PROPOSED RULE MAKING

CR-102 (July 2022)
(Implements RCW 34.05.320)
Do **NOT** use for expedited rule making

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FILED

DATE: February 18, 2025
TIME: 11:35 AM

WSR 25-05-082

Agency: Department of Agriculture

☒ **Original Notice**

☐ **Supplemental Notice to WSR _____**

☐ **Continuance of WSR _____**

☒ **Preproposal Statement of Inquiry was filed as WSR** WSR 24-20-013 **; or**

☐ **Expedited Rule Making--Proposed notice was filed as WSR _____; or**

☐ **Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or**

☐ **Proposal is exempt under RCW _____.**

Title of rule and other identifying information: (describe subject) Chapter 16-302 WAC, General Rules for Seed Certification

Hearing location(s):

Date:	**Time:**	**Location:** (be specific)	**Comment:**
March 25, 2025	10:00 AM	Microsoft Teams Meeting Link: https://teams.microsoft.com/l/meetup-join/19%3ameeting_YTJiOTk0YTItZTFmNi00YTFlLTg3OWUtOGRkNWQ3Y2FiMTk0%40thread.v2/0?context=%7b%22Tid%22%3a%2211d0e217-264e-400a-8ba0-57dcc127d72d%22%2c%22Oid%22%3a%22838c55c7-c187-44ae-8de0-2be684ce5d4a%22%7d Meeting ID: 281 004 657 990 Passcode: z8PU2T6P Dial in by phone +1 564-999-2000,864566935# United States, Olympia	

Date of intended adoption: April 1, 2025 (Note: This is **NOT** the **effective** date)

Submit written comments to:	**Assistance for persons with disabilities:**
Name: Gloriann Robinson, Agency Rules Coordinator	Contact Timothy Estes
Address: PO Box 42560, Olympia WA 98504-2560	Phone: 360-902-1931
Email: wsdarulescomments@agr.wa.gov	Fax: 360-902-2085
Fax: 360-902-2092	TTY: 800-833-6388
Other:	Email: timothy.estes@agr.wa.gov
By (date) March 25, 2025	Other:
	By (date) March 18, 2025

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The department is proposing amendments to this chapter that include:

- 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.

Reasons supporting proposal: Amending this rule to correct spelling errors, change the format of tables to add headers and borders, repealing references that are no longer applicable, adding definitions, remove unnecessary language, improve readability and clarity of the chapter making easier for stakeholders to understand and for the department to implement.

Changes such as moving footnotes or language from below a table to before a table ensures key information is visible and provides clarification on what information is associated with the tables. Reformatting tables improves readability and provides consistency across the chapter. Additionally, several sections included processes that were no longer reflective of current program practice.

Aligning the standards in the rule with the current AOSCA, AOSA, and FSA standards and removing references to outdated national standard books or manuals ensures that the department is implementing a state seed law that is uniform and consistent with national standards and seed laws in other states.

Add language to WAC 16-302-010 that describes the purpose of the Association of Official Seed Certifying Agencies (AOSCA) such as establishing minimum standards for a variety of seed processes and documenting in rule that as a vested member of AOSCA, the department cannot establish lower standards than AOSCA has adopted, only more stringent standards improves clarity for customers. Additionally, during a customer poll, all customers who participated said there was value in the rule set explaining how AOSCA impacts seed standards.

The production of certified seed grass species for sod production is 90% grown in the three states of the Pacific Northwest. There are producers which grow in all three states of Washington, Idaho and Oregon. The sod quality seed standards among all three states Certification Agencies were different in the required ‘free from’ weeds and noxious weeds. Adding this new seed standard will allow producers to have uniformity among all three states. Currently producers are growing in one state and shipping harvested seed to the state with the desired sod seed standards for conditioning, bagging and tagging. The other two states have already added these sod seed standards which are intended to serve as a combined uniform standard of all three states. This will allow the producers to reduce labor and transportation costs to neighboring states and retain the seed in the state of origin.

Each state Certification Agency is willing to take the official lab reports of the three states to qualify for the tagging standards. The current state standards take only the instate laboratory reports. That would require the seed sample to get retested in the state when tags are requested. The new process will reduce the number of laboratory tests necessary to obtain the desired results. Fewer laboratory reports is an additional cost savings for producers.

This concept of a harmonized sod seed standard for Oregon, Idaho, and Washington was proposed by the Oregon Seed Association and backed by the Oregon State Department of Agriculture. Both states of Idaho and Oregon have a rule proposal process which allows for completion of a standard change with a board of directors. WSDA is the final state that has not adopted the new standards for uniform PNW SOD quality standards.

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

Statute being implemented: Chapter 15.49 RCW

Is rule necessary because of a:

Federal Law?	☐ Yes	☒ No
Federal Court Decision?	☐ Yes	☒ No
State Court Decision?	☐ Yes	☒ No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Type of proponent: ☐ Private ☐ Public ☒ Governmental
Name of proponent: (person or organization) Department of Agriculture

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Timothy Estes	1111 Washington Street SE, Olympia, WA 98504	360-902-1931
Implementation:	Paula Moore	21 North 1st Ave, Suite 203 Yakima WA 98902	509-314-1032
Enforcement:	Paula Moore	21 North 1st Ave, Suite 203 Yakima WA 98902	509-314-1032

Is a school district fiscal impact statement required under RCW 28A.305.135? ☐ Yes ☒ No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:
Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes: A preliminary cost-benefit analysis may be obtained by contacting:
Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

☒ No: Please explain: The Washington State Dept. of Agriculture is not a listed agency under RCW 34.05.328(5)(a)(i)

Regulatory Fairness Act and Small Business Economic Impact Statement
Note: The Governor's Office for Regulatory Innovation and Assistance (ORIA) provides support in completing this part.

(1) Identification of exemptions:
This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). For additional information on exemptions, consult the exemption guide published by ORIA. Please check the box for any applicable exemption(s):

☐ This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.
Citation and description:

☐ This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

☐ This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

☐ This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

- ☐ RCW 34.05.310 (4)(b) (Internal government operations)
- ☐ RCW 34.05.310 (4)(c) (Incorporation by reference)
- ☐ RCW 34.05.310 (4)(d) (Correct or clarify language)
- ☐ RCW 34.05.310 (4)(e) (Dictated by statute)
- ☐ RCW 34.05.310 (4)(f) (Set or adjust fees)
- ☐ RCW 34.05.310 (4)(g) ((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

☐ This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(4) (does not affect small businesses).

☐ This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: *Check one.*

☐ The rule proposal is fully exempt *(skip section 3)*. Exemptions identified above apply to all portions of the rule proposal.

☐ The rule proposal is partially exempt *(complete section 3)*. The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using this template from ORIA):

☒ The rule proposal is not exempt *(complete section 3)*. No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

☒ No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. While there are significant changes to the rule, most are clarifying to assist with understandability and usability of the rule and/or clerical in nature without changing intent of the rule. Additionally, these proposed changes aid the department in aligning with standards set by the Association of Seed Certifying Agencies (AOSCA) and subsequently the standards in other AOSCA agencies. In doing so, the department aims to improve seed quality and consistency, enhance market access, support emerging industries, and readily adapt to climate change and other environmental challenges- all of which are significant benefits for industry.

The main impact areas are the following changes:

1. *PNW Sod Tag*: Seed producers are anxiously awaiting this option especially since Idaho and Oregon adopted this option for their state's producers last year. This concept of a harmonized sod seed standard for Oregon, Idaho, and Washington was proposed by the Oregon Seed Association and backed by the Oregon State Department of Agriculture. Both states of Idaho and Oregon have a rule proposal process which allows for completion of a standard change with a board of directors. WSDA is the final state that has not adopted the new standards for uniform PNW SOD quality standards.
2. *Adding Quinoa*: Washington currently does not have any Quinoa certified seed producers. However, this ensures that if industry wanted to pursue this commodity that WSDA has the ability to certify the commodity.
3. *Allowing Washington producers or growers in Eastern Washington dryland areas to temporarily waive the crop acreage fee*: This is a significant benefit for our growers in dryland areas as it will allow them to ensure the crop is viable before being charged the program's acreage fee.
4. *Requiring additional documentation for proprietary varieties*: This will require the variety owner to send the seed program the variety information they are required to submit to USDA & AOSCA when gaining PVP status. We do not anticipate an impact as the information has to be generated already for other organizations. Additionally, it will allow seed inspectors who assess the genetic purity of the field during the active growing season to have a description of plant morphological characteristics to observe and verify, and the Program can assist the developer or owner of a variety against unauthorized entities growing a PVP or Title V variety.

☐ Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: 2/18/2025	**Signature:** 
Name: Jessica Allenton	
Title: Assistant Director	

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-005 Seed certification—Purpose. Under the authority of chapter 15.49 RCW, the department adopts rules to establish standards for seed certification in Washington state in order to maintain and make available sources of high quality seeds and propagating material of plant varieties (hereinafter to be considered synonymous with cultivar) or germplasm entities so grown and distributed as to ensure genetic identity and genetic purity.

NEW SECTION

WAC 16-302-006 Seed certification—Definitions. Definitions for terms used in this chapter and in chapters 16-301 and 16-303 WAC may be found in chapter 15.49 RCW, Seeds. For the purposes of these chapters, the following definitions shall apply unless otherwise provided for in law or rule:

"Agricultural seed" as defined in RCW 15.49.011, includes grass, forage, cereal, oil, fiber, and other kinds of crop seeds commonly recognized within this state as agricultural seeds, lawn seeds, and combination of such seeds, and may include common and restricted noxious weed seeds but not prohibited noxious weed seeds.

"AOSA" means the Association of Official Seed Analysts.

"AOSCA" means the Association of Official Seed Certifying Agencies.

"Approved trial grounds" means a specific parcel of land approved by the director for experimental or limited production or increase of seed.

"Bean" means common beans and adzuki beans.

"Blend" as defined in RCW 15.49.011, means seed consisting of more than one variety of a species, each in excess of five percent by weight of the whole.

"Blending" as related to this chapter shall be the process of commingling two or more lots of seed to form one lot of uniform quality of the same crop kind.

"Breeder seed" as defined in the Federal Seed Act at 7 C.F.R. § 201.2, is a class of certified seed directly controlled by the originating or sponsoring plant breeding institution, or person, or designee therof, and is the source of the production of seed of the other classes of certified seed.

"Bulk seed" as defined in RCW 15.49.011, means seed distributed in a nonpackage form.

"Buyer" means a person who purchases seeds.

"Certifying agency" as defined in RCW 15.49.011, means:

(a) An agency authorized under the laws of any state, territory, or possession to certify seed officially and which has standards and procedures approved by the United States Secretary of Agriculture to assure the genetic purity and identity of the seed certified; or

(b) An agency of a foreign country determined by the United States Secretary of Agriculture to adhere to procedures and standards

for seed certification comparable to those adhered to generally by seed-certifying agencies under (a) of this subsection.

"Certification" is a process to verify crop and seed genetic purity through inspection and testing to meet standards published in the Standards Handbook.

"Certified seed" as defined in the Federal Seed Act at 7 C.F.R. § 201.2, means a class of certified seed which is the progeny of Breeder, Foundation, or Registered seed, except as provided in 7 C.F.R. § 201.70, and is produced and handled under procedures established by the department or certifying agency for producing the Certified class of seed, for the purpose of maintaining genetic purity and identity. It appears in an abbreviated form as CERT or Certified.

"Coated seed" as defined in RCW 15.49.011, means seed that has been treated and has received an application of inert material during the treatment process.

"Common bean" means *Phaseolus vulgaris L.* and all bean type species that are susceptible bean quarantine pests of concern.

"Complete record" means any and all information which relates to the origin, treatment, germination and purity (including variety) of each lot of seed. Records include seed samples and records of declaration, labels, purchases, sales, cleaning, bulking, treatment, handling, storage, analyses, tests and examinations.

"Conditioning" as defined in RCW 15.49.011, means drying, cleaning, scarifying, and other operations that could change the purity or germination of the seed and require the seed lot to be retested to determine the label information.

"Cultivar" is hereinafter to be considered synonymous with variety or germplasm entity.

"Dealer" as defined in RCW 15.49.011, means any person who distributes seeds.

"Department" as defined in RCW 15.49.011, means the department of agriculture of the state of Washington or its duly authorized representative.

"Director" as defined in RCW 15.49.011, means the director of the department of agriculture.

"Distribute" as defined in RCW 15.49.011, means to import, consign, offer for sale, hold for sale, sell, barter, or otherwise supply seed in this state.

"Federal Seed Act (FSA)" means the Federal Seed Act found at 7 U.S.C. 1551–1611 as amended, and its implementing regulations.

"Field standards" means the tolerances permitted as determined by established field inspection procedures.

"Fiscal year" means the 12-month period from July 1st through June 30th.

"Flower seeds" as defined in RCW 15.49.011, include seeds of herbaceous plants grown for their blooms, ornamental foliage, or other ornamental parts, and commonly known and sold as flower seeds in this state.

"Foundation seed" as defined in the Federal Seed Act at 7 C.F.R. § 201.2, is a class of certified seed which is the progeny of Breeder or Foundation seed and is produced and handled under procedures established by the department or certifying agency for producing the Foundation class of seed, for the purpose of maintaining genetic purity and identity. It appears in an abbreviated form as FND or Foundation.

"Genetic purity" means the application of standards for certain phenotypic traits relative to the developer's description of the vari-

ety or germplasm. It is not to imply verification of genotype or verification of all described traits.

"Germination" as defined in RCW 15.49.011, means the emergence and development from the seed embryo of those essential structures which, for the kind of seed in question, are indicative of the ability to produce a normal plant under favorable conditions.

"Grower" means any person who produces directly or through a growing contract, or is a seed-crop sharer in seed which is sold, offered for sale, transported, or offered for transportation.

"Hard seeds" as defined in RCW 15.49.011, means seeds that remain hard at the end of the prescribed test period because they have not absorbed water due to an impermeable seed coat.

"Hybrid" as defined in RCW 15.49.011, means the first generation seed of a cross produced by controlling the pollination and by combining (a) two or more inbred lines; (b) one inbred or a single cross with an open pollinated variety; or (c) two varieties or species, except open-pollinated varieties of corn (Zea mays). The second generation or subsequent generations from such crosses are not regarded as hybrids. Hybrid designations must be treated as variety names.

"Inert matter" as defined in RCW 15.49.011, means all matter not seed, that includes broken seeds, sterile florets, chaff, fungus bodies, and stones as determined by methods defined by rule.

"Interagency certification" means the participation of two or more official certifying agencies in performing the services required to certify the same lot or lots of seed.

"Inspector" is an individual employed by either WSDA or WSCIA with specific training in procedures, techniques, and seed crop knowledge to secure great accuracy for an objective observation of seed visual quality and/or seed crop purity based upon federal visual phytosanitary or state seed certification standards. The individual is both sound in judgments, impartial, and adequately trained to determine the merits of the seed inspection and/or field.

"Isolation standards" means the distance in feet from any contaminating source (i.e., distance from other fields of same species or different species that cross pollinate).

"Kind" as defined in RCW 15.49.011, means one or more related species or subspecies that singly or collectively is known by one common name, for example, corn, oats, alfalfa, and timothy.

"Label" as defined in RCW 15.49.011, includes a tag or other device attached to or written, stamped, or printed on any container or accompanying any lot of bulk seeds purporting to set forth the information required on the seed label by chapter 15.49 RCW, and may include other information including the requirement for mediation.

"Land standards" means the number of years that must elapse between the destruction of a stand of a kind, and establishment of a stand of a specified class of a variety of the same kind (i.e., number of years out of production of same crop kind).

"Lot" as defined in RCW 15.49.011, means a definite quantity of seed identified by a lot number or other mark, every portion or bag of which is uniform within permitted tolerances for the factors which appear in the labeling. It appears in this chapter as "lot of seed" and/or "seed lot."

"Mixture, mixed, or mix" as defined in RCW 15.49.011, means seed consisting of more than one species, each in excess of five percent by weight of the whole.

"No standard" means there are no published minimum standards for seed certification. It appears in an abbreviated form as NS.

"None found" is used on reports when that test or observation was conducted, and nothing was found. It appears in an abbreviated form as NF.

"Nursery" means an area of two acres or less in which grass for seed production is seeded in rows with 24 inch minimum spacing to facilitate roguing.

"OECD" means the Organization for Economic Cooperation and Development certification scheme.

"Off-type" as defined in the Federal Seed act at 7 C.F.R. § 201.2, means a plant or seed which deviates in one or more characteristics from that which has been described in accordance with § 201.68(c) as being usual for the strain or variety.

"Official certificate" means a document issued by an official testing agency including, but not limited to, seed certification tags, bulk seed certification certificates, phytosanitary certificates, laboratory sanitary certificates, reports and other letters or memos, tags, stamps, or similar documents certifying seed quality, purity, or condition.

"Official sample" as defined in RCW 15.49.011, means any sample taken and designated as official by the department.

"Official seed laboratory" means a seed testing laboratory approved by the director such as, but not limited to, Washington State Seed Laboratory, 21 N 1st Avenue, Yakima, Washington; Idaho State Seed Laboratory, Boise, Idaho; and Oregon State Seed Laboratory, Oregon State University, Corvallis, Oregon.

"Open pollinated" means seed produced as a result of natural pollination as opposed to hybrid seed produced as a result of controlled pollination.

"Origin" means the county within the state of Washington, or the state, territory, or country where a specific seed lot was grown.

"Other crop seed" as defined in RCW 15.49.011, means seed of plants grown as crops, other than the kind or variety included in the pure seed, as determined by methods defined by rule.

"PNW" is an acronym for Pacific Northwest which is defined as the geographic region to include Washington, Idaho, and Oregon states.

"PVG" means pre-variety germplasm representing plant species seed which may be collected on native or naturalized sites for the purpose of replication and may be entered into seed certification when meeting eligibility requirements.

"PVP" means a plant variety protection for seed material that is developed by an owner and protected by the Plant Variety Protection Act (PVPA) by providing legal intellectual property rights and protection to breeders of new varieties of plants which are sexually reproduced (by seed) or tuber-propagate. The Plant Variety Protection Office (PVPO) reviews applications and grants certificates that protect varieties for 20 years.

"Person" as defined in RCW 15.49.011, means an individual, partnership, corporation, company, association, receiver, trustee, or agent.

"Prohibited (primary) noxious weed seeds" as defined in RCW 15.49.011, are the seeds of weeds which when established are highly destructive, competitive, and/or difficult to control by cultural or chemical practices.

"Proprietary variety" means that crop variety for which a person has exclusive production and/or marketing rights.

"Pure live seed (PLS)" as defined in RCW 15.49.011, means the product of the percent of germination plus hard or dormant seed multi-

plied by the percent of pure seed divided by 100. The result is expressed as a whole number.

"Pure seed" as defined in RCW 15.49.011, means seed exclusive of inert matter and all other seeds not of the seed being considered as determined by methods defined by rule.

"Purity" means the name or names of the kind, type, or variety and the percentage or percentages thereof; the percentage of other agricultural seed; the percentage of weed seeds, including noxious weed seeds; the percentage of inert matter; and the names of the noxious weed seeds and the rate of occurrence of each.

"Registered seed" as defined in the Federal Seed Act at 7 C.F.R. § 201.2, is a class of certified seed which is the progeny of Breeder or Foundation seed and is produced and handled under procedures established by the department or certifying agency for producing the Registered class of seed, for the purpose of maintaining genetic purity and identity. It appears in an abbreviated form as REG or Registered.

"Restricted (secondary) noxious weed seeds" as defined in RCW 15.49.011, are the seeds of weeds which are objectionable in fields, lawns, and gardens of this state, but which can be controlled by cultural or chemical practices.

"Representative sample" means a sample drawn in accordance with sampling procedures adopted in WAC 16-301-095.

"Screenings" as defined in RCW 15.49.011, mean chaff, seed, weed seed, inert matter, and other materials removed from seed in cleaning or conditioning.

"Seeds" as defined in RCW 15.49.011, means agricultural or vegetable seeds, or other seeds as determined by rules adopted by the department.

"Seed labeling permit" means a permit issued by the department pursuant to RCW 15.49.400 to a person labeling seed for distribution in this state.

"Seed program advisory committee" means a committee of representatives from the small grains, pea, lentil, bean, vegetable, small seeded legumes, hemp, sunflower, and grass seed industries selected by the program manager in consultation with the industry.

"Seed standards" means the tolerances permitted as determined by established seed inspection procedures. Seed standards for the purpose of production of certified seed are listed in chapter 16-302 WAC by crop or kind.

"Serology" means precipitation, agglutination, immunodiffusion, or labeled antibody test methods (such as ELISA) that use the specificity of antigen-antibody reactions to detect and identify antigenic substances and the organisms such as viruses and bacteria that carry viruses.

"Stock seed" means breeders, prebasic, or like initial generation of seed.

"Stop sale, use, or removal order" as defined in RCW 15.49.011, means an administrative order restraining the sale, use, disposition, and movement of a specific amount of seed.

"Sudangrass" means *Sorghum bicolor x drummondii*.

"Top cross" means the first generation of a cross of an open pollinated variety with either an inbred line, a foundation backcross, or a foundation single cross.

"Treated" as defined in RCW 15.49.011, means that the seed has received an application of a substance, or that it has been subjected to a process for which a claim is made.

"Type" as defined in RCW 15.49.011, means a group of varieties so nearly similar that the individual varieties cannot be clearly differentiated except under special conditions.

"Variety" as defined in RCW 15.49.011, means a subdivision of a kind that is distinct, uniform, and stable; "distinct" in the sense that the variety can be differentiated by one or more identifiable morphological, physiological, or other characteristics from all other varieties of public knowledge; "uniform" in the sense that variations in essential and distinctive characteristics are describable; and "stable" in the sense that the variety will remain unchanged in its essential and distinctive characteristics and its uniformity when reproduced or reconstituted as required by the different categories of varieties.

"Varietal identity" defined as, and limited to, the verification of the identity of a variety, cultivar, or germplasm entity through (a) documentation of the pedigree, i.e., tracing the particular cycle of reproduction back to its origins with the developer, and (b) the application of the developer's variety/germplasm description for certain visible, phenotypic traits in field inspections and seed laboratory analysis.

"Vegetable seeds" as defined in RCW 15.49.011, includes the seeds of those crops that are grown in gardens and on truck farms and are generally known and sold under the name of vegetable or herb seeds in this state.

"United States" means the several states, District of Columbia, and Puerto Rico.

"University" means the Washington State University.

"USDA" means the United States Department of Agriculture.

"WSCIA" means the Washington state crop improvement association.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-010 Agencies that certify seed in Washington state. (1) Seed certification in Washington state is conducted under the authority of chapter 15.49 RCW. The department conducts seed certification in cooperation with the Washington state crop improvement association (WSCIA), Washington State University (WSU) and the Association of Official Seed Certifying Agencies (AOSCA).

(2) The Washington state crop improvement association is designated to assist the department in the certification of certain agricultural seeds. A memorandum of understanding between the department and the Washington state crop improvement association designates the Washington state crop improvement association to act as the director's duly authorized agent for the purpose of certifying seed of buckwheat, chickpeas, field peas, lentils, millet, soybeans, small grain, sorghum and forest trees, including conditioning plant inspections for these crops.

(3) The department's seed program certifies seed other than buckwheat, chickpeas, field peas, lentils, millet, quinoa, soybeans, small grain, sorghum and forest trees.

