

IDAPA 02

TITLE 06

CHAPTER 06

02.06.06 – RULES GOVERNING THE PLANTING OF BEANS

000. LEGAL AUTHORITY.

This chapter is adopted under the legal authority of Sections 22-1907, 22-2004, and 22-2006, Idaho Code. (4-2-03)

001. TITLE AND SCOPE.

01. Title. The title of this chapter is IDAPA 02.06.06, “Rules Governing the Planting of Beans.” (6-30-19)T

02. Scope. These rules will govern the planting of beans in Idaho. (6-30-19)T

002. WRITTEN INTERPRETATIONS.

There are no written interpretations of these rules. (4-2-03)

003. ADMINISTRATIVE APPEAL.

Hearing and appeal rights are set forth in Title 67, Chapter 52, Idaho Code. (4-2-03)

004. INCORPORATION BY REFERENCE.

There are no documents incorporated by reference in this chapter. (4-2-03)

005. ADDRESS, OFFICE HOURS, TELEPHONE, FAX NUMBERS, WEB ADDRESS.

The Idaho State Department of Agriculture central office is located at 2270 Old Penitentiary Road, Boise, ID 83712-

8298. The office is open from 8 a.m. to 5 p.m., except Saturday, Sunday, and legal holidays. The mailing address is

PO Box 7249, Boise, Idaho 83707. The phone number is (208) 332-8500 and the fax number is (208) 334-2170. The

Department web address is <https://agri.idaho.gov/>. (6-30-19)T

006. PUBLIC RECORDS ACT COMPLIANCE.

These rules have been promulgated according to the provisions of Title 67, Chapter 52, Idaho Code and are public records. (6-30-19)T

007. -- 009. (RESERVED)

010. DEFINITIONS.

The Department adopts the definitions set forth in Section 22-2005, Idaho Code. In addition, as used in this chapter:

(4-2-03)

01. Department Approved Tag (Yellow Tag) (Phaseolus). A tag issued by the Department to seed

lots produced west of the Continental Divide in the contiguous United States. The seed lot must be accompanied by a

phytosanitary certificate issued by the regulatory agency of the state of origin, listing the diseases the crop was

inspected for, that must include the regulated pests as defined in Section 012 of these rules and be based on growing

season and windrow or pre-harvest inspections. Seed lots must pass laboratory testing done by the Department on

samples drawn in Idaho by the Department and found free from regulated pest(s) as listed in Section 012 of this rule.

(6-30-19)T

02. Department Approved Tag (Yellow Tag) (Non-Phaseolus). A tag issued by the Department to seed lots produced outside of Idaho and imported into Idaho for planting. The seed lot must be certified by the seed certification agency of the state of origin and be accompanied by a phytosanitary certificate or official field inspection report issued by the regulatory agency of the state of origin. Seed lots must pass laboratory testing performed by the Department, or Department approved laboratories, on samples drawn in Idaho by the Department and found free from regulated pest(s) and soil as listed in Sections 012 and 013 of this rule. (6-30-19)T

03. Department In-State Planting Tag (Green Tag). A tag issued by the Department to seed lots in compliance with growing season and windrow inspections in Idaho. (4-2-03)

04. Detailed Varietal Planting Plan. A plan that shows the variety name, seed lot number, In-state planting tag number (State Number) if applicable, pounds planted, acres planted, origin of seed, and the results of laboratory testing. (4-2-03)

05. Edible Harvest. Seed planted in Idaho intended for edible purposes (fresh green pod or dried edible seed). (6-30-19)T

05. Edible Harvest. Seed planted in Idaho intended for edible purposes (dried edible seed). (6-30-19)T

06. Experimental Plots. Subdivisions of trial grounds used for the introduction of seed otherwise ineligible for planting in Idaho. (4-2-03)

07. Farmstead. All land farmed in common with the land upon which the trial ground is located. (4-2-03)

07. Farmstead. All land farmed in common within one mile of the land upon which the trial ground is located.

Commented [HM1]: Deleted fresh green pod.

Commented [HM2]: Updated definition of a farmstead.

