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**IDAPA 02
TITLE 06
Chapter 20**

02.06.20 - GRAPE QUARANTINE ORDER NO. 1-1972

000. LEGAL AUTHORITY.

Whereas, the introduction of a series of highly infectious virus diseases and plant pests of grape into the state of Idaho would entail great losses to the horticultural interests of the state, and Whereas, the most rigid examination cannot determine the presence of virus diseases on dormant grape plants or parts of plants. Now therefore, I, Oscar C. Arstein, Idaho Commissioner of Agriculture, under authority vested in me by the provisions of Title 22, Chapters 19 and 20, Idaho Code, in order to prevent the introduction of certain grape plant pests and plant diseases into the state of Idaho, declare that a quarantine be and the same is hereby established at the boundaries of the state of Idaho, set forth the area under quarantine, regulated commodities, regulations governing shipments, disposition of commodities in violation of quarantine, authority to enter, inspect and control, and penalties and enforcement powers. (2-21-72)

001. -- 049. (RESERVED).

050. AREA UNDER QUARANTINE.

All areas outside of the territorial borders of the state of Idaho. (2-21-72)

051. -- 099. (RESERVED).

100. REGULATED COMMODITIES.

Plants and all parts thereof (except fruits) of grape (*Vitis* species). (2-21-72)

101. -- 149. (RESERVED).

150. RULES GOVERNING SHIPMENTS.

01. Admittance Into Idaho. Plants and parts thereof of grapes will be admitted into the state of Idaho provided the following provisions are complied with. (2-21-72)

a. European or wine grape (*Vitis vinifera*) plants or parts thereof will be admitted when accompanied by phytosanitary certificate, issued by a legal certifying agency of the state of origin, certifying the regulated commodities to be free from known virus diseases and plant pests detrimental to grapes. Phytosanitary certificates are to reach the office of the Division of Plant Industries, Boise, Idaho, ten (10) days prior to shipment. (2-21-72)

b. All other grape (*Vitis* species) and all hybrid grape plants or parts thereof will be admitted when evidence is given that the regulated commodities were treated, heat or fumigation, for plant pests detrimental to grapes. Type of treatment must meet with the approval of the Director of the Idaho Department of Agriculture. (2-21-72)

c. All rooted grape plants (not rooted in sterile media) of (*Vitis vinifera* and/or *Vitis* species) will be admitted when evidence is given that the regulated commodities were treated, heat or fumigation, for plant pests detrimental to grapes, and which type of treatment must meet with the approval of the Director of the Idaho Department of Agriculture. (2-21-72)

02. Marking Contents And Treatment. All shipments of grape plants or parts thereof shall be marked with the contents and treatment applied on the outside of the package or container. (2-21-72)

03. Shipment Inspection Provisions. Any and all shipments of commodities under the foregoing provisions must be held by the person who ordered such grape plants or parts thereof. Such person shall immediately notify the Department at the time the grape plants or parts thereof are received. The person shipping or moving the grape plants or parts thereof into Idaho shall immediately notify the Department at the time of shipment. The grape plants or parts thereof shall be held as required by this Subsection until they have been inspected and passed by the Director of the Idaho Department of Agriculture, his deputy, or by a state plant quarantine officer. (2-21-72)

151. -- 199. (RESERVED).

200. DISPOSITION OF COMMODITIES IN VIOLATION OF QUARANTINE.

Any commodity set forth in Section 150 of this quarantine, or any grape plants or parts thereof, not meeting the requirements of this quarantine shall immediately be sent out of the state of Idaho or destroyed at the option and expense of the owner or owners, his or their responsible agents and under the direction of the Director of the Idaho Department of Agriculture or his deputies. (2-21-72)

201. -- 249. (RESERVED).

250. AUTHORITY TO ENTER, INSPECT, AND CONTROL.

01. Entry And Inspection. The Idaho Director of Agriculture or his deputies are authorized to enter and inspect any or all grape plantings in the state of Idaho. (2-21-72)

02. Control And Destruction Of Infected Plants. Whenever the Director of Agriculture finds that there is imminent peril that virus diseases or plant pests will spread from infected grape plantings to and contaminate other uninfected grape plantings because of refusal, failure, or neglect to control the already infected grape plantings, he may at once give notice in writing to control or destroy in part or total the infected grape plantings under the provisions of Section 22-1901, Idaho Code, and he may thereafter, if necessary, proceed to destroy such infected grape plantings under the terms and provisions of Title 22, Chapter 19, Idaho Code. (2-21-72)

251. -- 299. (RESERVED).

300. PENALTIES AND ENFORCEMENT POWERS.

01. Deputies. All designated deputies of the Director of the Idaho Department of Agriculture are empowered to carry out all the provisions of this quarantine. (2-21-72)

02. Violation. Any person violating the provisions of the Order will be subject to the penalty provisions of Title 22, Chapters 19 and 20, Idaho Code. (2-21-72)

301. -- 999. (RESERVED).

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