(4) The department's seed program is a vested member of Association of Official Seed Certifying Agencies (AOSCA). The purposes of the AOSCA are:

(a) To establish minimum standards for genetic purity and identity for the classes of Certified seed. Also, to establish minimum seed quality standards to be applied by seed certifying agencies requiring mechanical standards.

(b) To standardize seed certification regulations and procedures, and operational procedures in interagency seed certification.

(c) To periodically review agency genetic standards and procedures to assure conformity with federal seed laws.

(d) To cooperate with the state and federal departments of agriculture by suggesting new areas of research to improve seed sampling and testing techniques for seed regulatory purposes.

(5) AOSCA maintains standards for the genetic and crop standards which are the requirements (rules, procedures, and standards) developed for certifying seed and other propagating materials. There are published minimum requirements.

(a) No vested member agency may establish standards lower in any respect but may establish higher standards.

(b) The primary purpose of seed certification is to maintain genetic purity and varietal identity.

(c) For agencies choosing to implement mechanical standards, the publication includes AOSCA minimums related to physical quality, minimum germination, and disease restrictions.

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-020 Seed standards for proprietary variety certification—Application for proprietary certification. The general seed certification standards provided for in this chapter together with the varieties eligible for seed certification constitutes the basic requirements for proprietary variety certification.

(1) The owner or designee with production or marketing rights of a proprietary variety must submit to the certifying agency a list of producers or growers who will submit applications for certification showing the variety, acreage authorized, processor authorized, and also advising whether the variety is under genetic purity certification or under complete certification. The list of producers or growers must be submitted prior to the application due dates for seed certification as specified in WAC 16-302-050.

(2) The owner or designee with production or marketing rights of a proprietary variety must submit a full variety description of the variety upon entry into the certification program along with an approved Plant Variety Protection certificate issued by the United States Department of Agriculture (USDA).

(3) Each application for seed certification received by the certifying agency is subject to approval from the list submitted by the owner with production or marketing rights of a proprietary variety.

((~~(3)~~)) (4) The certifying agency shall refuse certification of any seed that appears in a processing or conditioning plant not authorized by the owner with production or marketing rights of a proprietary variety.

((~~(4)~~)) (5) An application for seed certification may be withdrawn at any time prior to tagging. The applicant is responsible for

fees due and owing when an application for seed certification is withdrawn. Refer to chapter 16-303 WAC for certification fees including field application, laboratory analysis, and tagging.

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-025 Seed standards for genetic purity certification. All Certified seed must conform to the standards of purity and identity or variety in compliance with chapter 15.49 RCW and rules adopted thereunder. The general certification standards together with the specific crop certification standards established in this chapter are the basic requirements for genetic purity seed certification:

(1) Only proprietary varieties and OECD varieties not of United States origin to be tagged under the OECD scheme are eligible for genetic purity certification.

(2) Only the specific crop certification standards established in rule which pertain to genetic purity such as land requirements and isolation, shall apply for genetic purity certification. Fields must not contain other varieties or off-type plants in excess of established standards. The grower is responsible for controlling noxious weeds to prevent seed formation.

(3) Excessive prohibited and/or objectionable weeds, poor stands, lack of vigor, or other conditions, which make inspection by the certifying agency inaccurate, may be cause for rejection of a field.

(4) Field inspection((~~,~~)): A field inspection is made by the certifying agency each year at the time the seed crop is in bloom, or at other times as may be most advantageous to determine genetic purity. A complete record must be maintained on the condition of the field (weeds, crop mixtures, ((~~etc.~~)) stand quality, land history) and all information reported to the authorized agent and/or grower. Upon completion of all requirements for field inspection, a final field inspection report is issued by the certifying agency that the seed produced passed genetic purity requirements.

(5) Seed standards((~~,~~)): The certifying agency shall test all lots to determine the purity and germination quality. Seed to be certified must not contain seeds of other varieties or off-types in excess of standards established in rule. The quality of each lot of seed represented to be certified must be that which is normally acceptable in the marketing of high-quality seed. Failure to maintain acceptable quality shall be considered cause for revoking permission to participate in seed certification by genetic purity.

(6) Processing or conditioning requirements((~~,~~)): Only those conditioning plants approved by the department Seed Program are permitted to process seed for certification. Complete records must be kept of all processing or conditioning. Blending of seed lots of the same variety from fields passing field inspections may be permitted with prior approval and if in accordance with requirements for blending. Sampling and all other operations involving Certified seed must be under supervision of the certifying agency. The sample must be obtained in accordance with official sampling procedures. The entire lot must be cleaned and in condition for sale at the time of sampling. This sample must be submitted to the seed laboratory for testing to evaluate qual-

ity. Lots of questionable quality may be rejected and not eligible for certification.

(7) Certification tags for seed meeting the genetic purity standards must be clearly marked, "genetic purity certified."

(8) Fees for genetic purity certification are as established for each seed crop in chapter 16-303 WAC and the authorized agent or grower is responsible for all fees.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-030 Standards for production of Foundation seed. The general seed certification standards together with specific crop standards established in this chapter constitute the basic standards for production of Foundation seed as deemed necessary by the certifying agency. Seed to be eligible for foundation certification tags, or OECD basic tags, must be approved by the originating plant breeder or ((~~his~~)) their designated agent, and in compliance with the following standards:

(1) Preplanting report((~~.~~)): A preplanting inspection, an industry responsibility, must be made of fields to be planted with Breeder seed. A written report of the preplant inspection, performed by either a representative of the person issuing the contract or by the grower must be maintained by the variety owner or designee for a minimum of three years. The report shall show the grower's name, number of acres, location, crop and land history for the past three years, crops to be planted, origin of breeder seed, isolation status, and weed and crop present.

(2) Planting requirement((~~.~~)): To distinguish between any possible volunteer and the crop seeded, all fields must be planted in distinct rows. Plants outside defined rows may be construed as volunteers.

(3) Combine inspection((~~.~~)): The combine used for seed harvesting ((~~must~~)) may be cleaned and inspected prior to harvesting Foundation or OECD basic seed. The combine must be free of all contaminating material. If an official combine inspection is requested, the certifying agency must be notified of the following: The date, time, and location where the combine inspection may be made.

(4) Processing plant inspection((~~.~~)): The processing or conditioning plant must be inspected before processing Foundation or OECD basic seed and periodic inspections will be made during processing by the processor. Conditioners shall permit inspection by the certifying agency of all records pertaining to Certified seed.

(5) Recleaning, rebagging, preinoculation, treating, or other processes must be approved by the certifying agency. An original tag must be submitted with the request for recertification and the seed must be retagged and resealed on completion.

(6) For a proprietary variety the above combine inspection (subsection (3) of this section), and processing plant inspection (subsection (4) of this section), responsibility may be assigned to the proprietor or ((~~his~~)) their designee upon their request. The variety owner or designee must maintain a report covering required inspections.

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-035 Limitation of generations for seed certification. The number of generations through which a seed variety may be multiplied is limited to the number specified by the originating breeder or owner of a variety except that:

(1) Unlimited recertification of the Certified seed class may be permitted for crop varieties where Foundation seed is not being maintained.

(2) The production of an additional generation of the Certified class may be permitted on a one-year basis when:

(a) Prior to the planting season, the certifying agency states that Foundation and Registered seed supplies in the United States are not adequate to plant the needed acreage of the variety.

(b) Permission of the originating breeder and/or owner of the variety is obtained and provided in writing to the department (if applicable).

(c) The additional generation of Certified seed produced is declared to be ineligible for recertification.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-040 Varieties eligible for seed certification in Washington state. (1) Only seed varieties that are accepted as meriting seed certification by an appropriate AOSCA National Variety Review Board or a member agency of AOSCA in accordance with the criteria listed ((~~in subsection (2) of this section~~)) below may be eligible for seed certification in Washington state. The following items (see Federal Seed Act at 7 C.F.R. § 201.68) or their equivalent (from national/international programs) must be made available by the originator, developer, owner, or agent when eligibility for certification is requested:

((~~(2) The following information is required for submission to an AOSCA National Variety Review Board or other certifying agency for acceptance of a seed variety for certification:~~))

(a) The name of the variety or its experimental designation(s). This name must be the established name if the variety has previously been marketed.

(b) A statement concerning the variety's origin and the breeding procedure used in its development.

(c) A detailed description of the morphological, physiological, and other characteristics of the plants and seed that distinguish it from other varieties.

(d) Evidence supporting the identity of the variety, such as comparative yield data, insect and disease resistance, improved end-use traits or other factors supporting the identity of the variety. These claims must be supported by data and statistics commonly recognized as supporting science-based decisions.

(e) A statement giving the suggested region of probable adaptation and purposes for which the variety is used.

(f) A description of the procedure for maintenance of stock seed classes, including the number of generations through which the variety can be multiplied.

(g) A description of the manner in which the variety is constituted when a particular cycle of reproduction or multiplication is specified.

(h) Any additional restrictions on the variety, specified by the breeder, with respect to geographic area of seed production, age of stand or other factors affecting genetic purity.

(i) A sample of the seed representative of the variety as marketed.

(j) Expectations for requiring that the variety be sold by name only as a class of Certified seed under provisions of Title V of the United States Federal Seed Act.

(k) Should additional certification testing be required to verify the presence of a particular trait by the developer, sponsoring breeder or originator before final certification, the exact protocol, approved facilities, tolerances and all other relevant information must be provided to the department.

(2) The information listed in subsection (1) of this section is also required for submission to an AOSCA National Variety Review Board or other certifying agency for acceptance of a seed variety for certification.

(3) Verification of such characteristics will be completed before a certificate (tag) of final certification is issued by the seed certifying agency.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-045 Applying for seed certification in Washington state. To participate in the Washington state seed certification program, submit an application for seed certification to the appropriate certifying agency.

(1) An application for seed certification must be submitted for each crop, variety and field location.

(2) Applications may be obtained from ((~~a certified seed processor or~~)) the certifying agency listed in WAC 16-302-010.

(3) The applicant is responsible for payment of all fees. Washington State University, its official agents and USDA Plant Material Center are exempt from paying fees on seed stock.

(4) The applicant must ((~~attach to~~)) include with the application for seed certification official tags/labels and/or other verification from the seed stock planted. The applicant must also attach proof of quarantine compliance when required, under chapter 16-301 WAC. ((~~Refer to chapter 16-303 WAC for appropriate fees.~~))

(5) When it is necessary ((~~for a grower~~)) to reseed due to a failure to get a stand, the ((~~grower~~)) applicant will retain records of the seed lots used and the date of reseeding. Reseeding must be done within two years of the original planting date for grasses or within one year for all other crops.

If seed stock of a different lot is used for reseeding, the grower must submit proof of seed stock used on a seedling application

((~~form~~)). An additional application fee will be charged for review of the new documentation provided.

(6) Refer to chapter 16-303 WAC for appropriate fees.

AMENDATORY SECTION (Amending WSR 18-19-017, filed 9/10/18, effective 10/11/18)

WAC 16-302-050 Submitting an application for seed certification. (1) Seed certification application due dates are:

(a) For seed certified by the department: Alfalfa, clover, grasses and rapeseed (seedling applications) - Within ((~~sixty~~)) 60 days of planting. ((~~Seedling applications will not be accepted if received more than one hundred five days after planting.~~))

(i) Except for crops inspected by WSCIA, an applicant may request to the department a dryland production waiver in advance of planting to postpone a new seedling application due date in areas of dryland production regions when winter kill and spring emergence is an unknown factor to crop stand establishment.

At its discretion, which may include consideration of current weather and climate data, the department may approve the waiver request in writing to allow for a late seedling application due to assessment of the crop stand and/or quality.

(ii) Seedling applications will not be accepted if received more than 105 days after planting.

(iii) A late application fee will be applicable if the department is unable to process an application for regular inspection intervals. The certification agent may choose to decline the application for seed certification even with an approved dryland production waiver for a late application.

(iv) Applications which cause extraneous measure by the certification agency to process an application and inspect the field may be charged a time and mileage fee in addition to the standard late fee to cover costs.

(b) Hybrid canola or hybrid rapeseed - Fall plantings February 1st; Spring plantings - ((~~Twenty-one~~)) 21 days after planting.

(c) Sunflower ((~~twenty-one~~)) 21 days after planting.

(d) Notification of a seedling field to be harvested for certification in the same year of planting is due July 31st with the required fees.

(i) Bean - ((~~Twenty-one~~)) 21 days after planting.

(ii) Corn - June 1st.

(iii) Industrial hemp - ((~~Twenty-one~~)) 21 days after planting.

(2) For seed certified by the Washington state crop improvement association (WSCIA) seed certification application due dates are:

(a) Fall planted small grains, peas and lentils - April 1st.

(b) Spring planted small grains, peas, lentils, quinoa, and millet – June 1st.

(c) Chickpeas – Within ((~~twenty-eight~~)) 28 days of planting.

(d) Hybrid small grains – Fall plantings February 1st; spring plantings – ((~~Twenty-one~~)) 21 days after planting.

(e) Buckwheat and soybean - July 1st.

(f) Sorghum - July 15th.

(g) Forest tree seed certification - Refer to specific crop requirements in chapter 16-319 WAC.

(3) An application for seed certification must be submitted to the certifying agency each year a producer or grower plans to produce seed for certification of annual crops (beans, peas, grain).

(4) A renewal application for seed certification must be submitted to the certifying agency after a stand is established each year that a producer or grower plans to produce seed for certification of perennial crops (alfalfa, clover, grass, woody plants, and forbs). Due dates for renewal applications are as follows:

(a) Alfalfa and clover - April 15th.

(b) Grass - April 15th.

(c) Woody plants and forbs – April 15th.

(d) A late application waiver request for dryland production regions will not be accepted for renewals as the crop stand is established.

(5) Applications received after the due date are assessed a late application fee.

(6) No renewal application for seed certification may be accepted after the due date if a field inspection cannot be conducted prior to harvest except at the discretion of the certifying agency.

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-065 Land history—Seed certification. (1) Land requirements for seed certification are as established in the specific seed crop standards.

(2) When a cultural practice has proved to be successful, requirements may be modified upon written approval of the seed certifying agency. Cultural practice may include any of the following:

((~~(1)~~)) (a) Mechanical means such as deep plowing.

((~~(2)~~)) (b) Chemical means such as fumigants.

((~~(3)~~)) (c) Other material for seed bed preparation. Materials and methods must be a matter of record. Any practice used must be adequate to ensure varietal purity and must be approved in writing by the certifying agency.

(3) Any deviations from established land requirements must be submitted in writing to the certifying agency for approval.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-070 Seed field inspections by the certifying agency. The certifying agency conducts field inspections as follows:

(1) A seedling field is inspected at the most appropriate time after receipt of seedling application. If the field produces seed the same year of planting, a seedling producing inspection is made prior to harvest.

(2) Each year a crop of Certified seed is produced, field inspections are made at a time when factors affecting certification are most evident.

(3) The unit of certification is defined as the entire field standing at the time of inspection. A portion of a field may be certified if the area to be certified is clearly defined by flagging, stakes or other visual means.

(a) The border area of the field is considered the unit of certification if it is planted to the same crop and is inclusive of the acreage applied for.

((~~(4)~~)) (b) The unit of inspection may include areas adjacent to a field or areas of surveillance if these areas contain factors that would impact the certification eligibility of the seed crop as defined in the specific crop standards. Such factors may be, but are not limited to, contaminating pollen sources, weeds, jointed goatgrass, jointed goatgrass hybrids or other crop.

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-075 Tolerances stated as "none found." A tolerance of "none found" (NF) for contaminating or diseased material in either field or clean seed standards means that none was found during the normal procedure of field inspection or seed sample testing. None found does not constitute a guarantee that the field or seed is entirely free of the contaminant or disease. It is not a guarantee that the seed lot inspected is free of the factor.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-080 Seed fields ineligible for seed certification. (1) A seed field is not eligible for certification unless a field inspection is made prior to defoliation or harvesting.

The only exception is for a dry bean seed crops when direct harvest methods are necessary and communicated at the time of application.

(2) Prohibited noxious weeds must be controlled to prevent seed formation, with the exception of jointed goatgrass or jointed goatgrass hybrids((~~,~~)). The presence of ((~~which~~)) jointed goatgrass or jointed goatgrass hybrids in "small grain" fields will be cause for rejection. Follow-up inspections may be conducted to ensure weed control was sufficiently carried out to prevent prohibited noxious weed seeds from being harvested with the seed crop.

(3) Excessive objectionable weeds may be cause for rejection of a seed field. Excessive weeds, poor stands, lack of vigor, or other conditions which make inspection inaccurate may individually or collectively be cause for rejection.

(4) A field producing Foundation or Registered seed class that warrants a rejection because of noxious weeds may be reclassified to Certified ((~~blue tag~~)) class if upon reinspection the field meets certified ((~~blue tag~~)) standards.

((~~(3)~~)) (5) If a seed field is rejected for certification, the producer or grower may reapply to the certifying agency and pay a fee

for reinspection after the cause for rejection is corrected, unless otherwise specified in chapter 16-302 WAC.

No more than two reinspections are permitted for each field per year.

(6) Refer to chapter 16-303 WAC for applicable reinspection fees.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-085 Withdrawing a field from inspection for seed certification. (1) The applicant applying for seed certification may withdraw a field from field inspection for seed certification by notifying the certifying agency before the field is inspected.

(2) No refund on rejected fields due to findings or results. To be eligible for a refund of the per acre fees, the seed crop application must be withdrawn prior to the field inspection.

(3) Refer to WAC 16-303-320 for details on fees and criteria for a partial or full refund.

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-086 Agency power to reject certification. (1) The certifying agency shall have the authority to reject from certification any lot of seed not meeting these regulations. The agency reserves the right to refuse certification on any lot of seed if, in the opinion of the certifying agency, the seed lacks uniformity, the field has excess weeds or conditions which are apt to make the inspection inaccurate, or the seed color, appearance, and/or ((~~the~~)) condition ((~~of the seed~~)) might be detrimental to the certification program.

(2) The certifying agency has the authority to refuse certification if the labeling of containers is misleading or may tend to be confusing as to its contents.

(3) Persons found guilty of violation or misuse or abuse of these regulations shall be subject to prosecution under chapter 15.49 RCW. Proof of violation may result in removal of privileges of certifying, labeling, dealing in or handling Certified seed.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-090 Sampling—Methods used in the sampling, inspecting, testing, analyzing and examining seed for certification. (1) The terms used in seed testing and the methods of sampling, inspecting, analyzing, testing and examining seed for certification are those adopted by the AOSA as shown in WAC 16-301-010. Other testing method-

ologies such as, but not limited to, genetic testing may also be used to determine certification eligibility.

(2) The entire lot of seed must be cleaned, the quantity defined, and in condition for sale at the time of sampling, except for ryegrass, which may be sampled under the early sampling program as allowed in WAC 16-302-091.

(3) The department shall obtain a representative sample for laboratory analysis of each lot of seed for certification. The sample shall be taken in accordance with official sampling procedures. Official sampling procedures are as follows for seeds in bags:

((~~Seed in bags.~~))

(a) When more than one core is drawn from a bag, follow different paths. When more than one handful is taken from a bag, take them from well-separated points.

(b) For lots of one to six bags, sample each bag and take a total of at least five cores or handfuls.

(c) For lots of more than six bags, sample five bags plus at least ((~~ten~~)) 10 percent of the number of bags in the lot. Round numbers with decimals to the nearest whole number. Regardless of the lot size, it is not necessary to sample more than ((~~thirty~~)) 30 bags.

Ex: No. bags in lots	7	10	23	50	100	200	300	400
No. bags to sample	6	6	7	10	15	25	30	30

(4) Bulk seed((~~.~~)): To obtain a composite sample, take at least as many cores or handfuls as if the same quantity of seed were in bags of an ordinary size. Take the cores or handfuls from well distributed points throughout the bulk.

(5) Seed in small containers((~~.~~)): Seed in small containers shall be sampled by taking the entire unopened container in sufficient number to supply a minimum size sample for testing. The contents of a single container or the combined contents of multiple containers of the same lot shall be considered representative of the entire lot of seed sampled.

(6) A mechanical sampling device installed in a conditioning plant approved by the department under WAC 16-302-125 may be used in lieu of the sampling procedures above. Hand samples taken during the conditioning process may also be used in lieu of the sampling procedures above.

(7) If it is necessary for a sample to be taken by the department, a sampling fee will be charged under provisions of chapter 16-303 WAC.

AMENDATORY SECTION (Amending WSR 18-19-017, filed 9/10/18, effective 10/11/18)

WAC 16-302-100 Seed certification—Prohibited noxious weed seed. The following are considered prohibited noxious weeds for the purpose of seed certification.

ENGLISH OR COMMON NAME	BOTANICAL OR SCIENTIFIC NAME
Austrian fieldcress	*Rorippa austriaca*
Field bindweed	*Convolvulus arvensis*
Hedge bindweed	*Calystegia* spp.

ENGLISH OR COMMON NAME	BOTANICAL OR SCIENTIFIC NAME
Camelthorn	*Alhagi maurorum*
Canada thistle	*Cirsium arvense*
Dodder	*Cuscuta* spp.
Hairy whitetop	*Lepidium appelianum*
Hoary cress	*Lepidium draba*
Jointed goatgrass and jointed goatgrass hybrids	*Aegilops cylindrica*
Leafy spurge	*Euphorbia esula*
Palmer((s)) amaranth	*Amaranthus palmeri*
Perennial pepperweed	*Lepidium latifolium*
Perennial sowthistle	*Sonchus arvensis*
Quackgrass	*Elymus repens*
Knapweed complex:	
Bighead	*Centaurea macrocephala*
Vochin	*Centaurea nigrescens*
Black	*Centaurea nigra*
Brown	*Centaurea jacea*
Diffuse	*Centaurea diffusa*
Meadow	*Centaurea x moncktonii*
Russian	*Rhaponticum repens*
Spotted	*Centaurea stoebe* subsp. *australis*
Purple starthistle	*Centaurea calcitrapa*
Yellow starthistle	*Centaurea solstitialis*
Serrated tussock	*Nassella trichotoma*
Silverleaf nightshade	*Solanum elaeagnifolium* Cav.
Sorghum perennial such as, but not limited to, johnsongrass, ((~~sorghum almum~~)) columbus grass, and perennial sweet sudangrass	*Sorghum* spp. *Sorghum halepense* *Sorghum almum* *Sorghum bicolor* (L.) Moench ssp. *drummondii*
Tansy ragwort	*Jacobaea vulgaris*
Yellow-flowering skeleton weed	*Chondrilla juncea*
White cockle	*Silene latifolia (only in timothy)*
Bladder campion	*Silene vulgaris (only in timothy)*
Lepyrodiclis	*Lepyrodicilis ((~~holsteoides~~)) holosteoides*
Velvetleaf, Butterprint	*Abutilon theophrasti*

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-105 Seed certification—Objectionable weeds. The following weeds are considered objectionable noxious weeds for the purpose of seed certification.

