



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Agency: Agriculture

- Permanent Rule
 Emergency Rule

(1) Date of adoption: February 28, 1992

(2) Purpose:

To remove references to viral diseases from the bean seed quarantine.

(3) Citation of existing rules affected by this order:

Repealed:

Amended: WAC 16-494-010, 16-494-013, 16-494-046, and 16-494-064

Suspended:

(4) Authority for adoption:

Statute: Chapter 15.49 RCW

Other Authority:

(5.1) PERMANENT RULE ONLY

Pursuant to notice filed as WSR _____ on _____ (date).

Describe any changes other than editing from proposed to adopted version:

(5.2) EMERGENCY RULE ONLY

Pursuant to RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

To allow bean seed growers adequate time to test potential seedstock lots for May 1 planting.

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If yes, explain:

(6) Effective date of rule:

Permanent Rules

Emergency Rules

31 days after filing

Immediately

Other (specify) _____ *

Later (specify) _____

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

NAME (TYPE OR PRINT)

C. Alan Pettibone

SIGNATURE

C. Alan Pettibone, Deputy Director

TITLE

Director

DATE

2/28/92

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

FEB 28 1992

TIME 3:00 PM

WSR 92-06-050

U.S.

WAC 16-494-010 DEFINITIONS. The following definitions apply to the entire chapter.

(1) "Person" means a natural person, individual, firm, partnership, corporation, company, society, and association, and every officer, agent or employee thereof.

(2) "Department" means the Washington state department of agriculture.

(3) "Director" means the director of the department of agriculture or the director's duly authorized representative.

(4) "Common bean" means *Phaseolus vulgaris* L.

(5) "Adzuki bean" means *Vigna angularis*.

(6) "Bean" means common beans and adzuki beans.

(7) "Origin" means the county within the state of Washington, or the state, territory, or country where a specific seed lot was grown.

(8) "Approved trial grounds" means a specific parcel of land approved by the director for experimental or limited production or increase of bean seed.

(9) "University" means the Washington State University, college of agriculture and home economics.

(10) "Dominant I-gene cultivar" means a cultivar which has resistance to all known strains of Bean Common Mosaic Virus (B.C.M.V.) due to the presence of the dominant I-gene. Dominant I-gene cultivars will not show mosaic mottle symptoms or transmit the virus through seed when inoculated with any strain of B.C.M.V.

(11) "Recessive I-gene cultivar" means a cultivar which may be susceptible to some strains of Bean Common Mosaic Virus and may show mosaic mottle symptoms.

(12) "Diseases" means those viral, fungal and bacterial diseases of beans enumerated in WAC 16-494-013 and any new variations or strains of these identified in the future.

(13) "Serology" means precipitation, agglutination, immunodiffusion, or labeled antibody test methods (such as ELISA) that use the specificity of antigen-antibody reactions to detect and identify antigenic substances and the organisms such as viruses and bacteria that carry them.

(14) "Official certificate" means a document issued by an official testing agency including but not limited to seed certification tags, bulk seed certification certificates, phytosanitary certificates, laboratory sanitary certificates, and other letters, tags, stamps or similar documents certifying seed quality or condition.

(15) "Quarantine Area I" means all areas west of the Continental Divide except those counties within the state of Washington subject to internal quarantine and the states of Alaska and Hawaii.

(16) "Quarantine Area II" means areas east of the Continental Divide, the counties in the state of Washington subject to internal quarantine, the states of Alaska and Hawaii and foreign countries.

(17) "Seedborne viral diseases" includes Bean Common Mosaic Virus, Adzuki Mosaic Virus and other similar viral diseases

causing mosaic mottle and other symptoms similar to those of Bean Common Mosaic Virus.

AMENDATORY SECTION

Amending order 2078, filed 3/27/91

WAC 16-494-013 REGULATED DISEASES. The following viral, bacterial, and fungal diseases of beans, and any new strains or variations of these identified in the future, of beans are regulated under the provisions of this chapter: eff 4/27/91
tbs

~~((Bean Common Mosaic Virus
Adzuki Mosaic Virus))~~

Halo Blight (*Pseudomonas phaseolicola* (Burk.) Dows.)

Common Bean Blight (*Xanthomonas phaseoli* (E.F.S.M.) Dows.)

Fuscous Blight (*Xanthomonas phaseoli* var. *fuscans* (Burk.)

Bean anthracnose disease (*Colletotrichum lindemuthianum* (Sacc. & Magn.) Scrib.)

Brown spot disease (*Pseudomonas syringae* (Van Hall)) strains virulently pathogenic to *Phaseolus*

Bean Bacterial Wilt (*Corynebacterium flaccumfaciens* (Hedges) Dows.)

AMENDATORY SECTION Amending order 2078, filed 3/27/91,

WAC 16-494-046 QUARANTINE--EXCEPTIONS AND EXEMPTIONS. (1) eff. 4/27/91

Bean seed planted for harvest as green beans for cannery or freezing, otherwise in compliance with this quarantine, is not required to be entered into an inspection program: PROVIDED, That the department reserves the right to request complete listing and location of all the plantings and other information the department may deem necessary. Further, if at any time prior to harvest, the grower decides that the plantings are not to be harvested as green beans, the department shall be notified and the plantings placed under an inspection program. tbs

~~(2) ((Bean varieties (cultivars) from a quarantine area that are known to be uniform for the dominant I-gene are exempt from the serology testing requirement for Bean Common Mosaic Virus. Documentation or evidence of uniformity must accompany the seed shipment.~~

~~Undocumented cultivars are subject to a serology test to determine freedom from seedborne Bean Common Mosaic Virus based on a one-pound, untreated bean seed sample for each 50,000 pounds of bean seed or fraction thereof.))~~

~~(3)) This quarantine shall not apply to the shipment, movement, or transportation of beans prepackaged in packages of eight ounces or less for home garden use in the regulated area if the beans are free of diseases.~~

AMENDATORY SECTION Amending order 2078, filed 3/27/91, eff 4/27/91

WAC 16-494-064 PENALTIES. In addition to actions specified in WAC 16-494-062, any grower violating the terms of this ((quarantine)) chapter, shall be subject to civil and/or criminal penalties provided in law. tbs