08. Home Garden. Personal use home gardens wherein Phaseolus or Non-Phaseolus species are planted for consumption and will not be utilized for replanting outside the same home garden where they were produced or offered for sale or sold for further propagation in Idaho. (6-30-19)T

08. Home Garden. Personal use home gardens with a maximum acreage of a half acre wherein Phaseolus or Non-Phaseolus species are planted for consumption and will not be utilized for replanting outside the same home garden where they were produced or offered for sale or sold for further propagation in Idaho. (6-30-19)T

Commented [HM3]: Size requirement added for home garden. ½ acre

09. ICIA Tag. A tag issued by ICIA provided that the lot was field and windrow inspected by ICIA in accordance with these rules. (4-2-03)

10. In-State Planting Tag Number (State Number). A number assigned by the Department to each lot which has successfully passed the Department's field and windrow inspection requirements in which no regulated pests were found. (4-2-03)

11. Introduction Plots. Subdivisions of trial grounds used for the introduction or increase of bean seed. (4-2-03)

12. Oregon Department of Agriculture Inspection Tag. A tag issued to seed lots produced in Malheur County, Oregon which were inspected in the growing season and in the windrow by the Oregon Department of Agriculture for the regulated pests as defined in Section 012 and Subsections 013.01 and 013.02 of these rules. (6-30-19)T

13. Pre-Harvest Inspection. Inspection done prior to harvest, where harvest methods or crop condition do not allow for windrow inspection. (6-30-19)T

14. Rill Irrigation. A method of applying non-pressurized irrigation water to crops in a free flow manner by using a series of drip ditches, canals, siphon tubes, and gated pipe utilizing gravity as means of conveyance within the field. (6-30-19)T

15. Drip irrigation. A system of crop irrigation involving the controlled delivery of water directly to individual plants through a network of stationary tubes or tapes, excluding drag lines

Commented [HM4]: Added definition for Drip Irrigation

16. Seed Borne. Pest(s) that can be found on the seed or within the seed coat but do not necessarily result in the transfer of the pest to the resulting plant. (6-30-19)T

17. Seed Lot. A definite quantity of seed identified by a lot number, every portion or bag of which is uniform, within permitted tolerances, for factors that appear in the labeling. (4-2-03)

18. Seed Transmitted. Pest(s) that can be transferred from the seed into the resulting plant.(6-30-19)T

19. Sprinkler Irrigation. An overhead water delivery system used to disperse irrigation water to crops

in a designated pattern utilizing a pump, a network series of pipes and delivering water under a controlled pressure in

a predetermined quantity. (4-2-03)

20. Trial Grounds. Parcels of land located on one (1) farmstead set aside for the purpose of research

testing or introduction of bean seed. (4-2-03)

21. True Identity of Seed Lot. True identity of seed lot is recorded using information provided by the

applicant on the application for field inspection or on the detailed varietal planting plan and harvest records. The true

identity of the seed lot is maintained by the Department after the applicant has finalized the harvest information and

provided such to the Department. (4-2-03)

22. Windrow Inspection. An inspection procedure performed on a seed crop prior to harvest but after

the crop has been cut and allowed for curing or drying out. (4-2-03)

011. ABBREVIATIONS.

01. ICIA. Idaho Crop Improvement Association. (4-2-03)

02. ISDA. Idaho State Department of Agriculture. (4-2-03)

012. REGULATED PESTS (PHASEOLUS AND NON-PHASEOLUS).

01. Anthracnose. Caused by (*Colletotrichum lindemuthianum*), (*Glomerella lindemuthiana*). (4-2-03)

02. Bacterial Wilt. Caused by (*Curtobacterium flaccumfaciens pv. flaccumfaciens*), (*Corynebacterium flaccumfaciens*). (4-2-03)

03. Brown Spot. Caused by (*Pseudomonas syringae pv. syringae*), (*P. syringae*). (4-2-03)

04. Common Blight. Caused by (*Xanthomonas axonopodis pv. phaseoli*), (*X. phaseoli*), (*X. phaseoli*

var. fuscans). (4-2-03)

05. Halo Blight. Caused by (*Pseudomonas savastanoi pv. phaseolicola*), (*P. phaseolicola*). (4-2-03)

013. REGULATED PESTS (NON-PHASEOLUS ONLY).

01. Soybean Cyst Nematode. (*Heterodera glycines*). (6-30-19)T

02. Asian Soybean Rust. Caused by (*Phakopsora pachyrhizi*). (6-30-19)T

03. Soil. There shall be a zero (0) tolerance, as defined by the soil tolerance standards of the Association of Official Seed Analysts (AOSA), for soil in any lot of a regulated article imported into Idaho and

destined for planting in Idaho. This prohibition shall not apply to seed of Idaho or Malheur County, Oregon origin.

