

Chapter 16-462 WAC
GRAPE PLANTING STOCK—REGISTRATION AND CERTIFICATION

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WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

16-462-001	Promulgation. [Order 1397, § 16-462-001, filed 4/7/75; Order 1193, § 16-462-001, filed 4/19/71; Order 1084, § 16-462-001, filed 4/2/68.] Repealed by WSR 86-08-078 (Order 1883), filed 4/2/86. Statutory Authority: Chapter 15.14 RCW.
16-462-040	Grades and standards. [Order 1084, § 16-462-040, filed 4/2/68.] Repealed by Order 1193, filed 4/19/71.
16-462-045	Effective date. [Order 1397, § 16-462-045, filed 4/7/75; Order 1193, § 16-462-045, filed 4/19/71.] Repealed by WSR 99-12-025, filed 5/25/99, effective 6/25/99. Statutory Authority: Chapter 15.14 RCW.
16-462-055	Certified grape planting stock—Grades and standards. [Statutory Authority: Chapters 15.14 and 34.05 RCW. WSR 06-19-009, § 16-462-055, filed 9/8/06, effective 10/9/06. Statutory Authority: Chapter 15.14 RCW. WSR 02-11-100, § 16-462-055, filed 5/20/02, effective 6/20/02; WSR 99-12-025, § 16-462-055, filed 5/25/99, effective 6/25/99; WSR 86-08-078 (Order 1883), § 16-462-055, filed 4/2/86.] Repealed by WSR 20-20-050, filed 10/1/20, effective 11/1/20. Statutory Authority: RCW 15.14.015 and 15.13.260.
16-462-060	Certified grape nursery stock—Aseptic shoot tip propagation. [Statutory Authority: Chapter 15.14 RCW. WSR 90-10-043, § 16-462-060, filed 4/27/90, effective 5/28/90.] Repealed by WSR 99-12-025, filed 5/25/99, effective 6/25/99. Statutory Authority: Chapter 15.14 RCW.

WAC 16-462-010 Grape planting stock program—General. (1) Participation in the grape planting stock program is voluntary.

(2) Grapevines or parts of grape plants may be designated as registered stock (G2/G3), or certified grape planting stock (G4), if they and the stock from which they were produced have been inspected and tested in accordance with procedures and requirements outlined in this chapter and found to be in compliance with all applicable standards and requirements established in this chapter.

(3) The issuance of a state of Washington plant tag, stamp, or other document under this chapter means only that the tagged, stamped, or otherwise documented planting stock has been subjected to standards and procedures described in this chapter and determined to be in compliance with its standards and requirements. The department disclaims all expressed or implied warranties, including without limitation, implied warranties of merchantability and fitness for particular purpose, regarding all plants, plant parts, and plant materials under this chapter.

(4) The department is not responsible for disease, genetic disorders, off-type, failure of performance, mislabeling, or otherwise, in connection with this chapter. No grower, nursery dealer, government official, or other person is authorized to give any expressed or implied warranty, or to accept financial responsibility on behalf of the department regarding this chapter.

[Statutory Authority: RCW 15.14.015 and 15.13.260. WSR 20-20-050, § 16-462-010, filed 10/1/20, effective 11/1/20. Statutory Authority: RCW 15.14.015 and chapter 34.05 RCW. WSR 14-21-035, § 16-462-010, filed 10/7/14, effective 11/7/14. Statutory Authority: Chapters 15.14 and

34.05 RCW. WSR 06-19-009, § 16-462-010, filed 9/8/06, effective 10/9/06. Statutory Authority: Chapter 15.14 RCW. WSR 99-12-025, § 16-462-010, filed 5/25/99, effective 6/25/99; WSR 86-08-078 (Order 1883), § 16-462-010, filed 4/2/86; Order 1193, § 16-462-010, filed 4/19/71; Order 1084, § 16-462-010, filed 4/2/68.]

WAC 16-462-015 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise:

"Block" means a contiguous grouping of *Vitis* plants separated from other groupings by a buffer zone. A block may contain one or multiple lots.

"Buffer zone" is an area surrounding or adjacent to an area officially delimited for phytosanitary purposes in order to minimize the probability of spread of targeted pests or diseases, into or out of the delimited area and subject to phytosanitary or other control measures, if appropriate.

"Certified grape planting stock" means vines, rooted cuttings, tissue cultures, cuttings or grafted plants taken or propagated directly from G1 foundation vines or G2/G3 registered vines in compliance with the provisions of this chapter.

"Containerized plant" means any live plant grown in a container or pot-in-pot where the plant is healthy, vigorous, well-rooted, and established in soil-less media in the container in which it is growing.

