

State of Washington

Department of Agriculture
(agency name)

Administrative Order No. 1985

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

do promulgate and adopt at Olympia, WA 98504 (place)

the annexed rules relating to:

Blueberry quarantine in chapter 16-488 WAC.

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

This action is taken pursuant to Notice No. WSR 88-13-081 filed with the code reviser on 6/17/88. These rules shall take effect:
xx 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 17.24 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 August 5 19 88

STATE OF WASHINGTON FILED AUG 9 1988

By [Signature] Acting Director Title

CODE REVISER'S OFFICE WSR 88-17-014

AMENDATORY SECTION (Amending Order 1906, filed 9/5/86)

WAC 16-488-025 BLUEBERRY QUARANTINE EXEMPTIONS. Fresh fruit of blueberry may be moved or shipped from quarantined areas into Washington state under the following conditions:

(1) No restrictions are placed by this section on the entry into this state of fruits which upon arrival are frozen solid and which are under refrigeration to assure their solid frozen state.

(2) Commodities covered which are held in cold storage for a continuous period of forty days or more, during which period the temperature within the storage room is maintained at thirty-two degrees fahrenheit or less, may be admitted: PROVIDED, That a lot or shipment is accompanied by a certificate issued by an official governmental agency from the state of origin evidencing compliance with the minimum requirements of this section.

(3) Each shipment of blueberries that have been fumigated with methylbromide at atmospheric pressure by one of the following schedules may be permitted entry into Washington state: PROVIDED, That residues on fresh fruit of blueberries do not exceed the Federal Food and Drug Administration's allowable tolerances.

32 g/m³ (2 lbs./1,000 ft.³) for 2 hours at 27.7°C (82°F) or above; or

32 g/m³ (2 lbs./1,000 ft.³) for 2 1/2 hours at 22.2°C - 27.2°C (72°F-81°F); or

32 g/m³ (2 lbs./1,000 ft.³) for 3 hours at 16.6°C - 21.6°C (62°F-71°F); or

32 g/m³ (2 lbs./1,000 ft.³) for 3 1/2 hours at 10°C - 16.1°C (50°F-61°F).

(a) The fumigation shall be done by applicators who are registered or certified in fumigation pest control in the state of origin;

(b) Each fumigation shall be monitored and supervised by an authorized representative of the origin state department of agriculture;

(c) Each shipment of blueberries shall be accompanied by a phytosanitary certificate issued by an authorized representative of the origin state department of agriculture evidencing compliance with the fumigation requirements. The certificate shall state the number of cartons in the shipment and the name and address of the consignee; and

(d) All shipping containers (flats) shall be stamped or tagged indicating the fresh fruit of blueberries have undergone fumigation.