

**Chapter 16-483 WAC
GRAPE PEST QUARANTINE**

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WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

16-483-060	Grape virus quarantine—Violation and penalty. [Statutory Authority: Chapters 15.13 and 17.24 RCW. WSR 91-21-042, § 16-483-060, filed 10/11/91, effective 11/11/91; Order 1146, § 16-483-060, filed 3/16/70, effective 5/1/70.] Repealed by WSR 00-05-105, filed 2/16/00, effective 3/18/00. Statutory Authority: Chapter 17.24 RCW.
16-483-070	Effective date. [Order 1146, § 16-483-070, filed 3/16/70, effective 5/1/70.] Repealed by WSR 91-21-042, filed 10/11/91, effective 11/11/91. Statutory Authority: Chapters 15.13 and 17.24 RCW.

WAC 16-483-001 Establishing a quarantine. (1) A quarantine is established against harmful pests of grapevines that could endanger the grape industries of Washington.

(2) Quarantine pests include:

- (a) Grapevine fanleaf virus;
- (b) Grapevine leafroll associated viruses;
- (c) Grapevine virus A;
- (d) Grapevine virus B;
- (e) Grapevine red blotch virus;
- (f) Pierce's disease (a strain of *Xylella fastidiosa*);
- (g) Grapevine phylloxera (*Daktulosphaira vitifoliae*, *Viteus vitifoliae* (Fitch));
- (h) Vine mealybug (*Planococcus ficus*);
- (i) Glassy winged sharpshooter (*Homalodisca vitripennis*);
- (j) European grapevine moth (*Lobesia botrana*); and
- (k) *Xiphinema index*.

[Statutory Authority: RCW 17.24.011 and 17.24.041. WSR 21-03-048, § 16-483-001, filed 1/14/21, effective 2/14/21. Statutory Authority: RCW 17.24.011, 17.24.041 and chapter 34.05 RCW. WSR 14-21-036, § 16-483-001, filed 10/7/14, effective 11/7/14. Statutory Authority: Chapter 17.24 RCW. WSR 00-23-096, § 16-483-001, filed 11/21/00, effective 12/22/00; WSR 00-05-105, § 16-483-001, filed 2/16/00, effective 3/18/00. Statutory Authority: Chapters 15.13 and 17.24 RCW. WSR 91-21-042, § 16-483-001, filed 10/11/91, effective 11/11/91; Order 1146, § 16-483-001, filed 3/16/70, effective 5/1/70.]

WAC 16-483-005 Grape virus quarantine—Definitions. "Department" means the Washington state department of agriculture.

"Director" means the director of the Washington state department of agriculture or the director's authorized representative.

"G1 foundation sources" means any National Clean Plant Network-funded clean plant center, or other sources approved by the director.

"Grape planting stock" means live plants, hardwood cuttings, softwood cuttings, rootstocks, and any other parts of the grape plant (*Vitis* species), except fruit, capable of propagation.

"Phytosanitary certificate" means an official document issued by the plant protection organization in the state, district or territory of origin, attesting that a consignment has been inspected and meets phytosanitary import requirements, through specific additional declarations. The department may issue compliance agreements that take the place of a phytosanitary certificate.

[Statutory Authority: RCW 17.24.011 and 17.24.041. WSR 21-03-048, § 16-483-005, filed 1/14/21, effective 2/14/21. Statutory Authority: Chapter 17.24 RCW. WSR 00-05-105, § 16-483-005, filed 2/16/00, effective 3/18/00. Statutory Authority: Chapters 15.13 and 17.24 RCW. WSR 91-21-042, § 16-483-005, filed 10/11/91, effective 11/11/91.]

WAC 16-483-010 Area under quarantine. The area under quarantine includes all states, districts, and territories of the United States. Within the state of Washington, sites with grape plantings infested with a quarantine pest from WAC 16-483-001 are subject to additional restrictions.

[Statutory Authority: RCW 17.24.011 and 17.24.041. WSR 21-03-048, § 16-483-010, filed 1/14/21, effective 2/14/21. Statutory Authority: RCW 17.24.011, 17.24.041 and chapter 34.05 RCW. WSR 14-21-036, § 16-483-010, filed 10/7/14, effective 11/7/14. Statutory Authority: Chapter 17.24 RCW. WSR 00-05-105, § 16-483-010, filed 2/16/00, effective 3/18/00. Statutory Authority: Chapters 15.13 and 17.24 RCW. WSR 91-21-042, § 16-483-010, filed 10/11/91, effective 11/11/91; Order 1146, § 16-483-010, filed 3/16/70, effective 5/1/70.]

