

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Agriculture

(agency name)

Administrative Order No. 1897

(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:

Chapter WAC 16-324 Certified Seed Potato Certification.

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

This action is taken pursuant to Notice No. WSR 86-11-063 and WSR 86-14-096 filed with the code reviser on 5/21/86 and 7/2/86. These rules shall take effect:

- [X] 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, 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:

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 15.14 RCW 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 July 16, 19 86

STATE OF WASHINGTON FILED

By C. Alan Pettibone

Director

Title

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

JUL 17 1986

CODE REVISER'S OFFICE WSR 86-15-045

AMENDATORY SECTION (Amending Order 1587, filed 11/21/78)

WAC 16-324-375 CERTIFIED SEED POTATO--APPLICATION AND WITHDRAWAL. (1) Application shall be made on a form provided by the department. Applications for certification ((must)) shall reach the state department of agriculture, ((Olympia)) seed branch, Yakima, Washington, on or before June 15 of each year, or fourteen days after planting, in order to assure eligibility. Applications ((must)) shall be accompanied by the appropriate fee, as well as tags, certificates or other evidence of eligibility. An application ((must)) shall be made for each variety.

(2) Withdrawal of a seed lot from the certification program shall be made on a form provided by the department which ((will)) shall become part of the permanent public record.

AMENDATORY SECTION (Amending Order 1587, filed 11/21/78)

WAC 16-324-390 REQUIREMENTS FOR PRODUCTION OF FOUNDATION AND/OR CERTIFIED SEED POTATO STOCK. (1) Land requirements.

(a) Potatoes ((will)) shall not be eligible for ((certification)) certified class if planted on land on which potatoes were grown in either of the previous two years unless the prior crops were entered for and passed certification. Potatoes shall not be eligible for foundation class if planted on land on which potatoes were grown in any of the previous three years unless the prior crops are of the same variety that were entered for and passed certification.

(b) Any land known to be infested with parasitic potato nematode ((will)) shall not be accepted.

(c) Any land planted with potatoes found to have ring rot ((will)) shall not be eligible for planting for certified seed potato production for at least ((two)) three years. Volunteers in a field with ring rot history shall disqualify the field for certification, modification of land history may be approved by the department when a cultural practice has been proven to be successful. Cultural practices may include, but is not limited to, mechanical means (such as deep plowing) and/or chemical means (such as fumigants or other material) for seed bed preparation. Materials and methods shall be a matter of record with the department. Whichever method is used, it shall be approved by the department and shall be adequate to maintain variety and disease purity. Plants outside of the defined row shall be construed as volunteers.

(2) Isolation requirements.

(a) Potatoes intended for certification ((must)) shall be isolated by at least one hundred feet from other potatoes except potatoes entered for certification.

(b) A distinct separation of at least six feet ((must)) shall be left unplanted or planted to some other crop between different lots of ((seed-potatoes)) foundation class seed potatoes or varieties of potatoes that have so similar tuber type, color, skin, or shape characteristics that varietal mixture is not readily identifiable during the storage, sorting, and grading process. No separation shall be required between lots of a red variety and another variety with obviously different skin color. When more than one lot of seed potatoes are planted in the same field, each lot shall be so marked that any inspector not previously having been at the location can identify each lot.

(c) When ring rot is found in a field planted with more than one lot of seed, the entire field shall be rejected unless at least six feet has been left unplanted or planted to some other crop between lots.

(3) Planting stock. Eligible planting stock ((must)) shall consist of foundation seed potatoes or seed stock approved by the department.

(a) Foundation seed is tubers that have met field standards and winter test standards for foundation seed.

(b) Desirable planting stock of known history and varietal purity may be accepted. This stock ~~((must))~~ shall have been produced the preceding year under the special observation of the department. Stock under observation by the department shall pay the usual certification fees.

(c) Planting stock from other states or countries is eligible for certification if the planting stock has met the requirements for foundation standards of their program.

~~(d) A seed stock or lot shall not be eligible for foundation classification if blending two different sources of seed.~~

(4) Field inspections. Each lot ~~((will))~~ shall be visually inspected on a sample basis. Lots ~~((will))~~ shall be subjected to at least two inspections ~~((--))~~. The first ~~((about-forty-five-days-after planting,--or))~~ inspection shall be made before the rows have filled in or the vines touch in the row ~~((;--the-second-inspection--about--ninety-five--days--after--planting.--Additional-inspections-will-be-made-when deemed-necessary))~~. The lots ~~((will))~~ shall be traversed sufficiently to accurately evaluate the factors to be considered with a minimum sample of one hundred plants per acre. Lots ~~((will))~~ shall be considered ready for inspection at all times. Notification ~~((will))~~ shall be given to grower or grower representative when inspection is to be performed. A second inspection shall be performed and the time of the inspection shall be determined by the variety and growing season. Additional inspections shall be made when deemed necessary. The grower shall be responsible for notifying the department of unusual field conditions which reflect premature dying, from any cause, prior to the final reading of the field.

