

## Bean Seed Quarantine

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## WAC 16-301-365

### Bean seed quarantine—Establishing quarantine.

The production of edible beans and bean seed is an important industry in the state of Washington. The economic well-being of that industry is threatened by the introduction of bean seed contaminated with bean, bacterial, fungal and seed-borne viral pathogens. The director has determined that a quarantine is needed to protect the Washington dry bean industry and to provide the bean growers of this state a source of bean seed for planting purposes that is tested for the presence of these diseases.

[Statutory Authority: RCW [15.49.310](#), [17.24.011](#), [17.24.041](#) and chapter [34.05](#) RCW. WSR 04-08-043, § 16-301-365, filed 3/31/04, effective 5/1/04. Statutory Authority: RCW [15.49.005](#), [15.49.081](#), [15.49.310](#), [15.49.370](#)(3) and chapter [17.24](#) RCW. WSR 00-24-077, § 16-301-365, filed 12/4/00, effective 1/4/01.]

## WAC 16-301-370

### Definitions.

Definitions for terms in this chapter may be found in chapter [15.49](#) RCW and chapter [16-301](#) WAC, the general seed certification rules except for the purposes of WAC [16-301-365](#) through [16-301-440](#), the following definitions shall apply:

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

(2) "Dominant I-gene cultivar" means a cultivar which has resistance to all known strains of bean common mosaic virus (B.C.M.V.) 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.

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

(4) "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.

(5) "Quarantine Area I" means all areas west of the Continental Divide except those counties within the state of Washington subject to internal quarantine and the states of Alaska and Hawaii.

(6) "Quarantine Area II" means areas east of the Continental Divide, the counties in the state of Washington subject to internal quarantine, the states of Alaska and Hawaii and foreign countries.

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

[Statutory Authority: RCW [15.49.005](#), [15.49.081](#), [15.49.310](#), [15.49.370](#)(3) and chapter [17.24](#) RCW. WSR 00-24-077, § 16-301-370, filed 12/4/00, effective 1/4/01.]

## WAC 16-301-375

### Regulated articles.

Seeds of common beans, *Phaseolus* sp., intended for planting purposes, bean plants and parts of plants, and crop residue from the harvest of infected beans are regulated under the provisions of this chapter.

[Statutory Authority: RCW [15.49.310](#), [17.24.011](#), [17.24.041](#) and chapter [34.05](#) RCW. WSR 04-08-043, § 16-301-375, filed 3/31/04, effective 5/1/04. Statutory Authority: RCW [15.49.005](#), [15.49.081](#), [15.49.310](#), [15.49.370](#)(3) and chapter [17.24](#) RCW. WSR 00-24-077, § 16-301-375, filed 12/4/00, effective 1/4/01.]

## WAC 16-301-380

### Regulated diseases.

The following viral, bacterial and fungal diseases of beans, and any new strains or variations of these identified in the future, of beans are regulated under the provisions of this chapter:

Halo blight (*Pseudomonas syringae* pv. *phaseolicola* (Young et. al.))

Common bean blight (*Xanthomonas campestris* pv. *phaseoli* (Smith) Dye)

Fuscous blight (*Xanthomonas phaseoli* var. *fuscans* (Burk.))

Bean anthracnose disease (*Colletotrichum lindemuthianum* (Sacc. & Magn.) Scrib.)

Brown spot disease (*Pseudomonas syringae* pv. *syringae* (Van Hall)) strains virulently pathogenic to *Phaseolus*

Bean bacterial wilt (*Corynebacterium flaccumfaciens* ssp. *flaccumfaciens* (Hedges) Dows.)

Seed-borne viral diseases of beans, such as, but not limited to, bean common mosaic virus and its strains are regulated under the terms of this quarantine.

[Statutory Authority: RCW [15.49.310](#), [17.24.011](#), [17.24.041](#) and chapter [34.05](#) RCW. WSR 04-08-043, § 16-301-380, filed 3/31/04, effective 5/1/04. Statutory Authority: RCW [15.49.005](#), [15.49.081](#), [15.49.310](#), [15.49.370](#)(3) and chapter [17.24](#) RCW. WSR 00-24-077, § 16-301-380, filed 12/4/00, effective 1/4/01.]

