WSR 26-15-098
EMERGENCY RULES
DEPARTMENT OF AGRICULTURE
[Filed July 20, 2026, 1:00 p.m., effective July 20, 2026, 1:00 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Chapter 16-470 WAC, Quarantine—Agricultural pests. This rule-making order establishes an internal quarantine against sunflower broomrape (*Orobanche cumana*) in a portion of Yakima County. The quarantine regulates the movement of regulated articles from, into, and within the quarantine area. The quarantine is intended to prevent the spread of sunflower broomrape by limiting the transportation of potentially infested material into other parts of the state and to limit the pest's reproductive ability by restricting the availability of host material within the quarantine area. The quarantine includes prohibiting the use and spread of bird feed containing sunflower seeds and other similar products which may result in sunflowers growing in the quarantine area.

Citation of Rules Affected by this Order: New WAC 16-470-250, 16-470-255, 16-470-260, 16-470-265, 16-470-270, 16-470-275, and 16-470-280.

Statutory Authority for Adoption: RCW 17.24.011 and 17.24.041.

Under RCW 34.05.350 the agency for good cause finds 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.

Reasons for this Finding: Immediate amendment of the rule is necessary for the general welfare of the public. Sunflower broomrape is a devastating root parasite of sunflower (*Helianthus annuus*) and other members of Asteraceae (the sunflower family), leading to significant crop losses. Recently, the first-ever North American detection of sunflower broomrape was confirmed in Yakima. This detection is especially concerning due to the aggressive nature of this parasitic weed and its potential to spread rapidly if left unmanaged. Sunflower broomrape poses a serious threat to commercial sunflower production and could cause significant impacts to growers, processors, exporters, and the agricultural economy if not swiftly contained.

Not only does sunflower broomrape pose a risk to sunflower producers in the state, but it could also have wide reaching impacts to the availability of export markets for agricultural commodities grown in the area. This could include seed and hay producers. One reason for the potential impact on export markets is due to the small and sticky seeds produced by the plant, which spread easily. Establishing a sunflower broomrape quarantine will help prevent the spread of this invasive weed and protect Washington's agricultural industries, as well as maintain access to national and international markets.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 7, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: July 17, 2026.

Derek I. Sandison
Director

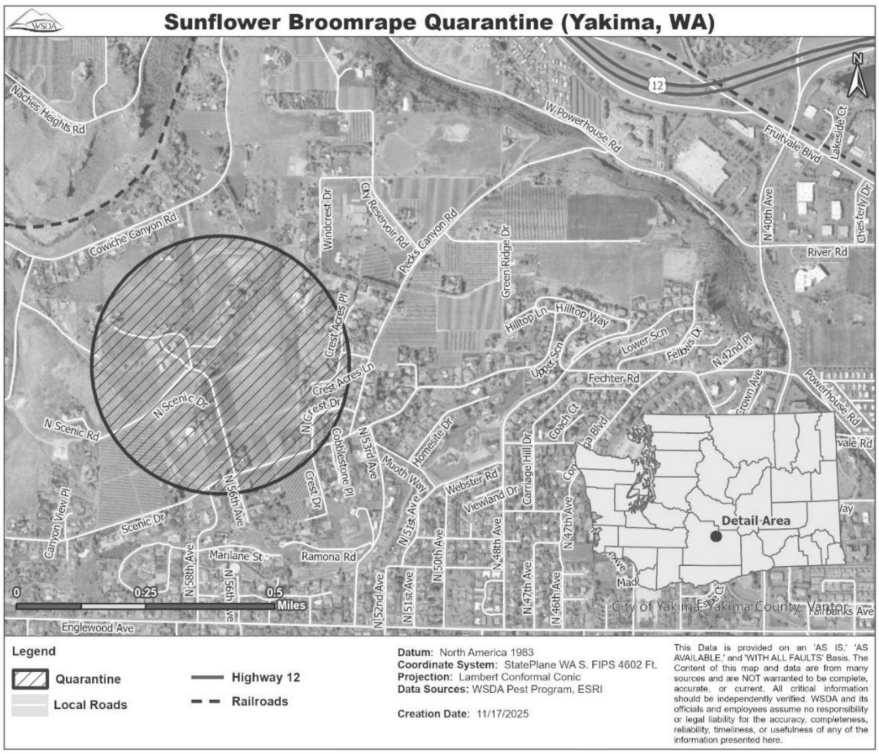
RDS-7020.3

NEW SECTION

WAC 16-470-250 Quarantine—Sunflower broomrape—Area under order. A quarantine is established under this chapter against all plant parts of the parasitic weed sunflower broomrape (*Orobanche cumana*). Sunflower broomrape is a devastating root parasite of sunflower (*Helianthus annuus*), Canada thistle (*Cirsium arvense*), and other members of Asteraceae (the sunflower family). It is also known to parasitize tomato (*Solanum lycopersicum*), tobacco (*Nicotiana tabacum*), and coleus (*Coleus scutellarioides*), leading to significant crop losses. This fast-spreading weed could cause significant impacts to growers, processors, exporters, and the agricultural economy if not swiftly contained. The director of agriculture has determined that the regulation and exclusion of sunflower broomrape is necessary to protect the forests, agricultural, horticultural, floricultural, and environmental interests of the state of Washington. The requirements of this quarantine apply to all persons and entities within the quarantined area unless otherwise specified.

