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**IDAPA 02
TITLE 06
Chapter 28**

**02.06.28 - RULES CREATING THE LOST RIVER SEED POTATO CROP MANAGEMENT AREA
(by Authority of Title 22, Chapter 10, Idaho Code)**

000. -- 009. (RESERVED).

010. MANAGEMENT AREA.

Those portions of Butte and Custer Counties within T3N to T7N and R23E to R27E. (7-1-93)

011. -- 049. (RESERVED).

050. REGULATED ARTICLES.

01. Irish Potato. All plants and plant parts of the Irish potato, *Solanum tuberosum*. (7-1-93)

02. Green Peach Aphid Hosts. All plants which are hosts to the green peach aphid, *Myzus persicae*, including but not limited to peach and apricot trees and bedding plants. (7-1-93)

051. -- 099. (RESERVED).

100. DISEASES AND PESTS OF CONCERN.

01. Potato Leaf Roll Virus. Net necrosis, or leaf roll, caused by potato leaf roll virus. (7-1-93)

02. Ring Rot. Ring rot, *Corynebacterium sepedonicum*. (7-1-93)

03. Columbia Root Knot Nematode. Columbia root knot nematode, *Meloidogyne chitwoodii*. (7-1-93)

04. Green Peach Aphid. Green peach aphid, *Myzus persicae*, a vector of the leaf roll virus. (7-1-93)

05. Northern Root Knot Nematode. Northern root knot nematode, *Meloidogyne hapla*. (7-1-93)

06. Corky Ring Spot. Corky ring spot, a disease caused by tobacco rattle virus. (7-1-93)

101. -- 149. (RESERVED).

150. PLANTING OF POTATOES.

01. Red or White Potatoes. No person shall plant red or white potatoes (*Solanum tuberosum*), in the management area except those which have met standards for certification of the Idaho Crop Improvement Association (hereinafter referred to as ICIA) or equivalent agency of another state or political jurisdiction in accordance with Section 22-503, Idaho Code. (7-1-93)

02. Certification. All plantings of potatoes, except those in home gardens, shall be eligible for entry for certification with ICIA. (7-1-93)

03. Inspection. Potatoes planted in home gardens shall be subject to inspection by the Director or his designated agent, for the pests and diseases listed in Section 100. (7-1-93)

151. -- 199. (RESERVED).

200. PEACH AND APRICOT TREES.

01. Identification and Treatment. All peach and apricot trees planted or growing in the management area shall be identified and treated annually, or removed. The cost of treatment or removal shall be borne by the Lost River Seed Potato Growers Association. In the case of removal, the owner will be compensated by the Lost River

Seed Potato Growers Association according to the following schedule in Subsection 200.02: (7-1-93)

02. Table For Identification and Treatment of Peach and Apricot Trees. (7-1-93)

| Age of Trees | Compensation |
|--------------|--------------|
| 0-3 years | \$20 |
| 4 | \$280 |
| 5 | \$260 |
| 6 | \$240 |
| 7 | \$220 |
| 8 | \$200 |
| 9 | \$180 |
| 10 | \$160 |
| 11 | \$140 |
| 12 | \$120 |
| 13 | \$100 |
| 14 | \$80 |
| 15 | \$60 |
| 16 | \$40 |
| 17 | \$20 |
| 18 | \$-0- |

201. -- 249. (RESERVED)

250. BEDDING PLANTS.

01. Inspection For Aphids. All bedding plants shall be subject to inspection for aphids by the Director. If aphids are found, the plants shall be treated by a method approved by the Director. Such methods may include destruction of the infested plants. (7-1-93)

02. In Transit Inspection. Bedding plants in transit to the management area shall be subject to inspection for aphids and if found infested, treated at the owner's expense, and in a manner approved by the Director before delivery to the management area. (7-1-93)

03. Treatment. The Director may order treatment of a property on which there are bedding plants or cut floral arrangements where he determines such treatment is necessary to control aphids. (7-1-93)

04. Spraying of Cemeteries. All cemeteries within the management area must be sprayed immediately after the Memorial Day holiday. Such spraying shall be done in compliance with all civil and criminal statutes and rules concerning cemeteries. The cost of treatment shall be borne by the Lost River Seed Potato Growers Association. (7-1-93)

251. -- 299. (RESERVED).

300. STORAGE OF INFESTED POTATOES.

01. Ring Rot or Nematode. The positive identification of ring rot or nematode by the ICIA or Department of Agriculture in any field of potatoes or storage of potatoes will dictate a designated procedure for disposal of such potatoes. (7-1-93)

a. No potatoes contained in a storage shall be sold as seed if any potatoes stored therein were found to be infested prior to storage. The entire storage shall be considered infested. (7-1-93)

b. All potatoes known to be infested shall be removed from the management area by the owner no later than April 1 of the year following harvest. (7-1-93)

c. The owner shall notify the Department of Agriculture of the intended disposition of infested potatoes prior to removal from storage and obtain approval from the Department for the disposition and destination of the potatoes. (7-1-93)

d. All infested potatoes shall be disposed of in total. (7-1-93)

02. Cleaning of Equipment. All equipment used to harvest, transport, handle or store infested potatoes shall be thoroughly cleaned and disinfected immediately after the completion of harvesting, transporting, handling or storing of infested potatoes. (7-1-93)

03. Nematode Detection. If nematodes are detected in the soil or the potatoes produced on a specific parcel of land such parcel shall be identified as to geographic location and shall not be used for potato production for a minimum of five (5) years after detection. If nematodes are not found again in soil samples the parcel may be used for potato production again. (7-1-93)

301. -- 349. (RESERVED).

350. CULL AND VOLUNTEER POTATOES.

01. Cull Potatoes. Cull potatoes shall be defined as those potatoes not usable for planting or human consumption. (7-1-93)

02. Volunteer Potatoes. Volunteer potatoes shall be defined as any residue left in a field from previous years of production which has sprouted and is growing. (7-1-93)

03. Destruction and Prevention. All cull potatoes shall be destroyed in total or buried before plant growth occurs. (7-1-93)

04. Destruction of Volunteer Potatoes. It shall be the responsibility of each landowner or manager to destroy all volunteer potatoes growing on summer fallow, set-aside and non-cultivated areas of his property. In the event that the landowner or manager fails to destroy such plants, the Director may order them destroyed at the expense of the landowner. (7-1-93)

351. -- 399. (RESERVED).

400. TRANSPORTATION OF POTATOES.

01. Vehicle Requirements. Potatoes in transit through the management area shall be only in covered and/or tarped vehicles. Potatoes in transit through the management area shall not be unloaded in the management area. (7-1-93)

02. Contaminated Vehicle. Introduction into the management area of any of the pests or diseases listed in Section 100 by a contaminated vehicle or any other means shall constitute a violation of this rule. (7-1-93)

03. Cleaning of Equipment. Trucks and equipment used to haul certified seed potatoes to facilities of

any kind outside the management area shall be cleaned and disinfected. (7-1-93)

04. Failure to Pass Certification. Potatoes which have not passed a state field certification shall not be brought into the management area for storage, grading, packing or any other purpose except retail food sale. (7-1-93)

401. -- 449. (RESERVED).

450. VIOLATIONS.

Any person who violates any provision of this rule or who interferes with the carrying out of the provisions of this rule shall be guilty of a civil offense, and may be liable for treble the damages sustained and all cost of the suit including a reasonable attorney fee. In addition, a civil fine of not more than three thousand dollars (\$3,000) may be imposed per incident of violation, as provided in Section 22-1006, Idaho Code. (7-1-93)

451. -- 999. (RESERVED).