(6-30-19)T

014. -- 049. (RESERVED)

050. REGULATED ARTICLES.

All seed and growing plants of (*Phaseolus*) species, from any source, being grown or planted for the production of seed or planted for edible harvest within the state of Idaho. All seed of soybean (*Glycine max*), mung bean (*Vigna radiata*), and azuki bean (*Vigna angularis*) and any other plant species capable of spreading a regulated pest as a contaminant or in a seed borne or seed transmitted manner, from any source and being planted within the state of Idaho, unless otherwise exempted in this rule. (6-30-19)T

051. EDIBLE HARVEST EXEMPTION.

Seeds planted for edible harvest must bear an approved tag as defined in Section 200.08 or 201.06 of this rule. Seeds planted for edible harvest are not required to undergo inspection requirements defined in Section 150 and 151, and are not covered by the irrigation restrictions defined in Section 200.09. (6-30-19)T

052. HOME GARDEN EXEMPTION.

Seeds planted for home garden use and consumption that will not be sold for replanting outside the original home garden space are allowed to utilize small package, non-tagged seed and are exempt from inspection requirements defined in Section 150 and 151 of this rule and from irrigation restrictions defined in Section 200.09. All seed intended for production of seed for replanting outside the home garden where they were produced are defined as Regulated Articles in Section 050. (6-30-19)T

053. -- 049. (RESERVED)

150. INSPECTION (PHASEOLUS).

All seeds harvested from bean fields in Idaho intended for replanting in Idaho shall be submitted to the Department or ICIA for growing season and windrow inspections. (4-2-03)

01. Application for Inspection. (4-2-03)

a. Deadline for Submission. Received by the Department on or before July 1 of each year. (4-2-03)

b. Application Forms. Forms will be provided by the Department or may be company generated. Company generated application forms must be approved by the Department prior to submission. (4-2-03)

Commented [HM5]: Further testing of dry bean varieties to determine disease susceptibility by variety. Work with Idaho bean commission to fund the study with the cooperation of dry bean companies and a researcher. ICIA is going to be sending fields samples to be tested. Ongoing review, based on results of field and serology tests to see if changes need to be made to this rule.

c. Additional or Substitute Acreage. Applications for additional or substitute acreage may be submitted until September 1 and will be accepted on a case by case basis and the cost of inspection to be determined by the Director. (4-2-03)

c. Additional or Substitute Acreage. Applications for additional or substitute acreage may be submitted until August 1 and will be accepted on a case by case basis and the cost of inspection to be determined by the Director. (4-2-03)

Commented [HM6]: Changed the date to August 1.

02. Active Growth Inspection. Unless the Director, in his sole discretion, deems additional inspections are necessary, the bean seed for replanting will be inspected as follows: (4-2-03)

a. Fields under rill irrigation -- at least once. (4-2-03)

a. Fields under rill or drip irrigation -- at least once.

Commented [HM7]: Added drip irrigation.

b. Fields under sprinkler irrigation -- at least twice. (4-2-03)

03. Windrow or Pre-Harvest Inspection. (4-2-03)

a. Number of inspections -- at least once. (4-2-03)

b. The Director may authorize qualified personnel to perform windrow inspections under the supervision of the Department. (4-2-03)

c. The Director may upon written request of the seed company agent perform standing crop preharvest inspection. (6-30-19)T

151. INSPECTION (NON-PHASEOLUS)

All imported or Idaho origin seeds intended for planting or replanting in Idaho shall be submitted to the Department

for growing season and pre-harvest/windrow inspections. (6-30-19)T

All imported or Idaho origin seeds intended for planting or replanting in Idaho shall be submitted to the Department or ICIA

for growing season and pre-harvest/windrow inspections. (6-30-19)T

Commented [HM8]: Added ICIA

01. Application for Inspection. (6-30-19)T

a. Deadline for Submission. Received by the Department on or before July 1 of each year. (6-30-19)T

b. Application Forms. Forms will be provided by the Department or may be company generated.