"Clean cultivation" means the site is actively managed for weed control or is planted with a cover crop approved by the department.

"Department" means the department of agriculture of the state of Washington.

"Director" means the director of the department of agriculture or the director's designee.

"Foundation block" means a planting of grapevines established, operated, and maintained by the Clean Plant Center Northwest at Washington State University, or other sources approved in writing by the director, that are tested and found free from targeted pathogens and viruses designated in this chapter and that are not off-type.

"Generation 1 (G1)" means original mother vines identified as such by the Clean Plant Center Northwest at Washington State University or an equivalent facility approved by the department.

"Generation 2 (G2)" means grapevines propagated from G1 mother vines and grown under conditions to prevent infection, in accordance with the requirements of this chapter.

"Generation 3 (G3)" means grapevines propagated from G1 or G2 mother vines, for increase of propagative material, and grown under conditions that prevent infection, in accordance with the requirements of this chapter.

"Generation 4 (G4)" means grapevines propagated from G1, G2, or G3 mother vines and grown in accordance with this chapter. This is material most often distributed for sale to commercial vineyards and retail consumers.

"Grapevine" means commercially grown species in the genus *Vitis*.

"Lot" means a contiguous group of a selection within a block, derived from one or more G1 source grapevines obtained from a single clean plant source approved by the department.

"Mother vine" means a grapevine used as a source for propagation material.

"National Clean Plant Network (NCPN)" means the national network of clean plant centers established in 2008 and supported by the United States Department of Agriculture.

"Off-type" means appearing under visual examination to be different from the variety listed on the application for registration and certification, or exhibiting symptoms of a genetic or nontransmissible disorder.

"Registered block" means a planting of registered (G2/G3) grapevines maintained by a nursery and used as a source of propagation material for certified (G4) grapevines.

"Registered vine" means any G2 or G3 grapevine approved by the director, identified to a single (G1) grapevine source, and registered with the Washington state department of agriculture, in compliance with provisions of this chapter.

"Screenhouse" is a structure that includes screening designed to prevent the introduction of insect vectors.

"Tissue culture" means aseptically removing a vegetative shoot tip from growth arising from a dormant cutting or from green growth (i.e., softwood) from a plant during the growing season and aseptically transferring this shoot tip to a suitable vessel containing an appropriate culture medium.

"Virus-like" means a graft-transmissible disorder with symptoms resembling a characterized virus disease including, but not limited to, disorders caused by viroids and phytoplasmas.

[Statutory Authority: RCW 15.14.015 and 15.13.260. WSR 20-20-050, § 16-462-015, filed 10/1/20, effective 11/1/20. Statutory Authority: RCW 15.14.015 and chapter 34.05 RCW. WSR 14-21-035, § 16-462-015, filed 10/7/14, effective 11/7/14. Statutory Authority: Chapters 15.14 and 34.05 RCW. WSR 11-01-092, § 16-462-015, filed 12/15/10, effective 1/15/11; WSR 06-19-009, § 16-462-015, filed 9/8/06, effective 10/9/06. Statutory Authority: Chapter 15.14 RCW. WSR 02-11-100, § 16-462-015, filed 5/20/02, effective 6/20/02; WSR 99-12-025, § 16-462-015, filed 5/25/99, effective 6/25/99; WSR 86-08-078 (Order 1883), § 16-462-015, filed 4/2/86; WSR 78-10-072 (Order 1583), § 16-462-015, filed 9/27/78; Order 1397, § 16-462-015, filed 4/7/75; Order 1193, § 16-462-015, filed 4/19/71; Order 1084, § 16-462-015, filed 4/2/68.]

WAC 16-462-018 Foundation sources eligible for registration and certification. All propagative material eligible for entry into the WSDA grape planting stock registration and certification program must be derived from a Generation 1 foundation block held at a National Clean Plant Network (NCPN) supported center and continuously grown under conditions that mitigate the risk of infection. Eligible Generation 1 foundation sources include the Clean Plant Center-Northwest (CPC-NW) at Washington State University and Foundation Plant Services (FPS) at University of California at Davis. The department may approve other grapevine foundation facilities as an eligible G1 foundation source. Such approval shall be in writing. The accession numbers relating to the single (G1) grapevine source must be retained for tracking purposes throughout the life of its certified progeny and provided to the department upon request.

[Statutory Authority: RCW 15.14.015 and 15.13.260. WSR 20-20-050, § 16-462-018, filed 10/1/20, effective 11/1/20. Statutory Authority: RCW

15.14.015 and chapter 34.05 RCW. WSR 14-21-035, § 16-462-018, filed 10/7/14, effective 11/7/14.]

