouse test, and/or any other methods approved by the Director, and when (2) said bean seed is planted only in fields entered into either (a) the Washington State Seed Certification program or (b) the Washington State Bean Seed Phyto-Sanitary Certificate program.

(3) The requirement for a Phyto-Sanitary Certificate will be waived for Pinto, Red Mexican, Great Northern, California Pink, California Small White, and Flat Small White beans grown West of the Continental Divide, when the seed is accompanied by an official certificate, issued by an approved testing agency stating such bean seed is free from the aforementioned diseases, based on an approved laboratory and/or greenhouse test, and/or any other methods approved by the Director. Each planting made from said bean seed shall be reported to the Director who shall have authority to enter and inspect said field.

(4) This quarantine shall not apply to the shipment, movement, or transportation of beans pre-packaged in packages of eight ounces or less for home garden use in the said regulated area if, as far as known, said beans are free of bacterial diseases.

(5) This quarantine shall not apply to experiments or trial grounds of the United States Department of Agriculture or Washington State University Experiment Station, or to any person, firm, or corporation; provided said plantings are approved by the Director, and under supervision of technically trained personnel familiar with bacterial diseases.


(6) Any person prior to shipping, moving, or transporting any common beans for planting purposes into the regulated area shall forthwith notify the Department of Agriculture in writing of such person's intent to ship, move, or transport any common beans into said regulated area. Such notice of intent shall be accompanied by a copy of the Phyto-Sanitary Certificate issued for such common beans.


VIOLATIONS AND PENALTY:

All violations of the Order shall be dealt with according to the provision of RCW 17.24.100, making such violations a misdemeanor.

EFFECTIVE DATE:

This Order shall take effect on and after the 7th day of February, 1968.

  
\_\_\_\_\_  
Donald W. Moos  
Director of Agriculture  
State of Washington

APPROVED:   
\_\_\_\_\_  
DANIEL J. EVANS, Governor