ENGLISH OR COMMON NAME	BOTANICAL OR SCIENTIFIC NAME
Blackgrass or slender foxtail	*Alopecurus myosuroides*
Blue lettuce	*Lactuca tatarica*
Docks and sorrel	*Rumex* spp.
Field pennycress (fanweed)	*Thlaspi arvense*
Field sandbur, Coast sandbur	*Cenchrus spinifex*
Halogeton or clustered barilla salt	*Halogeton glomeratus*
Medusahead	*Taeniatherum caput-medusea* subsp. *caputmedusae*
Plantains	*Plantago* spp.
Poverty weed	*Iva axillaris*
Puncturevine	*Tribulus terrestris*
St. Johnswort, Klamathweed	*Hypericum perforatum*
Dalmation toadflax	*Linaria dalmatica*
Yellow toadflax	*Linaria vulgaris*
Western ragweed, Perennial ragweed	*Ambrosia psilostachya*
Wild mustard	*Sinapis arvensis subsp. arvensis*
Wild oat	*Avena fatua*
Gromwell (in small grain)	*Buglossoides arvensis*
Bedstraw	*Galium* spp. (in alfalfa only)
Black mustard	*Brassica nigra*
Brown mustard	*Brassica juncea* (in rapeseed or canola only)
Wild radish	*Raphanus raphanistrum*
Dyers woad	*Isatis tinctoria*

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-115 Limitation of liability—Certification. (1) The issuance of a Certified seed label or certificate by the certifying agency for a lot of seed affirms that seed has been produced and con-

ditioned according to chapter 15.49 RCW and the certification rules adopted thereunder.

(2) The certifying agency makes no warranty, expressed or implied or any representation as to the freedom from disease or quality of Certified seed.

(3) The certifying agency only certifies that samples taken from the lot of seed, which are believed to be representative of the seed in the container from which the sample was taken, met the standards of the certifying agency at the time the tests were conducted.

(4) The producer or vendor whose name appears on the container is solely responsible for the information which appears on the analysis label. The producer or vendor is responsible for the proper use of this certification label. Certification labels may not be modified.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-125 Conditioning seed in Washington state. (1) Under the authority of RCW 15.49.350, a seed conditioning facility must be inspected and approved by the department or its authorized agent prior to conditioning seed in Washington state. Upon approval by the department, a seed conditioning permit is issued and the facility is placed on a list of approved seed conditioning plants. A copy of the list can be obtained by contacting the department seed program.

(2) A person desiring to condition seed must make application to the department for a permit ((~~on a form provided by the department~~)).

(3) To obtain department approval for a seed-conditioning permit, the department or its authorized agent conducts an inspection. A facility must show evidence that:

(a) Seed for certification is handled in a manner which prevents mixture of lots of seed;

(b) The seed conditioning facility is maintained and cleaned. Equipment must be easily accessible for cleaning and inspection, and must be cleaned between lots;

(c) Each lot of seed is identified with a lot number;

(d) Screenings are disposed of in accordance with chapter 15.49 RCW; and

(e) Seed is sampled in accordance with WAC 16-301-095, 16-302-090 and 16-302-091.

(4) A seed conditioning facility must be approved by the department prior to handling seed for certification in bulk.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-130 Responsibilities of a seed conditioner. (1) It is the responsibility of a department approved seed conditioner to operate in a manner that:

(a) Maintains the purity and identity of seed conditioned, stored, transshipped or labeled.

(b) Complies with the standards and procedures for conditioning and sampling seed in accordance with chapter 15.49 RCW and rules adopted thereunder.

(2) Prior to shipping seed out-of-state, adhere to WAC 16-302-145 through 16-302-165 for interagency seed certification requirements.

(3) Records of all operations must be complete and adequate to account for all incoming seed and final disposition of seed.

(4) The seed conditioner is responsible for seed certification fees including sampling, testing, ((~~production and~~)) final certification fees, tagging as applicable and may request the responsibility for additional fees.

(5) Failure of a seed conditioner to comply with the seed law and rules is cause for the department to revoke a seed conditioning permit under the provisions of chapter 34.05 RCW, the Administrative Procedure Act.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-135 Considerations for blending seed. (1) The size of seed blend permitted is dependent on factors such as quality of seed lots to be blended and the conditioning plant facilities permit. Approval by the department or certification agent is required in advance to blend seed lots. The issuance of certified blend tags is based on each component seed lot's eligibility, qualifying seed tests for the blended lots, and compliance with the provisions of this chapter.

(2) ((~~A~~)) For eligibility of each seed lot of one variety blended to form a larger lot of uniform quality that meets Washington seed standards, the seed conditioner must maintain and provide a file blend data sheet ((~~is filed~~)) with the certifying agency ((~~and must be maintained by the seed conditioner~~)).

All component lot certification tags must be forwarded to the department within 10 days of completing the blend.

(3) Laboratory analysis of the individual lots used in the blend must be submitted with the blend data sheet request. Tests must have a WA-state noxious weed seed exam and meet Washington certification standards to qualify for immediate eligibility.

(a) Components within the lots requiring interagency certification must have an all-states noxious weed seed exam, and meet another state's or Washington's certification standards, to qualify for immediate eligibility.

(b) All tests must be completed before the blend data sheet is submitted and tags are issued.

((~~(3)~~)) (c) If 18 months have passed since the last viability test of any of the component lots, the blend sample must also be tested for viability before tags are issued.

(4) If the blended weight exceeds the sum of the components' poundage by more than five percent, the applicant must submit a written justification and revised blend data sheet for review by the certification agency.

(5) Seed must be blended by a seed conditioner approved by the department under WAC 16-302-125.

((~~(4)~~)) (6) A representative of the certifying agency may supervise the blending operation.

((~~(5)~~)) (7) A tetrazolium test may be used in lieu of a germination test for issuance of Washington blend tags.

Note: This may not meet Federal Seed Act standards for interstate transport.

((~~(6)~~)) (8) Field run lots of seed may be commingled to facilitate conditioning. The blend fee shall not apply.

((~~(7)~~)) (9) Remill lots of seed may be blended prior to testing to facilitate processing.

((~~(8)~~)) (10) Individual lots of grass seed shall not contain more than ((~~one hundred eighty~~)) 180 per pound ((~~and~~)) of objectionable weed seeds.

(11) Alfalfa and clover seed shall not contain more than ((~~ninety~~)) 90 per pound of objectionable weed seeds.

((~~(9)~~)) (12) Individual lots must be free of prohibited noxious weed seeds.

((~~(10)~~)) (13) Two or more sod quality lots may be blended and tagged as a "sod quality ((~~mixture or~~)) blend." Appropriate tags will be issued and ((~~blend~~)) quality sod fee shall be applicable.

((~~(11)~~)) (14) Seed lots resulting from a blend of different Certified classes may only be labeled at the lower class.

(15) Fees for blending of Certified seed shall be the most applicable fees established by the department in rule, see chapter 16-303 WAC.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-140 Tagging seed blends prior to analysis. Blends are eligible for tagging prior to analysis ((~~of the official sample of the blend upon meeting~~)) if the blended lot meets the following conditions:

(1) The calculated percent of impurities (intended crop, weeds, other crop, inert, ((~~etc.) is twenty~~)) or other seed standards) of the seed lot components are 20 percent less than the maximum allowed in rules for seed certification.

(2) The calculated percent of germination is not less than the minimum germination standard established in the rule for seed certification.

(3) All lots of seed ((~~lots~~)) blended must meet certification standards.

(4) All lots of seed used in a Registered class blend must meet Registered class purity and germination standards.

(5) Certified tags may be issued for the blend lot in advance of a completed purity test if all the components in the seed lots meet the requirements for certification tagging.

(6) Fees for blending are payable to the department by the ((~~person~~)) applicant requesting permission for the blend ((~~after completion of lab analysis~~)) and tagging.

(7) Refer to chapter 16-303 WAC for the appropriate fee.

AMENDATORY SECTION (Amending WSR 02-12-060, filed 5/30/02, effective 6/30/02)

WAC 16-302-142 Standards for verification of turf seed ingredients—Mixtures. The general rules for seed certification are basic and together with the following specific requirements constitute the rules for certification identity of mixtures of different kinds of turf Certified seed:

(1) A mixture is defined as Certified seed lots of different varieties of one or more crop kinds and labeled "mixture of Certified seed."

(2) Varieties which are currently listed as experimental or OECD only are not eligible for Certified mixture tagging.

(3) A blend data sheet, including proof of certification for each seed lot component, verifying the seed origin and the certifying agency along with the seed analysis report and pounds of each lot must be submitted to the certifying agency for approval.

((~~(2)~~)) (a) The blend data sheet must accurately reflect the intended mixture.

(b) If the final mixture weight exceeds the sum of the components poundage by more than five percent, the applicant must submit a written justification and a revised blend data sheet for review by the department.

(4) Each component lot of Certified seed in the mixture shall:

(a) Meet minimum seed standards ((~~acceptable to~~)) of the certifying agency((~~.~~));

(b) ((~~Be sampled under supervision of the certifying agency prior to mixing.~~)) The seed sample shall be obtained in accordance with official sampling procedures;

(c) The seed sample shall be retained on file by the applicant as required;

(d) Eligible seed lots must have qualifying purity and viability tests completed within the last 18 months;

(e) Component lots requiring interagency certification must have an all-states noxious seed exam, and either a germination or tetrazolium test in lieu of viability; and

(f) Meet Washington state seed certification standards. A copy of the qualifying certified test report must be provided with the blend data sheet.

(5) The applicant must maintain all records related to the mixing and distribution of the mixture lot and the acquisition of its components in accordance with RCW 15.49.360. These records must be provided to the department upon request.

(6) The seed sample shall be identified with:

((~~(i)~~)) (a) The verification of certification, origin, and certifying agency;

((~~(ii)~~)) (b) The crop kind/variety;

((~~(iii)~~)) (c) The analysis; and

(d) Total size of each lot component.

((~~(3)~~)) (7) The certifying agency reserves the right to:

(a) Refuse permission to use individual lots based upon the analysis report;

(b) Request a retest of one or more of the components;

(c) Approve the equipment to be used and procedure to follow in mixing;

((~~(c)~~)) (d) Approve the containers and labeling to be used; and

((~~(d)~~)) (e) The certifying agency may sample the final mixture.

((~~(4) The certifying agency will identify~~)) (8) Each container with an official certification label verifying that the individual lots used were Certified seed lots.

((~~(5)~~)) (9) For a mixture to be labeled sod quality each component shall meet sod quality standards in WAC 16-302-410 or 16-302-412 and comply with subsections (1) through (8) and (10) of this section.

((~~(6)~~)) (10) Fees for turf seed mixing shall be the same as the current blend fee. Refer to chapter 16-303 WAC for appropriate fees.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-150 Eligibility for interagency certification. (1) Seed recognized for interagency certification must be received in containers carrying official certification labels, accompanied by transfer certificates or other proper documentation showing evidence of its eligibility from another official certifying agency together with the following information:

(a) Variety and species;

(b) Quantity of seed;

(c) Class of seed; and

(d) Field or lot number traceable to the previous certifying agency's records.

(2) Seed tagged and sealed with official certification tags is eligible for interagency certification without obtaining approval from the certifying agency of the originating state.

(3) An "interagency Certified seed" report form must be submitted to all certifying agencies involved. Forms can be obtained from the ((~~department seed program~~)) certification agency. Information required to complete the form includes:

((~~**Part A**~~))

- Name
- Address of shipper
- Destination
- Shipping weight
- Lot number and receiving weight
- Grower name
- Field number
- Date of seed shipment
- Amount of seed used
- Date shipment is received by the receiving state

((~~**Part B**~~))

- Clean weight
- Bag count
- New lot number if different than the receiving lot number

(4) Certified seed not tagged and sealed with official certification tags must follow the interagency certification procedure in WAC 16-302-155.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-155 Interagency seed certification procedure. Certified seed that is produced in Washington state and shipped out-of-state must comply with the interagency seed certification procedure((~~.~~)) as set forth as follows:

(1) The interagency seed certification procedure for field pea, lentil, soybean, small grain and sorghum seed is as follows:

(a) A Certified seed sale certificate must be executed by the department for unprocessed seed pending final certification when moved out-of-state((~~.~~)); and

(b) Unprocessed seed pending final certification is subject to all certification fees when moved out-of-state.

(2) The interagency seed certification procedure for all other kinds of seed except field pea, lentil, soybean, small grain and sorghum seed shipped out-of-state is as follows:

(a) Complete all sections ((~~(A)~~)) of "interagency Certified seed" report referred to in WAC 16-302-150(3). One copy of the "interagency Certified seed" report must be submitted to the department seed program and one copy to the certifying agency where seed is being processed.

(b) Clearly mark each container with the lot number and Washington field number.

(c) If the department is to finalize certification, upon completion of seed processing, ((~~section (B) of~~)) the "interagency Certified seed" report referred to in WAC 16-302-150(3) must be completed and submitted to the appropriate certification agency. A sample must be submitted to the department seed program.

(d) When Washington state certification tags are used, the lot must be tagged and sealed under supervision of the department. The applicant must pay a mileage fee and hourly rate for all additional mileage and travel time required.

(e) When Washington state interagency tags are used, the tags must be mailed to the nearest representative of the certifying agency having jurisdiction for tagging.

(f) If another state receives seed and finalizes certification, the department must advise the receiving state's certifying agency of certification eligibility. Sampling, testing, and tagging shall be in accordance with the receiving state's requirements.

(g) The applicant for interagency seed certification is responsible for all fees authorized under Washington's certification program and any additional fees that may be assessed by both agencies involved. Fees for Washington's interagency certification program must be paid upon submission to the department of the "interagency Certified seed" report((~~, section (A)~~)).

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-165 Interagency certification requirements—Blends. (1) Blends of different origin can be authorized only after obtaining

approval from certifying agencies involved. Blends must comply with blend standards established by the department (see blending of Certified seed in this chapter).

(2) Interagency tags used must show percentage of each origin involved.

(3) Fees for seed certification are assessed by the certifying agency as established in chapter 16-303 WAC.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-170 Other considerations in applying the standards for certification. (1) Any crop certification standard, with the exception of germination that is expressed as a percent will be derived from a test based on the minimum weight for purity analysis as specified in the ((~~2013~~)) 2024 AOSA rules for that crop unless otherwise specified in rule.

(2) Any crop certification standard that is based on a number per pound will be derived from a test based on the minimum weight for noxious weed seed examination as specified in the ((~~2013~~)) 2024 AOSA rules for that crop unless otherwise specified in rule.

(3) For species that have a high rate of inherent dormancy, it will be acceptable to use the percent of total viability instead of germination percentage for certification only. State and federal seed laws require seed be labeled on a germination test.

(4) For species or varieties that contain GMO (genetically modified organism) traits, herbicide resistant traits, or other novel traits, each seed lot may be required to meet minimum trait standards as defined by the breeder or trait owner. The variety description must define the trait. To determine the level of trait present, a test such as PCR (polymerase chain reaction) or specified bioassay test may be required. If a test is not otherwise available, the variety owner must provide testing protocols to the department.

(5) Refer to chapter 16-303 WAC for the appropriate fee.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-215 Crop standards for OECD variety certification. (1) With the exception of seed standards established in rule by the department and the OECD scheme for varietal certification, the general and specific crop certification standards are basic and, together with the following specific standards, constitute the rules for OECD varietal seed certification.

(2) Varieties eligible for OECD certification:

(a) Crop varieties of ((~~Unites~~)) United States origin shall be eligible for OECD certification only if accepted into Washington state's certification program((~~.~~))<u>; and</u>

(b) Crop varieties, of origin other than United States, are eligible for OECD certification only if listed in OECD publication, *List of Cultivars Eligible for Certification*.

(3) Classes of seed eligible for OECD certification:

Washington and U.S. Seed Classes	Label Color	Equivalent OECD Seed Classes	OECD Label Color
Breeder	----	Prebasic	White with diagonal violet stripe
Foundation	White	Basic	White
Registered	Purple	Basic	White
Certified	Blue	1st Generation Certified Seed	Blue
Certified produced from Certified	Blue	2nd Generation Certified Seed	Red

(a) Breeder or prebasic shall be planted to be eligible to produce basic white label.

(b) Foundation white label, Registered purple label, or basic white label shall be planted to be eligible to produce 1st generation blue label.

(c) Certified or 1st generation blue label shall be planted to be eligible to produce 2nd generation red label.

(4) OECD seed stock sample((~~.~~)): Each lot of OECD seed stock shall be sampled under supervision of the certifying agency before seals are broken. Samples are used as control for grow out test and a portion may be submitted to seed laboratory for analysis if deemed necessary. Seed stock lots without official tags will not be granted OECD approval.

(5) The department must obtain approval from the originating country for each OECD seed stock lot to be planted in the state of Washington for OECD production. Request for OECD approval is submitted by the seed program to ARS-Gastonia, North Carolina, which then contacts the originating country.

(6) Application for OECD certification and fees((~~.~~)):

(a) Applicant desiring plantings to be eligible for OECD certification must submit applications and fees as required for certification of that crop under Washington state's certification standards. Certification requirements and procedures for each species shall be the genetic standards in Washington state's certification program supplemented by OECD standards and by the limitations specified by originating country; such as, length of stand and number of seed crops eligible. All OECD seed shall be sampled according to WAC 16-302-090 and tested prior to tagging. Seed lots may not be required to meet Washington's minimum purity or germination Certified seed standards.

(b) Washington OECD eligible lots may, with approval of both agencies involved, be blended with OECD eligible seed of other state agencies. The applicant is responsible for all fees of both agencies involved.

(c) Seed produced out-of-state and processed in Washington must be OECD tagged by the state of origin.

(7) OECD tagging and sealing((~~.~~)): OECD tags shall be printed and issued according to OECD rules. The department seed program shall issue an OECD reference number((~~,~~)), e.g., (USA-W-78-000), which is printed on each tag. The department recommends that OECD reference numbers be stenciled on each bag. Additional statements on the OECD tag such as, "date of sealing," ((~~etc.,~~)) must be kept to a minimum.

(8) Bagging sample of OECD lot((~~.~~)): A bagging sample of each lot of OECD seed tagged is drawn under supervision of the certifying agency. One hundred to ((~~two hundred fifty~~)) 250 grams of the sample must

be held for the originating country, and the balance of the sample is used for required post control grow-out tests.

(9) OECD certificate((~~.~~)): The seed program shall issue an OECD certificate showing:

(a) Species;

(b) Variety;

(c) Reference number;

(d) Date of sealing;

(e) Number of containers;

(f) Weight of lot, class of seed; and

(g) OECD reference number of seed stock used for each lot tagged and sealed upon receipt of tagging report and bagging sample.

One copy of the OECD certificate is to be mailed to the shipper, one copy is ((~~mailed to~~)) retained by ARS-USDA, and one copy is for department seed program files.

(10) OECD grow-out tests((~~.~~)): As prescribed by OECD rules, at least one of four domestic first generation lots and every basic lot tagged and all lots of foreign varieties OECD tagged must be planted in grow-out tests.

(11) Special OECD fees((~~.~~)): In addition to fees required by applicable Washington certification rules, an additional fee shall apply to all seed tagged OECD. Refer to chapter 16-303 WAC for the appropriate fee.

(12) All fees are payable by the ((~~person~~)) applicant requesting OECD certificate and/or tags.

AMENDATORY SECTION (Amending WSR 06-15-138, filed 7/19/06, effective 8/19/06)

WAC 16-302-225 Land requirements for alfalfa seed certification. Land requirements for the production of alfalfa seed crop are as follows:

(1) Prior to stand establishment an alfalfa seed crop of the same kind must not have been grown or planted on the land for four years for the production of Foundation or Registered class or one year for the production of Certified class; except two years must elapse between the destruction of dissimilar varieties, which are varieties that differ by more than four or more points on a dormancy rating scale as reported by the National Alfalfa Variety Review board.

(2) Reseeding of an alfalfa seed field due to failure or partial failure of the first seeding may be done by referring to the guidelines in WAC 16-302-045(5).

(3) Ditchbanks, roadways, etc. adjacent to a Certified alfalfa seed field must be free of volunteer alfalfa and prohibited noxious weeds.

(4) Volunteer alfalfa plants in the alfalfa seed field may be cause for rejection or reclassification of a seed field.

(5) No manure or other contaminating materials may be applied during the establishment and production period of the alfalfa seed stand.

(6) Prohibited noxious weeds must be controlled to prevent seed formation.

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-230 Isolation requirements for alfalfa seed certification. Isolation requirements for the production of alfalfa seed crop are as follows:

(1) Alfalfa seed crop for certification must be isolated from all other alfalfa varieties or fields of the same variety not meeting varietal purity requirements for certification as follows:

Class	Fields less than five acres	Fields five acres or more
Foundation	900 feet	600 feet
Registered	450 feet	300 feet
Certified	165 feet	165 feet

(2) Isolation between different classes (generations) of the same variety of alfalfa seed crop must be as follows:

Class Being Produced	Distance required from fields planted with:	Fields less than five acres	Fields five acres or more
Foundation	Foundation or Registered	225 feet	150 feet
Registered	Registered or Certified	115 feet	75 feet
Certified	Certified	75 feet	45 feet

(3) In cases where an adjoining field is planted with a different variety of alfalfa, or alfalfa of a lower class, isolation may be obtained by measuring off the required strip in the Certified seed crop field. This isolation strip may be mowed for hay, or it may be harvested for uncertified seed under the following conditions:

(a) The grower must apply for certification of the entire alfalfa seed field and clearly stake off the isolation strip. The entire field must pass all certification requirements, except for isolation at time of inspection. The field report will show rejection due to lack of isolation.

(b) The grower must harvest and deliver to a department approved conditioning plant the seed from the certified portion of the field separately from the seed from isolation strip. After the seed is weighed and lotted in, the weight of the seed from the isolation strip is to be reported to the seed program. At this time the seed program records will indicate the field has passed certification.

(4) Isolation is not required in an alfalfa seed field producing Certified class seed when the isolation zone is less than ((~~ten~~)) 10 percent of the entire field being certified if there is a clear ((~~ten~~)) 10-foot line of demarcation between adjacent varieties. The isolation zone is the area calculated by the length of the common border with other varieties by average width of the certified field falling within the ((~~one hundred sixty-five-foot~~)) 165 feet isolation distance requirement.

AMENDATORY SECTION (Amending WSR 17-13-130, filed 6/21/17, effective 7/22/17)

WAC 16-302-240 Seed standards for alfalfa seed certification. (1) Alfalfa seed must be free of prohibited noxious weed seeds.

(2) Foundation class must be free of *Brassica* spp.

(3) Seed standards for the production of alfalfa seed are as follows:

((

~~Purity~~	~~Foundation~~	~~Registered~~	~~Blue Tag Certified~~
~~Pure seed (minimum)~~	~~99.00%~~	~~99.00%~~	~~99.00%~~
~~Other crops (maximum)~~	~~.10%~~	~~.10%~~	~~.25%~~
~~Sweet clover (maximum)~~	~~none found~~	~~none found~~	~~90 per lb.~~
~~Inert matter (maximum)~~	~~1.00%~~	~~1.00%~~	~~1.00%~~
~~Weed seed (maximum)~~	~~.10%~~	~~.20%~~	~~.25%~~
~~Objectionable weed seeds (maximum)~~	~~none found~~	~~none found~~	~~18 per lb.~~
~~*Germination* (Min. total of germination and hard seed)~~	~~80.00%~~	~~85.00%~~	~~85.00%~~
~~or *Tetrazolium* (Min. total of Tetrazolium and hard seed)~~	~~82.00%~~	~~87.00%~~	~~87.00%~~

~~(2) Alfalfa seed must be free of prohibited noxious weed seeds and foundation class must be free of Brassica spp.~~))

Purity	Foundation	Registered	Certified
Pure seed (minimum)	99.00%	99.00%	99.00%
Other crop (maximum)	0.10%	0.10%	0.25%
Sweet clover (maximum)	None found	None found	90 per lb.
Inert matter (maximum)	1.00%	1.00%	1.00%
Weed seed (maximum)	0.10%	0.20%	0.25%
Brassica species	None found	—	—
Prohibited weeds	None found	None found	None found
Objectionable weed (maximum)	None found	None found	18 per lb.
Germination (minimum total germ and hard seed)	80.00%	85.00%	85.00%
or TZ, Tetrazolium Test (minimum total of TZ and hard seed)	82.00%	87.00%	87.00%

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-245 Standards for bean seed certification. (1) The general seed certification standards and definitions in this chapter are basic and together with WAC 16-302-250 through 16-302-270 constitute the standards for bean seed certification.