WAC 16-462-020 Requirements for participation in the grape planting stock program. (1) The applicant shall be responsible, subject to the approval of the department, for the selection of the location and the proper maintenance of registered blocks (G2/G3) and certified grape planting stock (G4).

(2) The applicant must maintain records identifying the (G1) foundation source of registered vines (G2/G3) and certified grape planting stock (G4) and provide these records to the department upon request.

(3) The applicant shall take suitable precautions in cultivation, irrigation, movement and use of equipment, and in other farming practices, to guard against spread of soil-borne pests to planting stock entered in this program. The applicant shall keep all registered blocks (G2/G3) and certified grape planting stock (G4) clean cultivated, except for approved cover crops.

(4) Following notification by the department, the applicant shall remove and destroy immediately any registered grapevine or certified planting stock found to be off-type or affected by a virus or virus-like disease or a quarantine pest.

[Statutory Authority: RCW 15.14.015 and 15.13.260. WSR 20-20-050, § 16-462-020, filed 10/1/20, effective 11/1/20. Statutory Authority: RCW 15.14.015 and chapter 34.05 RCW. WSR 14-21-035, § 16-462-020, filed 10/7/14, effective 11/7/14. Statutory Authority: Chapters 15.14 and 34.05 RCW. WSR 11-01-092, § 16-462-020, filed 12/15/10, effective 1/15/11; WSR 06-19-009, § 16-462-020, filed 9/8/06, effective 10/9/06. Statutory Authority: Chapter 15.14 RCW. WSR 02-11-100, § 16-462-020, filed 5/20/02, effective 6/20/02; WSR 99-12-025, § 16-462-020, filed 5/25/99, effective 6/25/99; WSR 86-08-078 (Order 1883), § 16-462-020, filed 4/2/86; WSR 78-10-072 (Order 1583), § 16-462-020, filed 9/27/78; Order 1193, § 16-462-020, filed 4/19/71; Order 1084, § 16-462-020, filed 4/2/68.]

WAC 16-462-021 Requirements for registered blocks (G2/G3). (1) All registered grapevines must be identified by the number assigned to the single grapevine (G1) source in the foundation block from which they were derived.

(2) With the exception of practices allowed in subsections (3), (4), and (5) of this section, registered (G2) vines must be propagated directly from cuttings or tissue cultures taken from a G1 grapevine.

(3) Plants propagated from a G1 grapevine and grown entirely under laboratory or greenhouse conditions may serve as a source of softwood cuttings used to establish a registered block of G2 grapevines or a registered (G2) tissue culture line.

(4) Registered G3 grapevines may be propagated from registered G2 grapevines within the same registered block, for the purpose of increasing the size of the block or for replacement grapevines.

(5) Participating nurseries must obtain written permission from the department to propagate G3 grapevines from G2 grapevines, for the purpose of establishing or increasing other registered blocks within the nursery. All of the following conditions must be complied with:

(a) The mother vines were registered G2 vines;

(b) Propagation occurs in a laboratory or insect proof greenhouse by tissue culture or softwood cuttings; and

(c) The mother vine has been tested by the department within the last two growing cycles and has been determined to be free of regulated viruses and pests in WAC 16-462-050.

(6) Prior to planting a registered block (G2/G3), the growing area and its contiguous borders of not less than ten feet must be tested by the department for the presence of nematodes of the genus *Xiphinema*, which can be virus vectors. If a *Xiphinema* nematode is detected, the growing area must be fumigated in accordance with rates and practices recommended by Washington State University and then retested to verify efficacy of the fumigation. This treatment must be carried out under the supervision of the department.

(7) Registered blocks must be located at least one hundred feet from noncertified or nonregistered grapevines. This does not apply to registered vines grown in a fully enclosed greenhouse, screenhouse or laboratory, as long as that facility does not contain noncertified grapevines.

[Statutory Authority: RCW 15.14.015 and 15.13.260. WSR 20-20-050, § 16-462-021, filed 10/1/20, effective 11/1/20. Statutory Authority: RCW 15.14.015 and chapter 34.05 RCW. WSR 14-21-035, § 16-462-021, filed 10/7/14, effective 11/7/14. Statutory Authority: Chapters 15.14 and 34.05 RCW. WSR 11-01-092, § 16-462-021, filed 12/15/10, effective 1/15/11; WSR 06-19-009, § 16-462-021, filed 9/8/06, effective 10/9/06. Statutory Authority: Chapter 15.14 RCW. WSR 02-11-100, § 16-462-021, filed 5/20/02, effective 6/20/02; WSR 99-12-025, § 16-462-021, filed 5/25/99, effective 6/25/99.]

