STATE OF IDAHO

DEPARTMENT OF AGRICULTURE

C.L. "BUTCH" OTTER
Governor
CELIA R. GOULD
Director

MEMORANDUM

TO: Rulemaking File: IDAPA 02.06.35 Rules Governing Annual Bluegrass (Poa annua)

FROM: Michael E. Cooper, Chief MEC
Bureau of Field Services

DATE: **August 16, 2012**

SUBJECT: Rulemaking Summary: IDAPA 02.06.35 Rule Governing Annual Bluegrass (Poa annua)

This rulemaking was the result of an inquiry to the Grass Seed Industry concerning the continued relevancy of this rule. The Division had not had an activity concerning this rule in a number of years. Through personal contacts, E-mail conversations, and correspondence with the Idaho Eastern-Oregon Seed Association, Idaho Crop Improvement Association and the Grass Seed industry, it was learned that the rules were necessary for the Idaho Grass Seed Industry to maintain it's reputation for quality blue grass seed. It was also learned the inspection and testing requirements of the rules had been incorporated into the certification standards of the Idaho Crop Improvement Association and that a certificate of analysis was being used in lieu of an analysis tag. To legitimize this process the rules were amended to allow for the use of a certificate of analysis and certification inspections by the Idaho Crop Improvement Association.

Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. A negotiated rulemaking meeting was held at the Idaho State Department of Agriculture on July 17, 2012. There were no visitors to the negotiated rulemaking meeting and no comments have been received for this rule change. There are no unresolved issues and this rule will be submitted as proposed. All correspondence relative to this rule making is on file with the Department.