



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 09, 2025

TIME: 9:23 AM

WSR 25-09-035

Agency: Department of Agriculture

Effective date of rule:

Permanent Rules

- ☒ 31 days after filing.
☐ Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- ☐ Yes ☒ No If Yes, explain:

Purpose: This rule making order amends chapter 16-302 WAC, General Rules for Seed Certification, by:

- Adding definitions from chapter 16-301 WAC and chapter 16-303 along with creating definitions for the following terms that are currently used throughout the chapter, but are not defined: cultivar, genetic purity, grower, lot of seed, PNW, Pre-Varietal Germplasm (PVG), Plant Variety Protection (PVP), purity, volunteer, United States.
- Adding language to WAC 16-302-010 regarding the relationship between the Seed Program and the Association of Official Seed Certifying Agencies (AOSCA).
- Adding language in WAC 16-302-020 to require additional documentation for proprietary varieties.
- Adding language in WAC 16-302-050 to allow for Washington producers or growers in Eastern Washington dryland areas to temporarily waive the crop acreage fee.
- Adding language to WAC 16-302-080 to include an exemption for dry bean seed crops.
- Adding language to WAC 16-302-115 to expand on what certificates issued by the program represent and the responsibility of the producer or vendor for proper use of a certification label.
- Adding language requiring prohibited noxious weeds to be controlled to prevent seed formation to WAC 16-302-225.
- Adding language to WAC 16-302-560 to reflect addition of Quinoa and associated field inspection timing requirements.
- Adding standards for the certification of quinoa seed in WAC 16-302-705.
- Aligning with other seed certification states for blended and mixture tagging of certified seed.
- Aligning with the most current version of the AOSCA standards manual.
- Aligning with the most current version of the Federal Seed Act (FSA).
- Updating the seed standard tables to match the amount of seed required by Association of Seed Analyst (AOSA).
- Aligning the units in the seed standard tables for all crops with AOSA standards.
- Adding standards for Foundation classes in relation to maximum damaged seed, inert matter, splits and weed seed maximums that are currently not listed.
- Repealing section WAC 16-302-390.
- Removing the reference to WAC 16-301-480(1), which was repealed in 2004.
- Incorporating field corn crop standards that are currently in practice.
- Incorporating a new Pacific Northwest SOD Quality exam and tagging process.
- Incorporating a number of clarifying changes throughout the rule, such as addressing inconsistencies in language between crop standards, correcting spelling errors, replacing gendered pronoun usage, updating the numbering of sections that are not related to each other, adding headers and borders to table formatting, and moving footnotes that are currently at the end of tables into the body of the section text.

Citation of rules affected by this order:

New: 16-302-006, -412, and -705.
Repealed: 16-302-390
Amended: 16-302-005, -010, -020, -025, -030, -035, -040, -045, -050, -065, -070, -075, -080, -085, -086, -090, -100, -105, -115, -125, -130, -135, -140, -142, -150, -155, -165, -170, -215, -225, -230, -240, -245, -250, -255, -260, -265, -270, -280, -295, -310, -330, -385, -410, -435, -455, -465, -470, -480, -485, -500, -520, -530, -545, -550, -560, -660, -665, -670, -675, -680, -685, -690, -695, -700, -755, -756, -780, -785, -810, -830, and -835.
Suspended:

Statutory authority for adoption: RCW 15.49.005, .021, .310, .370, RCW 15.140.030

Other authority: Chapter 15.49 RCW

PERMANENT RULE (Including Expedited Rule Making)Adopted under notice filed as WSR 25-05-082 on 02/18/2025 (date).

Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	<u>1</u>	Amended	<u>2</u>	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	<u>2</u>	Amended	<u>72</u>	Repealed	<u>1</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>3</u>	Amended	<u>74</u>	Repealed	<u>1</u>
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: 04/09/2025**Name:** Derek I. Sandison**Title:** Director**Signature:**