WAC 16-462-022 Requirements for certified grape planting stock

(G4). (1) Certified grape planting stock, including all components of budded or grafted plants, must be propagated from cuttings taken from G1, G2, or G3 grapevines.

(2) Cuttings from registered blocks must be sorted and kept separate by variety and selection number or clone.

(3) Treatment to control nematodes and other soil-borne pests may be required at any time by the department.

(4) Certified grape planting stock must be separated from noncertified grapevines by one of the following distances. This requirement does not apply to certified grape planting stock grown in a fully enclosed greenhouse, screenhouse or laboratory, as long as that facility does not contain noncertified grapevines.

(a) Ten feet for any land treated to control nematodes; or

(b) Twenty feet for land not specifically treated to control nematodes.

(5) Certification is based solely on compliance with the requirements prescribed in WAC 16-462-050 and other requirements of this chapter.

[Statutory Authority: RCW 15.14.015 and 15.13.260. WSR 20-20-050, § 16-462-022, filed 10/1/20, effective 11/1/20. Statutory Authority: RCW 15.14.015 and chapter 34.05 RCW. WSR 14-21-035, § 16-462-022, filed 10/7/14, effective 11/7/14. Statutory Authority: Chapters 15.14 and 34.05 RCW. WSR 11-01-092, § 16-462-022, filed 12/15/10, effective 1/15/11. Statutory Authority: Chapter 15.14 RCW. WSR 02-11-100, §

16-462-022, filed 5/20/02, effective 6/20/02; WSR 99-12-025, § 16-462-022, filed 5/25/99, effective 6/25/99.]

WAC 16-462-025 Registered grapevines (G2/G3) and certified grape planting stock (G4)—Inspections. (1) Inspections of registered grapevines and certified grape planting stock will be performed by the department at times determined to be suitable for the detection of virus and virus-like disease symptoms.

(2) The department will conduct at least two inspections of registered (G2/G3) vines during each growing season.

(3) The department will inspect certified grape planting stock (G4) at least two times per year.

(4) The department will refuse or withdraw registration or certification for any planting stock that is infested or infected with any pest regulated under this chapter, or any quarantine pest listed in WAC 16-483-001.

[Statutory Authority: RCW 15.14.015 and 15.13.260. WSR 20-20-050, § 16-462-025, filed 10/1/20, effective 11/1/20. Statutory Authority: RCW 15.14.015 and chapter 34.05 RCW. WSR 14-21-035, § 16-462-025, filed 10/7/14, effective 11/7/14. Statutory Authority: Chapters 15.14 and 34.05 RCW. WSR 11-01-092, § 16-462-025, filed 12/15/10, effective 1/15/11; WSR 06-19-009, § 16-462-025, filed 9/8/06, effective 10/9/06. Statutory Authority: Chapter 15.14 RCW. WSR 02-11-100, § 16-462-025, filed 5/20/02, effective 6/20/02; WSR 99-12-025, § 16-462-025, filed 5/25/99, effective 6/25/99; WSR 86-08-078 (Order 1883), § 16-462-025, filed 4/2/86; Order 1193, § 16-462-025, filed 4/19/71; Order 1084, § 16-462-025, filed 4/2/68.]

WAC 16-462-027 Virus sampling and testing requirements for registered (G2/G3) grapevines. (1) In addition to required visual inspections, all registered (G2/G3) grapevines may be tested by the department for regionally occurring viruses regulated under this chapter, on a five-year rotation. Regionally occurring viruses are those that can be vectored within the registered block. Pests to be tested for will be recommended annually by consensus of an agency recognized industry stakeholder group with representation for the Pacific Northwest region.

(2) Testing will be prioritized as follows:

(a) All vines showing symptoms upon visual inspection by the department will be tested immediately.

(b) Vines of varieties with the highest distribution by the nursery.

(c) Vines of varieties considered unlikely to show visual symptoms of virus shall be sampled and tested at twenty percent per year, or as directed by the department.

(d) Other vines not described above.

(3) The department and entities authorized by the department will test registered G2 grapevines by methods consistent with those utilized by the Clean Plant Center Northwest.

[Statutory Authority: RCW 15.14.015 and 15.13.260. WSR 20-20-050, § 16-462-027, filed 10/1/20, effective 11/1/20.]

WAC 16-462-030 Application and fees. (1) The applicant shall submit an application form developed by the department, furnishing all information requested, giving consent to the department to inspect and take samples from any planting stock enrolled in the program as registered grapevines or certified grape planting stock.