(5) Russet Burbank/Netted Gem potatoes to be eligible for certification ~~((must))~~ shall be within the field tolerances and the winter test tolerances set for certified seed potatoes. Shipments for export prior to January 15 may be certified based on field readings only.

(6) Miscellaneous requirements. Prospective growers entering the certification program for the first time ~~((must))~~ shall be interviewed by the department before applications ~~((will-be))~~ are processed. This is in order that the applicant knows what is expected ~~((of-him))~~ and what ~~((he))~~ may be ~~((expect))~~ expected from the certifying agency.

AMENDATORY SECTION (Amending Order 1587, filed 11/21/78)

WAC 16-324-400 CERTIFIED SEED POTATO--FIELD INSPECTION STANDARDS. (1) The field certification of each lot ~~((will))~~ shall be based on the sample inspected.

(2) Specific requirements. (a) The diseases tolerated ~~((will))~~ shall be within the percentages listed in the table below based on visual symptoms showing in the sample inspected.

Field tolerances for: Inspection	Foundation		Certified	
	1	2-3	1	2-3
Leaf roll	0.2%	0.1%	0.4%	0.2%
Well defined Mosaic, and other virus and virus-like diseases	1.0%	0.5%	2.0%	1.0%
Black leg and wilts	2.0%	1.0%	4.0%	2.0%
Ring rot	0.0%	0.0%	0.0%	0.0%

Field tolerances for: Inspection	Foundation		Certified	
	1	2-3	1	2-3
Variety mixture	0.2%	0.0%	0.2%	0.1%

(b) Diseases which cannot be observed visually at time of inspection may be present.

(c) The 0.0% tolerance for ring rot is chosen for reasons of convenience and practicality and is not to be construed to mean that the lot inspected is free from the disease. It does mean no ring rot was found during the inspection process.

(d) When ring rot is found in a lot of seed that lot (~~will~~) shall be rejected. All seed potatoes grown that year by that farming operation from that same seed source, even if grown in different fields shall not be eligible for foundation classification. The tubers from these lots (~~must~~) shall be inspected at time of digging.

(e) Lots not meeting field inspection standards at the time of inspection (~~will~~) shall be rejected.

(f) Any field condition, i.e., weeds, frost, insect, disease, premature dying from any cause, or any condition making inspection evaluation impossible will be cause for the following actions:

(i) Inability to read at time of first field reading for virus, etc.--lots may be held for winter virus test.

(ii) At the discretion of the department, the inability to (read at--ninety-day--or) make the final reading((?--except-damage-caused-by frost-or-freezing,-will)) for any reason may be cause for rejection from certification. ((The-tubers-from-these-lots-must-be-inspected-at time-of-digging:)) Lots entered for foundation classification may not be eligible for recertification. The tubers from these lots shall be inspected at time of digging. Samples for winter test shall be submitted.

AMENDATORY SECTION (Amending Order 1587, filed 11/21/78)

WAC 16-324-430 CERTIFIED SEED POTATO--DIGGING, STORAGE AND PRE-MARKETING. Specific requirements.

(1) Stored so as to maintain each lot's identity. Storage bin or room (an area with a controlled access and enclosed by solid barriers) to be so marked that any inspector not previously having been in the room or storage bin could identify the lot;

(a) Each storage or room containing more than one lot shall have a solid barrier between each lot that is not of the same seed source, variety or classification. The presence of ring rot or nematode in a lot that is stored with other lots shall be cause for rejection of all lots that are not isolated or separated by a solid barrier.

(b) Lots previously known or found to be infected with bacterial ring rot disease at time of storage or noncertified potatoes shall not be stored within the same storage with certified seed potatoes. Known infected seed lots stored with certified seed lots shall be cause for rejection of all lots in the same storage.

(2) Graded according to state of Washington standards for seed potatoes.

(3) Placed in new sacks when tagging is requested, identified with the official Washington seed potato tags which (~~must~~) shall show the grower's name, address and lot number unless such information is printed on the sacks together with the usual net weight.

(4) Tags may be issued to the grower who (~~will~~) shall:

(a) Tag the bags as the potatoes are sorted.

(b) Allow inspection of graded potatoes at any time.

(c) If the potatoes are out-of-grade, remove the tags under the supervision of the inspector.

(d) Return all unused tags to the inspector.

Failure to observe any of the above provisions is sufficient cause for the inspector to withhold the privilege of permitting the grower to tag at his convenience. The deliberate disregard for subsection (4) (b) and (c) ((is)) of this section shall be just cause to eject a grower from the certification program.

(5) Bulk lots, properly identified, may be moved under certification.

AMENDATORY SECTION (Amending Order 1587, filed 11/21/78)

WAC 16-324-445 CERTIFIED SEED POTATO--GRADING INSPECTION--DISEASES AND GRADES. Grading inspections shall be made ~~((on--a--sample))~~ by the department on a surveillance basis. Shipping point shall be made available upon request by the grower. The quality of the grading of potatoes is the full responsibility of the grower. United States standards for potatoes shall be the official guide for applying and interpreting all definitions and terms used in this chapter in the Washington certified seed grades ~~((below))~~.

