

FROM: AGRICULTURE
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG. (Southwest Corner, Ground Floor)
OLYMPIA 98504

The enclosed rules Permanent rules , being Order No. 1495
Emergency rules

relating to (Name of rules or description of subject matter)

red clover seed certification standards

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

pursuant to Notice No. 7441 ^① filed with the code reviser on March 4, 1977 ^② were regularly adopted as permanent rules of this agency at Olympia on 3/31/77 and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be April 30, 1977. ^③

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

pursuant to its finding in the attached administrative order, 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 _____ on _____ and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter 34.04 RCW and of the Open Public Meetings Act of 1971, chapter 42.30 RCW have been fulfilled.

Dated this thirty-first day of March 1977.

STATE OF WASHINGTON
FILED

MAR 31 1977

AGRICULTURE
(AGENCY)

Ivan Packard

By Ivan Packard

CODE REVISER'S OFFICE

DOCKET #8075 FILE # 27

Deputy 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.
- [Order 9, filed 9/25/74, eff. 10/25/74] [Form CR-2: Rev. 9/21/74]

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE

ADMINISTRATIVE ORDER NO. 1495

(1) I, GARY STROHMAIER, Director, Department of Agriculture of the State of Washington, by virtue of the authority vested in me under chapters 34.04 RCW, and 15.49 RCW after due notice and after carefully and fully considering the oral and written views of the public received in a meeting open to the public held in the Department of Agriculture Conference Room, 2015 South First Street, Yakima, Washington on March 24, 1977

as required by chapters 34.04 and 42.30 RCW, do promulgate and adopt the annexed rules and regulations, to wit:

AMD: WAC 16-316-440 and WAC 16-316-450 of chapter 15.49 RCW relating to certification fees and isolation requirements for red clover seed certification.

as permanent rules of this agency.

(2) This order after being first recorded in the order register of this agency shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED March 31 1977

By

Gary F. Strohmaier

Gary Strohmaier

DIRECTOR

Title

AMD

WAC 16-316-440 CERTIFICATION FEES. (1) Seedling Applications: Due within sixty days after planting, however, may be accepted after due date at the discretion of the certifying agency.

- (a) Seedling application fee:
Per variety, per grower..... \$10.00
- (b) Late seedling penalty fee:..... \$10.00

This additional fee shall be charged for each seedling application received more than sixty days after planting.

- (c) Seedling acreage fee: (per acre)..... \$ 1.00
(Refundable if acreage is withdrawn before inspection). Required of seedling fields to be harvested for certification the year of planting. Notification of seedling field to be harvested for certification and required fees are due July 31, however, may be accepted after due date with \$10.00 late penalty fee at the discretion of the certifying agency.

(2) Renewal Applications: Due June 15, however, may be accepted after due date at the discretion of the certifying agency.

- (a) Renewal application fee:
Per variety, per grower..... \$10.00
- (b) Renewal acreage fee: (per acre)..... \$ 1.00
(Refundable if acreage is withdrawn before inspection).

- (c) Late renewal penalty fee:..... \$10.00

This additional fee shall be charged for each renewal application received after June 15.

- (3) Reinspection: First reinspection included with acreage fee.
Second reinspection (each field)..... \$20.00
If a field is rejected for certification, the grower may apply for reinspection after the cause for rejection has been corrected. Only two reinspections are permitted for each field each year.

- (4) Sampling Fee: (per 100 lbs.)..... \$ 0.15
- Production Fee - includes tagging: (per 100 lbs.)..... \$ 0.15

The sampling and production fees are billed at completion of tests. If none of the seed is tagged, 10¢ of the 15¢ cwt. production fee charged is refundable.

- (5) Purity & Germination test:..... Fees as established by the director of agriculture.

(6) Fees for resampling, retagging, or services not listed in this order shall be the most applicable fee established by the director of agriculture.

(7) Fees for reissue of tags shall be \$0.05 a tag with a minimum fee of \$5.00.

AMD

WAC 16-316-450 ISOLATION REQUIREMENTS. (1) Red clover for certification shall be isolated from all other red clover varieties or fields of the same variety not meeting varietal purity requirements for certification as follows:

Class Being Produced	Fields less than five acres	Fields five acres or more
Foundation	900 feet	600 feet
Certified	165 feet	165 feet

(2) Isolation between different classes (generations) of the same variety shall be as follows:

Class Being Produced	Distance Required from Fields Planted with:	Fields less than 5 acres	Fields 5 acres or more
Foundation	Foundation or Certified	225 feet	150 feet
Certified	Certified	45 feet	75 feet

(3) In cases where an adjoining field is planted with a different variety of red clover, or red clover of a lower class, isolation may be obtained by measuring off the required strip in the certified field. This isolation strip may be mowed for hay or it may be harvested for uncertified seed under the following conditions:

(a) The grower must apply for certification of the entire field and clearly stake off the isolation strip. The entire field must pass all certification requirements, except for isolation at time of inspection. The field report will show rejection due to lack of isolation.

(b) The grower may harvest either the certified portion of the field or the uncertified isolation strip first and deliver that portion to the processing plant. After this seed is weighed and lotted in, the grower will then request a re-inspection of the uncut portion. After reinspection, if everything is in order, the field will be passed and the remainder of the field can then be harvested.