(2) Fees for seed certification are assessed by the certifying agency as established in chapter 16-303 WAC.

(3) Prior to the planting of bean seed stock, the seed must be in compliance with the quarantine requirements found in chapter 16-301 WAC in order to be eligible for certification. Any seedling applica-

tion submitted without proof of quarantine compliance will not be accepted into the certification program. Any seed field planted in violation of chapter 16-301 WAC will be subject to the procedures in WAC 16-301-435((~~,~~)) and 16-301-440((~~, and 16-301-485~~)).

AMENDATORY SECTION (Amending WSR 02-12-060, filed 5/30/02, effective 6/30/02)

WAC 16-302-250 Definitions. For the purposes of WAC 16-302-245 through 16-302-270, the following definitions shall apply in addition to the definitions found in chapter 16-301 WAC:

"Adzuki bean" means Vigna angularis.

"Dominant I-gene cultivar" means a cultivar that has resistance to all known strains of bean common mosaic virus ((~~(B.C.M.V.)~~)) (BCMV) due to the presence of the dominant I-gene. Dominant I-gene cultivars will not show mosaic mottle symptoms or transmit the virus through seed when inoculated with any strain of ((~~B.C.M.V~~)) BCMV.

"Diseases" means those viral, fungal, and bacterial diseases of beans enumerated in WAC 16-301-380 and any new variations or strains of these identified in the future.

"Recessive I-gene cultivar" means a cultivar that may be susceptible to some strains of bean common mosaic virus and may show mosaic mottle symptoms.

"Seed-borne viral diseases" includes bean common mosaic virus, adzuki common mosaic virus, and other similar viral diseases causing mosaic mottle and other symptoms similar to those of bean common mosaic virus.

AMENDATORY SECTION (Amending WSR 03-18-072, filed 8/29/03, effective 9/29/03)

WAC 16-302-255 Land requirements for bean seed certification. Land requirements for the production of bean seed are as follows:

(1) A field to be eligible for the production of Certified class must not have been planted to beans of a different variety the preceding one year.

(2) A field to be eligible for the production of Foundation or Registered classes must not have been planted to beans for the previous three years unless those beans were of the same variety of equal or higher class. The fields must be free of bacterial diseases during the previous two years of planting.

((~~(2)~~)) (3) A bean field is not eligible for production of Certified seed for more than two consecutive years.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-260 Field tolerances and requirements for bean seed certification. (1) Field tolerances and requirements for the production of a bean seed crop are as follows:

Field Producing			
Purity	**Foundation**	**Registered**	**Certified**
((~~Percent of~~)) Other varieties or off-type plants	None found	0.10%	0.20%
((~~Percent of~~)) Other crops (((~~(a)~~)))	None found	0.10%	0.10%
((~~Percent of~~)) Total seed-borne diseases (((~~(b)~~))) (a)	None found	None found	None found

(((~~(a) Except as noted in subsection (6) of this section.~~
~~(b) See subsection (7) of this section.~~))

(a) All bean fields, including those planted with a dominant I-gene cultivar, must be in compliance with WAC 16-301-365 through 16-301-440.

(2) Snap and kidney beans must be isolated by 1320 feet from known bacterial blight.

(3) The following requirements apply to bean seed certification:

(a) Pintos, red Mexicans, pinks, great northern, small whites, navy beans, and black turtle beans may be grown for an unlimited number of generations under rill or sprinkler irrigation.

(b) Kidney beans, cranberry types, Taylor horticultural types, and Borlotto types may be grown for an unlimited number of generations under rill irrigation or for one generation under rill irrigation and, subsequently, for two generations under sprinkler irrigation. The fourth and unlimited subsequent generations may be grown and inspected with the same alternation of irrigation types.

(4) Bean fields must be rogued of weeds, off-type plants, volunteer plants, and plants showing symptoms of seed-borne diseases. Excessive nightshade shall be a cause for rejection.

(5) For a bean field to be eligible for certification it must be clean and have boundaries that are clearly defined and a minimum of 36((~~"~~)) inches which is adequate to prevent mechanical contamination.

(6) Excessive weeds, poor stands, lack of vigor, or any other condition which is apt to make inspection inaccurate may be cause for rejection of a bean field.

(7) Bean fields, including those planted with a dominant I-gene cultivar, must be in compliance with WAC 16-301-365 through 16-301-440.

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-265 Seed field inspection requirements for bean seed certification. Seed field inspection requirements for the production of bean seed are as follows:

(1) When factors affecting certification are most evident. The second inspection, when required, shall be a windrow inspection.

(2) A serology or a grow out test to verify presence of seed-borne diseases in beans may be required if the applicant, or the certifying agency deems it necessary as allowed under WAC ((~~16-301-480(1)~~)) 16-301-396(3).

(3) When seed stock planting material does not meet the requirements of bean quarantine standards WAC 16-301-365 through 16-301-440, the inspection procedures for trial grounds in WAC 16-301-425 may be applicable, including a minimum of four field inspections during the growing season and one windrow inspection.

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-270 Seed standards for bean seed certification. Seed standards for the production of bean seed are as follows:

((~~(1)~~

~~Purity~~	~~Foundation~~	~~Registered~~	~~Certified~~
~~Pure seed (Min.)~~	~~98%~~	~~98%~~	~~98%~~
~~Other crops & varieties (Max.)~~	~~none found~~	~~none found~~	~~2/100 lbs.~~
~~Badly damaged seed (Max.)~~		~~2%~~	~~2%~~
~~Inert matter (Max.)~~		~~2%~~	~~2%~~
~~Splits (Max.)~~		~~2%~~	~~2%~~
~~Weed seed (Max.)~~		~~none found~~	~~none found~~
~~Germination (Min.)~~		~~85%~~	~~85%~~

~~(2) Total inert matter, splits, and badly damaged bean seed shall not exceed 2% except for foundation class.~~

~~(3)~~))

Purity	Foundation	Registered	Certified
Pure seed (minimum)	98.00%	98.00%	98.00%
Other crop and varieties (maximum)	None found	None found	2/100 lbs
*Badly damaged seed (maximum)	NS	2.00%	2.00%
*Splits and cracks (maximum)	NS	2.00%	2.00%
*Inert matter (maximum)	NS	2.00%	2.00%
Weed seed (maximum)	NS	None found	None found
Germination (minimum)	NS	85.00%	85.00%
Prohibited weeds	None found	None found	None found
Objectionable weed (maximum)	None found	None found	None found

* Combined total of inert matter, splits and cracks, and badly damaged seed shall not exceed 2.00% except for Foundation class.

(1) Laboratory test reports state the percent of discolored beans for information only, if requested.

((~~(4) Rough handling of bean seed in the combine or cleaning plant reduces germination materially. Precautions must be taken against such treatment and the seed safeguarded against high drops.~~)) (2) Legumes such as field and garden beans, lima beans, soybeans, and peas are especially susceptible to threshing or combine damage. Mechanical damage may produce damaged primary roots, hypocotyls or epi-

cotyls, or broken or detached cotyledons. Bruised areas are usually necrotic or decayed.

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-280 Eligibility for corn seed certification. Eligibility for corn seed certification is as follows:

(1) Foundation corn inbred lines:

(a) For the purposes of corn seed certification, the propagation of male sterile inbred lines is subject to the same requirements and rules as apply to foundation single crosses in subsection (2) of this section.

(b) An inbred line must be a relatively true breeding strain of corn resulting from at least five successive generations of controlled self-fertilization; or at least five generations of back-crossing to a recurrent parent with selection; or its equivalent.

(c) Inbred lines increased by hand pollination are eligible for corn seed certification.

(d) An inbred used as a pollinator in a foundation single cross production corn field may be certified if all the seed parents in the isolated corn field are inspected for certification and meet all field requirements for certification.

(e) Addition of specific genetic factors to a line of corn((~~,~~)):

(i) When a specific genetic factor(s) is added to an inbred line, the line must be backcrossed to its recurrent parent at least five generations. The line shall be homozygous for the specific genetic factor(s) except for the pollen restoration factor(s), and the genic male sterile maintainer line.

(ii) For a recovered pollen restorer inbred line, selection must be relative to a specific cytoplasmic male sterile source.

(iii) The originator must supply proof of the genetic nature of a recovered line.

(iv) A genic male sterile maintainer line, consisting of duplicate-deficient and male-steriles in an approximate one to one (1:1) ratio must be no more than two generations removed from breeder's seed. The maintainer must be designated according to generation as:

(A) Breeder seed: The hand pollinated selfed seed from a known duplicate-deficient plant heterozygous at a particular male sterile locus.

(B) Foundation I seed: The product of random-mating among fertile plants arising from Breeder seed.

(C) Foundation II seed: The product of random-mating among fertile plants arising from Foundation I seed.

(v) A genic male sterile line must be a strain homozygous for a particular male sterile recessive allele.

(vi) The genic male sterile lines shall be identified as to the recessive genes they carry, e.g., B37 ms-1, N26 ms-10. The maintainer lines must be identified not only for the male sterile gene for which it is heterozygous, but also for the specific translocation from which it was derived, e.g., B37 Mt-1 ms-1, N28 Mt-1 ms-10.

(2) Foundation corn single crosses:

(a) Foundation single cross. A foundation single cross must consist of the first generation of a cross between: Two inbred lines; an

inbred line and a foundation back cross; or two foundation back crosses.

(b) Foundation back-crosses:

(i) A first generation foundation back cross must be the first generation cross between a foundation single cross of related inbred lines and an inbred line which must be the same as one of the inbreds in the foundation single cross.

(ii) A second generation foundation back cross must be made by using a first generation back cross as the seed parent and the pollinating parent shall be an inbred line. The inbred line must be the same as the inbred parent used in making the first generation back cross seed parent.

(c) A male sterile line may be substituted for its fertile counterpart as one parent of a foundation single cross if the male sterile line has been backcrossed for not less than five generations to its fertile counterpart, or the male sterile line is the same in other characteristics as its fertile counterpart.

(d) Male sterile lines propagated by hand pollination will be ((~~are~~)) eligible for certification.

(e) A pollen restoring line may be substituted for its nonrestoring counterpart in a foundation single cross if the pollen restoring line is the same in other characteristics as its nonrestoring counterpart.

(3) Hybrid corn seed:

(a) Hybrid corn seed is seed to be planted for the production of feed or for use other than seed. It may be any one of the following:

(i) Double cross - The first generation cross between two foundation single crosses.

(ii) Three-way cross - The first generation cross between a foundation single cross as one parent and an inbred line or a foundation back cross as the other parent.

(iii) Single cross must consist of the first generation of a cross between: Two inbred lines; an inbred line and a foundation back cross; or of two foundation back crosses.

(b) Foundation single cross seed and foundation back cross seed planted for the production of double cross, single cross, or three-way cross hybrid corn seed must be completely certified by a recognized seed certifying agency.

(c) Inbred line seed planted for the production of single cross or three-way cross hybrid corn seed to be used for grain or forage production must meet the requirements for the definition of an inbred line (as provided for in subsection (1)(b) of this section) and be certified.

(d) Only the class "certified" is recognized.

(4) Inbred seed and the seed of each parent for single crosses must meet one of the following requirements:

(a) Be in the hands of the originator;

(b) Be a line obtained directly from the originator;

(c) Be a line obtained from a state agricultural experiment station;

(d) Be a line obtained from the United States Department of Agriculture; or

(e) Be certified. Evidence of eligibility must be a certification tag taken from the seed planted.

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-295 Field standards for hybrid corn seed certification. Field standards for hybrid corn seed certification are:

(1) Hybrid corn seed isolation: ((~~(a)~~)) A specific hybrid must be located so that the seed parent is not less than ((~~six hundred and sixty~~)) 660 feet from corn of a different color or texture with the following exceptions:

((~~(i)~~)) (a) Hybrid seed production fields of dent sterile popcorn need not be isolated from yellow dent field corn; or

((~~(ii)~~)) (b) When the contaminating corn is of a different color or texture aggregating less than one-fourth acre on one exposure, the isolation distance may be modified in accordance with the table listed in this section.

(2) A specific hybrid corn must be located so that the seed parent is not less than ((~~four hundred and fifteen~~)) 415 feet from other corn of the same color or texture. The planting of pollen parent border rows and the size of the crossing field according to the following table may modify this distance.

Field Size* = 1-20 Acres		Field Size* = 21 Acres or more	
Distance from other corn in feet	**Minimum border rows required**	**Distance from other corn in feet**	**Minimum border rows required**
415	0	415	0
395	1	375	1
375	2	330	2
355	3	290	3
330	4	250	4
310	5	210	5
290	6	165	6
270	7	125	7
250	8	85	8
230	9	45	9
210	10	less than 45	10
185	11		
165	12		
145	13		
125	14		
105	15		
85	16		

* Different dates of planting will not divide a field for isolation purposes but may divide the field for detasseling inspection.

(a) The border rows and pollen parent rows must be planted with certified first generation seedstock, must be shedding pollen simultaneously with silk emergence of the seed parent and must not be separated from the seed parent by more than ((~~thirty-three~~)) 33 feet.

(b) A field planted with the same eligible pollen parent may be used as an isolation buffer if it is applied for certification, inspected and meets field requirements for certification.

(c) Full credit is not given where poor stands of border corn exist, where the border rows have been detasseled, or where, for any reason, the border rows are not shedding pollen as plentifully as the pollen parent rows. Because of the difficulty of obtaining and main-

taining a good stand of corn, the planting of more than the minimum number of border rows is recommended.

(d) The maximum distance a seed parent row shall be from a pollen parent row is ((~~fifteen~~)) 15 feet.

(3) Corrections for improper isolation of hybrid corn must be made by one of the following methods:

(a) By completely destroying or by detasseling the necessary contaminating corn before silks appear in the seed parent in the field to be certified; or

(b) By completely destroying the seed producing plants that are improperly isolated from contaminating corn before the final field inspection.

(4) Hybrid corn detasseling or pollen control. More than five percent of the stalks of the seed parent must have apparently receptive silks for the following provisions to apply. Apparently receptive silks are emerged silks which are not wilted or brown.

(a) An isolation is not accepted for certification if upon inspection by the certifying agency more than one percent of the stalks of the seed parent have shed pollen, or if the total number having shed pollen on any three days of inspection exceeds two percent.

(b) When more than one combination of hybrid corn is grown in the same isolation and the seed parent of one or more is shedding pollen in excess of one percent, all seed parents having five percent or more apparently receptive silks at the time is disqualified for certification unless adequately isolated from the shedding seed parent.

(c) Sucker tassels and portion of tassels are counted as shedding pollen when two inches or more of the central stem, the side branches, or a combination of the two have the anthers extended from the glumes.

(5) A male sterile seed parent may be used to produce Certified hybrid corn seed by either of two methods:

(a) Seed of the normal fertile seed parent is mixed with the seed of the male sterile seed parent of the same pedigree either by blending in the field at harvest or by size at conditioning time. The ratio of male sterile seed parent seed to normal seed parent seed does not exceed two to one.

(b) The male parent involves a certified pollen restoring line or lines so that not less than one-third of the plants grown from the hybrid corn seed produce pollen that appears to be normal in quantity and viability.

(6) Hybrid corn roguing:

(a) Definitely off-type plants in a parent line planted for the production of single cross or three-way cross hybrid corn seed to be used for grain or forage production must be completely destroyed so that suckers do not develop.

(b) Plants showing definite hybrid vigor or a definitely different type from the parent being inspected must be classified as definitely off-type.

(c) An isolation in which more than two-tenths of one percent of definitely off-type plants in the parent or parents have shed pollen, at a time when more than five percent of the seed parent plants have apparently receptive silks, is disqualified for certification.

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-310 Seed inspection and standards for hybrid corn seed certification. Seed inspection and standards for hybrid corn seed certification are as follows:

(1)	**Genetic ((~~Factor~~)) Purity**	**Standard Certified Class**
	Other varieties and off-types (maximum)	((~~0.5%~~)) 0.50%
	Off-textured kernels in opaque 2, flowery 2 and waxy (maximum)	((~~1.0%~~)) 1.00%
(2)	**Quality ((~~Factors~~)) Purity**	**Standards**
	Pure seed (minimum)	((~~98.0%~~)) 98.00%
	Total other crops - including other varieties (maximum)	((~~0.5%~~)) 0.50%
	Total weed seed (maximum)	None found
	Total inert matter (maximum)	((~~2.0%~~)) 2.00%
	Germination (minimum)	((~~90.0%~~)) 90.00%
	Moisture (maximum)	((~~14.0%~~)) 14.00%

AMENDATORY SECTION (Amending WSR 02-12-060, filed 5/30/02, effective 6/30/02)

WAC 16-302-330 Field isolation requirements for grass seed certification. (1) The field isolation requirements for grass seed are as follows:

(a) A seed field eligible for the production of Foundation, Registered or Certified seed must be isolated from any other variety or strain of the same species and all cross pollinated species in accordance with the requirements in the following table:

Minimum Isolation Distance Required for Fields Producing:			
Symbol for Type of Reproduction	**Foundation**	**Registered**	**Certified**
Strains at least 80% Apomictic A	60 feet	30 feet	15 feet clean fallow
Highly Self-Fertile Species—S	60 feet	30 feet	15 feet clean fallow
All cross-pollinated Species—C	900 feet	300 feet	165 feet

(b) A seed field that is eligible for the production of Foundation or Registered seed must be isolated from different classes of the same variety of cross-pollinated (C) species in accordance with the requirements in the following table:

Class Seed Planted	Class Seed Produced	Distance Required From Nearest Field Producing:	
Breeder	Foundation	Registered	150 feet
Breeder	Foundation	Certified	225 feet
Foundation	Registered	Certified	75 feet

(c) Isolation is not required in fields producing Certified class seed when the isolation zone is less than ((~~ten~~)) 10 percent of the entire field being certified if there is a clear (((~~ten~~)) 10 feet) line of demarcation between adjacent varieties. The isolation zone is the area calculated by the length of the common border with other varieties by average width of the certified field falling within the ((~~one hundred sixty-five~~)) 165 feet isolation distance requirement.

(d) A field eligible for the production of Foundation, Registered or Certified seed must be isolated from classes of the same variety of apomictic (A) and self-fertile (S) species in accordance with the following requirements:

(i) A field producing Foundation or Registered seed must be a minimum of ((~~fifteen~~)) 15 feet from a field planted with a different class of the same variety.

(ii) A field producing Certified seed must be a minimum of five feet from a field planted with a different class of the same variety.

(e) If it is not possible to provide minimum isolation distances for fields producing Foundation, Registered or Certified seed exceeding five acres in area, border removal is permitted. Border removal requires removal of the portion of the field being certified that is adjacent to a contamination source. The following requirements apply if the grower uses border removal:

(i) The minimum distances required for border removal are as follows:

Minimum Isolation Distance Required for Fields Producing:			
Border to be removed from the field being certified	Foundation	Registered	Certified
0 feet	900 ft.	300 ft.	165 ft.
15 feet	450 ft.	150 ft.	75 ft.

(ii) The grower must apply for seed certification of the entire field and clearly stake off the border removal portion before inspection of the field by the certifying agency.

(f) The border removal portion of the field may be harvested for uncertified seed under the following conditions:

(i) The entire field must pass all certification requirements except for isolation at time of inspection. The field report will show rejection due to lack of isolation.

(ii) The grower must harvest and deliver to a department approved conditioning plant the seed from the certified portion of the field separately from the seed from the isolation strip. ((~~After the seed is weighed and logged in, the weight of the seed from the isolation strip is to be reported to the seed program.~~)) At this time the seed program records will indicate the field has passed certification.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-385 Grass seed standards for certification. The seed standards for grass shall be as follows:

