

State of Washington

DEPARTMENT OF AGRICULTURE

(agency name)

Administrative Order No. 1586

(1) I, Bob J. Mickelson, director of Department of Agriculture

do promulgate and adopt at (place) the annexed rules relating to: WAC 16-324-370, Certification of seed potatoes

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. filed with the code reviser on Such rules shall take effect:

- [] pursuant to RCW 34.04.040(2). [] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, Bob J. Mickelson, find that an emergency exists and that the foregoing order 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 public interest. A statement of the facts constituting such emergency is: It is necessary that the Department of Agriculture identify exactly the certification warranty of seed potatoes by the department. Because the shipping season is about to start, it is necessary to make this rule effective as of the date of filing.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04. (1977 c 19 § 2) that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in statement (a), (b), or (c) as appropriate):

- [] (a) This rule is promulgated pursuant to RCW 15.14 and is intended to administratively implement that statute. [] (b) This rule is promulgated pursuant to RCW which directs that the

(agency)

has authority to implement the provisions of

(name of act or RCW citation)

- [] (c) This rule is promulgated under the general rule-making authority of the

(agency)

as authorized in RCW

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

(5) This order after being first recorded in the order register of this agency is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON APPROVED AND ADUMPED FILED

September 21 19 78

SEP 21 1978

By Bob J. Mickelson Director

Title

CODE REVISER'S OFFICE WSR 78-10-048



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

DEPARTMENT OF AGRICULTURE

406 General Administration Building, Olympia, Washington 98504

September 21, 1978

For purposes of legislative review of agency rules, the following statement is submitted:

- (a) This rule concerns certification of seed potatoes, RCW 15.14.
- (b) This rule identifies exactly the certification warranty of seed potatoes by the Department of Agriculture.
- (c) Department of Agriculture
Division of Plant Industry
C. T. Nielsen and A. R. Hurd
418 General Administration Building
Olympia, Washington
75305052
- (d) No opponents or proponents
- (e) No agency comments

AMENDATORY SECTION (Amending Order 1199, filed 5/5/71)

WAC 16-324-370 GENERAL GUIDANCE. (1) Participation in this program shall be voluntary and may be withdrawn at the option of the applicant. Farming and sanitation practices are the responsibility of the grower. Certification, approvals, determinations, and supervision mentioned herein shall be conducted by the department.

(2) ~~((The department may refuse acceptance of an application, certification, or use of certification tags under any condition which may be detrimental to the seed potato industry:))~~ All applications and department records will be maintained as public records for a period of seven years.

(3) Failure to comply with the requirements of these rules shall be cause for refusal or cancellation of approval of any planting or the certification of any seed as certified seed potatoes.

~~((3) When potatoes are certified by the department, it is an exercise of the best judgment of the department. Certification does not constitute a warranty of the department regarding the quality or freedom from disease of the seed potatoes beyond the express representation that the potatoes were produced, tested, inspected, graded and packed under the supervision of the department and did at the time of grading, meet all requirements of this article:))~~

(4) Certification means that the lot of seed potatoes was inspected and meets the requirements of this order.

(5) The state of Washington department of agriculture makes no warranty, expressed or implied, or representation as to the freedom from disease or quality of certified seed. Certification is based solely on visual inspections of sample plants and tubers of this lot which were found to meet tolerances prescribed in this order.