## WAC 16-301-385

### Bean seed—Quarantined area.

The entire counties of Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, San Juan, Skagit, Skamania, Snohomish, Thurston, Wahkiakum, and Whatcom in the state of Washington, and all areas outside the state of Washington are established as a quarantine area. The quarantine area is further divided into two portions defined in WAC [16-301-370](#) (5) and (6) for the purposes of regulation.

[Statutory Authority: RCW [15.49.005](#), [15.49.081](#), [15.49.310](#), [15.49.370](#)(3) and chapter [17.24](#) RCW. WSR 00-24-077, § 16-301-385, filed 12/4/00, effective 1/4/01.]

## **WAC 16-301-390**

### **Bean seed—Regulated area.**

The entire counties of Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima in the state of Washington are established as a protected area within the state.

[Statutory Authority: RCW [15.49.005](#), [15.49.081](#), [15.49.310](#), [15.49.370](#)(3) and chapter [17.24](#) RCW. WSR 00-24-077, § 16-301-390, filed 12/4/00, effective 1/4/01.]

## **WAC 16-301-395**

### **General requirements for planting bean seed in the regulated area.**

(1) No beans may be planted, sold, shipped, transported for seed purposes, or knowingly received in the regulated area which are found to be or are known to be contaminated with any disease listed in WAC [16-301-380](#) and must also comply with the requirements as listed in WAC [16-301-396](#).

(2) For all bean seed to be planted in the regulated area, proof of quarantine compliance must accompany any application for phytosanitary or certification field inspection. A copy of the field inspection report or other proof of freedom from specified diseases based on at least one growing season field inspection and one windrow inspection or negative results from an approved pathology laboratory indicating freedom from the regulated diseases and a copy of the appropriate seed health assay showing freedom from regulated viral diseases issued for that bean seed must accompany these applications. Proof of I-gene resistance may be provided in lieu of appropriate seed health assay indicating freedom from regulated viral diseases.

[Statutory Authority: RCW [15.49.005](#), [17.24.041](#), and chapter [34.05](#) RCW. WSR 15-15-155, § 16-301-395, filed 7/21/15, effective 8/21/15. Statutory Authority: RCW [15.49.310](#), [17.24.011](#), [17.24.041](#) and chapter [34.05](#) RCW. WSR 04-08-043, § 16-301-395, filed 3/31/04, effective 5/1/04. Statutory Authority: RCW [15.49.005](#), [15.49.081](#), [15.49.310](#), [15.49.370](#)(3) and chapter [17.24](#) RCW. WSR 00-24-077, § 16-301-395, filed 12/4/00, effective 1/4/01.]

## **WAC 16-301-396**

### **Additional requirements for planting bean seed in the regulated area relating to seed-borne viral diseases.**

Bean seed may be received for planting purposes, planted, sold, shipped, or transported if that seed meets one of the following criteria:

(1) The bean variety (cultivar) is known to be uniform for the dominant I-gene. Documentation of evidence of uniformity must accompany the seed shipment. Undocumented cultivars are subject to serology and/or grow out testing to determine freedom from bean seed-borne viral diseases.

(2) The bean seed has been tested by the serology method (ELISA) and is found to be free from bean seed-borne viral diseases.

(3) The bean seed is tested by the serology method and is found to be positive for seed-borne viral diseases and on a subsequent grow out test, the sample is found free from bean seed-borne viral diseases.

(4) All serology tests are based on an official five-pound sample of untreated bean seed for each fifty thousand pounds of bean seed or fraction thereof.

[Statutory Authority: RCW [15.49.310](#), [17.24.011](#), [17.24.041](#) and chapter [34.05](#) RCW. WSR 04-08-043, § 16-301-396, filed 3/31/04, effective 5/1/04.]

## **WAC 16-301-400**

### **Additional requirements for planting bean seed grown in the regulated area.**

(1) Bean seed must be entered into the Washington state bean phyto-sanitary certificate inspection program or the Washington state seed certification inspection program as provided in WAC [16-302-045](#) and [16-301-235](#).