((~~SEED STANDARDS~~

~~CROP AND TYPE OF REPRODUCTION AS PER WAC 16-302-330~~		~~MINIMUM % GERM (d)(n)~~		~~MINIMUM % PURE~~		~~MAXIMUM % INERT~~		~~MAXIMUM % WEEDS (b)~~		~~MAXIMUM % OTHER CROPS~~		~~MAXIMUM SEEDS OF OTHER CROP GRASS SPECIES~~		
~~A Apomictic C Cross Pollinated S Highly Self Fertile~~		~~FNDT. REG.~~	~~CERT.~~	~~FNDT. REG.~~	~~CERT.~~	~~FNDT. REG.~~	~~CERT.~~	~~FNDT. REG.~~	~~CERT.~~	~~FNDT. (i) REG. (i)~~	~~CERT. (a)~~	~~FNDT. SEEDS/ lb.~~	~~REG. SEEDS/ lb.~~	~~CERT. %~~
~~BLUEGRASS~~														
~~Big~~	~~(A)~~	~~70~~	~~70~~	~~90~~	~~90~~	~~10~~	~~10~~	~~0.05~~	~~0.30~~	~~0.10~~	~~0.50~~	~~45/lb.~~	~~454/lb.~~	~~0.25~~
~~Canby~~	~~(A)~~	~~70~~	~~70~~	~~90~~	~~90~~	~~10~~	~~10~~	~~0.05~~	~~0.30~~	~~0.10~~	~~0.50~~	~~45/lb.~~	~~454/lb.~~	~~0.25~~
~~Kentucky~~	~~(A)~~	~~80~~	~~80~~	~~97~~	~~97~~	~~3~~	~~3~~	~~0.05~~	~~0.30~~	~~0.10~~	~~0.50~~	~~45/lb.~~	~~454/lb.~~	~~0.25~~
~~Canada & Upland~~	~~(A)~~	~~80~~	~~80~~	~~96~~	~~92~~	~~4~~	~~8~~	~~0.05~~	~~0.30~~	~~0.10~~	~~0.50~~	~~45/lb.~~	~~907/lb.~~	~~0.25~~
~~Rough~~	~~(A)~~	~~75~~	~~75~~	~~95~~	~~95~~	~~5~~	~~5~~	~~0.30~~	~~0.30~~	~~0.10~~	~~0.50~~	~~45/lb.~~	~~454/lb.~~	~~0.25~~
~~BROMEGRASS~~														
~~Smooth & Meadow~~	~~(C)~~	~~80~~	~~85~~	~~95~~	~~95~~	~~5~~	~~5~~	~~0.05~~	~~0.30 (e)~~	~~0.10~~	~~0.50~~	~~9/lb.~~	~~91/lb.~~	~~0.25~~
~~California, Mountain & Sweet~~	~~(C)~~	~~85~~	~~85~~	~~95~~	~~95~~	~~5~~	~~5~~	~~0.30~~	~~0.30 (e)~~	~~0.10~~	~~1.0~~	~~9/lb.~~	~~91/lb.~~	~~0.25~~
~~DEERTONGUE~~	~~(C)~~	~~50~~	~~50~~	~~97~~	~~95~~	~~3~~	~~5~~	~~0.50~~	~~0.50 (e)~~	~~1.0~~	~~1.0~~	~~1%~~	-	-
~~FESCUE~~														
~~Tall & Meadow~~	~~(C)~~	~~80~~	~~85~~	~~95~~	~~97~~	~~5~~	~~3~~	~~0.03~~	~~0.30 (e)~~	~~0.10~~	~~0.50~~	~~18/lb.~~	~~91/lb.~~	~~0.25~~
~~Blue, Hard & Sheep (m)~~														
~~Turf Type (o)~~	~~(C)~~	~~80~~	~~85~~	~~95~~	~~97~~	~~5~~	~~3~~	~~0.03~~	~~0.30 (e)~~	~~0.10~~	~~0.50~~	~~9/lb.~~	~~45/lb.~~	~~0.25~~
~~Reclamation/Range Type (o)~~		~~80~~	~~85~~	~~95~~	~~92~~	~~5~~	~~8~~	~~0.03~~	~~0.30 (e)~~	~~0.10~~	~~0.50~~	~~9/lb.~~	~~45/lb.~~	~~0.25~~
~~Chewings Red, Idaho and other Fescue~~	~~(C)~~	~~80~~	~~90~~	~~95~~	~~97~~	~~5~~	~~3~~	~~0.03~~	~~0.30 (e)~~	~~0.10~~	~~0.50~~	~~9/lb.~~	~~45/lb.~~	~~0.25~~
~~ORCHARDGRASS~~	~~(C)~~	~~80~~	~~85~~	~~92~~	~~92~~	~~8~~	~~8~~	~~0.03~~	~~0.30 (e)~~	~~0.10~~	~~0.50~~	~~27/lb.~~	~~91/lb.~~	~~0.25~~
			~~80 for penlate & latar~~											
~~RYEGRASS~~	~~(C)~~	~~85~~	~~90 (l)~~	~~96 (k)~~	~~97 (k)~~	~~4~~	~~3~~	~~0.10~~	~~0.30 (e)~~	~~0.10~~	~~0.50~~	~~9/lb.~~	~~45/lb.~~	~~0.25~~
~~Pennfine~~		~~80~~	~~85~~	~~96 (k)~~	~~97 (k)~~	~~4~~	~~3~~	~~0.10~~	~~0.30 (e)~~	~~0.10~~	~~0.50~~	~~9/lb.~~	~~45/lb.~~	~~0.25~~
~~TIMOTHY~~		~~80~~	~~85~~	~~97~~	~~97~~	~~3~~	~~3~~	~~0.10~~	~~0.30~~	~~0.10~~	~~0.50~~	~~9/lb.~~	~~45/lb.~~	~~0.25~~
~~WHEATGRASS~~														
~~Beardless~~	~~(C)~~	~~80~~	~~85~~	~~90~~	~~90~~	~~10~~	~~10~~	~~0.10~~	~~0.30 (e)~~	~~0.10 (e)~~	~~0.50 (e)~~	~~9/lb.~~	~~45/lb.~~	~~25~~
~~Bluebunch & Snake River~~	~~(C)~~	~~80~~	~~85~~	~~90~~	~~90~~	~~10~~	~~10~~	~~0.10~~	~~0.30 (e)~~	~~0.10 (e)~~	~~0.50 (e)~~	~~9/lb.~~	~~45/lb.~~	~~25~~
~~Intermediate, Tall Pubescent~~	~~(C)~~	~~80~~	~~85~~	~~95~~	~~95~~	~~5~~	~~5~~	~~0.10~~	~~0.30 (e)~~	~~0.10 (e)~~	~~0.50 (e)~~	~~9/lb.~~	~~45/lb.~~	~~0.25~~
~~Western, R/S, Streambank, Thickspike (p)~~	~~(C)~~	~~80~~	~~85~~	~~90~~	~~90~~	~~10~~	~~10~~	~~0.10~~	~~0.30 (e)~~	~~0.10 (e)~~	~~0.50 (e)(p)~~	~~9/lb.~~	~~45/lb.~~	~~0.25~~
~~Slender~~	~~(S)~~	~~80~~	~~85~~	~~90~~	~~95~~	~~10~~	~~5~~	~~0.10~~	~~0.30 (e)~~	~~0.10 (e)~~	~~0.50 (e)~~	~~9/lb.~~	~~45/lb.~~	~~0.25~~
~~Crested & Siberian~~	~~(C)~~	~~80~~	~~85~~	~~90~~	~~95~~	~~10~~	~~5~~	~~0.10~~	~~0.30 (e)~~	~~0.10 (e)~~	~~0.50 (e)~~	~~9/lb.~~	~~45/lb.~~	~~0.25~~
~~INDIAN RICEGRASS~~	~~(S)~~	~~80 (j)~~	~~80 (j)~~	~~95~~	~~90~~	~~5~~	~~10~~	~~0.30~~	~~0.50~~	~~0.50~~	~~1.0~~	~~9/lb.~~	~~45/lb.~~	~~0.25~~
~~PUCCINELLIA distans Alkaligrass~~	~~(C)~~	~~80~~	~~80~~	~~90~~	~~95~~	~~5~~	~~5~~	~~0.30~~	~~0.50~~	~~0.50~~	~~1.0~~	~~45/lb.~~	~~454/lb.~~	~~0.25~~
~~WILDRYE~~	~~(C)~~	~~80~~	~~80~~	~~90~~	~~90~~	~~10~~	~~10~~	~~0.10~~	~~0.30 (e)~~	~~0.10~~	~~0.50~~	~~9/lb.~~	~~45/lb.~~	~~0.25~~
~~BENTGRASS~~	~~(C)~~	~~85~~	~~85~~	~~98~~	~~98~~	~~2~~	~~2~~	~~0.30~~	~~0.40 (f)(g)~~	~~0.20~~	~~0.60 (h)~~	-	-	-
~~REDTOP~~	~~(C)~~	~~80~~	~~80~~	~~92~~	~~92~~	~~8~~	~~8~~	~~0.30~~	~~0.50 (f)~~	~~0.50~~	~~0.20~~	-	-	-
~~Ann. CANARYGRASS~~	~~(C)~~	~~85~~	~~85~~	~~99~~	~~99~~	~~1~~	~~1~~	~~0.10~~	~~0.30~~	~~1/lb.~~	~~3/lb.~~	-	-	-
~~HAIRGRASS~~	~~(C)~~	~~75~~	~~70~~	~~92~~	~~90~~	~~8~~	~~10~~	~~0.30~~	~~0.60~~	~~0.10~~	~~0.50~~	-	-	-
~~Slender~~														
~~Tufted~~														
~~BERMUDAGRASS~~	~~(C)~~	-	~~80~~	-	~~97~~	-	~~3~~	-	~~0.20~~	-	~~0.25~~	-	-	-
~~GREEN NEEDLEGRASS~~	~~(C)~~	~~80~~	~~80~~	~~80~~	~~80~~	~~20~~	~~20~~	~~0.10~~	~~0.30~~	~~0.10~~	~~0.50~~	-	-	-

~~CROP AND TYPE OF REPRODUCTION AS PER WAC 16-302-330~~		~~MINIMUM % GERM (d)(n)~~		~~MINIMUM % PURE~~		~~MAXIMUM % INERT~~		~~MAXIMUM % WEEDS (b)~~		~~MAXIMUM % OTHER CROPS~~		~~MAXIMUM SEEDS OF OTHER CROP GRASS SPECIES~~		
~~A Apomictic C Cross Pollinated S Highly Self Fertile~~		~~FNDT. REG.~~	~~CERT.~~	~~FNDT. REG.~~	~~CERT.~~	~~FNDT. REG.~~	~~CERT.~~	~~FNDT. REG.~~	~~CERT.~~	~~FNDT. (i) REG. (i)~~	~~CERT. (a)~~	~~FNDT. SEEDS/ lb.~~	~~REG. SEEDS/ lb.~~	~~CERT. %~~
~~SWITCHGRASS~~	~~(C)~~	~~60~~	~~60~~	~~90~~	~~90~~	~~10~~	~~10~~	~~0.50~~	~~1.50~~	~~0.10~~	~~0.25~~	~~-~~	~~-~~	~~-~~

~~The following (a) - (p) are notes to the above table.~~

~~(a) Not to exceed 0.25% other grass species for blue tag seed.~~

~~(b) Grass seed must not contain more than 45/lb. for registered seed 91/lb. for certified seed, singly or collectively, of objectionable weed seeds. (See (f) of this subsection for certified bentgrass and redtop exemption.) Grass seed shall be free of the seed of prohibited noxious weeds.~~

~~(c) A tolerance of 0.50% may be allowed for samples containing weedy *Bromus* spp. provided the total of all other weed seeds does not exceed 0.30%.~~

~~(d) A standard tetrazolium (two hundred seed) test may be used in lieu of germination test. NOTE: State and federal seed laws require seed be labeled on a germination test.~~

~~(e) A tolerance of 0.80% may be allowed in registered and certified wheatgrass containing small grain seed provided the total of all other crop seed does not exceed 0.10% for registered class and 0.50% for certified class.~~

~~(f) Certified seed must not contain over 907 seeds per pound, singly or collectively, of the following weeds: *Plantago* spp., big mouse-ear chickweed, yarrow, spotted cat's ear, and dandelion.~~

~~(g) A maximum of 0.50% weed seed may be allowed in certified bentgrass containing silver hairgrass provided the total of all other weed seed does not exceed 0.40%.~~

~~(h) 1.50% other fine bentgrasses and 0.50% redtop may be allowed in certified bentgrass containing a minimum of 98% total bentgrass.~~

~~(i) A crop exam is required for all registered and foundation class grass seeds.~~

~~(j) Or 70% by Tz test.~~

~~(k) Maximum other ryegrass allowed as determined by fluorescence test: Foundation 0.10%, registered 1%, certified 2% for annual and 3% for perennial containing a minimum of 97% total ryegrass. Acceptable fluorescence levels for specific varieties available upon request.~~

~~(l) 85% minimum germination allowed on ryegrass varieties as designated by the breeder or variety owner. See list maintained by the seed program.~~

~~(m) An ammonia test is required on hard, Idaho, blue and sheep fescue to determine presence of other *Festuca* sp. Other fine-leaved fescue found in the ammonia test will be included with other crop not other grass species.~~

~~(n) Total viability as allowed in WAC 16-302-170 can be substituted for germination percentage.~~

~~(o) Turf type fescues 97% pure seed. Range/reclamation types 92% pure seed. Varietal designation of turf or range/reclamation types is to be made by the breeder or variety owner. If no designation is made, the variety will be considered a turf type.~~

~~(p) 10% slender wheatgrass is allowed in the certified class of Critana and 5% *Elymus* species allowed in the certified class of Schwendimar, provided that the total of all other grass species does not exceed 0.25% and total other crop, including all other grass species does not exceed 0.50%.~~))

(1) Not to exceed 0.25 percent other grass species for Certified seed.

(2) Grass seed shall be free of the seed of prohibited noxious weeds.

(3) Grass seed must not contain more than 45 per pound (45/lb) for Registered seed, 91 per pound (91/lb) for Certified seed, singly or collectively, of objectionable weed seeds. (See footnote (v) below for Certified bentgrass and redtop exception.)

(4) A standard tetrazolium (200 seed) test may be used in lieu of germination test.

Note: State and federal seed laws require seed be labeled on a germination test.

(5) Total viability as allowed in WAC 16-302-170 can be substituted for germination percentage.

(6) A crop exam is required for all Registered and Foundation class grass seeds.

CROP SEED STANDARDS AND TYPE OF REPRODUCTION AS PER WAC 16-302-330

Type of Reproduction by Crop Kind: (A) Apomictic (C) Cross pollinated (S) Highly self fertile

NS = No Standard
FND = Foundation Class
REG = Registered Class
CERT = Certified Class

		MINIMUM % GERMINATION (xiii)(ii)		MINIMUM % PURE SEED		MAXIMUM % INERT MATTER		MAXIMUM % WEEDS (xii)(ii)		MAXIMUM % OTHER CROPS		MAXIMUM SEEDS OF OTHER CROP GRASS SPECIES *(not including other crop) not to exceed*		
CROP	REP	FND/ REG	CERT	FND/ REG	CERT	FND/ REG	CERT	FND/ REG	CERT	FND REG (xiv)	CERT	FND SEED/ LB	REG SEED/ LB	CERT %
Bluegrass, Big	A	70.00	70.00	90.00	90.00	10.00	10.00	0.05	0.30	0.10	0.50	45/LB	454/LB	0.25
Bluegrass, Canby	A	70.00	70.00	90.00	90.00	10.00	10.00	0.05	0.30	0.10	0.50	45/LB	454/LB	0.25
Bluegrass, Kentucky	A	80.00	80.00	97.00	97.00	3.00	3.00	0.05	0.30	0.10	0.50	45/LB	454/LB	0.25

		MINIMUM % GERMINATION (xiii)(ii)		MINIMUM % PURE SEED		MAXIMUM % INERT MATTER		MAXIMUM % WEEDS (xii)(ii)		MAXIMUM % OTHER CROPS		MAXIMUM SEEDS OF OTHER CROP GRASS SPECIES *(not including other crop)* not to exceed		
CROP	REP	FND/ REG	CERT	FND/ REG	CERT	FND/ REG	CERT	FND/ REG	CERT	FND REG (xiv)	CERT	FND SEED/ LB	REG SEED/ LB	CERT %
Bluegrass, Canada	A	80.00	80.00	96.00	92.00	4.00	8.00	0.05	0.30	0.10	0.50	45/LB	907/LB	0.25
Bluegrass, Upland	A	80.00	80.00	96.00	92.00	4.00	8.00	0.05	0.30	0.10	0.50	45/LB	907/LB	0.25
Bluegrass, Rough	A	75.00	75.00	95.00	95.00	5.00	5.00	0.30	0.30	0.10	0.50	45/LB	454/LB	0.25
Bromegrass, Smooth	C	80.00	85.00	95.00	95.00	5.00	5.00	0.05	0.30 (i)	0.10	0.50	9/LB	91/LB	0.25
Bromegrass, Meadow	C	80.00	85.00	95.00	95.00	5.00	5.00	0.05	0.30 (i)	0.10	0.50	9/LB	91/LB	0.25
Bromegrass, California	C	85.00	85.00	95.00	95.00	5.00	5.00	0.30	0.30 (i)	0.10	1.00	9/LB	91/LB	0.25
Bromegrass, Mountain	C	85.00	85.00	95.00	95.00	5.00	5.00	0.30	0.30 (i)	0.10	1.00	9/LB	91/LB	0.25
Bromegrass, Sweet	C	85.00	85.00	95.00	95.00	5.00	5.00	0.30	0.30 (i)	0.10	1.00	9/LB	91/LB	0.25
Deertongue	C	50.00	50.00	97.00	95.00	3.00	5.00	0.50	0.50 (i)	1.00	1.00	1.00%	NS-	NS-
Fescue, Tall	C	80.00	85.00	95.00	97.00	5.00	3.00	0.03	0.30 (i)	0.10	0.50	18/LB	91/LB	0.25
Fescue, Meadow	C	80.00	85.00	95.00	97.00	5.00	3.00	0.03	0.30 (i)	0.10	0.50	18/LB	91/LB	0.25
Fescue, Hard (Festuca trachyphylla and ovina)(ix)	C	80.00	85.00	95.00	97.00	5.00	3.00	0.03	0.30 (i)	0.10	0.50	9/LB	45/LB	0.25
Fescue, Sheep (Festuca ovina)(ix)	C	80.00	85.00	95.00	97.00	5.00	3.00	0.03	0.30 (i)	0.10	0.50	9/LB	45/LB	0.25
Fescue, Turf type (x)	C	80.00	85.00	95.00	97.00	5.00	3.00	0.03	0.30 (i)	0.10	0.50	9/LB	45/LB	0.25
Fescue, reclamation/Range type (x)	C	80.00	85.00	95.00	92.00	5.00	8.00	0.03	0.30 (i)	0.10	0.50	9/LB	45/LB	0.25
Fescue, Chewings (Festuca rubra)(ix)	C	80.00	90.00	95.00	97.00	5.00	3.00	0.03	0.30 (i)	0.10	0.50	9/LB	45/LB	0.25
Fescue, Creeping (Festuca rubra)(ix)	C	80.00	90.00	95.00	97.00	5.00	3.00	0.03	0.30 (i)	0.10	0.50	9/LB	45/LB	0.25
Fescue, Idaho	C	80.00	90.00	95.00	97.00	5.00	3.00	0.03	0.30 (i)	0.10	0.50	9/LB	45/LB	0.25
Other fescue	C	80.00	90.00	95.00	97.00	5.00	3.00	0.03	0.30 (i)	0.10	0.50	9/LB	45/LB	0.25
Festulolium (align with OSCS)	C	75.00	75.00	98.00	98.00	2.00	2.00	0.15	0.50 (i)	0.10	0.50	9/LB	45/LB	0.25
Orchardgrass	C	80.00	85.00	92.00	92.00	8.00	8.00	0.03	0.30 (i)	0.10	0.50	27/LB	91/LB	0.25
Orchardgrass, Pennlate	C	80.00	80.00	92.00	92.00	8.00	8.00	0.03	0.30 (i)	0.10	0.50	27/LB	91/LB	0.25
Orchardgrass, Latar	C	80.00	80.00	92.00	92.00	8.00	8.00	0.03	0.30 (i)	0.10	0.50	27/LB	91/LB	0.25
Ryegrass, annual	C	85.00	90.00 (viii)	96.00 (vii)	97.00 (vii)	4.00	3.00	0.10	0.30 (i)	0.10	0.50	9/LB	45/LB	0.25
Ryegrass, intermediate (align with OSCS)	C	90.00 (viii)	90.00 (viii)	97.00	97.00	3.00	3.00	0.10	0.30 (i)	0.10	0.50	9/LB	45/LB	0.25
Ryegrass, perennial	C	85.00	90.00 (viii)	97.00 (vii)	96.00 (vii)	4.00	3.00	0.10	0.30 (i)	0.10	0.50	9/LB	45/LB	0.25
Timothy	C	80.00	85.00	97.00	97.00	3.00	3.00	0.10	0.30	0.10	0.50	9/LB	45/LB	0.25
Wheatgrass, Beardless	C	80.00	85.00	90.00	90.00	10.00	10.00	0.10	0.30 (i)	0.10 (ii)	0.50 (ii)	9/LB	45/LB	0.25
Wheatgrass, Bluebunch	C	80.00	85.00	90.00	90.00	10.00	10.00	0.10	0.30 (i)	0.10 (ii)	0.50 (ii)	9/LB	45/LB	0.25
Wheatgrass, Snake river	C	80.00	85.00	90.00	90.00	10.00	10.00	0.10	0.30 (i)	0.10 (ii)	0.50 (ii)	9/LB	45/LB	0.25
Wheatgrass, Intermediate	C	80.00	85.00	95.00	95.00	5.00	5.00	0.10	0.30 (i)	0.10 (ii)	0.50 (ii)	9/LB	45/LB	0.25
Wheatgrass, Tall	C	80.00	85.00	95.00	95.00	5.00	5.00	0.10	0.30 (i)	0.10 (ii)	0.50 (ii)	9/LB	45/LB	0.25
Wheatgrass, Pubescent	C	80.00	85.00	95.00	95.00	5.00	5.00	0.10	0.30 (i)	0.10 (ii)	0.50 (ii)	9/LB	45/LB	0.25
Wheatgrass, Western	C	80.00	85.00	90.00	90.00	10.00	10.00	0.10	0.30 (i)	0.10 (ii)	0.50 (ii)	9/LB	45/LB	0.25
Wheatgrass, R/S	C	80.00	85.00	90.00	90.00	10.00	10.00	0.10	0.30 (i)	0.10 (ii)	0.50 (ii)	9/LB	45/LB	0.25
Wheatgrass, Streambank	C	80.00	85.00	90.00	90.00	10.00	10.00	0.10	0.30 (i)	0.10 (ii)	0.50 (ii)	9/LB	45/LB	0.25
Wheatgrass, Thickspike (xi)	C	80.00	85.00	90.00	90.00	10.00	10.00	0.10	0.30 (i)	0.10 (ii)	0.50 (ii)(xi)	9/LB	45/LB	0.25
Wheatgrass, Slender	S	80.00	85.00	90.00	95.00	10.00	5.00	0.10	0.30 (i)	0.10 (ii)	0.50 (ii)	9/LB	45/LB	0.25
Wheatgrass, Crested	C	80.00	85.00	90.00	95.00	10.00	5.00	0.10	0.30 (i)	0.10 (ii)	0.50 (ii)	9/LB	45/LB	0.25
Wheatgrass, Siberian	C	80.00	85.00	90.00	95.00	10.00	5.00	0.10	0.30 (i)	0.10 (ii)	0.50 (ii)	9/LB	45/LB	0.25
Indian ricegrass	S	80.00 (vi)	80.00 (vi)	95.00	90.00	5.00	10.00	0.30	0.50	0.50	1.00	9/LB	45/LB	0.25

		MINIMUM % GERMINATION (xiii)(ii)		MINIMUM % PURE SEED		MAXIMUM % INERT MATTER		MAXIMUM % WEEDS (xii)(ii)		MAXIMUM % OTHER CROPS		MAXIMUM SEEDS OF OTHER CROP GRASS SPECIES *(not including other crop)* not to exceed		
CROP	REP	FND/ REG	CERT	FND/ REG	CERT	FND/ REG	CERT	FND/ REG	CERT	FND REG (xiv)	CERT	FND SEED/ LB	REG SEED/ LB	CERT %
Alkaligrass (Puccinellia distans)	C	80.00	80.00	90.00	95.00	5.00	5.00	0.30	0.50	0.50	1.00	45/LB	45/LB	0.25
Wildrye	C	80.00	80.00	90.00	90.00	10.00	10.00	0.10	0.30 (i)	0.10	0.50	9/LB	45/LB	0.25
Bentgrass	C	85.00	85.00	98.00	98.00	2.00	2.00	0.30	0.40 (iii) (iv)	0.20	0.60 (v)	NS	NS	NS
Redtop	C	80.00	80.00	92.00	92.00	8.00	8.00	0.30	0.50 (iii)	0.50	0.20	NS	NS	NS
Annual Canarygrass	C	85.00	85.00	99.00	99.00	1.00	1.00	0.10	0.30	1/LB	3/LB	NS	NS	NS
Slender hairgrass	C	75.00	70.00	92.00	90.00	8.00	10.00	0.30	0.60	0.10	0.50	NS	NS	NS
Tufted hairgrass	C	75.00	70.00	92.00	90.00	8.00	10.00	0.30	0.60	0.10	0.50	NS	NS	NS
Bermudagrass (align with OSCO)	C	80.00	80.00	97.00	97.00	3.00	3.00	NS	0.20	0.01	0.25	NS	NS	NS
Green needlegrass	C	80.00	80.00	80.00	80.00	20.00	20.00	0.10	0.30	0.10	0.50	NS	NS	NS
Switchgrass	C	60.00	60.00	90.00	90.00	10.00	1.00	0.50	1.50	0.10	0.25	NS	NS	NS

The following (i) through (xv) are notes to the above table.

(i) A tolerance of 0.50% may be allowed for samples containing weedy *Bromus* spp., provided the total of all other weeds does not exceed 0.30%.

(ii) A tolerance of 0.80% may be allowed in Registered and Certified wheatgrass containing small grain seed provided the total of all other crop seed does not exceed 0.10% for Registered class and 0.50% for Certified class.

