

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Agriculture

(agency name)

Administrative Order No. 1882

(1) I, C. Alan Pettibone, director of Washington State Department of Agriculture

do promulgate and adopt at Olympia, WA (place)

the annexed rules relating to:

The enforcement of the honey bee tracheal mite quarantine in Chapter 16-470.

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

This action is taken pursuant to Notice No. filed with the code reviser on. These rules shall take effect:
[] thirty days after they are filed with the code reviser 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, C. Alan Pettibone, find that an emergency exists and that this 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 the emergency is:

With honey bee tracheal mite known to exist in 29 states, it is necessary to regulate migratory beekeepers moving bees between known infested states and Washington State in order to prevent the uncontrollable introduction of acarine disease into Washington state which could economically impact the Washington State apiary industry.

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

(3) Pursuant to the requirements of RCW 34.04.026 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:

- [X] (a) This rule is promulgated pursuant to RCW RCW 15.60 and RCW 17.24 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(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.

APPROVED AND ADOPTED March 21 19 86

STATE OF WASHINGTON FILED

By [Signature]

Deputy Director Title

MAR 21 1986

CODE REVISER'S OFFICE

[Form CR-7; Rev. 7/23/82]

WSR 86-08-009

NEW SECTION

WAC 16-470-240 HONEY BEE TRACHEAL MITE - ENFORCEMENT. The following shall apply to the enforcement of rules in this chapter relating to honey bee tracheal mite and Chapter 15.60 RCW:

(1) Enforcement may be carried out by the Washington state department of agriculture and/or with cooperation from other government or law enforcement agencies.

(2) Vehicles carrying regulated articles, as specified in Chapter 15.60 RCW and WAC 16-470-210 through 16-470-230, may be stopped to verify compliance.

(3) Vehicles carrying regulated articles without a health certificate as required by Chapter 15.60.100 RCW, from states of origin other than Washington may be refused entry and the person transporting such articles required to remove them from Washington state.

(4) Regulated articles not in compliance with this chapter may be removed from the transporting vehicle and placed under quarantine pending sampling and laboratory analysis as prescribed by the department. Costs incurred by the department in the enforcement of this section shall be paid prior to the release of the required articles from quarantine.

(5) Regulated articles found to be infested with honeybee tracheal mites and placed under quarantine may be transported to a depopulation, fumigation site or other site as prescribed by the department on a vehicle as designated by the department. Such vehicle carrying quarantined regulated articles shall be deemed under quarantine during such transportation.