(2) When the director determines that an emergency condition exists because of a shortage of seed for planting purposes, beans grown for processing as edible beans may be accepted for planting purposes if the lot has been tested by means recommended by the university and approved by the director and found to be apparently free of regulated diseases.

[Statutory Authority: RCW [15.49.005](#), [15.49.081](#), [15.49.310](#), [15.49.370](#)(3) and chapter [17.24](#) RCW. WSR 00-24-077, § 16-301-400, filed 12/4/00, effective 1/4/01.]

## **WAC 16-301-410**

### **Additional requirements for planting bean seed originating in quarantine Area I; areas west of the continental divide.**

(1) Bean seed from quarantine Area I must not be shipped, transported, or moved into the regulated area for planting unless the beans are accompanied by an official certificate showing that the beans are apparently free from the regulated diseases. Such certification shall be on the basis of at least one growing season field inspection and one windrow inspection and an approved laboratory/greenhouse test, which may include ELISA or other diagnostic screening for bacterial or fungal diseases.

(2) Bean seed planted for seed increase or with intention of seed increase must be planted in fields entered into either the Washington state bean seed phyto-sanitary certificate inspection program or the Washington state seed certification inspection program as provided in WAC [16-302-045](#) and [16-301-235](#).

[Statutory Authority: RCW [15.49.310](#), [17.24.011](#), [17.24.041](#) and chapter [34.05](#) RCW. WSR 04-08-043, § 16-301-410, filed 3/31/04, effective 5/1/04. Statutory Authority: RCW [15.49.005](#), [15.49.081](#), [15.49.310](#), [15.49.370](#)(3) and chapter [17.24](#) RCW. WSR 00-24-077, § 16-301-410, filed 12/4/00, effective 1/4/01.]

## WAC 16-301-415

### Additional requirements for planting bean seed originating in quarantine Area II; areas east of the continental divide and foreign countries.

(1) Bean seed must first be planted into an approved trial ground that meets the requirements of the department.

(2) Bean seed, up to a maximum of one pound per variety, may be planted in an approved trial ground intended for research purposes, with notification to the department, seed program, of intent to plant and adherence to the inspection procedures in WAC [16-301-425](#) and such isolation and other requirements as the director may prescribe.

(3) Bean seed over one pound, intended for introduction or seed increase, must first be planted in an approved trial ground not to exceed fifteen acres for each variety. The trial ground must be isolated from other beans by 1/4 mile. In addition, prior to planting, this bean seed must pass a laboratory/greenhouse test as recommended by the university; notification must be given to the department, seed program, of intent to plant; and inspection procedures in WAC [16-301-425](#) must be complied with for trial grounds.

[Statutory Authority: RCW [15.49.310](#), [17.24.011](#), [17.24.041](#) and chapter [34.05](#) RCW. WSR 04-08-043, § 16-301-415, filed 3/31/04, effective 5/1/04. Statutory Authority: RCW [15.49.005](#), [15.49.081](#), [15.49.310](#), [15.49.370](#)(3) and chapter [17.24](#) RCW. WSR 00-24-077, § 16-301-415, filed 12/4/00, effective 1/4/01.]

## WAC 16-301-420

### Quarantine—Exceptions and exemptions.

(1) Bean seed planted for harvest as green beans for cannery or freezing, otherwise in compliance with this quarantine, is not required to be entered into an inspection program except that the department reserves the right to request complete listing and location of all the plantings and other information the department may deem necessary. Further, if at any time prior to harvest, the grower decides that the plantings are not to be harvested as green beans, the department must be notified and the plantings placed under an inspection program. In order for the plantings to be accepted into the inspection program, the plantings must be at a state of maturity that allows for the proper identification of regulated diseases.

(2) This quarantine does not apply to the shipment, movement, or transportation of beans prepackaged in packages of eight ounces or less for home garden use in the regulated area if the beans are free of diseases.

[Statutory Authority: RCW [15.49.310](#), [17.24.011](#), [17.24.041](#) and chapter [34.05](#) RCW. WSR 04-08-043, § 16-301-420, filed 3/31/04, effective 5/1/04. Statutory Authority: RCW [15.49.005](#), [15.49.081](#), [15.49.310](#), [15.49.370](#)(3) and chapter [17.24](#) RCW. WSR 00-24-077, § 16-301-420, filed 12/4/00, effective 1/4/01.]