(iii) Certified seed must not contain over 907 seeds per pound, singly or collectively, of the following weeds: *Plantago* spp., big mouse-ear chickweed, yarrow, spotted cat's ear, and dandelion.

(iv) A maximum of 0.50% weed seed may be allowed in Certified bentgrass containing silver hairgrass provided the total of all other weed seed does not exceed 0.40%.

(v) 1.50% other fine bentgrasses and 0.50% redtop may be allowed in Certified bentgrass containing a minimum of 98.00% total bentgrass.

(vi) Or 70.00% by TZ test.

(vii) Maximum other ryegrass allowed as determined by fluorescence test and/or genetic testing with 97.00% minimum total ryegrass.

Foundation	Registered	Certified	Fluorescence for Perennial ryegrass containing a minimum of 97.00% total ryegrass
0.10%	1.00%	2.00%	3.00% (Acceptable fluorescence levels for specific varieties available upon request)

(viii) 85.00% minimum germination allowed on ryegrass varieties as designated by the breeder or variety owner. See list maintained by a verified source from a seed certification agency.

(ix) An ammonia test is required.
- Hard, sheep fescue, Festuca ovina, and trachyphylla.
- Red fescue, chewings and creeping, Festuca rubra.
- Source ID Roemer's fescue to determine presence of other *Festuca* sp.

Other fine-leaved fescue found in the ammonia test will be included with other crop not other grass species.

(x) Turf type fescues 97.00% pure seed. Range/reclamation types 92.00% pure seed in the Certified class. Varietal designation of turf or range/reclamation types is to be made by the breeder or variety owner. If no designation is made, the variety will be considered a turf type.

(xi) 10.00% slender wheatgrass is allowed in the Certified class of Critana and 5.00% Elymus species allowed in the Certified class of Schwendimar, provided that the total of all other grass species does not exceed 0.25% and total other crop, including all other grass species does not exceed 0.50%.

(xii) Grass seed shall be free of prohibited noxious weed seed. Grass seed must not contain more than 45/lb. for Registered seed, 91/lb. for Certified seed singly or collectively, of objectionable weed seed. See (v) of this footnote for bentgrass and redtop exception.

(xiii) A standard tetrazolium (200 seed) test may be used in lieu of germination test. **Note:** State and federal seed laws may require seed be labeled on a germination test.

(xiv) A crop exam is required for all Registered and Foundation class grass seeds.

(xv) Total viability as allowed in WAC 16-302-170 can be substituted for germination percentage.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-395 Standards for sod quality seed certification. (1) The general seed certification definitions and standards in this chapter and the grass seed certification standards are basic and together with WAC 16-302-400 through ((~~16-302-410~~)) 16-302-412 constitute the standards for sod quality seed certification.

(2) Fees for seed certification are assessed by the certifying agency as established in chapter 16-303 WAC.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-410 Washington standards for sod quality seed. (1) Sod quality seed must first meet Washington state certification standards found in WAC 16-302-385. Except for ryegrass sod quality seed, seed standards for sod quality grass seed are as follows:

((~~Variety~~	~~Minimum % Pure~~	~~Minimum % Germination~~	~~Maximum% Other Crops (a)~~	~~Maximum% Weeds (b)~~
~~Kentucky Bluegrass~~	~~97~~	~~80~~	~~0.10~~	~~0.02~~
~~Red Fescue~~	~~98~~	~~90~~	~~0.10~~	~~0.02~~
~~Chewings Fescue~~	~~98~~	~~90~~	~~0.10~~	~~0.02~~
~~Tall Fescue~~	~~98~~	~~85~~	~~0.10~~	~~0.02~~))

Variety	Purity Sample Size, grams (a)	Pure seed Minimum %	Germination Minimum %	Other Crops (b) Maximum %	Weeds (c) Maximum %
Bluegrass, Kentucky	25	97.00	80.00	0.10	0.02
Fescue, red	50	98.00	90.00	0.10	0.02
Fescue, chewings	50	98.00	90.00	0.10	0.02
Fescue, tall	50	98.00	85.00	0.10	0.02

(a) Requires testing of noxious all weed all crop exam and a germination test.

(b) Must be free of ryegrass, orchardgrass, timothy, *Agrostis* sp., black medic, *Poa trivialis*, brome, reed canarygrass, tall fescue, clover, and meadow foxtail. Maximum allowable Canada bluegrass 0.02%. When the base sample is one of these kinds, the species will not be considered a contaminant (i.e., tall fescue in tall fescue).

(((~~(b)~~))) Must be free of Big, Canby and Sandberg bluegrass, dock, chickweed, crabgrass, plantain, short-awn foxtail, annual bluegrass, velvetgrass, ((~~*Vulpia* sp.~~)) weedy *Festuca* spp., and noxious weed seeds as listed under WAC 16-302-100 and 16-302-105.

(c)

(2) Seed standards for sod quality ryegrass seed are as follows:

((~~Variety~~	~~Minimum% Pure~~	~~Germination % (d)~~	~~Other Crops % (a)~~	~~Maximum % Weeds (c)~~
~~Ryegrass (b)~~	~~98~~	~~90~~	~~0.10~~	~~0.02~~

~~(a) Must be free of black medic, orchardgrass, timothy, *Agrostis* sp., *Poa trivialis*, brome, reed canarygrass, tall fescue, clover and meadow foxtail. Maximum allowable Canada bluegrass 0.02%.~~

~~(b) Maximum fluorescence levels as determined by breeder or variety owner.~~

~~(c) Must be free of Big, Canby and Sandberg bluegrass, dock, chickweed, crabgrass, plantain, annual bluegrass, velvetgrass, *Vulpia* sp., short-awn foxtail, and noxious weed seeds as listed under WAC 16-302-100 and 16-302-105. An additional 0.07% of weedy *Bromus* spp. will be allowed.~~

~~(d) 85% minimum germination allowed on ryegrass varieties as designated by the breeder or variety owner. See list maintained by the seed program.~~))

Variety	Purity Sample Size, grams (a)	Pure Minimum %	Germination Minimum % (b)	Other Crops (c) Maximum %	Weeds (d) Maximum %
Ryegrass (e)	50	98.00	90.00	0.10	0.02

(a) Requires testing of noxious all weed all crop exam and a germination test.

(b) 85% minimum germination allowed on ryegrass varieties as designated by the breeder or variety owner. See list maintained by the seed program.

(c) Must be free of black medic, orchardgrass, timothy, *Agrostis* sp., *Poa trivialis*, brome, reed canarygrass, tall fescue, clover and meadow foxtail. Maximum allowable Canada bluegrass 0.02%.

(d) Must be free of Big, Canby and Sandberg bluegrass, dock, chickweed, crabgrass, plantain, annual bluegrass, velvetgrass, weedy *Festuca* spp., short-awn foxtail, and noxious weed seeds as listed under WAC 16-302-100 and 16-302-105. An additional 0.07% of weedy *Bromus* spp. will be allowed.

(e) Maximum fluorescence levels as determined by breeder or variety owner.

(3) A sod seed analysis certificate is the basis of determining if a lot meets sod quality standards. This certificate is issued by the certifying agency and represents a purity analysis((~~, a twenty-~~

~~five gram noxious all weed all crop exam and a germination test, except a 50-gram noxious all weed all crop exam is required for fescues and ryegrass~~)).

(4) In addition to a seed certification tag, seed meeting sod quality Certified seed standards will be tagged with a special "sod quality seed" tag.

NEW SECTION

WAC 16-302-412 Pacific Northwest standards for sod quality seed. (1) Pacific Northwest sod quality seed, seed standards for sod quality grass seed are as follows:

Variety	Purity Sample Size, grams (a)	Pure Seed Minimum %	Germination Minimum %	Other Crops (b) Maximum %	Weeds (c) Maximum %
Bluegrass, Kentucky	25	97.00	80.00	0.10	0.02
Fescue, red (d)	30	98.00	85.00	0.10	0.02
Fescue, chewings (d)	30	98.00	85.00	0.10	0.02
Fescue, tall - Turf type	50	98.00	85.00	0.10	0.02
Ryegrass, Perennial (e)	50	98.00	90.00	0.10	0.02

(a) Requires testing of noxious all weed all crop exam and a germination test.
(b) Must be free of ryegrass, orchardgrass, timothy, bentgrass, big bluegrass, canby bluegrass, sandberg bluegrass, *Poa trivialis*, all species of *Bromus*, reed canarygrass, tall fescue, clover, meadow foxtail, bermudagrass (unless it is crop being tested), black medic, Alkaligrass, all of the genus *Puccinellia*. Canada bluegrass 0.02% - maximum allowable. Other Kentucky bluegrass - maximum 2.00%.
(c) Must be free of dock, chickweed, crabgrass, plantain, short-awn foxtail, annual bluegrass, all species of *Bromus*, velvetgrass, rattail fescue, and all weeds prohibited. (See Prohibited Noxious Seed List)
(d) Red fescue and chewings fescue must be free of Canada bluegrass.
(e) Maximum ryegrass fluorescence levels as determined by breeder or variety owner.

(2) A sod seed analysis certificate is the basis of determining if a lot meets sod quality standards. This certificate is issued by the certifying agency and represents a purity analysis.

Reports of analysis (ROA) for issuance of a PNW sod quality tag will be accepted from out-of-state certification seed agency when the seed lot is grown within the boundaries of Idaho or Oregon. The seed testing laboratory must also be located within either Idaho or Oregon and is an accredited by AOSA as a member in good standing.

(3) In addition to a seed certification tag, seed meeting sod quality Certified seed standards will be tagged with a special "PNW sod quality seed" tag with the Washington state logo.

AMENDATORY SECTION (Amending WSR 02-12-060, filed 5/30/02, effective 6/30/02)

WAC 16-302-435 ((~~Sudangrass lot standards for certification.~~)) Seed standards for sudangrass certification. Lot standards for certification of sudangrass are as follows:

Purity	Foundation	((~~Class~~)) Registered	Certified
Pure seed (min.)	((~~98.0%~~)) 98.00%	((~~98.0%~~)) 98.00%	((~~98.0%~~)) 98.00%
Inert material (max.)*	((~~2.0%*~~)) 2.00%*	((~~2.0%*~~)) 2.00%*	((~~2.0%*~~)) 2.00%*
Other crop (max.)	0.01%	0.03%	0.08%
Weed seed (max.)	0.10%	0.10%	0.10%
Prohibited or restricted noxious weed seeds	None found	None found	None found
Germination (min.)	((~~85.0%~~)) 85.00%	((~~85.0%~~)) 85.00%	((~~85.0%~~)) 85.00%

* Inert matter must not contain more than 0.5% of material other than seed fragments of the variety under consideration.

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-455 Seed standards for flax certification. Standards for each class:

NS = No Standard

((~~Factor~~)) Purity	Foundation	Registered	Certified
Pure seed (min.)	NS	98.00%	97.00%
Inert matter (max.)	NS	2.00%	3.00%
Weed seed (max.)*	NS	((~~.1~~)) 0.10%	((~~.2~~)) 0.20%
Other crop seed (max.)	NS	((~~.1~~)) 0.10%	((~~.2~~)) 0.20%
Germination (min.)	NS	80.00%	80.00%

* Flax must be free of prohibited and objectionable noxious weed seed.

AMENDATORY SECTION (Amending WSR 17-08-090, filed 4/5/17, effective 5/6/17)

WAC 16-302-465 Land requirements and field standards for woody plants, forbs, and other reclamation species. (1) The life of a stand shall be unlimited as long as ((~~seventy-five~~)) 75 percent of the plants present in the stand are those that were planted originally.

(2) To be eligible for the production of Certified class of seed, a field must not have grown or been seeded to the same species during

the previous four years for Foundation, three years for Registered, and two years for Certified.

(3) A seed field inspection must be made the year of establishment and at least once each year that seed is to be harvested. This inspection will be made at a time when plant development allows for the detection of factors such as off-type varieties and weed contamination.

(4) Isolation for seed production the minimum distance from a different variety or wild hybridizing populations are as follows:

Class	Minimum of isolation-feet:	
	Fields of 2 acres or less	Fields of more than 2 acres
Foundation & Registered	400	200
Certified	200	100

Volunteer plants may be cause for rejection or reclassification of a seed field.

(5) Specific field tolerances:

	Maximum ratio of heads or plants		
((~~Factor~~)) Purity	Foundation	Registered	Certified
Other varieties & off-type	1/1000	1/500	1/250
Other kinds (Inseparable other species)	1/2000	1/1000	1/500
(((~~Inseparable other species~~)))			
Prohibited noxious weeds	None found	None found	None found

AMENDATORY SECTION (Amending WSR 18-19-017, filed 9/10/18, effective 10/11/18)

WAC 16-302-470 Seed standards for woody plants, forbs, and other reclamation species.

((~~SEED STANDARDS~~

~~Crop~~	~~Minimum % Germination~~		~~Minimum % Pure seed~~		~~Maximum % Inert~~		~~Maximum % Weeds (a)~~		~~Maximum % Other crops~~	
	~~F/R~~	~~C~~	~~F/R~~	~~C~~	~~F/R~~	~~C~~	~~F/R~~	~~C~~	~~F/R~~	~~C~~
~~Small burnet~~	~~80~~	~~80~~	~~95~~	~~95~~	~~5~~	~~5~~	~~0.10~~	~~.2~~	~~.1~~	~~.25~~
~~Purple prairie clover~~	~~60(b)~~	~~60(b)~~	~~95~~	~~95~~	~~5~~	~~5~~	~~0.20~~	~~.5~~	~~.1~~	~~.25~~
~~Bitterbrush, antelope~~	~~75~~	~~75~~	~~95~~	~~95~~	~~5~~	~~5~~	~~0.10(a)~~	~~0.20~~	~~0.40 0.15(g)~~	~~1.25 0.50(g)~~
~~Balsamroot, arrowleaf sclerotinia~~	~~85~~	~~85~~	~~99~~	~~98~~	~~1.00 0~~	~~2.00 1/lb~~	~~0.02~~	~~0.04~~	~~0.10~~	~~0.20~~
~~Saltbush, four-wing~~	~~30~~	~~30~~	~~85~~	~~85~~	~~15~~	~~15~~	~~0.25(a)~~	~~.5(a)~~	~~.40 .15(g)~~	~~1.25 .50(g)~~

~~Crop~~	~~Minimum % Germination~~		~~Minimum % Pure seed~~		~~Maximum % Inert~~		~~Maximum % Weeds (a)~~		~~Maximum % Other crops~~	
	~~F/R~~	~~C~~	~~F/R~~	~~C~~	~~F/R~~	~~C~~	~~F/R~~	~~C~~	~~F/R~~	~~C~~
~~Gallardia(d)~~	~~60~~	~~60~~	~~90~~	~~90~~	~~10~~	~~10~~	~~0.20(a)~~	~~1.00(a)~~	~~.20 .10(g)~~	~~2.00 .25(g)~~
~~Prairie blazingstar or Gayfeather, thickspike (*Liatris pycnostachya*)(d)~~	~~60~~	~~60~~	~~85~~	~~80~~	~~15~~	~~20~~	~~0.30(a)~~	~~0.30(a)~~	~~0.20 0.10(g)~~	~~2.00 0.25(g)~~
~~Kochia, prostrate, forage Restricted noxious weeds~~	~~35~~	~~35~~	~~65~~	~~65~~	~~35~~	~~35~~	~~0.10 45/lb~~	~~0.20 91/lb~~	~~9/lb~~	~~25/lb~~
~~Artemesia sage, Louisiana sagebrush, big mountain sage, pitcher's (Salvia)~~	~~30 50 25~~	~~30 50 25~~	~~80 10 90~~	~~80 10 90~~	~~20 90 10~~	~~20 90 10~~	~~0.25 0.25(a) 0.30(a)~~	~~0.50(a) 0.50(a) 0.30(a)~~	~~0.40 0.40 0.25(g) 0.20(c) 0.10(g)~~	~~1.25 1.25 0.75(g) 2.00(c) 25(g)~~
~~Milkvetch, cicer Alfalfa & sweet clover Restricted noxious Sclerotia~~	~~75~~	~~70~~	~~99~~	~~98~~	~~1 0.10~~	~~2 0.10~~	~~0.01(a) None~~	~~0.20(a) 9/lb~~	~~0.01 9/lb 0.10(g)~~	~~0.20 45/lb 0.50(g)~~
~~Lupine Restricted noxious~~	~~80~~	~~80~~	~~98~~	~~98~~	~~2~~	~~2~~	~~0.25 0~~	~~0.50 9/lb~~	~~0.10~~	~~0.40~~
~~Mountain mahogany~~	~~60~~	~~60~~	~~85~~	~~85~~	~~15~~	~~15~~	~~0.25(a)~~	~~0.50(a)~~	~~0.40 0.15(g)~~	~~1.25 0.75(g)~~
~~*Penstemon* spp.~~	~~80(d)~~	~~80(d)~~	~~90~~	~~90~~	~~10~~	~~10~~	~~0.20~~	~~1.00~~	~~0.20(c) 90/lb(c)~~	~~2.00(c) 180/lb(c)~~
~~Prairie-coneflower~~	~~60~~	~~60~~	~~90~~	~~90~~	~~10~~	~~10~~	~~0.20(a)~~	~~1.00 (a)~~	~~0.20(c) 0.10(g)~~	~~2(c) 2.00(g)~~
~~Safflower~~	~~-~~	~~85~~	~~-~~	~~99~~	~~-~~	~~1~~	~~-(a)~~	~~10(a)~~	~~- 1 in 2lbs(f)~~	~~0.10 1 in 1 lb(f)~~
~~Sainfoin Restricted noxious weeds~~	~~-~~	~~80~~	~~99~~	~~99~~	~~1~~	~~2~~	~~0.10(a)~~	~~0.20 9/lb~~	~~0~~	~~0.10~~
~~Sand-reed, prairie~~	~~70~~	~~70~~	~~90~~	~~90~~	~~10~~	~~10~~	~~0.10~~	~~0.25~~	~~0.10~~	~~0.50~~
~~Winterfat~~	~~40~~	~~40~~	~~60~~	~~60~~	~~40~~	~~40~~	~~0.25~~	~~0.50~~	~~40 0.15(g)~~	~~1.25 0.75(g)))~~

Seed standards for the production of woody plants, forbs, and other reclamation species are as follows:

FND = Foundation class

REG = Registered class

RNW = Restricted Noxious Weed Seed Limit

Crop/Common Name(s)	Minimum % Germination		Minimum % Pure seed		Maximum % Inert		Maximum % Weeds (i)		Maximum % Other crops	
Class	F/R	C	F/R	C	F/R	C	F/R	C	F/R	C
Sanguisorba minor • Small burnet	80.00	80.00	95.00	95.00	5.00	5.00	0.10	0.20	0.10	0.25
Dalea purpurea • Purple prairie clover	60.00 (ii)	60.00 (ii)	95.00	95.00	5.00	5.00	0.20	0.50	0.10	0.25
Purshia tridentata •Bitterbrush •antelope	75.00	75.00	95.00	95.00	5.00	5.00	0.10	0.20	0.40 includes 0.15 (vii)	1.25 includes 0.50 (vii)

Crop/Common Name(s)	Minimum % Germination		Minimum % Pure seed		Maximum % Inert		Maximum % Weeds (i)		Maximum % Other crops	
Class	F/R	C	F/R	C	F/R	C	F/R	C	F/R	C
Balsamorhiza sagittata • Balsamroot • arrowleaf	85.00	85.00	99.00	98.00	1.00 Sclerotinia None found	2.00 Sclerotinia 1/lb	0.02	0.04	0.10	0.20
Atriplex canescens • Saltbush • four-wing	30.00	30.00	85.00	85.00	15.00	15.00	0.25	0.50	0.40 includes 0.15 (vii)	1.25 includes 0.50 (vii)
Gaillardia aristate • Blanket-flower	60.00	60.00	90.00	90.00	10.00	10.00	0.20	1.00	0.20 includes 0.10 (vii)	2.00 includes 0.25 (vii)
Liatris pycnostachya • Prairie blazingstar • Thickspike Gayfeather	60.00	60.00	85.00	80.00	15.00	20.00	0.30	0.30	0.20 includes 0.10 (vii)	2.00 includes 0.25 (vii)
Bassia prostrata • Forage kochia	35.00	35.00	65.00	65.00	35.00	35.00	0.10 RNW 45/lb	0.20 RNW 91/lb	9/lb	25/lb
Artemisia ludoviciana • Louisiana sagebrush • White sagebrush • Columbia river wormwood	30.00	30.00	80.00	80.00	20.00	20.00	0.25	0.50	0.40 includes 0.25 (vii)	1.25 includes 0.75 (vii) 2.00 (iii)
Artemisia tridentata • Big mountain sagebrush • Big sagebrush • Big basin sagebrush • Wyoming sagebrush	50.00	50.00	10.00	10.00	90.00	90.00	0.25	0.50	0.40 includes 0.10 (vii)	1.25 includes 0.25 (vii) 2.00 (iii)
Salvia azurea • Pitcher sage (salvia) • Blue sage	25.00	25.00	90.00	90.00	10.00	10.00	0.30	0.30	0.40 includes 0.10 (vii)	1.25 includes 0.25 (vii) 2.00 (iii)
Astragalus cicer L. • Milkvetch, cicer	75.00	70.00	99.00	98.00	1.00 includes Sclerotia 0.10	2.00 includes Sclerotia 0.10	0.01 RNW None found	0.20 RNW 10/lb	0.01 includes 0.10 (vii)	0.20 includes 0.50 (vii)
Melilotus officinalis • Sweet clover	75.00	70.00	99.00	98.00	1.00 includes Sclerotia 0.10	2.00 includes Sclerotia 0.10	0.01 RNW None found	0.20 RNW 18/lb	0.01 includes 0.10 (vii)	0.20 includes 0.50 (vii)
Lupine spp. • Lupine	80.00	80.00	98.00	98.00	2.00	2.00	0.25 RNW None found	0.50 RNW 9/lb	0.10	0.40
Cercocarpus montanus • Mountain mahogany	60.00	60.00	85.00	85.00	15.00	15.00	0.25(a)	0.50(a)	0.40 0.15(g)	1.25 0.75(g)
Penstemon spp.	80.00 (iv)	80.00 (iv)	90.00	90.00	10.00	10.00	0.20	1.00	0.20 (iii) includes 90/lb (v)	2.00 (iii) includes 180/lb (v)
Penstemon palmeri • Rocky Mountain penstemon	80.00 (iv)	80.00 (iv)	90.00	90.00	10.00	10.00	0.20	1.00	0.20 (iii) includes 90/lb (v)	2.00 (iii) includes 180/lb (v)
Penstemon strictus • Rocky Mountain penstemon • Rocky Mountain beardtongue	80.00 (iv)	80.00 (iv)	90.00	90.00	10.00	10.00	0.20	1.00	0.20 (iii) includes 90/lb (v)	2.00 (iii) includes 180/lb (v)

Crop/Common Name(s)	Minimum % Germination		Minimum % Pure seed		Maximum % Inert		Maximum % Weeds (i)		Maximum % Other crops	
Class	F/R	C	F/R	C	F/R	C	F/R	C	F/R	C
Ratibida columnifera • Prairie-coneflower	60.00	60.00	90.00	90.00	10.00	10.00	0.20	1.00	0.20 (iii) includes 0.10 (vii)	2.00 (iii) includes 2.00 (vii)
Carthamus tinctorius • Safflower	80.00	80.00	99.00	98.00	1.00	2.00	FND None found REG 0.10%	0.20	FND None found REG 1/1lb (vi)	0.10 includes 1/1lb (vi)
Onobrychis viciifolia • Sainfoin	NS	80.00	99.00	99.00	1.00	2.00	0.10 (i) RNW None found	0.20 RNW 9/lb	None found	0.10
Sporobolus rigidus • Sand-reed, prairie	70.00	70.00	90.00	90.00	10.00	10.00	0.10	0.25	0.10	0.50
Krascheninnikovia lanata • Winterfat	40.00	40.00	60.00	60.00	40.00	40.00	0.25	0.50	0.40 includes 0.15 (vii)	1.25 includes 0.75 (vii)

(((~~(a)~~))) Must be free prohibited and restricted noxious weed seed.
(i)
(((~~(b)~~))) Includes total germination and hard seed.
(ii)
(((~~(c)~~))) Never to exceed 0.25% other forbs.
(iii)
(((~~(d)~~))) Total viability by TZ.
(iv)
(((~~(e)~~))) Sweet clover.
(v)
(((~~(f)~~))) Barley, oats, rye, triticle, or wheat.
(vi)
(((~~(g)~~))) Other varieties or kinds.
(vii)

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-480 Field standards for rapeseed, mustard (*Brassica* spp. and *Sinapis alba*), and radish certification. Field standards for the production of rapeseed are as follows:

(1) Inspection will be made by the certifying agency when the crop is in the early flowering stage.