NEW SECTION

WAC 16-470-255 Areas under quarantine. Within the state of Washington, a quarantine is declared for those areas where WSDA has confirmed a detection of sunflower broomrape, along with the surrounding area within one-quarter mile of the detection site. These areas include the portion of Yakima County designated as follows: All real property within one-quarter mile of the point located at latitude N46°36'52" and longitude W120°35'03".



NEW SECTION

WAC 16-470-260 Regulated articles. The greatest risk of spreading sunflower broomrape comes from the movement of articles contaminated with seeds. People, machines, pets, livestock, other plant material, and soil can all be contaminated by sunflower broomrape seeds. The following are declared to be hosts or possible transporters of sunflower broomrape and are regulated articles under the sunflower broomrape quarantine:

(1) Soil;

(2) Mulch, hay, cut flowers, and other vegetative material;

(3) All viable plant parts, including seed and roots, of sunflower (*Helianthus annuus*) and *Helianthus* spp., tomato (*Solanum lycopersicum*), tobacco (*Nicotiana tabacum*), coleus (*Coleus scutellarioides*) and Canada thistle (*Cirsium arvense*);

(4) Equipment used in and around soil (such as for agriculture, construction, landscaping, and gardening);

(5) Bird seed and other products, such as raw sunflower seeds for consumption, which may contain host seeds; and

(6) Any other plant, plant part, article, or means of conveyance when it is determined by the director to present a hazard of spreading sunflower broomrape.

NEW SECTION

WAC 16-470-265 Quarantine requirements within quarantined areas. (1) Plants listed in WAC 16-470-260(3) may not be grown in the quarantine area for at least three years after the last detection.

(2) Bird seed and other products, such as raw sunflower seeds for consumption, which may contain host seeds, may not be used or spread within the quarantine area.

NEW SECTION

WAC 16-470-270 Conditions governing the movement of regulated articles from or into quarantined areas. (1) The following requirements apply to any person entering or leaving the quarantined area:

(a) Clothing and shoes worn while working outdoors in the quarantined area must be either:

(i) Kept inside the quarantined area; or

(ii) Laundered or thoroughly cleaned prior to removal from the quarantined area.

(b) Soil and vegetative material leaving the quarantined area must be:

(i) Double-bagged in plastic bags prior to disposal; and

(ii) Taken directly to the landfill for deep burial or to a location specified by the director. All persons transporting soil and vegetative material must inform the landfill that the waste contains regulated commodities under the sunflower broomrape quarantine and confirm that the landfill will promptly bury the material.

(2) Requirements for any person engaging in commercial agriculture, landscaping, and construction activities:

(a) Upon leaving the quarantined area, footwear must be cleaned by removing all vegetative material and soil using brushes, scrapers, air compressors, or pressure washers.

(b) All tools, tires, and equipment that come into contact with soil and vegetative material must be cleaned by removing all vegetative material and soil using brushes, scrapers, air compressors, or pressure washers. Cleaning must be done as close to the quarantine boundary as practicable prior to leaving the quarantined area.

(c) After being cleaned, all tools and equipment should be kept from recontacting soil or regulated articles before exiting the quarantine area.

(d) Soil and vegetative material leaving the quarantined area must be transported and disposed of following the requirements listed in subsection (1)(b) of this section.

(3) The director may approve in writing other treatments determined to be effective at preventing the spread of sunflower broomrape.

NEW SECTION

WAC 16-470-275 Infestation zone. (1) The infestation zone is defined as the area within 50 feet of a confirmed detection site and is located within the quarantined area described in WAC 16-470-255. The department will post notice of infestation zones at the sites or nearest public thoroughfare.

(2) The following additional requirements apply within the infestation zone:

(a) All persons engaged in commercial agriculture, landscaping, or construction activities must wear:

(i) Disposable coveralls and boot covers; or

(ii) Rubber boots dedicated to the infestation zone.

(b) Disposable garments must be:

(i) Double-bagged in plastic bags prior to disposal; and

(ii) Taken directly to the landfill for deep burial or to a location specified by the director. All persons transporting such material must inform the landfill that the waste contains regulated commodities under the sunflower broomrape quarantine and confirm that the landfill will promptly bury the material.

NEW SECTION

WAC 16-470-280 Compliance agreements and special permits. The director may issue special permits per RCW 17.24.051 or compliance agreements as defined in RCW 15.13.250, allowing for the movement of regulated articles specified in WAC 16-470-260 from or within the quarantined area, that are not otherwise eligible for entry or movement from or within the quarantined area. Compliance agreements and special permits will include conditions and provisions which the director may prescribe to prevent the introduction or spread of sunflower broomrape.