Company generated application forms must be approved by the Department prior to submission. (6-30-19)T

c. Additional or Substitute Acreage. Applications for additional or substitute acreage may be submitted until September 1 and will be accepted on a case by case basis and the cost of inspection to be determined by the Director. (6-30-19)T

02. Inspections. Unless the Director, at his sole discretion, deems additional inspections are necessary,

the bean seed for planting will be inspected as follows: (6-30-19)T

- a. Fields under rill or sprinkler irrigation -- at least once; (6-30-19)T
 - a. Fields under rill, drip, or sprinkler irrigation -- at least once; (6-30-19)T
 - b. Pre-Harvest or Windrow Inspection -- at least once. (6-30-19)T
 - a. Fields under rill or drip irrigation -- at least once.
 - b. Fields under sprinkler irrigation -- at least twice. (4-2-03)
151. -- 199. (RESERVED)

200. REQUIREMENTS FOR PLANTING BEAN SEED IN IDAHO (PHASEOLUS).

In order to be eligible for planting bean seed in Idaho: (4-2-03)

01. Idaho Grown Seed. Seeds planted must be from a lot that has an in-state planting tag number (state number) assigned by the Department based on growing season and windrow inspections and be tagged by the Department with a Department In-State Planting Tag (Green tag) or be tagged by the ICIA in accordance with these rules. (4-2-03)

01. Idaho Grown Seed. Seeds planted must be from a lot that has an in-state planting tag number (state number) assigned by the Department based on growing season and windrow or final inspections and be tagged by the Department with a Department In-State Planting Tag (Green tag) or be tagged by the ICIA in accordance with these rules. (4-2-03)

02. Malheur County, Oregon Grown Seed. Bean seed produced in Malheur County, Oregon must be from a lot inspected in the growing season and in the windrow for the regulated pests as defined in Section 012 of these rules and tagged by the Oregon Department of Agriculture. The ICIA may inspect and issue tags for bean seed grown in Malheur County, Oregon provided that each field is inspected according to these rules and the Malheur County Bean Disease Control Area order. (3-29-10)

03. Imported Seed Grown West of the Continental Divide in the Contiguous United States. Imported bean seed grown west of the Continental Divide in the contiguous United States must: (4-2-03)

a. Be accompanied by a phytosanitary certificate issued by the regulatory agency of the state of origin, listing the diseases for which the crop was inspected, that must include the regulated pests as defined in Section 012 of these rules, and stating that the crop was field and windrow or pre-harvest inspected; (6-30-19)T

b. Seed lot shall successfully pass laboratory tests conducted by the Department from samples

Commented [HM9]: Rule changed to match 150-02

Commented [HM10]: Added final inspection to allow standing fields that are direct harvested and have the final inspection.

officially drawn in the state of Idaho by the Department; (4-2-03)

c. Must bear a Department approved tag (yellow); (4-2-03)

d. Shall not be planted under sprinkler irrigation; and (4-2-03)

e. Each field planted in Idaho must be submitted for field and windrow or pre-harvest inspections.

(4-2-03)

04. Imported Seed Grown East of the Continental Divide in the Contiguous United States or of Foreign Origin. Imported bean seed grown east of the Continental Divide in the Contiguous United States or of

foreign origin to be planted in Idaho shall be planted only on an approved trial ground as outlined in Section 250.