(2) A portion of a rapeseed field may be certified if the area to be certified is clearly defined.

((~~(2)~~)) (3) A field producing Foundation, Registered or Certified rapeseed, also known as canola (*Brassica napus*), must be the minimum specified isolation distance from fields of any other variety of *Brassica napus*, from fields of the same variety that do not meet the varietal purity requirements for certification, as well as from fields of *Brassica rapa*, *Brassica oleracea*, and *Brassica juncea* as indicated in the following table:

Class	Fields of Cross Pollinated Varieties Including Hybrids	Fields of Self Pollinated Varieties
Foundation	1 mile	660 feet
Registered	1 mile	660 feet
Certified	1 mile	330 feet
Different class of same variety	165 feet	165 feet

These isolation distances are minimum and must be met in all cases.

((~~(3)~~)) (4) Volunteer plants may be cause for rejection or reclassification of a rapeseed field.

((~~(4)~~)) (5) Specific standards for rapeseed are:

	Maximum % permitted in each class		
((~~Factor~~)) Purity	Foundation	Registered	Certified
Other varieties (a)	None found (b)	None found (b)	1.00

(a) Other varieties are considered to include *Brassica rapa*, *Brassica oleracea*, *Brassica juncea*, off-type plants of *Brassica napus* and plants that can be differentiated from the variety being inspected.
(b) None found means none found during the normal inspection procedures. None found is not a guarantee to mean the field inspected is free of the ((~~factor~~)) purity.

((~~(5)~~)) (6) Field standards for mustard and radish are as follows:

Class of Seed Produced	Maximum Other Varieties Permitted	Isolation Requirements
Foundation or Registered	None	1320 feet
Certified	1:500	660 feet

((~~(6)~~)) (7) Inspection will be made by the certifying agency when the crop is in the early flowering stage.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-485 Land requirements for rapeseed, mustard (*Brassica* spp. and *Sinapis alba*), and radish certification. (1) Land requirements prior to planting for the production of rapeseed are as follows:

Class Planted	Class Produced	Years Field Shall be Free of Rapeseed
Breeder	Foundation	5
Foundation	Registered	4
Breeder, Foundation, Registered	Certified	3

(2) Land requirements prior to planting of mustard or radish are as follows:

Class produced	Years free from any cruciferous crop
Foundation, Registered or Certified	5 years
May be reduced to three years if following the same variety of the same or higher class.	

(3) For all classes no manure or other contaminating materials shall be applied during the establishment and production period of the rapeseed stand.

(4) Reseeding of a rapeseed, mustard, or radish field due to failure or partial failure of the first seeding may be done by referring to the guidelines in WAC 16-302-045(5).

(5) Ditchbanks, roadways, ((~~etc.~~)) irrigation canals, and property, adjacent to a Certified rapeseed field must be free of volunteer rapeseed and prohibited noxious weeds.

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-500 Land requirements for red clover seed certification. Land requirements for the production of red clover seed are as follows:

(1) A field planted with red clover Breeder seed for the production of Foundation seed must not have grown or been seeded to red clover during the preceding six years of planting, three years of which the land must be cultivated.

(2) A field to be planted with red clover Foundation seed for the production of Certified seed must not have grown or been seeded to red clover during the preceding two years. The time interval may be shortened to one year if one cultivated crop or clean fallow has intervened and the new planting is of the same variety and class.

(3) A stand of red clover is not eligible to produce Certified seed after two seed crops. The two crops may be produced either in the same or in consecutive years.

(4) Reseeding of a red clover field because of failure or partial failure of the first seeding may be done by referring to the guidelines in WAC 16-302-045(5).

(5) Ditchbanks, roadways, ((~~etc.~~)) irrigation canals, and property, adjacent to a Certified red clover field must be free of volunteer red clover and prohibited noxious weeds.

(6) Volunteer plants in the red clover field may be cause for rejection or reclassification of the seed field.

(7) No manure or contaminating material may be applied one year preceding planting, or during the establishment and productive period of the red clover stand.

(8) A stand of red clover over three years old is not eligible for certification.

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-520 Seed standards for red clover seed certification. ((~~Seed standards for the production of red clover seed are as follows:~~))

(1) Red clover seed must be free of prohibited noxious weed seeds and Foundation class must be free of *Brassica* spp.

(2) One pound of seed will be examined for the presence of dodder.

(3) Seed standards for the production of red clover seed are as follows:

Purity		Foundation	Certified
Pure seed	(Min.)	99.00%	99.00%

Purity		Foundation	Certified
Other crops	(Max.)	18 per lb.	0.25%
Inert matter	(Max.)	1.00%	1.00%
Sweet clover	(Max.)	9 per lb.	90 per lb.
Weed seed	(Max.)	0.15%	0.25%
Objectionable weed seeds	(Max.)	none found	90 per lb.
Germination (minimum total germination and hard seeds)		85.00%	85.00%
or *Tetrazolium* (minimum total tetrazolium and hard seeds)		87.00%	87.00%

((~~(2) Red clover seed must be free of prohibited noxious weed seeds and foundation class must be free of Brassica spp.~~

~~(3) One pound of seed will be examined for the presence of dodder.~~))

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-530 Land requirements for white clover and trefoil seed certification. Land requirements for the production of white clover and trefoil seed are as follows:

(1) Breeder seed for the production of white clover or trefoil Foundation seed must not be planted on land on which the same kind has been previously planted. During the year prior to white clover or trefoil seeding, the land must be in a cultivated crop or fallow and the land must be free from volunteer plants as determined by a field inspection during the season in which the seedling is established.

(2) Foundation seed for the production of Registered or Certified white clover or trefoil seed must be planted on land on which no other variety or strain of the same kind is grown or planted during the season in which the seedling is established.

(3) Foundation or Registered trefoil seed for the production of Certified seed shall be planted on land on which no other variety or strain of trefoil is grown or planted during the three years prior to planting.

(4) Reseeding of a white clover or trefoil seed field due to failure or partial failure of the first seeding may be done by referring to the guidelines in WAC 16-302-045(5).

(5) Certification of trefoil shall be limited to stands not exceeding five years of age, except for a variety grown outside its region of adaptation, in which case certification shall be limited to stands not exceeding three years of age.

(6) Foundation or Certified producing white clover fields are eligible for certification for only two harvest years following the year of seeding if the seed production the first year is prevented. Foundation fields may be reclassified to the next lower class after being harvested for seed for two years.

(7) Ditchbanks, roadways, ((~~etc.~~)) irrigation canals, and property, adjacent to a Certified white clover or trefoil field must be free of volunteer plants of the same kind and prohibited noxious weeds.

(8) Volunteer plants in the white clover or trefoil field may be cause for rejection or reclassification of the seed field.

(9) No manure or other contaminating materials may be applied during the establishment and production period of the white clover or trefoil stand.

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-545 Seed standards for white clover and trefoil seed certification. (1) Seed standards for the production of white clover and trefoil seed are as follows:

((~~(1)~~))

PART I OF TABLE

		WHITE CLOVER		
		Found.	**Reg.**	**Cert.**
Pure Seed	(Min.)	((~~98.0~~)) 98.00%	((~~99.0~~)) 99.00%	((~~99.0~~)) 99.00%
Other Crop	(Max.)	((~~0.1~~)) 0.10%	((~~0.2~~)) 0.20%	((~~0.5~~)) 0.50%
Inert	(Max.)	((~~2.0~~)) 2.00%	((~~2.0~~)) 2.00%	((~~1.0~~)) 1.00%
Weed Seed	(Max.)	((~~0.2~~)) 0.20%	0.25%	((~~0.3~~)) 0.30%
Sweet Clover	(Max.)	None found	9/lb	90/lb
Objectionable Weed Seeds	(Max.)	None found	45/lb	90/lb
Germination (Germination + Hard Seed)	(Min.)	((~~85.0~~)) 85.00%	((~~85.0~~)) 85.00%	((~~85.0~~)) 85.00%
or Tetrazolium (Minimum total tetrazolium and hard seeds)				((~~87.0~~)) 87.00%

PART II OF TABLE

		TREFOIL		
		Found.	**Reg.**	**Cert.**
Pure Seed	(Min.)	((~~98.0~~)) 98.00%	((~~98.0~~)) 98.00%	((~~99.0~~)) 99.00%
Other Crop	(Max.)	((~~0.1~~)) 0.10%	0.25%	((~~0.3~~)) 0.30%
Inert	(Max.)	((~~2.0~~)) 2.00%	((~~1.0~~)) 1.00%	((~~1.0~~)) 1.00%
Weed Seed	(Max.)	((~~0.1~~)) 0.10%	0.25%	((~~0.3~~)) 0.30%
Sweet Clover	(Max.)	None found	9/lb	90/lb
Objectionable Weed Seeds	(Max.)	None found	45/lb	90/lb
Germination (Germination + Hard Seed)	(Min.)	((~~85.0~~)) 85.00%	((~~85.0~~)) 85.00%	((~~85.0~~)) 85.00%
or Tetrazolium (Minimum total tetrazolium and hard seeds)				((~~87.0~~)) 87.00%

(2) White clover and trefoil seed must be free of prohibited noxious weed seeds and Foundation class must be free of *Brassica* spp.

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-550 Standards for buckwheat, chickpea, field pea, lentil, millet, soybean, sorghum, quinoa, and small grains seed certification. (1) The general seed certification definitions and standards in this chapter are basic and together with WAC 16-302-555 through ((~~16-302-700~~)) 16-302-705 constitute the standards for buckwheat, chickpea, field pea, lentil, millet, soybean, sorghum, quinoa, and small grains seed certification.

(2) Fees for seed certification are assessed by the certifying agency as established in chapter 16-303 WAC.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-555 Labeling and sealing of Certified seed ((~~of small grains~~)) by a grower. (1) The certifying agency may authorize a grower who has ((~~his~~)) their own equipment and conditions ((~~his~~)) their own seed to label and seal Certified seed ((~~of small grains~~)).

(2) The grower's cleaning equipment must be approved by the department or its authorized agent according to WAC 16-302-125.

AMENDATORY SECTION (Amending WSR 21-20-101, filed 10/4/21, effective 11/4/21)

WAC 16-302-560 Miscellaneous field and seed inspection standards for buckwheat, chickpea, field pea, lentil, millet, soybean, sorghum, quinoa, and small grain seed certification. (1) Field inspection timing for buckwheat, chickpea, field pea, lentil, millet, soybean, sorghum, quinoa, and small grain seed entered in the certification program are:

(a) For field pea and lentil - When seed crop is in full bloom;

(b) For chickpea (garbanzo bean) - When seed crop is mature enough to differentiate leaf type (compound or simple leaf type), with a second inspection occurring between full bloom and late pod stage for Registered and Foundation class.

Certified class may be subject to a second inspection at the discretion of the certifying agency at late pod stage if ascochyta blight is observed during the first inspection and the crop has been treated with an EPA-approved fungicide;

(c) For soybean - When seed crop is in full bloom and of mature color;

(d) For open pollinated sorghum - When seed crop is in full bloom, and optionally again when seed crop begins to show mature color;

(e) For hybrid sorghum - Two inspections during bloom and one inspection after seed begins to show mature color;

(f) For quinoa - A field inspection shall be made during the bloom stage but not before at least 50 percent of the plants are showing one or more blossoms;

(g) For small grains - When seed crop is fully headed and of mature color;

((~~(g)~~)) (h) For millet - One inspection during bloom and one inspection after seed begins to show mature color; and

((~~(h)~~)) (i) For buckwheat - One inspection when seed crop is in full bloom.

Note: Mustard species (i.e., *Sinapis arvensis*), Amaranthus species (i.e., *A. retroflexus* - red root pigweed, *A. palmeri* - palmer amaranth, and related) and species that cross pollinate (i.e., *Chenopodium album* - common lambsquarters, *C. berlandieri* - goosefoot, *C. murale* - goosefoot, and related) are among some of the troublesome, potentially inseparable weeds in quinoa seed crop. Excess numbers of these weed species may be cause for rejection.

(2) Any condition or practice which permits or causes contamination of the seed crop, such as failure to prevent seed formation of prohibited noxious weeds, or excess weeds including excessive objectionable or restricted noxious weeds, or mechanical field mixing, is cause for rejection upon inspection.

Fields rejected for jointed goatgrass or jointed goatgrass hybrids are not eligible for reinspection and must remain ineligible for any production of certified classes of small grain seed until a reclamation procedure, as specified in subsection (3) of this section has been completed. Fields rejected for other causes will remain eligible for reinspection.

(3) The jointed goatgrass reclamation procedure includes the following:

(a) Each grower must develop a reclamation plan for ((~~his/her~~)) their affected fields. The plan must be based on the most current recommendations of Pacific Northwest scientists and Washington State University cooperative extension as well as good management practices. The plan may include use of Certified seed, spring cropping practices, and late tilling and planting. No particular program is specified or endorsed and compliance with a program does not assure eligibility for the production of certified classes of small grain seed. Eligibility is based solely upon results of field inspections as provided in (b) through (e) of this subsection.

(b) The rehabilitation and inspection program duration is three years for irrigated land and five years for dryland without production of certified small grain seed and the first year of certified seed production thereafter.

(c) Annual inspections of the affected fields are conducted by the certifying agency during the prescribed rehabilitation period at such time that the jointed goatgrass or jointed goatgrass hybrids would be most visible.

(d) Following the prescribed period of rehabilitation and during the first certified seed production year, a minimum of three field inspections are conducted by the certifying agency.

(e) If jointed goatgrass or jointed goatgrass hybrids are found during any inspection as provided in (c) and (d) of this subsection, the rehabilitation program is determined unsuccessful or the field is declared ineligible and the rehabilitation and inspection program for that field must begin again at year one of the procedure.

(4) Field run lots of seed of the same variety may be commingled to facilitate storage and conditioning.

(5) No prohibited noxious weed seeds are permitted upon inspection for seed standards.

(6) Germination minimum refers to germination when sampled.

(7) If chemically controllable seed-borne diseases are noted upon inspection for field standards and seed standards for small grains, treatment of seed is required.

(8) Wild oat, isolated patches and borders must be removed or clearly marked so as to avoid harvesting with the rest of the field. If rejected, a reinspection is necessary to assure clean-up efforts are satisfactory. Spot checks are conducted on fields where heavy patches or contaminated borders were noted. Harvesting these areas with the rest of the field is cause for rejection of the entire field.

(9) The official laboratory providing seed analysis for the purpose of certification is the department.

(10) For all fields planted with varieties that contain the clearfield trait as defined in the variety description, documentation will be required to be submitted with the certification application verifying that the production field meets all production guidelines and was sprayed with the appropriate herbicide. Clearfield is a trait that makes a plant resistant to the Imazamox herbicide.

(11) For all fields planted with varieties that contain the AXigen trait as defined in the variety description, documentation will be required to be submitted with the certification application verifying that the production field meets all production guidelines and was sprayed with the appropriate herbicide. AXigen is a trait that makes a plant resistant to Aggressor® (Quizalofop-P-ethyl) brand herbicide.

AMENDATORY SECTION (Amending WSR 18-10-055, filed 4/27/18, effective 5/28/18)

WAC 16-302-660 ((~~Field~~)) Pea standards for seed certification. (1) The land, isolation, and field standards for field pea seed certification are:

((~~Class~~	~~Land Minimum Years~~	~~Isolation Minimum Feet~~	~~Off-type Maximum Plants/acre~~	~~Field Other Crop Maximum Plants/acre~~
~~Foundation~~	~~3 (a)~~	~~25 (b)~~	~~None found~~	~~None found (c)~~
~~Registered~~	~~2 (a)~~	~~10 (b)~~	~~10~~	~~None found (c)~~
~~Certified~~	~~2 (a)~~	~~10 (b)~~	~~20~~	~~None found (c)~~))

Class	Land Minimum Years	Isolation Minimum Feet	Off-type Maximum Plants/acre	Inseparable Other Crop (c)	Noxious Weeds (plants/acre)
Foundation	3 (a)	25 (b)	None found	None found	(d)
Registered	2 (a)	10 (b)	10	None found	(d)
Certified	2 (a)	10 (b)	20	None found	(d)

(a) Peas also require 10 years land history with no production of Austrian winter pea for all classes.
(b) Reduce to three feet from fields producing a Certified class of the same variety. In addition, each field pea field for certification must be isolated by three feet from small grain fields. To prevent mechanical field mixing of swathed field pea seed crop, the planting of small grain between field pea fields, except for the three feet of isolation, is recommended.
(c) No Austrian winter pea or rye is permitted. For Austrian winter peas, no rye is permitted.
(d) Prohibited, restricted, and other weeds difficult to separate must be controlled.

(2) Seed certification standards for field pea are:

Class	Off-type Maximum %	Pure Seed Minimum %	Inert Maximum %	Other Crop Maximum %	Weed Maximum %	Germination Minimum %
Foundation	None found	99.00	1.00	None found	None found	((~~85~~)) 85.00

Class	Off-type Maximum %	Pure Seed Minimum %	Inert Maximum %	Other Crop Maximum %	Weed Maximum %	Germination Minimum %
Registered	None found	99.00	1.00	None found	0.25 (b)	((~~85~~)) 85.00
Certified	0.03	99.00	1.00	0.10 (a)	0.25 (b)	((~~85~~)) 85.00

(a) No Austrian winter pea or rye is permitted. For Austrian winter peas, no rye is permitted.
(b) Objectionable weed seed maximum: 1 seed per lb. Registered class, 2 seeds per lb. Certified class.

AMENDATORY SECTION (Amending WSR 18-10-055, filed 4/27/18, effective 5/28/18)

WAC 16-302-665 Lentil standards for seed certification. (1) Land, isolation, and field standards for lentil seed certification are:

((~~Class~~	~~Land Minimum Years~~	~~Isolation Minimum Feet~~	~~Off-type Maximum Plants/acre~~	~~Field Other Crop Maximum Plants/acre~~
~~Foundation~~	~~5~~	~~25 (a)~~	~~None found~~	~~None found~~
~~Registered~~	~~4~~	~~10 (a)~~	~~10~~	~~10 (b)~~
~~Certified~~	~~3~~	~~10 (a)~~	~~20~~	~~20 (b)~~))

Class	Land Minimum Years	Isolation Minimum Feet	Off-type Maximum Plants/acre	Inseparable Other Crop	Noxious Weeds (plants/acre)
Foundation	5	25 (a)	None found	None found	(c)
Registered	4	10 (a)	10	10 plants per acre (b)	(c)
Certified	3	10 (a)	20	20 plants per acre (b)	(c)

(a) Reduce to three feet from fields producing a Certified class of the same variety. In addition, each lentil field for certification must be isolated by three feet from small grain fields. To prevent mechanical field mixing of swathed lentil seed crop, the planting of small grain between lentil fields, except for three feet of isolation, is recommended.
(b) Refers to ((~~barley~~)) small grains and vetch, each.
(c) Prohibited, restricted, and other weeds difficult to separate must be controlled.

(2) Seed certification standards for lentil are:

Class	Off-type Maximum Seeds/lb	Pure Seed Minimum %	Inert Maximum %	Other Crop Maximum %	Weed Maximum %	Germination Minimum %
Foundation	None found	99.00 (a)	1.00 (a)	None found	None found	85.00
Registered	1	99.00 (a)	1.00 (a)	0.05 (b)	0.05 (b), (c)	85.00
Certified	4	99.00 (a)	1.00 (a)	0.10 (b)	0.05 (c)	85.00

(a) A total of three percent inert matter is allowed in samples containing decorticated seed provided total of all other inert matter does not exceed one percent.
(b) No vetch is permitted.
(c) Objectionable weed seed maximum: 1 seed per lb. Registered class, 2 seeds per lb. Certified class.

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-670 Soybean standards for seed certification. (1) The land, isolation, and field standards for soybean seed certification are:

FIELD STANDARDS				
((~~CROP~~)) CLASS	LAND STANDARDS MINIMUM YEARS	ISOLATION STANDARDS MINIMUM FEET	OFF-TYPE MAXIMUM %	OTHER MAXIMUM NO.
((~~Standard~~))				
Foundation	1*	3	.01	—
Registered	1*	3	.10	—
Certified	1*	3	0.20	—

* Waived if the previous crop was grown from an equal or higher Certified class of seed of the same variety.

(2) Seed standards for soybean certification are:

CLASS	OFF-TYPE MAXIMUM %	PURE SEED MINIMUM %	INERT MAXIMUM %	OTHER CROP MAXIMUM SEEDS/LB	WEED MAXIMUM SEEDS/LB	GERMINATION MINIMUM %
Foundation	0.10	98.00	2.00	None found	None found	85.00
Registered	0.20	98.00	2.00	None found	1	85.00
Certified	0.20	98.00	2.00	1 per 2 lb.	2	85.00

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-675 Hybrid sorghum standards for seed certification. (1) Land, isolation, and field standards for hybrid sorghum seed certification are:

Field Standards						
Class (**)	Land Standards Minimum Years (b)		Isolation Standards Minimum Feet	Pollen Shedding By Seed Parent Maximum At Any One Inspection	Other Varieties And/Or Off-Type (a)	
					((~~Definite~~)) Doubtful	((~~Doubtful~~)) Definite
((~~Class~~	(~~**~~)))					
Foundation	1		990	1:3,000	1:50,000	1:20,000
Certified	1		660	1:1,500	1:20,000	1:1,000

(**) Pollinator Lines: B = Maintainer, R = Restorer

(2) Seed standards for hybrid sorghum seed certification are:

Class	Off-Type Max. Seeds/lb.	Pure Seed Min. %	Inert Max. %	Other Crop Max. Seeds/lb.	Weed Max. %	Germination Min. %
((~~Class~~))						
Foundation	2	98.00	2.00	2	0.10	((~~85~~)) 85.00
Certified	10	98.00	2.00	10	0.10	((~~85~~)) 85.00

(**) Pollinator Lines: B = Maintainer, R = Restorer

(a) If off-type plants are found at the time of inspection, all seed heads within a radius of five feet of these plants must be removed from the field before the field is approved.