WAC 16-483-020 Regulated articles. Grape planting stock including live plants, hardwood cuttings, softwood cuttings, and any other plant parts capable of propagation, except fruit are regulated under the terms of this quarantine. Equipment used in harvesting grapes in another state, or in an infested site within the state is a regulated article.

[Statutory Authority: RCW 17.24.011 and 17.24.041. WSR 21-03-048, § 16-483-020, filed 1/14/21, effective 2/14/21. Statutory Authority: RCW 17.24.011, 17.24.041 and chapter 34.05 RCW. WSR 14-21-036, § 16-483-020, filed 10/7/14, effective 11/7/14. Statutory Authority: Chapter 17.24 RCW. WSR 00-05-105, § 16-483-020, filed 2/16/00, effective 3/18/00. Statutory Authority: Chapters 15.13 and 17.24 RCW. WSR 91-21-042, § 16-483-020, filed 10/11/91, effective 11/11/91; Order 1146, § 16-483-020, filed 3/16/70, effective 5/1/70.]

WAC 16-483-030 Restrictions. (1) Within the state of Washington, grape planting stock produced in a site found infested with a quarantine pest may only be moved from that site if it meets requirements of a pest management plan that is:

(a) Designed to prevent the spread of quarantine pests from that site; and

(b) Approved by the director.

(2) Grape planting stock entering the state must be accompanied by an official phytosanitary certificate that certifies the grape planting stock was produced in accordance with the regulations of an

official grapevine virus certification program that includes inspection and testing for grapevine fanleaf virus, grapevine leafroll associated viruses, grapevine virus A, grapevine virus B, grapevine red blotch virus and *Xylella fastidiosa* (Pierce's disease strain). The official phytosanitary certificate must:

(a) Include a statement that "The grape planting stock was produced in accordance with the regulations of an official grapevine virus certification program in the state of origin."; and

(b) Include one of the following statements:

(i) "The grape planting stock was grown in and shipped from an area known to be free from grape phylloxera, vine mealybug, glassy winged sharpshooter, and European grapevine moth, by official survey"; or

(ii) "The grape planting stock was grown in containers of soil-less media, in a greenhouse screened to exclude grape phylloxera, vine mealybug, glassy winged sharpshooter and European grapevine moth"; or

(iii) "The shipment consists entirely of tissue cultures in vitro, or plantlets ex vitro"; or

(iv) A statement that the grapevines, rootstock, or softwood cuttings were subjected to one of the two treatments in subsection (3) of this section, or other treatments determined to be effective and approved in writing by the director. The treated grapevines must be stored after treatment in a manner to prevent reinfestation. The details of the treatment must be listed on the accompanying phytosanitary certificate.

(3) Acceptable treatments for grapevine insect pests include:

(a) Hot water treatment. Dormant, rooted grapevines or rootstock shall be washed to remove all soil or other propagative media. Dormant rooted plants or rootstock shall be immersed in a hot water bath for a period of not less than three minutes nor more than five minutes at a temperature of not less than 125°F (52°C), nor more than 130°F (55°C); or

(b) Fumigation treatment. Grapevines, rootstock, or softwood cuttings may be treated with a fumigant labeled for such purpose.

(4) Each shipment of grape planting stock originating from a state infested with *Xiphinema index* as determined by the department must be accompanied by an official phytosanitary certificate that, in addition to the requirements in WAC 16-483-030(2), must include:

(a) A statement that "The potted grape plants in this shipment were grown in soilless media"; or

(b) A statement that "The grape planting stock in this shipment was grown in an area of the state where *Xiphinema index* is not found, by official survey"; or

(c) Where there is no recent official survey, a statement that "The grape planting stock in this shipment was grown in a field sampled and tested and found to be free from *Xiphinema index* in the growing season immediately prior to harvest. Official lab results are attached." Phytosanitary certificates providing this statement must be accompanied by test results from the growing season prior to harvest showing the vines were grown in a field free of *Xiphinema index*.

(5) All shipments of grape planting stock shall be plainly marked with the contents on the outside of the package or container as "grapevines," "grape rootstock," or "grape cuttings."

[Statutory Authority: RCW 17.24.011 and 17.24.041. WSR 21-03-048, § 16-483-030, filed 1/14/21, effective 2/14/21. Statutory Authority: RCW 17.24.011, 17.24.041 and chapter 34.05 RCW. WSR 14-21-036, §

16-483-030, filed 10/7/14, effective 11/7/14. Statutory Authority: Chapter 17.24 RCW. WSR 00-23-096, § 16-483-030, filed 11/21/00, effective 12/22/00; WSR 00-05-105, § 16-483-030, filed 2/16/00, effective 3/18/00. Statutory Authority: Chapters 15.13 and 17.24 RCW. WSR 91-21-042, § 16-483-030, filed 10/11/91, effective 11/11/91; Order 1146, § 16-483-030, filed 3/16/70, effective 5/1/70.]

