

## 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. ( )

### 001. TITLE AND SCOPE.

~~01. Title.~~ The title of this chapter is IDAPA 02.06.06, "Rules Governing the Planting of Beans."

~~02. Scope.~~ These rules govern the planting of beans in Idaho. ( )

### 002. -- 009. (RESERVED)

### 010. DEFINITIONS.

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

**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 or official field inspection report 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, 013.1 and 013.2 for Non-Phaseolus of these rules and be based on growing season and windrow or pre-harvest inspections. Seed lots must pass laboratory testing ~~done performed~~ by the Department on samples drawn in Idaho by the Department and found free from regulated pest(s) as listed in Section 012 (Phaseolus), 013.1 and 013.2 (Non-Phaseolus) of this rule. Non-Phaseolus must also pass laboratory testing performed by the Department or Department approved laboratories, on samples drawn in Idaho by the Department for soil as listed in Section 013.03 of this rule. ( )

~~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.~~ ( )

**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. ( )

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

**05. 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. ( )

~~0506. Edible Harvest.~~ Seed planted in Idaho intended for edible purposes (~~fresh green pod~~ or dried edible seed). ( )

~~0607. Experimental Plots.~~ Subdivisions of trial grounds used for the introduction of seed otherwise ineligible for planting in Idaho. ( )

~~07. Farmstead.~~ All land farmed in common with the land upon which the trial ground is located. ( )

**08. Field.** A field will be a parcel of land with recognizable boundaries which may include but not be limited to areas which are mowed, uncropped or planted to crops other than the kind in question. ( )

**0809. Home Garden.** Personal use home gardens with a maximum of one-half (0.5) 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. ( )

**0910. ICIA Tag.** A tag issued by ICIA provided that the lot was field and windrow inspected by ICIA in accordance with these rules. ( )

**1011. 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. ( )

**1112. Introduction Plots.** Subdivisions of trial grounds used for the introduction or increase of bean seed. ( )

**1213. 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. ( )

**1314. Pre-Harvest Inspection.** Inspection done prior to harvest, where harvest methods or crop condition do not allow for windrow inspection. ( )

**1415. 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. ( )

**1516. 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. ( )

**1617. 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. ( )

**1718. Seed Transmitted.** Pest(s) that can be transferred from the seed into the resulting plant. ( )

**1819. 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. ( )

**1920. Trial Grounds.** Parcels of land located on one (1) farmstead set aside for the purpose of research testing or introduction of bean seed. ( )

**2021. 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. ( )

**2122. 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. ( )

**011. ABBREVIATIONS.**

**01. ICIA.** Idaho Crop Improvement Association. ( )

02. ISDA. Idaho State Department of Agriculture. ( )

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

01. Anthracnose. Caused by (*Colletotrichum lindemuthianum*), (*Glomerella lindemuthiana*). ( )

02. Bacterial Wilt. Caused by (*Curtobacterium flaccumfaciens pv. flaccumfaciens*), (*Corynebacterium flaccumfaciens*). ( )

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

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

~~05. Fuscus Blight. Caused by (*Xanthomonas fuscans subsp. fuscans*). ( )~~

05. Halo Blight. Caused by (*Pseudomonas savastanoi pv. phaseolicola*), (*P. phaseolicola*). ( )

013. REGULATED PESTS (NON-PHASEOLUS ONLY).

01. Soybean Cyst Nematode. (*Heterodera glycines*). ( )

02. Asian Soybean Rust. Caused by (*Phakopsora pachyrhizi*). ( )

03. Soil. There is 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 does not apply to seed of Idaho or Malheur County, Oregon origin. ( )

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 and growing plants of Non-Phaseolus including 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. ( )

051. EDIBLE HARVEST EXEMPTION.

Seeds planted for edible harvest must bear an approved tag as defined in Section 200.0809 ~~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 200.0910. ( )

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 200.0910. 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. ( )

053. -- 149. (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. ( )~~  
Phaseolus seeds harvested from bean fields in Idaho intended for replanting in Idaho shall be submitted to the Department or the ICIA for growing season and pre-harvest/windrow inspections.

