

**WAC 110-301-0148 Gardens in outdoor school-age program space.**

(1) A garden in a school-age program space must:

(a) Have safeguards in place to minimize risk of cross-contamination by animals;

(b) Use soil free from agricultural or industrial contaminants such as lead or arsenic if gardening directly in the ground;

(c) If gardening in raised beds use:

(i) New soil that is labeled "organic" or "safe for children" and was obtained from a gardening supply store or other retail store; or

(ii) Composted soil made from material that is safe according to the Washington State University's extension master gardener composting guidelines; and

(d) Use water that comes from a private well approved by the local health jurisdiction or from a public water system. A school-age provider must make water for gardens inaccessible to children if the provider uses irrigation water.

(2) Garden beds must be made of materials that will not leach chemicals into the soil including, but not limited to, wood treated with chromated copper arsenate, creosote or pentachlorophenol, reclaimed railroad ties, or tires.

(3) Any herbicide or pesticide must be applied pursuant to the product manufacturer's directions. The product must not be applied while children are present. Children must not apply the product or have access to the garden during the manufacturer's prescribed waiting period following application.

[Statutory Authority: RCW 43.216.055 and 43.216.065. WSR 21-10-035, § 110-301-0148, filed 4/27/21, effective 6/1/21.]