WAC 16-483-033 Equipment cleaning requirements. (1) All equipment used for cultivation or harvesting of grapes and vines must be thoroughly washed or steam cleaned to remove all soil and plant material prior to entry into the state of Washington, and prior to movement out of an infested site within the state according to the approved pest management plan for the infested site. Such equipment shall be subject to inspection by the department.

(2) Any equipment found to be in violation of this section shall be subject to detention by the department until such equipment is thoroughly cleaned at the expense of the owner or shipper, or provisions are made by the owner or shipper to immediately transport the equipment directly out of the state.

[Statutory Authority: RCW 17.24.011 and 17.24.041. WSR 21-03-048, § 16-483-033, filed 1/14/21, effective 2/14/21. Statutory Authority: RCW 17.24.011, 17.24.041 and chapter 34.05 RCW. WSR 14-21-036, § 16-483-033, filed 10/7/14, effective 11/7/14.]

WAC 16-483-037 Notification requirement. Persons bringing grape planting stock into the state must notify the department in advance, under this grape pest quarantine. Notification may be by U.S. mail, email, or facsimile to: Plant Protection Division, Washington State Department of Agriculture, 1111 Washington Street S.E., P.O. Box 42560, Olympia, WA 98504-2560; email: PlantServices@agr.wa.gov; facsimile: 360-902-2094. Such notice shall include, at a minimum, the number of grapevines, rootstocks, or softwood cuttings; the shipper's name and address; the consignee's name and address; the method of treatment used, if applicable; the approximate date of delivery; and applicable copies of phytosanitary certificates and lab reports.

[Statutory Authority: RCW 17.24.011 and 17.24.041. WSR 21-03-048, § 16-483-037, filed 1/14/21, effective 2/14/21. Statutory Authority: RCW 17.24.011, 17.24.041 and chapter 34.05 RCW. WSR 14-21-036, § 16-483-037, filed 10/7/14, effective 11/7/14.]

WAC 16-483-040 Disposition of products shipped in violation of this quarantine—Violations. At the option and expense of the owner, the department will return to the point of origin or destroy any grapevines shipped into the state of Washington, or moved from an infested site within the state, in violation of this chapter.

[Statutory Authority: RCW 17.24.011 and 17.24.041. WSR 21-03-048, § 16-483-040, filed 1/14/21, effective 2/14/21. Statutory Authority: RCW 17.24.011, 17.24.041 and chapter 34.05 RCW. WSR 14-21-036, § 16-483-040, filed 10/7/14, effective 11/7/14. Statutory Authority: Chapter 17.24 RCW. WSR 00-05-105, § 16-483-040, filed 2/16/00, effective 3/18/00.]

tive 3/18/00. Statutory Authority: Chapters 15.13 and 17.24 RCW. WSR 91-21-042, § 16-483-040, filed 10/11/91, effective 11/11/91; Order 1146, § 16-483-040, filed 3/16/70, effective 5/1/70.]

WAC 16-483-050 Grape pest quarantine—Exemptions. (1) The restrictions on the movement of regulated articles set forth in this chapter do not apply to grape planting stock imported for experimental or trial purposes by the United States Department of Agriculture or Washington State University, provided the director's written permission is first obtained.

(2) The Clean Plant Center Northwest is not required to obtain the director's permission when exchanging G1 material between G1 foundation sources.

(3) The department, upon receipt of an application in writing, may issue a compliance agreement allowing movement into this state, or movement within this state, of regulated articles not otherwise eligible for movement under the provisions of this quarantine order. Movement of such articles will be subject to any conditions or restrictions stipulated in the agreement. These conditions and restrictions may vary depending upon the intended use of the article and the potential risk of introduction or spread of a harmful pest or disease.

[Statutory Authority: RCW 17.24.011 and 17.24.041. WSR 21-03-048, § 16-483-050, filed 1/14/21, effective 2/14/21. Statutory Authority: RCW 17.24.011, 17.24.041 and chapter 34.05 RCW. WSR 14-21-036, § 16-483-050, filed 10/7/14, effective 11/7/14. Statutory Authority: Chapter 17.24 RCW. WSR 00-05-105, § 16-483-050, filed 2/16/00, effective 3/18/00. Statutory Authority: Chapters 15.13 and 17.24 RCW. WSR 91-21-042, § 16-483-050, filed 10/11/91, effective 11/11/91; Order 1146, § 16-483-050, filed 3/16/70, effective 5/1/70.]