## **WAC 16-301-425**

### **Inspection procedures for trial grounds.**

(1) Applications for planting in a trial ground must be submitted to the department prior to May 15 of the growing year, and must include a detailed varietal planting plan, a description of the exact location of the trial ground and the manner of isolation.

(2) A minimum of four field inspections are made during the growing season and one windrow inspection.

(3) A disinfectant must be applied to machinery used in the production of bean seed and to footwear of personnel performing inspections prior to movement to other bean fields.

(4) If any regulated diseases are detected by field inspections or subsequent laboratory/greenhouse tests, no seed may be released for general planting but must again be planted in an approved trial ground for one additional year and undergo inspection procedures by the department.

[Statutory Authority: RCW [15.49.005](#), [17.24.041](#), and chapter [34.05](#) RCW. WSR 15-15-155, § 16-301-425, filed 7/21/15, effective 8/21/15. Statutory Authority: RCW [15.49.005](#), [15.49.081](#), [15.49.310](#), [15.49.370](#)(3) and chapter [17.24](#) RCW. WSR 00-24-077, § 16-301-425, filed 12/4/00, effective 1/4/01.]

## **WAC 16-301-430**

### **Identification and disposition of diseased bean seed and infected bean fields.**

(1) Any bean field planted with seed in violation of the requirements of this quarantine is subject to destruction, in full or in part, or quarantined, as determined necessary by the director, to prevent the spread of regulated diseases. Any expenses of such actions will be solely that of the grower or their responsible agents.

(a) Fields that are placed under a quarantine order must be entered into the Washington state bean seed phytosanitary inspection program as provided in WAC [16-301-235](#) with all costs of inspection to be borne by the grower or the grower's agent.

(b) Fields that are placed under a quarantine order may be subject to additional requirements for inspection, control or isolation, as deemed necessary by the director, to prevent the spread of regulated diseases.

(2) Any bean field determined to be infected with a regulated disease must be reported within seventy-two hours after discovery to the department, seed program.

(3) The department encourages the aid of all interested parties, including growers and seed company representatives, in the prompt reporting of suspected infected bean fields in order that timely investigation may be made.

(4) Any bean fields within the boundaries of the regulated area which show contamination by a regulated disease, as provided in subsection (5) of this section, must be destroyed in part or in total as may be required to eliminate the disease, by or at the expense of the grower or their responsible agents. The director may authorize any other method of control at the director's discretion. The director must notify the grower, seed company representatives

and/or the grower's landlord of the method and extent of the destruction and safeguards against disease spread in order for the parties to comply.

(5) The identity of a regulated disease on growing plants or plants in windrow is based on the observance of the visual symptoms of the disease. If the department deems it necessary to establish true identity or pathogenically, a laboratory and/or greenhouse test may be conducted by the department in cooperation with the university. Testing is subject to provisions provided in WAC [16-301-396](#) (3) and (4), the results of which will be used to determine final disposition.

(a) In cases of disagreement concerning the presence of a regulated disease between the department plant pathologist and a qualified plant pathologist representing the commercial company or grower, the definitive verification of identity or pathogenically must be determined by isolation of the suspected pathogen and inoculation of seedlings of a known susceptible host using accepted scientific and professional techniques.

(b) Until verification of the suspected pathogen as specified in this section is completed, the involved planting must be placed under quarantine for a period of thirty days subject to conditions and review or extension as determined by the director. Entry into the quarantined area is to be restricted to the grower or grower's agents, department employees, and/or persons authorized in writing by the director. Persons granted entry into the quarantined area will be required to take all necessary sanitary precautions as prescribed by the director to safeguard against the possible spread of the suspected regulated disease.

(6) The true identity of the regulated disease when found in or on seed is based on testing methods recommended by the university results of which, when positive, is evidence to identify the disease as being subject to the department's requirements. The owner of the seed, at owner's expense, may request verification of pathogenicity. Such verification must be made using accepted scientific and professional techniques.