(b) Hybrid sorghum is not eligible for certification if planted on land that grew sorghum the previous year unless:

(i) The preceding sorghum crop is the same variety and is inspected and approved for the same or higher certification classification; or

(ii) The preceding sorghum crop is a variety which differs substantially in plant growth characteristics from the variety planted. However, grain type sorghum or sweet sorghum is not eligible for certification if planted on land that grew grass type sorghum the previous year.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-680 Open pollinated sorghum standards for seed certification. (1) Land, isolation and field standards for open pollinated sorghum seed certification are:

FIELD STANDARDS (c)				
CLASS	LAND STANDARDS MINIMUM YEARS	ISOLATION STANDARDS MINIMUM FEET	OFF-TYPE MAXIMUM RATIO	OTHER CROP MAXIMUM NO STANDARD
Foundation	1 (a)	1,000 (b)	None found	((—)) NS
Registered	1 (a)	1,000 (b)	1 head/50,000	((—)) NS
Certified	1 (a)	1,000 (b)	1 head/20,000	((—)) NS

(a) Waived if the previous crop was grown from an equal or higher Certified class of seed of the same variety.
(b) Refers to fields of other varieties or same variety which does not meet tolerance of off-types.
(c) Other tolerances for field standards:

Class	JOHNSONGRASS MAXIMUM	HEAD SMUT MAXIMUM	KERNEL SMUT MAXIMUM
Foundation	None found	None found	None found
Registered	None found	None found	None found
Certified	None found	1 head/10,000	1 head/2,500

(2) Seed standards for open pollinated sorghum seed certification are:

CLASS	OFF-TYPE MAXIMUM %	PURE SEED MINIMUM %	INERT MAXIMUM %	OTHER CROP MAXIMUM %	WEED MAXIMUM %	GERMINATION MINIMUM %
Foundation	None found	((~~97~~)) 97.00	((~~3~~)) 3.00 (b)	None found	0.10	((~~80~~)) 80.00
Registered	None found	((~~97~~)) 97.00	((~~3~~)) 3.00 (b)	0.03	0.10	((~~80~~)) 80.00
Certified	0.01 (a)	((~~97~~)) 97.00	((~~3~~)) 3.00 (b)	0.07 (c)	0.10	((~~80~~)) 80.00

(a) Or two seeds per pound.
(b) Where two percent or more is cracked.
(c) Or ((~~ten~~)) 10 seeds per pound.

AMENDATORY SECTION (Amending WSR 21-20-101, filed 10/4/21, effective 11/4/21)

WAC 16-302-685 Small grains standards for seed certification. (1) Land, isolation, and field standards for small grains (barley, oat, rye, triticale, and wheat) seed certification are:

LAND, ISOLATION, AND FIELD STANDARDS

CLASS	LAND STANDARDS MINIMUM YEARS	ISOLATION STANDARDS MINIMUM FEET	OFF-TYPE MAXIMUM HEAD RATIO	OTHER CROP MAXIMUM HEAD RATIO	WILD OAT MAXIMUM PLANTS/ACRE
Foundation	2 (a)	50 same genus (b) 3 different genus	None found	None found (c), (d)	None found
Registered	1 (a)	10 same genus 3 different genus (b)	1/148,000	1/148,000 (c)	5
Certified	1 (a)	10 same genus 3 different genus (b)	1/49,000	1/49,000 (c)	5

(a) Waived if the previous crop is grown from an equal or higher Certified class of seed of the same variety.
(b) Each rye field for certification must be isolated by three feet from fields producing a Certified class of the same variety, and by ((~~six hundred sixty~~)) 660 feet from other rye fields. Each triticale field for certification must be isolated by three feet from fields producing a Certified class of the same variety, and by ((~~three hundred~~)) 300 feet from other triticale, rye and wheat fields for Foundation and Registered class, and ((~~ten~~)) 10 feet for Certified class, unless otherwise stated by the plant breeder.
(c) Refers to other small grains, except that no rye or triticale is permitted in barley, oat, or wheat; and no vetch is permitted in barley, oat, rye, triticale, or wheat.
(d) Only one reinspection is allowed for Foundation fields when triticale is found in the first inspection. Additional inspections are allowed if the field is downgraded to the Registered or Certified class.

(2) Small grains - Seed standards:

For Clearfield and CoAXium varieties: For all classes - Each lot must pass bioassay or PCR as defined by the trait owner.

Class	Foundation	Registered	Certified
Pure seed % (minimum)	98.00	98.00	98.00
Inert % (maximum)	2.00	2.00	2.00
Off-type (a) % (maximum)	None found	2/lb	4/lb
Other small grain excluding triticale and rye (a) (maximum)	None found	((~~1/lb~~)) 2/lb	((~~2/lb~~)) 3/lb
Triticale allowed in wheat and rye	None found	None found	((~~None found~~)) 1/1000 grams
Triticale allowed in oats and barley	None found	None found	1/lb
Other crop (b) % (maximum)	None found	0.03	0.05
Weed seed % (maximum)	0.01	0.01	0.03
Objectionable weed seed (c) (maximum)	None found	None found	None found
Wild oat (maximum)	None found	None found	((~~None found (d)~~)) 1/lb
Viability (e) % (minimum)	((~~85~~)) 85.00	((~~85~~)) 85.00	((~~85~~)) 85.00

(a) The combination of other small grain and off-type must not exceed two per pound (2/lb) for Registered class, and four per pound (4/lb) for Certified class. The tolerance for rye is none found in barley, oat, triticale, or wheat.
(b) Excluding off-type and other small grain. No vetch is allowed in small grain seed.
(c) Excluding wild oat.
(d) ((~~1/lb for certified class oat.~~
(~~e~~))) A certification certificate is issued upon receipt of either an official AOSA tetrazolium or germination test which meets minimum Washington viability standards. NOTE: State and federal seed laws require seed be labeled based on a germination test.

Note: For all classes the purity analysis is based on 100 grams examined. For Registered and Certified classes, noxious weed, vetch, off-type, and other small grain determinations are based on 500 grams. For Foundation class, noxious weed, vetch, off-type, and other small grain determinations are based on 1000 grams examined.

AMENDATORY SECTION (Amending WSR 21-20-101, filed 10/4/21, effective 11/4/21)

WAC 16-302-690 Chickpea standards for seed certification. (1) Land, isolation, and field standards for chickpea seed certification are:

FIELD STANDARDS

Class	Land Standards Minimum Years (a)	Isolation (((~~minimum feet~~))) Standards Minimum Feet (b)	Off-type (plants/acre)	Inseparable Other Crop	Noxious (c) Weeds (plants/acre)	Pods with Ascochyta Blight (d)
((~~Class~~))						
Foundation	2	25	None found	None found	(c)	None found
Registered	1	10	5	None found	(c)	None found
Certified	1	10	10	None found	(c)	10 plants/ acre

(a) Waived if the previous crop is grown and passes certification field standards of equal or higher Certified class of seed of the same variety.
(b) Reduce to three feet from fields producing the same variety. In addition, each chickpea field for certification must be isolated by three feet from small grain fields. To prevent mechanical field mixing of swathed chickpea seed crop, the planting of small grain between fields, except for three feet of isolation, is recommended.
(c) Prohibited, restricted, and other weeds difficult to separate must be controlled.
(d) If an EPA-approved product for control of Ascochyta rabiei (ascochyta blight) was applied according to labeled rate during the growth cycle, and followed by additional application(s) if infection is found at field inspection, there is no standard to apply in Certified class fields.

(2) Seed standards for chickpea seed certification are:

SEED STANDARDS

Class (a)	Pure seed %	Inert %	Other Crop	Weed Seed	Germination %
((~~Class (a)~~))					
Foundation	((~~99~~)) 99.00	1	None found	None found	((~~85~~)) 85.00
Registered	((~~99~~)) 99.00	1	None found	None found	((~~85~~)) 85.00
Certified	((~~99~~)) 99.00	1	2 seeds/lb (b)	2 seeds/lb (c)	((~~85~~)) 85.00

(a) All classes must be treated with a fungicide Registered to control ascochyta blight at the labeled rate. A seed treatment waiver can be obtained if no ascochyta blight was observed at field inspection. This is an allowance for seed intended for organic markets and/or research.
(b) None found for Austrian pea, rye, or vetch.
(c) None found for nightshade berries or prohibited noxious weed seeds.

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-695 Open pollinated millet standards for seed certification. (1) Land, isolation and field standards for open pollinated millet seed certification are:

FIELD STANDARDS				
CLASS	LAND STANDARDS MINIMUM YEARS	ISOLATION MINIMUM FEET	OFF-TYPE MAXIMUM	OTHER CROP MAXIMUM
Foundation	1*	1,320	1:3,000	None found
Registered	1*	1,320	1:2,000	1:30,000
Certified	1*	660	1:1,000	1:10,000

* Waived if the previous crop was the same variety and equal or higher class of Certified seed.

(2) Seed certification standards for open pollinated millet seed are:

CLASS	OFF-TYPE MAXIMUM SEEDS/LB	PURE SEED MINIMUM %	INERT MAXIMUM %	OTHER CROP MAXIMUM SEEDS/LB	WEED MAXIMUM %	GERMINATION MINIMUM %
((~~Foundaton~~)) Foundation	0.5	99.00	((~~1.0~~)) 1.00	0.5	0.05	((~~85~~)) 85.00
Registered	1	99.00	((~~1.0~~)) 1.00	1	0.05	((~~85~~)) 85.00
Certified	3	99.00	((~~1.0~~)) 1.00	3	0.10	((~~85~~)) 85.00

AMENDATORY SECTION (Amending WSR 00-24-077, filed 12/4/00, effective 1/4/01)

WAC 16-302-700 Buckwheat standards for seed certification. (1) Land, isolation, and field standards for buckwheat seed certification are:

FIELD STANDARDS				
CLASS	LAND STANDARDS MINIMUM YEARS	ISOLATION MINIMUM FEET	FIELD OFF-TYPE MAXIMUM	OTHER CROP MAXIMUM
Foundation	2*	2,640	1:10,000	None found
Registered	1*	1,320	1:5,000	1:30,000
Certified	1*	660	1:2,000	1:10,000

* Waived if previous crop was the same variety and equal or higher class of Certified seed.

(2) Seed standards for buckwheat seed certification are:

CLASS	OFF-TYPE MAXIMUM SEEDS/LB	PURE SEED MINIMUM %	INERT MAXIMUM %	OTHER CROP MAXIMUM SEEDS/LB	WEED MAXIMUM %	GERMINATION MINIMUM %
((~~FOUNDATION~~)) Foundation	0.5	((~~99.0~~)) 99.00	((~~1.0~~)) 1.00	0.5	0.05	((~~85~~)) 85.00
((~~REGISTERED~~)) Registered	1	((~~99.0~~)) 99.00	((~~1.0~~)) 1.00	1	0.05	((~~85~~)) 85.00
((~~CERTIFIED~~)) Certified	3	((~~99.0~~)) 99.00	((~~1.0~~)) 1.00	3	0.10	((~~85~~)) 85.00

NEW SECTION

WAC 16-302-705 Quinoa standards for seed certification. (1) Land, isolation, and field standards for quinoa seed certification are:

CLASS	LAND STANDARDS MINIMUM YEARS	ISOLATION STANDARDS MINIMUM FEET/ PLANTS PER ACRE	OFF-TYPE MAXIMUM HEAD RATIO (B)	INSEPARABLE OTHER CROP MAXIMUM
Foundation	(i)	100 ft 10 plants/acre	10:10,000	10:10,000

CLASS	LAND STANDARDS MINIMUM YEARS	ISOLATION STANDARDS MINIMUM FEET/ PLANTS PER ACRE	OFF-TYPE MAXIMUM HEAD RATIO (B)	INSEPARABLE OTHER CROP MAXIMUM
Registered	(i)	100 ft 10 plants/acre	15:10,000	15:10,000
Certified	(i)	100 ft 10 plants/acre	20:10,000	20:10,000

(i) Quinoa shall be grown on land on which the preceding crop was another kind or was planted with Certified seed of the same variety.

(a) Fields or portions of fields producing different varieties or classes of Certified seed must be isolated by a minimum of 100 ft from each other.

(b) Other *Chenopodium* sp. (*Chenopodium album, C. berlandieri, C. murale*, and related) should be controlled within 100 ft and not exceed 10 plants per acre of production.

(2) Seed standards for quinoa seed certification are:

Purity	Foundation	Registered	Certified
Pure seed (minimum)	98.00%	98.00%	98.00%
Inert matter (maximum)	2.00%	2.00%	2.00%
Other crops (maximum)	0.10%	0.20%	0.30%
Other varieties (maximum)	0.05%	0.05%	0.10%
Weed seeds (maximum)	0.25%	0.25%	0.50%
Noxious weed seed	None found	None found	None found
Germination (minimum)	85.00%	85.00%	85.00%

AMENDATORY SECTION (Amending WSR 15-12-109, filed 6/3/15, effective 7/4/15)

WAC 16-302-755 Standards for quality timothy seed. (1) Seed standards for quality timothy grass seed are as follows:

	Minimum % Purity	Minimum % Viability by Germination or TZ Test	Maximum % Other Crop (a)	Maximum % Weed (b)
Timothy seed	((~~97~~)) 97.00	((~~85~~)) 85.00	0.20	0.02
Purity component percentages are based on 1 gram sample size.				

(a) Must be free of ryegrass, orchardgrass, *Agrostis* sp., *Poa* sp., brome, reed canarygrass, tall fescue, and meadow foxtail. Must be free of the above listed contaminants based upon a 50 gram examination.

(b) Must be free of alfilaria (redstem filaree), *Bromus* sp., chickweed including all other species in the Caryophyllaceae family, henbit, *Poa* sp., wild carrot, prohibited noxious weeds listed in WAC 16-301-045, and restricted noxious weeds listed in WAC 16-301-050. Must be free of the above listed contaminants based upon a 50 gram examination.

(2) A quality timothy seed analysis certificate is the basis of determining if a lot meets the quality timothy seed standards. This certificate is issued by the certifying agency and represents a purity test, a 50 gram noxious, all weed, all crop exam, and a viability test.

(3) Seed meeting quality timothy seed standards will be tagged with a "quality timothy seed" tag.

AMENDATORY SECTION (Amending WSR 15-12-109, filed 6/3/15, effective 7/4/15)

WAC 16-302-756 Standards for quality orchardgrass seed. (1) Seed standards for quality orchardgrass seed are as follows:

	Minimum % Purity	Minimum % Viability by Germination or TZ Test	Maximum % Other Crop (a)	Maximum % Weed (b)
Orchardgrass seed	((~~90~~)) 90.00	((~~85~~)) 85.00	0.20	0.02
Purity component percentages are based on 3 gram sample size.				

(a) Must be free of ryegrass, timothy, *Agrostis* sp., *Poa* sp., brome, reed canarygrass, tall fescue, and meadow foxtail.
Must be free of the above listed contaminants based upon a 50 gram examination.
(b) Must be free of alfilaria (redstem filaree), *Bromus* sp., chickweed including all other species in the Caryophyllaceae family, henbit, *Poa* sp., wild carrot, prohibited noxious weeds listed in WAC 16-301-045, and restricted noxious weeds listed in WAC 16-301-050.
Must be free of the above listed contaminants based upon a 50 gram examination.

(2) A quality orchardgrass seed analysis certificate is the basis of determining if a lot meets the quality orchardgrass seed standards. This certificate is issued by the certifying agency and represents a purity test, a 50 gram noxious, all weed, all crop exam, and a viability test.

(3) Seed meeting quality orchardgrass seed standards will be tagged with a "quality orchardgrass seed" tag.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-780 Field standards for the production of hybrid canola or hybrid rapeseed. (1) All hybrid fields must be inspected at the time of stem elongation and a second inspection must occur at the early flowering stage. The certifying agency may require additional inspections to address conditions including, but not limited to, pollen shedding plants in the A line, bloom timing of the A and B lines, and removal of B lines.

(2) All hybrid canola or hybrid rapeseed fields must be isolated from other canola or rapeseed crops by a minimum of one-half mile except for fields located within the Columbia Basin irrigation project must be isolated from other canola or rapeseed crops by two miles. Isolation is not required for fields that are the same hybrid utilizing the B lines.

(3) Fields must be planted in distinct rows with the A line and B line clearly delineated.

(4) Fields must be free from prohibited noxious weeds as listed in WAC 16-302-100 and free from *Galium* sp.

(5) Maximum plants of other varieties or crop kinds per ((~~ten thousand~~)) 10,000 plants. This factor is based on a ((~~sixty thousand~~)) 60,000 plant count (six replicates of ((~~ten thousand~~)) 10,000 plants).

Maximum plants of other varieties including off-types and A-line pollen shedders.	Maximum plants of other *Brassica* crop or weed species.
1.5:10,000	1:10,000

(6) Percent hybrid shall not be less than ((~~eighty~~)) 80 percent.

(7) Fields cut or swathed prior to inspection are not eligible for certification.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-785 Seed standards for hybrid canola or hybrid rapeseed. Seed standards for production of hybrid canola or hybrid rapeseed are as follows:

((~~Factor~~)) Purity	Foundation	Certified
Pure seed, minimum % (a)	((~~99~~)) 99.00	((~~99~~)) 99.00
Other crops, maximum %	0.01	0.25
Inert matter, maximum %	((~~1~~)) 1.00	((~~1~~)) 1.00
Weed seed, maximum %	0.01	0.25
Objectionable noxious weed % (b)	None found	18/lb
Prohibited noxious weeds %	None found	None found
Germination %	((~~85~~)) 85.00	((~~85~~)) 85.00

(a) Percent hybrid seed shall be determined by a method approved by the department.

(b) Objectionable noxious weeds are as defined in WAC 16-302-105 plus: *Brassica nigra*, *Sinapis arvensis*, *Brassica juncea*, and *Raphanus raphanistrum*.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-810 Field tolerances and requirements for sunflower seed production. (1) Only Breeder or Foundation seed may be used to establish a hybrid field to produce Certified seed.

(2) For hybrid varieties the certified generation produced from Breeder or Foundation seed produces a commercial hybrid and is not eligible for further certification.

(3) For open pollinated sunflower varieties, one field inspection must be made after ((~~fifty~~)) 50 percent of the plants are in bloom but before the plants are fully mature.

(4) For hybrid sunflower varieties at least two inspections must be made. The first inspection is during the very early bloom stage and the second inspection is during the full bloom stage.

(5) For hybrid sunflower varieties, at least ((~~fifty~~)) 50 percent of the male parent plants must be flowering and producing pollen when the female parent is in full bloom.

(6) Fields must be free of prohibited noxious weeds listed in WAC 16-302-100. Objectionable weeds listed in WAC 16-302-105 and common weeds difficult to separate must be controlled.

(7) Different sunflower varieties cannot always be differentiated at field inspection. When differences can be distinguished, the maximum of other varieties of off-types allowed is:

Off-types	Open pollinated varieties	Female seed parent		Pollinating parent
		Foundation	Certified	
Other than pollen shedding female plants	-	1:2,000	1:2,000	1:2,000
Pollen shedding female plant	-	1:1,000	4:1,000	-
Total (including above)	5:1,000	1:1,000	4:1,000	1:2,000

(8)(a) Percent hybridity shall not be less than ((~~seventy-five~~)) 75 percent. If the field inspection shows one or more of the following, the applicant may request that seed certification be based on the results of a precertification grow-out test approved by the department:

(i) Inadequate isolation;

(ii) Too few male parent plants shedding pollen when female parent plants are receptive; or

(iii) Excess off-types not to include wild-types.

(b) At least ((~~two thousand~~)) 2,000 plants must be observed and meet the standards in the table below before hybrid and inbred seed can be certified from fields with problems listed in (a) of this subsection.

	Maximum % Permitted	
((~~Factor~~)) Purity	Hybrid	Inbred
Sterile plant	((~~5~~)) 5.00	-----
Sterile or fertile plants	-----	((~~5~~)) 5.00
Morphological off-types	0.50	0.50
Wild types	0.20	0.20
Total (including above types)	((~~5~~)) 5.00	((~~5~~)) 5.00

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-815 Seed standards for sunflower seed production. (1) Samples submitted for certification must be a minimum of ((~~one thousand~~)) 1,000 grams.

(2) Seed standards for sunflowers are as follows:

((~~Factor~~)) Purity	Foundation	Registered	Certified
Pure seed - Minimum %	((~~98~~)) 98.00	((~~98~~)) 98.00	((~~98~~)) 98.00
Inter matter - Maximum %	((~~2~~)) 2.00	((~~2~~)) 2.00	((~~2~~)) 2.00
Other varieties* - Maximum	1 seed/lb.	1 seed/lb.	6 seeds/lb. of which may not consist of more than 1 purple or white seed
Other crop seed - Maximum	1 seed/lb.	1 seed/lb.	6 seeds/lb.
Corn or castor bean seed	None found	None found	None found
Weed seed - Maximum %	None found	None found	0.10
Germination - Minimum %	((~~85~~)) 85.00	((~~85~~)) 85.00	((~~85~~)) 85.00

* Varietal differentiation cannot always be distinguished in a seed sample. When varietal differences are evident this standard applies.

AMENDATORY SECTION (Amending WSR 14-20-050, filed 9/25/14, effective 10/26/14)

WAC 16-302-830 Field requirements for camelina seed production. (1) Isolation - A field producing any class of Certified seed must be at least ((~~fifty~~)) 50 feet from any other variety or fields of the same variety that do not meet the varietal purity requirement for certification.

(2) Poor stands, poor vigor, lack of uniformity, excess weeds, or conditions which are apt to make inspection inaccurate or bring Certified seed into disfavor shall be cause for rejection. Conditions such as poor stands, excessive weeds, or insect damage that prevent varietal determination may be cause for rejection.

Fields must be free of prickly lettuce, fanweed, and shepherds purse.

(3) Fields will be inspected at full bloom. Fields swathed prior to inspection are not eligible for certification.

(4) Field standards are as follows:

	Maximum permitted in each class		
((~~Factor~~)) Purity	Foundation	Registered	Certified
Other varieties*	1:5000	1:2000	1:1000
Other inseparable crops	None found	0.05%	0.10%

* Other varieties shall be considered to include plants that can be differentiated from the variety being inspected. However, other varieties shall not include variations which are characteristic of the variety being tested.

((~~Fields must be free of prickly lettuce, fanweed, and shepherds purse. Fields will be inspected at full bloom. Fields swathed prior to inspection are not eligible for certification. Conditions such as poor stand, excessive weeds or insect damage that prevent varietal determination may be cause for rejection.~~))

AMENDATORY SECTION (Amending WSR 15-12-110, filed 6/3/15, effective 7/4/15)

WAC 16-302-835 Seed standards for camelina seed production. The following are the seed standards for camelina seed production:

	Standards permitted in each class		
((~~Factor~~)) Purity	Foundation	Registered	Certified
Pure seed (minimum)%	((~~98~~)) 98.00	((~~98~~)) 98.00	((~~98~~)) 98.00
Other crop (maximum)%	0.10	0.20	0.30
Inert matter (maximum)%	((~~2~~)) 2.00	((~~2~~)) 2.00	((~~2~~)) 2.00
Weed seed (maximum)%	0.05	0.05	0.05
Objectionable weeds	None found	None found	None found

((~~Factor~~)) Purity	Standards permitted in each class		
	Foundation	**Registered**	**Certified**
Germination (minimum) %*	((~~85~~)) 85.00	((~~85~~)) 85.00	((~~85~~)) 85.00

* A tetrazolium test may be used in lieu of a germination test for certification.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-302-390 Inspection and final grass seed certification fees—Options.