AMENDATORY SECTION (Amending Order 1587, filed 11/21/78)

WAC 16-324-510 CERTIFIED SEED POTATO--TOLERANCES. Applies to all grades and is based on a sample inspection.

(1) In order to allow for variations other than size, and internal discoloration, incident to proper grading and handling, not more than a total of six percent of the potatoes in any lot ~~((may))~~ shall fail to meet the requirements of the grade but not more than one-sixth of this amount, or one percent, shall be allowed for potatoes affected by late blight, potatoes which are frozen, or affected by soft rot or wet breakdown. In addition, in blue, red and white tag stock, not more than ~~((five))~~ ten percent of the potatoes ~~((may))~~ shall be seriously damaged by ~~((internal--discoloration))~~ hollow heart. No more than ~~((three))~~ five percent ~~((may))~~ shall be ~~((below-the-minimum-sizes or-more-than-six-percent-above-maximum-sizes-specified-in-the-grades))~~ damaged by other internal defects excluding necrosis caused by chemical vine kill. No more than three percent shall be below minimum size or more than six percent above maximum size specified in the grades.

(2) The tolerances specified shall be placed on a container basis. However, any lot of seed potatoes shall be considered as meeting the requirements of the grade, if upon inspection, no sample from a single container, in any lot, is found to exceed the tolerances specified by more than double the amount allowed: PROVIDED, That the entire lot shall average within the tolerances specified.

(3) All percentages shall be calculated on the basis of weight.

AMENDATORY SECTION (Amending Order 1587, filed 11/21/78)

WAC 16-324-520 CERTIFIED SEED POTATO--DEFINITION OF TERMS. Applies to Washington No. 1 (WAC 16-324-460). (1) "Fairly well shaped" means potatoes are not materially pointed, dumb-bell shaped, or otherwise ill formed.

(2) "Internal defects" means defects which cannot be detected without cutting the potato.

AMENDATORY SECTION (Amending Order 1587, filed 11/21/78)

WAC 16-324-530 CERTIFIED SEED POTATO--DEFINITION--DAMAGE. Applies to Washington No. 1 (WAC 16-324-460). "Damage" means any injury, disease, insect, or defect which materially affects the appearance or which materially injures the potato for seed purposes. Any one of the following defects or any combination of defects, the seriousness of which exceeds the maximum allowed for any one defect shall be considered as damage:

(1) Dirt or foreign matter which materially affects the general appearance of the lot, a potato having an appreciable amount of caked dirt shall also be considered as damaged.

(2) Second growth which has developed to such an extent as to materially affect the appearance of the potato.

(3) Growth cracks which are not shallow or not well healed.

(4) Sprouting, when the sprouts are over three-fourths inch long on ten percent of the tubers.

(5) Shriveling, when the tuber is more than slightly shriveled.

(6) Surface scab which covers more than ten percent of the surface of the potato in the aggregate, on ten percent of the tubers.

(7) Rhizoctonia which covers more than five percent of the surface of the potato in the aggregate, on twenty-five percent of the tubers.

(8) Dry rot which cannot be removed without a loss of more than five percent of the total weight of the potato, including the peel.

(9) Internal discoloration occurring entirely within the vascular ring; when more than the equivalent of three scattered light brown spots one-eighth inch in diameter in a potato two and one-half inches in diameter or six ounces in weight, or correspondingly lesser or greater number of spots in smaller or larger potatoes.

(10) Internal discoloration outside of or not entirely confined within the vascular ring; when removal causes a loss of more than five percent of the total weight of the potato.

AMENDATORY SECTION (Amending Order 1587, filed 11/21/78)

WAC 16-324-540 CERTIFIED SEED POTATO--DEFINITION--SERIOUS DAMAGE. Applies to all grades. "Serious damage" means any injury, disease, insect, or defect which seriously injures the appearance of the individual potato or the general appearance of the potatoes in the container, or which causes a loss of more than ten percent of the total weight of the potato for seed purposes. Any one of the following defects or any combination of defects, the seriousness of which exceeds the maximum allowed for any one defect shall be considered as serious damage.

(1) Dirt or foreign matter when the general appearance of the potatoes is seriously affected by tubers badly caked with dirt or other foreign matter.

(2) Second growth when more than one well attached knob is over ten percent of the total weight of the tuber, or when the knob is broken.

(3) Growth cracks, cuts, and deep bruises which seriously affect the potato for seed purposes.

(4) Shriveling when the potato is excessively shriveled, spongy or flabby.

(5) Surface scab which covers an area of more than twenty percent of the surface of the potato in the aggregate, on more than twenty-five percent of the tubers.

(6) Dry rot which cannot be removed without a loss of more than ten percent of the total weight of potato, including the peel.