(7) When the director determines that it is probable, based on visual symptoms and serological analysis, that a seed field may be infected with bean seed-borne viral diseases and determines that a threat of infection of other fields exists, the director may prescribe aphid control or other requirements, through a notice of destruction as provided in WAC [16-301-435](#), deemed necessary to prevent infection of adjacent properties.

(8) All bean seed that is determined to be contaminated by bean seed-borne viral diseases and which does not meet the requirements of WAC [16-301-395](#)(2) must be destroyed or diverted to dry edible or other nonseed purposes. For seed that is diverted to dry edible or other nonseed purposes, documentation of disposition of the seed must be provided to the department of agriculture upon request.

(9) Exemptions and special situations:

(a) Any field of beans first found infected during windrow inspection, is exempt from total destruction if the diseased portion and an area (not less than a fifty-foot radius) surrounding the infected site is promptly destroyed or harvested with the beans from the infected area directed, under department supervision, to processing. Seed from the remainder of the field must be tested by the appropriate seed health assays for the regulated disease. Only seed apparently free from regulated diseases may be used for seed purposes in the regulated area.

(b) Any field of beans to be used only for dry edible purposes is exempt from destruction if the diseased portion of the field is destroyed and the entire crop residue is promptly and completely destroyed after harvest.



(c) Beans for processing or fresh consumption are exempt from destruction if the diseased portion of the field is destroyed or harvested within ten days after first detection and/or verification as provided in subsection (4) of this section and the crop residue is promptly and completely destroyed after harvest.

[Statutory Authority: RCW [15.49.005](#), [17.24.041](#), and chapter [34.05](#) RCW. WSR 15-15-155, § 16-301-430, filed 7/21/15, effective 8/21/15. Statutory Authority: RCW [15.49.310](#), [17.24.011](#), [17.24.041](#) and chapter [34.05](#) RCW. WSR 04-08-043, § 16-301-430, filed 3/31/04, effective 5/1/04. Statutory Authority: RCW [15.49.005](#), [15.49.081](#), [15.49.310](#), [15.49.370](#)(3) and chapter [17.24](#) RCW. WSR 00-24-077, § 16-301-430, filed 12/4/00, effective 1/4/01.]

## **WAC 16-301-435**

### **Notice of destruction.**

When the director finds personal property planted in violation of the terms of this quarantine or infected as described in WAC [16-301-430](#), the director may issue a written notice of quarantine or destruction to the owners and occupants thereof. The notice must identify the property under quarantine, order the destruction of infested plants or prescribe the terms of entry, inspection, partial destruction and/or treatment of regulated articles. Any expenses of such actions will be solely that of the grower or their responsible agents.

[Statutory Authority: RCW [15.49.310](#), [17.24.011](#), [17.24.041](#) and chapter [34.05](#) RCW. WSR 04-08-043, § 16-301-435, filed 3/31/04, effective 5/1/04. Statutory Authority: RCW [15.49.005](#), [15.49.081](#), [15.49.310](#), [15.49.370](#)(3) and chapter [17.24](#) RCW. WSR 00-24-077, § 16-301-435, filed 12/4/00, effective 1/4/01.]

## **WAC 16-301-440**

### **Penalties.**

(1) Any bean field planted with seed in violation of the requirements of this quarantine is subject to destruction, in full or in part, or quarantined, as determined necessary by the director, to prevent the spread or establishment of bean diseases.

(2) In addition to actions specified in WAC [16-301-430](#), any grower violating the terms of this quarantine, is subject to civil and/or criminal penalties provided in chapters [15.49](#) and/or [17.24](#) RCW.

[Statutory Authority: RCW [15.49.310](#), [17.24.011](#), [17.24.041](#) and chapter [34.05](#) RCW. WSR 04-08-043, § 16-301-440, filed 3/31/04, effective 5/1/04. Statutory Authority: RCW [15.49.005](#), [15.49.081](#), [15.49.310](#), [15.49.370](#)(3) and chapter [17.24](#) RCW. WSR 00-24-077, § 16-301-440, filed 12/4/00, effective 1/4/01.]