(4-2-03)

05. Idaho Grown Seeds Shipped West of the Continental Divide in the Contiguous United States,

Except Malheur County, Oregon, or to a Foreign Country and Returned. Bean seeds shipped outside Idaho or

Malheur County, Oregon, west of the Continental Divide in the contiguous United States, or to a foreign country,

which were tagged prior to leaving the state and at the Director's discretion were segregated in such a way to ensure

freedom from regulated pests, may be returned to Idaho for planting under the following conditions: (6-30-19)T

05. Idaho Grown Seeds Shipped within the Contiguous United States,

Except Malheur County, Oregon and Returned. Bean seeds shipped outside Idaho or Malheur County, Oregon within the contiguous United States,

which were tagged prior to leaving the state and at the Director's discretion were segregated in such a way to ensure

freedom from regulated pests, may be returned to Idaho for planting under the following conditions: (6-30-19)T

a. A written request to bring seed back into Idaho or Malheur county must be submitted to ISDA and approved prior to seed being shipped back to the Company,

b. Seed tags and packaging are intact with the segregation of the seed deemed satisfactory by the

Director, (6-30-19)T

c. Bean seed not tagged prior to leaving the state, returned to Idaho without seed tags and packaging

intact, or not segregated to the satisfaction of the Director, may be returned to Idaho but upon return shall fall under

Section 200.03 or 201.03 of these rules or may be planted on an approved trial ground as outlined in Section 250.

(6-30-19)T

Commented [HM11]: Change in definition. Seed can be shipped and returned to the original company as long as it is in the original bag, state is notified, and shipped back to the original company.

Commented [HM12]: Added rule a.

06. Contaminated Seeds. The seeds from any bean field found or known to be contaminated with a regulated pest, as defined in Section 012 of these rules, shall not be planted in Idaho. (4-2-03)

07. True Identity of Seed Lots. Failure to maintain the true identity of any seed lot intended for seed purposes will automatically disqualify that lot for future planting in Idaho. (4-2-03)

08. Tags. Bean seeds planted in Idaho shall be from an approved lot bearing an approved tag on each bag or container, stating the kind, variety, and lot number. The following is a list of approved planting tags in Idaho: (4-2-03)

a. Department in-state planting tag (green tag); (4-2-03)

b. Department approved tag (yellow tag); (4-2-03)

c. ICIA tag, provided the lot was field and windrow inspected by ICIA in accordance to these rules; or (4-2-03)

d. Oregon Department of Agriculture inspection tag. (4-2-03)

09. Irrigation. (4-2-03)

a. Pintos, Reds, Pinks, Great Northerns, Small Whites, Navy Beans, Blacks, Kidneys, Yellows, Cranberries, and Lima beans: (6-30-19)

i. First generation of seed grown in Idaho must be grown and inspected under rill irrigation. (4-2-03)

ii. Thereafter, the seed may be grown and inspected for two (2) consecutive generations in Idaho under sprinkler irrigation. (4-2-03)

iii. Seed grown under sprinkler irrigation for two (2) consecutive generations shall then be grown and inspected for one (1) generation in Idaho under rill irrigation. (4-2-03)

b. All other beans: (3-29-10)

i. First generation of seed grown in Idaho must be grown and inspected under rill irrigation. (4-2-03)

ii. Thereafter, the seed may be grown and inspected for one (1) generation in Idaho under sprinkler irrigation. (4-2-03)

iii. Any time seed has been grown and inspected for one (1) generation in Idaho under sprinkler irrigation and prior to planting the seed under sprinkler irrigation or rill irrigation in Idaho, the seed must be sampled and laboratory tested by the Department in Idaho and found negative for the regulated pests. (3-29-10)

iv. Following a second consecutive planting of the seed under sprinkler irrigation in Idaho, the seed

Commented [HM13]: Further testing of these varieties to determine disease susceptibility.

must be sampled and laboratory tested by the Department in Idaho and found negative for the regulated pests.

