

ANALYSIS OF ESB 5959

House Agriculture & Ecology Committee

March 31, 1997

BACKGROUND:

Legislation enacted in 1986 gave the Director of the Washington State Department of Agriculture (WSDA) regulatory authority over the production of rapeseed (canola) by variety and geographical location. This authority is granted until a rapeseed commodity commission is created to assume that regulatory authority. (RCW 15.65.055 and 15.66.025.)

The planting stock laws allow the Director to conduct inspections and issue certificates stating that planting stock is certified or registered planting stock. (RCW 15.14.070.)

SUMMARY:

Growers of seed potatoes, certified under the state's laws for planting stock, may submit a petition to the Director of the WSDA requesting the establishment of a restricted seed potato production area. The petition must identify the geographic boundaries of the area and the types of restrictions proposed for growing non-seed potatoes. It must be signed by at least 50 percent of the growers of seed potatoes who have produced at least 50 percent of the certified seed potatoes within the area within the previous two years.

Within 60 days of receiving the petition, the Director must investigate the need for establishing the area. The Director may adopt rules to establish restricted seed potato production areas to prevent the increased exposure to plant diseases and insect pests that adversely affect the ability to meet standards for certification of seed potatoes established under the planting stock laws. (Section 2.)

The Director may bring an action to enjoin a violation of these procedures or a rule adopted under them. (Section 3.)

Effective Date: *The bill contains an emergency clause and takes effect immediately.*