(2) Such application for registration and certification shall be filed with the department by January 10 of each year accompanied by a one hundred seventy-five dollar application fee.

(3) Fees for inspection and sampling shall be charged at the appropriate rate established in WAC 16-401-027. Mileage for inspections and other on-site services shall be charged at a rate established by the state office of financial management.

(4) Laboratory testing fees for nematode presence shall be charged at the appropriate rate established in WAC 16-470-912.

[Statutory Authority: RCW 15.14.015 and 15.13.260. WSR 20-20-050, § 16-462-030, filed 10/1/20, effective 11/1/20. Statutory Authority: RCW 15.14.015 and chapter 34.05 RCW. WSR 14-21-035, § 16-462-030, filed 10/7/14, effective 11/7/14. Statutory Authority: Chapters 15.14 and 34.05 RCW. WSR 06-19-009, § 16-462-030, filed 9/8/06, effective 10/9/06. Statutory Authority: Chapter 15.14 RCW. WSR 02-11-100, § 16-462-030, filed 5/20/02, effective 6/20/02; WSR 00-01-149, § 16-462-030, filed 12/21/99, effective 1/21/00; WSR 99-12-025, § 16-462-030, filed 5/25/99, effective 6/25/99; WSR 93-17-022 (Order 5001), § 16-462-030, filed 8/11/93, effective 9/11/93; WSR 86-08-078 (Order 1883), § 16-462-030, filed 4/2/86; WSR 78-10-072 (Order 1583), § 16-462-030, filed 9/27/78; Order 1397, § 16-462-030, filed 4/7/75; Order 1193, § 16-462-030, filed 4/19/71; Order 1084, § 16-462-030, filed 4/2/68.]

WAC 16-462-035 Certified grape planting stock (G4)—Tagging and identity. (1) Certification language approved by the department must be affixed by the grower to each bundle, box or other unit of certified grape planting stock (G4) by means of tag, stamp, sticker, or preprinted language prior to shipping. If all vines in a single shipment are considered certified, the certification language may alternatively be affixed to or printed on the invoice or bill of lading.

(2) Any person selling Washington certified grape planting stock (G4) is responsible for the identity of such planting stock. Persons authorized to use certification language must account by variety for the certified grape planting stock produced and sold. They must keep and allow the department to inspect and copy records necessary to verify this.

[Statutory Authority: RCW 15.14.015 and 15.13.260. WSR 20-20-050, § 16-462-035, filed 10/1/20, effective 11/1/20. Statutory Authority: RCW 15.14.015 and chapter 34.05 RCW. WSR 14-21-035, § 16-462-035, filed 10/7/14, effective 11/7/14. Statutory Authority: Chapters 15.14 and 34.05 RCW. WSR 06-19-009, § 16-462-035, filed 9/8/06, effective 10/9/06. Statutory Authority: Chapter 15.14 RCW. WSR 99-12-025, § 16-462-035, filed 5/25/99, effective 6/25/99; WSR 86-08-078 (Order 1883), § 16-462-035, filed 4/2/86; Order 1193, § 16-462-035, filed 4/19/71; Order 1084, § 16-462-035, filed 4/2/68.]

WAC 16-462-050 Requirements—Targeted pests and pathogens. All grapevines produced under this program must be free of Grapevine fan-leaf virus, Grapevine leafroll-associated viruses, Grapevine virus A, Grapevine virus B, Arabis mosaic virus, Tomato ringspot virus, Grapevine red blotch virus, Grapevine vein clearing virus, *Xylella fastidiosa*, *Daktulosphaira vitifoliae*, *Planococcus ficus* and all other quarantine pests listed in WAC 16-483-001. Grapevines produced under this program must also be apparently free of nematode root knots, crown gall, and other visible signs of diseases or serious pest injuries.

[Statutory Authority: RCW 15.14.015 and 15.13.260. WSR 20-20-050, § 16-462-050, filed 10/1/20, effective 11/1/20. Statutory Authority: RCW 15.14.015 and chapter 34.05 RCW. WSR 14-21-035, § 16-462-050, filed 10/7/14, effective 11/7/14. Statutory Authority: Chapters 15.14 and 34.05 RCW. WSR 06-19-009, § 16-462-050, filed 9/8/06, effective 10/9/06. Statutory Authority: Chapter 15.14 RCW. WSR 02-11-100, § 16-462-050, filed 5/20/02, effective 6/20/02; WSR 99-12-025, § 16-462-050, filed 5/25/99, effective 6/25/99; WSR 86-08-078 (Order 1883), § 16-462-050, filed 4/2/86.]