Non-Phaseolus seeds imported or Idaho origin intended for planting or replanting in Idaho shall be submitted to the Department or the ICIA for growing season and pre-harvest/windrow inspections.  
( )

**01. Application for Inspection. ( )**

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

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. Forms will require grower email address. ( )

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

**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: ( )

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

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

**03. Windrow or Pre-Harvest Inspection. ( )**

a. Number of inspections -- at least once. ( )

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

c. The Director may upon written request of the seed company agent perform standing crop pre-harvest inspection. ( )

**~~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. ( )~~

~~**01. Application for Inspection. ( )**~~

~~a. Deadline for Submission. Received by the Department on or before July 1 of each year. ( )~~

~~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. ( )~~

~~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. ( )~~

~~**02. Inspections.** Unless the Director, at his sole discretion, deems additional inspections are necessary, the bean seed for planting will be inspected as follows: ( )~~

~~a. Fields under rill or sprinkler irrigation at least once; ( )~~

~~b. Pre Harvest or Windrow Inspection at least once. ( )~~

**152. -- 199. (RESERVED)**

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

In order to be eligible for planting bean seed in Idaho: ( )

**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. ( )

**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 pre-harvest or windrow for the regulated pests as defined in Section 012, and for Non-Phaseolus shall also include inspection for the regulated pests as defined in Section 013.01 and 013.02. Seed must be tagged 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. ( )

**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: ( )

a. Be accompanied by a phytosanitary certificate or official field inspection report 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; Non-Phaseolus phytosanitary certificate or official field inspection report shall also include regulated pests as defined in Section 013.01 and 013.02.; ( )

b. Seed lot shall successfully pass laboratory tests conducted by the Department from samples officially drawn in the state of Idaho by the Department for regulated pests as defined in Section 012. Non-Phaseolus shall also pass laboratory tests for regulated pests as defined in Sections 012 and 013. Tests will be conducted by the Department from samples officially drawn in the state of Idaho by the Department; ( )

c. Bear a Department approved tag (yellow); ( )

d. Not be planted under sprinkler irrigation; and ( )

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

**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. ( )

**05. Idaho Grown Seeds Shipped ~~East of the Continental Divide in the Contiguous United States~~ or to a Foreign Country and Returned.** Bean seeds shipped ~~east of the Continental Divide in the contiguous United States~~ or to a foreign country may be returned to Idaho but, upon return, be planted on an approved trial ground as outlined in Section 250. ( )

**06. Idaho Grown Seeds Shipped ~~West of the Continental Divide in~~ Within 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 with one of the approved planting tags listed in Section 200.09 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:( )

a. A written request to bring seed back into Idaho must be submitted to ISDA and approved prior to planting.

ab. Seed tags and packaging are intact with the segregation of the seed deemed satisfactory by the Director, ( )

b. Bean seed not tagged with one of the approved planting tags listed in Section 200.09 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, will 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. ( )

07. **Contaminated Seeds.** The seeds from any bean field found or known to be contaminated with a regulated pest, as defined in Section 012 and 013 of these rules, cannot be planted in Idaho. ( )

08. **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. ( )

09. **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: ( )

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

b. Department approved tag (yellow tag); ( )

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

d. Oregon Department of Agriculture inspection tag. ( )

10. **Irrigation.** ( )

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

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

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

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. ( )

b. All other beans: ( )

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

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

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. ( )

iv. Following a second consecutive planting of the seed under sprinkler irrigation in Idaho, the seed must be sampled and laboratory tested by the Department in Idaho and found negative for the regulated pests. ( )

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. ( )

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

In order to be eligible for planting seed in Idaho: ( )

~~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). ( )

~~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. ( )

~~03. Imported Seed From Other Than Malheur County, Oregon.~~ Imported seed must: ( )

~~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 ( )

~~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 ( )

~~c.~~ Bear a Department Approved Tag (Yellow Tag) at the time of planting; and ( )

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

~~e.~~ If intended for seed production, not be planted under sprinkler irrigation for the first growing season. ( )

~~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, cannot be planted in Idaho. ( )

~~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. ( )

~~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: ( )

~~a.~~ Department in state planting tag (green tag); ( )

~~b.~~ Department approved tag (yellow tag); ( )

~~c. Oregon Department of Agriculture inspection tag. ( )~~

**202. -- 249. (RESERVED)**

**250. TRIAL GROUNDS.**

**01. General Trial Ground Requirements. ( )**

**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: ( )

**i.** Name of person in charge. ( )

**ii.** Geographic location and size of trial ground. ( )

**iii.** Detailed varietal planting plan. If the original planting plan is changed, the person in charge of the trial ground must notify the Director. ( )

**b.** Must be jointly supervised by the Department and personnel approved by the Director. ( )

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

**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. ( )

**02. Trial Ground Subdivisions. ( )**

**a.** Experimental Plots. A maximum of one (1) pound of bean seed per variety per company or designated agent for any given year may be planted in an experimental plot without laboratory testing. Non-Phaseolus shall successfully pass laboratory tests for regulated pests as defined in 013.01 and 013.03. Tests will be conducted by a Department approved lab from samples officially drawn in the state of Idaho by the Department.  
( )

