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**IDAPA 02  
TITLE 06  
Chapter 26**

**02.06.26 - RULES CONCERNING SEED POTATO CROP MANAGEMENT AREAS**

**000. LEGAL AUTHORITY.**

This chapter is adopted under the legal authority of Title 22, Chapter 10, Idaho Code. (1-2-02)T

**001. TITLE AND SCOPE.**

**01. Title.** The title of this chapter is "Rules Concerning Seed Potato Crop Management Areas". (1-2-02)T

**02. Scope.** This chapter has the following scope: These rules shall govern the procedures for all potato management within Seed Potato Crop Management Areas in Idaho. The official citation of this chapter is IDAPA 02.06.26.000 et seq. For example, this section's citation is IDAPA 02.06.26.001.02. (1-2-02)T

**002. WRITTEN INTERPRETATIONS.**

There are no written interpretations of these rules. (1-2-02)T

**003. ADMINISTRATIVE APPEAL.**

There is no provision for administrative appeals before the ISDA under this chapter. Hearing and appeal rights are pursuant to Title 67, Chapter 52, Idaho Code. (1-2-02)T

**004. INCORPORATIONS BY REFERENCE.**

Sections 22-501 and 22-1002, Idaho Code, are incorporated by reference. Copies of these documents may be obtained from the Idaho State Department of Agriculture, 2270 Old Penitentiary Road, PO Box 790, Boise, Idaho 83701 and are also available at the state law library. (1-2-02)T

**005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS.**

**01. Office Hours.** Office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except holidays designated by the State of Idaho. (1-2-02)T

**02. Mailing Address.** The mailing address for the central office is Idaho State Department of Agriculture, P.O. Box 790, Boise, Idaho 83701. (1-2-02)T

**03. Street Address.** The central office is located at 2270 Old Penitentiary Road, Boise, Idaho 83712. (1-2-02)T

**006. PUBLIC RECORDS ACT COMPLIANCE.**

These rules are public records available for inspection and copying at the department. (1-2-02)T

**007. -- 009. (RESERVED).**

**010. DEFINITIONS.**

The ISDA adopts the definitions set forth in Sections 22-501 and 22-1002, Idaho Code and in addition as used in this chapter: (1-2-02)T

**01. Cull Potatoes.** Cull potatoes shall be defined as those potatoes not useable for planting or human consumption. (1-2-02)T

**02. Grower.** Any person who plants and cultivates more than fifteen one-hundredths (.15) acres of potatoes within a Seed Potato Crop Management Area. (1-2-02)T

**03. 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. (1-2-02)T

**011. ABBREVIATIONS.**

- 01. ICIA.** Idaho Crop Improvement Association. (1-2-02)T
- 02. ISDA.** Idaho State Department of Agriculture. (1-2-02)T

**012. FINDINGS.**

The adoption of this rule will confer benefits to the seed potato industry. The establishment of Seed Potato Crop Management Areas was requested by the growers in each Seed Potato Crop Management Area pursuant to Section 22-1003, Idaho Code. The proposed rule is necessary to prevent the introduction of pests and diseases of significance into the Seed Potato Crop Management Areas. (1-2-02)T