(3-29-10)

v. After meeting the requirements of Subsections 200.09.b.i. through 200.09.b.iv., the seed must be

grown and inspected for one (1) generation in Idaho under rill irrigation. (4-2-03)

201. REQUIREMENTS FOR PLANTING BEAN SEED IN IDAHO (NON-PHASEOLUS).

In order to be eligible for planting seed in Idaho: (6-30-19)T

01. Idaho Origin Seed to Be Replanted. Seeds planted must be from a lot that was produced in accordance with these rules and has an in-state planting tag number (state number) assigned by the Department based

on growing season and pre-harvest or windrow inspections and be tagged by the Department with a Department In-

State Planting Tag (Green tag). (6-30-19)T

01. Idaho Origin Seed to Be Replanted. Seeds planted must be from a lot that was produced in accordance with these rules and has an in-state planting tag number (state number) assigned by the Department based

on growing season and pre-harvest or windrow inspections and be tagged by the Department or ICIA with a Department or ICIA In-

State Planting Tag (Green tag). (6-30-19)T

02. Malheur County, Oregon Grown Seed. Seed produced in Malheur County, Oregon must be from

a lot inspected in the growing season and pre-harvest or windrow for the regulated pests as defined in Section 012,

013.01, and 013.02 of these rules and tagged by the Oregon Department of Agriculture. (6-30-19)T

03. Imported Seed From Other Than Malheur County, Oregon. Imported seed must: (6-30-19)T

a. Be certified by the seed certification agency of the state of origin and be accompanied by a state

phytosanitary certificate issued by the regulatory agency of the state of origin, listing the diseases for which the crop

was inspected, that must include the regulated pests and soil as defined in Sections 012 and 013 of these rules, as

identified from official field inspection, official samples and official laboratory testing; or (6-30-19)T

b. Each seed lot shall successfully pass laboratory tests on untreated seed for regulated pests and soil

conducted by the Department (in the case of nematodes and soil by a Department approved lab) from samples

officially drawn in the state of Idaho by the Department; and (6-30-19)T

c. Must bear a Department Approved Tag (Yellow Tag) at the time of planting; and (6-30-19)T

Commented [HM14]: Added ICIA

d. Be submitted for a growing season inspection in compliance with Section 151 of this rule; and

(6-30-19)T

e. If intended for seed production, not be planted under sprinkler irrigation for the first growing season. (6-30-19)T

04. Contaminated Seeds. The seeds from any field found or known to be contaminated with a regulated pest or soil, as defined in Section 012 and 013 of these rules, shall not be planted in Idaho. (6-30-19)T

05. True Identity of Seed Lots. Failure to maintain the true identity of any seed lot intended for seed

purposes will automatically disqualify that lot for future planting in Idaho. (6-30-19)T

06. Tags. Seeds planted in Idaho shall be from an approved lot bearing an approved tag on each bag or

container, stating the kind, variety, and lot number. The following is a list of approved planting tags in Idaho:

(6-30-19)T

a. Department in-state planting tag (green tag); (6-30-19)T

b. Department approved tag (yellow tag); (6-30-19)T

c. Oregon Department of Agriculture inspection tag. (6-30-19)T

202. -- 249. (RESERVED)

250. TRIAL GROUNDS.

01. General Trial Ground Requirements. (4-2-03)

a. A written request for trial ground must be submitted to the Director for approval prior to May 20 of

the year the bean seed will be planted and must contain: (4-2-03)

i. Name of person in charge. (4-2-03)

ii. Geographic location and size of trial ground. (4-2-03)

iii. Detailed varietal planting plan. If the original planting plan is changed, the person in charge of the

trial ground must notify the Director. (4-2-03)

b. Must be jointly supervised by the Department and personnel approved by the Director. (4-2-03)

c. The land must be owned or leased by the applicant. If leased, a copy of the lease must accompany

the application. (4-2-03)

d. More than one (1) trial ground may be approved provided that a separate application is submitted

and each trial ground meets the requirements of Section 250. (4-2-03)

02. Trial Ground Subdivisions. (4-2-03)

a. Experimental Plots. A maximum of one (1) pound of bean seed per variety may be planted in an

experimental plot without laboratory testing. (4-2-03)

b. Introduction Plots. Introduction plots are limited to a maximum of two (2) acres per variety per company or designated agent for any given year and each seed lot to be planted in an introduction plot must successfully pass laboratory tests conducted by the Department from samples officially drawn in the state of Idaho by the Department. (6-30-19)T