**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. Non-Phaseolus shall successfully pass laboratory tests for regulated pests as defined in Sections 012 and 013. Tests will be conducted by a Department approved lab from samples officially drawn in the state of Idaho by the Department. ( )

**03. Trial Ground Restrictions and Inspection Procedures. ( )**

**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. ( )

**b.** Approved trial grounds shall not be planted under sprinkler irrigation. ( )

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

**04. Detection of Regulated Pest.** ~~If a regulated pest is found by field inspection, windrow or pre harvest 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.~~

a. If a regulated pest is found by field inspection, windrow or pre-harvest inspection or subsequent laboratory seed testing, the infested seed must be destroyed and the field must follow the requirements of Section 400.02. Once the negative seed plots have been harvested, the grower must follow the destruction requirements outlined in Section 400.02 for the remainder of the trial ground. ( )

b. None of the remaining bean seed produced on that designated trial ground may be released for general planting in Idaho. The remaining seeds harvested from the field on which the trial ground is located 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. ( )

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

**301. -- 349. (RESERVED)**

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

**01. Reporting.** Any person ~~may~~ will report to the Department the detection of any of the regulated pests. ( )

**02. Observation.** Detection of regulated pests will be based on the observance of symptoms in the field. ( )

**03. Detection of a regulated pest.** Upon confirmation of a regulated pest, all bean fields adjacent to the infested field, fields where equipment was shared, and fields planted with the same parent seed will be inspected by ISDA or ICIA.

**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. ( )

**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. ( )

**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. ( )

**02. Destruction.**

a. Upon the confirmation of a regulated pest, any bean fields within the boundaries of the state will 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. A written plan of destruction and disinfection must be signed by the Department, Company Representative, and the grower.

- b. No residue or harvested seed can leave the field boundaries upon notification to the grower by the Department. The grower has seven (7) days to burn or breakup plant material, and incorporate into the soil by plowing or other method as approved by the Director. All equipment used to eliminate the pest is required to be disinfected. Destruction and disinfection will be witnessed by the Department. The field will then be quarantined from bean plantings throughout the permanent boundary for five (5) years following the detection of Anthracnose and Bacterial Wilt, and for three (3) years for all other regulated pests as listed in Section 012 and 013. ( )

**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. ( )

**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. ( )

~~**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.~~ ( )

~~**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.~~ ( )

**452. -- 549. (RESERVED)**

**550. FEES AND CHARGES.**

The fees and charges for tags and inspections under these rules are: ( )

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

**02. Applications.** ( )

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

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

**03. Field Inspections.** ( )

a. Inspection Fees. ( )

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

- ii. Windrow or Pre-harvest Fees -- Three dollars and fifty cents (\$3.50) per acre, fifty dollars (\$50) minimum. ( )
- iii. Department Approved Trial Grounds - origin east of the Continental Divide -- Ten dollars (\$10) per acre, per inspection, fifty dollars (\$50) minimum. ( )
- 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. ( )
- v. Requests for pre-harvest or windrow inspections after office hours, on weekends or holidays will be charged at cost plus mileage. ( )

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

Lot size	Sample Size
<10 pounds	Negotiable
10 - 14 pounds	0.5 pounds
15 - 25 pounds	1.0 pounds
26 - 50 pounds	1.5 pounds
51 - 200 pounds	2.0 pounds
201 - 1,000 pounds	3.0 pounds
>1,000 pounds	5.0 pounds for every 10,000 pounds or portion thereof
<b><u>Non-Phaseolus Nematode</u></b>	<u>1.0 pound for every 10,000 pounds or portion thereof</u>
<b><u>Non-Phaseolus Nematode Trial Ground Experimental Plot</u></b>	<u>50 grams</u>
<b><u>Non-Phaseolus Soil Exam</u></b>	<u>500 grams</u> (seed can be returned to applicant, upon request)

( )

**05. Plant Pathological Laboratory Services.** Fees will be charged at current laboratory rates and are available upon request. ( )

**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. ( )

**07. Soil Analysis.** Testing for the presence of soil will be performed by the Idaho State Seed Laboratory or other seed laboratory approved by the Department. The cost of soil analysis will be at the normal rates as is charged by those approved laboratories. ( )

**08. Nematode Analysis.** Nematodes testing will be performed by the University of Idaho Nematology Laboratory or other laboratory approved by the Department. The cost of analysis for nematodes will be at the normal

rates for testing as is charged by those approved laboratories. ( )

**09. Special Project Fee.** Special projects not covered by existing fee schedule may be billed at twenty-five 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. ( )

**551. -- 999. (RESERVED)**