03. Trial Ground Restrictions and Inspection Procedures. (4-2-03)

a. Any machinery used in production of bean seed on trial grounds must be disinfected, to the satisfaction of the Director, prior to movement to other bean fields. (4-2-03)

b. Approved trial grounds shall not be planted under sprinkler irrigation. (4-2-03)

c. During each growing season there will be a minimum of four (4) active growth inspections and one (1) windrow or pre-harvest inspection. (6-30-19)T

04. Detection of Regulated Pest. If a regulated pest is found by field inspection, windrow or preharvest inspection or subsequent laboratory seed testing, the infested seed must be destroyed. None of the remaining bean seed produced on that farmstead may be released for general planting in Idaho. The remaining seeds must be sampled and laboratory tested by the Department. If the laboratory test is negative for the regulated pests, then the seeds must be planted on an approved trial ground for one (1) additional year and are limited to a maximum of two (2) acres. (6-30-19)T

04. Detection of Regulated Pest. If a regulated pest is found by field inspection, windrow or preharvest inspection or subsequent laboratory seed testing, the infested seed must be destroyed and the field must follow the destruction rule 400-02. None of the remaining bean seed produced on that farmstead may be released for general planting in Idaho. The remaining seeds in the trial field must be sampled and laboratory tested by the Department. If the laboratory test is negative for the regulated pests, then the seeds must be planted on an approved trial ground for one (1) additional year and are limited to a maximum of two (2) acres. Once the negative seed plots have been harvested. The grower must follow the destruction rule 400-02 for the remainder of the trial ground. (6-30-19)T

251. -- 299. (RESERVED)

300. SPECIAL SITUATIONS.

The Director may grant specific exemptions for research purposes for the planting of beans that do not meet the requirements of Sections 200, 201, or 250. Seed not meeting the requirements of Sections 200, 201, or 250 must be

Commented [HM15]: New definition of destruction for trial grounds.

planted only in counties where commercial beans or bean seed is not produced, as determined by the Director.

(6-30-19)T

301. -- 349. (RESERVED)

350. DETECTION, IDENTIFICATION, AND REPORTING OF REGULATED PESTS.

01. Reporting. Any person may report to the Department the detection of any of the regulated pests.

(4-2-03)

02. Observation. Detection of regulated pests will be based on the observance of symptoms in the

field. (4-2-03)

03. Disagreement. In case of disagreement concerning the identity of the regulated pest or the virulence of the pathogen to Phaseolus or non-Phaseolus, the Department will submit cultures of the suspected

pathogen to a plant pathologist appointed by the Dean of the College of Agriculture, University of Idaho. The results

and findings obtained by the approved pathologist are final. (6-30-19)T

04. Release of Information. When the presence of a regulated pest is confirmed, information regarding the location and acres involved will be released upon request. (4-2-03)

351. -- 399. (RESERVED)

400. DISPOSITION OF DISEASED SEED AND INFECTED FIELDS.

01. Quarantine. Any field in which there is a disagreement concerning the identity of the regulated

pest or the virulence of the pathogen to its host will be placed under quarantine. Entry to the quarantined area will be

restricted to the grower or his agents, Department officials, University of Idaho plant pathologists, and persons

authorized in writing by the Director. Persons granted entry to the quarantined area will be required to take all

necessary sanitary precautions prescribed by the Director. (6-30-19)T

02. Destruction. Upon the confirmation of a regulated pest, any bean fields within the boundaries of

the state shall be destroyed in part or in total, as required by the Director, to eliminate the pest at the expense of the

grower and his landlord. The Director will notify the grower or his landlord of the method and extent of the

destruction and safeguards against pest spread in order for the parties to comply. (4-2-03)

02. Destruction. Upon confirmation of a regulated pest, any bean fields within the boundaries of the state shall be destroyed in total. No residue or beans can leave the field once the ISDA notifies the grower of the regulated pest. The grower has 5 days to burn or breakup plant material and plow the field to eliminate the pest and residue at the expense of the grower and his landlord. All equipment used to eliminate the pest is required to be disinfected. A written plan of destruction and disinfection must be signed by ISDA, Company Representative, and the grower. Destruction and disinfection will be

witnessed by a ISDA representative. The field will be quarantined from having beans planted for 5 years to ensure the regulated pest has been eliminated

Commented [HM16]: New definition of Destruction.

03. Threshing and Segregating. When the symptoms of a regulated pest are first detected during windrow inspection and laboratory confirmation is necessary, the Director may allow the beans to be threshed and segregated until laboratory results are obtained. (4-2-03)

401. -- 449. (RESERVED)

450. EXEMPTIONS FROM DESTRUCTION (PHASEOLUS).

01. Brown Spot. Fields contaminated with brown spot, (*Pseudomonas syringae* pv. *syringae*), are exempt from destruction. The Department will review this exemption as necessary. (4-2-03)

02. Beans for Processing or Fresh Consumption. Snap beans or lima beans for processing or fresh consumption are exempt from destruction if the diseased portion of the field is destroyed or harvested within five (5) days after first detection or verification as per Section 350 and Subsection 400.01 and the crop residue is promptly and completely destroyed after harvest, as required by the Director. (4-2-03)

Commented [HM17]: Delete 450-02 and 451.

451. EXEMPTIONS FROM DESTRUCTION (NON-PHASEOLUS)

Those non-Phaseolus crops for forage production are exempt from destruction if the diseased portion of the field is destroyed or harvested within five (5) days after first detection or verification as per Section 350 and Subsection 400.01, as required by the Director. (6-30-19)T

452. -- 549. (RESERVED)

550. FEES AND CHARGES.

The fees and charges for tags and inspections under these rules are: (4-2-03)

01. Tags. Green tags or Yellow tags for In-State Planting Purposes -- Eighteen cents (\$0.18) per hundred-weight. (3-16-04)

02. Applications. (4-2-03)

a. Application for Field Inspection -- Five dollars (\$5) each. (3-16-04)

b. Late Application for Field Inspection -- Ten dollars (\$10) each. (4-2-03)

03. Field Inspections. (4-2-03)

a. Inspection Fees. (4-2-03)

i. Active Growth Fees -- Three dollars and fifty cents (\$3.50) per acre, per inspection, fifty dollar (\$50) minimum. (6-30-19)T

ii. Windrow or Pre-harvest Fees -- Three dollars and fifty cents (\$3.50) per acre, fifty dollars (\$50) minimum. (6-30-19)T

iii. Department Approved Trial Grounds - origin east of the Continental Divide -- Ten dollars (\$10) per

acre, per inspection, fifty dollars (\$50) minimum. (6-30-19)T

iv. Department Approved Trial Grounds - origin West of the Continental Divide -- Three dollars and

fifty cents (\$3.50) per acre, per inspection, fifty dollars (\$50) minimum. (6-30-19)T

v. Requests for pre-harvest or windrow inspections after office hours, on weekends or holidays will be

charged at cost plus mileage. (6-30-19)T

04. Laboratory Seed Sampling. Official Sample -- twenty dollars (\$20) per sample. Sample size requirements for imported seed:

(3-16-04)

05. Plant Pathological Laboratory Services. Fees will be charged at current laboratory rates and are

available upon request. (4-2-03)

06. Confirmation Fees. The party disputing the Department's determination of the presence of a

regulated pest per Subsection 350.03 will be responsible for the payment of fees charged by the University of Idaho.

(3-16-04)

07. Soil Analysis. Testing for the presence of soil shall be performed by the Idaho State Seed Laboratory or other seed laboratory approved by the Department. The cost of soil analysis shall be at the normal rates

as is charged by those approved laboratories. (6-30-19)T

08. Nematode Analysis. Nematodes testing shall be performed by the University of Idaho Nematology

Laboratory or other laboratory approved by the Department. The cost of analysis for nematodes shall be at the normal

rates for testing as is charged by those approved laboratories. (6-30-19)T

09. Special Project Fee. Special projects not covered by existing fee schedule may be billed at twentyfive

dollars (\$25) per hour with a minimum twenty-five dollar (\$25) fee. Special projects, include but are not limited

to, research, lot history verification, data entry, sales and purchases, transfer of lots into ISDA database, ISDA

training of private company personnel or any other circumstance approved by the Director. (3-16-04)

551. -- 999. (RESERVED)