**013. -- 019. (RESERVED).**

**020. SEED POTATO CROP MANAGEMENT AREAS.**

**01. Fremont Seed Potato Crop Management Area.** That portion of Fremont county described as follows: Beginning at a point which is the southwest corner of Section 16, Township 7 North, Range 43 East, Boise, Meridian, Fremont County, Idaho; Thence north approximately 1 mile to the northwest corner of Section 16, Township 7 North, Range 43 East; Thence west approximately 2 miles to the southwest corner of Section 7, Township 7 North, Range 43 East; Thence north approximately 1 mile to the northwest corner of Section 7, Township 7 North, Range 43 East; Thence west approximately 3 miles to the southwest corner of Section 3, Township 7 North, Range 42 East; Thence north approximately 2 miles to the northwest corner of Section 34, Township 8 North, Range 42 East; Thence west approximately 2 miles to the southwest corner of Section 29, Township 8 North, Range 42 East; Thence north approximately 1-3/8 miles to the center line of Fall River; Thence northwest along Fall River approximately 1-1/8 miles to where Fall River intersects the west line of Section 8, Township 8 North, Range 41 East; Thence north approximately 1-7/8 miles to the northwest corner of Section 7, Township 18 North, Range 41 East; Thence west approximately 2 miles to the southwest corner of Section 2, Township 8 North, Range 41 East; Thence north approximately 1 mile to the northwest corner of Section 2, Township 8 North, Range 41 East; Thence west approximately 1/4 of 1 mile; Thence north along an existing road approximately 4 miles; Thence northeasterly along said road approximately 1-1/10 miles to the northwest corner of Section 11, Township 9 North, Range 41 East; Thence north approximately 1 mile to the northwest corner of Section 2, Township 9 North, Range 41 East; Thence east approximately 14 miles to the northeast corner of Section 1, Township 9 North, Range 43 East; Thence south approximately 2 miles to the southeast corner of Section 12, Township 9 North, Range 43 East; Thence east approximately 4 miles to the northeast corner of Section 15, Township 9 North, Range 44 East, which is the west boundary line of the Targhee National Forest; Thence south along said forest boundary approximately 3 miles to the southeast corner of Section 27, Township 9 North, Range 44 East; Thence east continuing along said forest boundary approximately 2 miles to the northeast corner of Section 36, Township 9 North, Range 44 East; Thence south along said forest boundary approximately 1 mile to the east 1/4 corner of Section 1, Township 8 North, Range 44 East; Thence east continuing along said forest boundary approximately 2 miles to the east 1/4 corner of Section 5, Township 8 North, Range 45 East; Thence south continuing along said forest boundary approximately 5 miles to the east 1/4 corner of Section 32, Township 8 North, Range 45 East; Thence east continuing along said forest boundary approximately 1-1/2 miles to the center of Section 34, Township 8 North, Range 45 East; Thence south continuing along said forest boundary approximately 1-1/8 miles to the center line of Bitch Creek; Thence southwesterly along the center line of Bitch Creek approximately 10-1/2 miles to the confluence of Bitch Creek with the Teton River; Thence westerly 8 miles along the center line of the Teton River to the west line of Section 21, Township 7 North, Range 43 East; Thence north approximately 1/10 of a mile to the southwest corner of Section 16, Township 7 North, Range 43 East and the point of beginning. (1-2-02)T

**02. Teton And Portions Of Madison County Seed Potato Crop Management Area.** (1-2-02)T

**a.** All of Teton County, Idaho; (1-2-02)T

**b.** That portion of Madison County, Idaho, located in Township 6 North and Township 7 North lying East of Canyon Creek; and (1-2-02)T

**c.** That portion of Madison County, Idaho located in Township 6 North, Range 42 East which includes portions of Sections 11 and 13 located south of Highway 33 and all of Sections 14, 15, 23, and 24. (1-2-02)T

**03. Lost River Seed Potato Crop Management Area.** Those portions of Butte and Custer Counties within Township 3 North to Township 7 North and Range 23 East to Range 27 East. (1-2-02)T

**04. Caribou And Franklin County Seed Potato Crop Management Area.** All of Caribou County, Idaho and all of Franklin County, Idaho. (1-2-02)T

**05. Almo Valley Bridge Seed Potato Crop Management Area.** (1-2-02)T

**a.** That portion of Cassia County, Idaho located in Township 16 South, Range 24 East which includes all of Sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36; (1-2-02)T

**b.** That portion of Cassia County, Idaho located in Township 15 South, Range 24 East which includes all of Sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36; (1-2-02)T

**c.** That portion of Cassia County, Idaho located in Township 14 South, Range 24 East which includes all of Section 36; (1-2-02)T

**d.** That portion of Cassia County, Idaho located in Township 14 South, Range 25 East which includes all of Sections 19, 20, 29, 30, 31, and 32; (1-2-02)T

**e.** That portion of Cassia County, Idaho located in Township 15 South, Range 25 East which includes all of Sections 5, 6, 7, 8, 18, 19, 20, 29, 30, 31, 32 and the Northeast ¼ of Section 33; (1-2-02)T

**f.** That portion of Cassia County, Idaho located in Township 16 South, Range 25 East which includes all of Sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 29, 30, 31, 32, 33, 34, 35, and 36; (1-2-02)T

**g.** That portion of Cassia County, Idaho located in Township 16 South, Range 26 East; and (1-2-02)T

**h.** That portion of Cassia County, Idaho located in Township 16 South, Range 27 East which includes all of Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, and 30. (1-2-02)T

**06. Ririe Reservoir Seed Potato Crop Management Area.** (1-2-02)T

**a.** That portion of Bonneville County, Idaho located in Township 3 North, Range 40 East which includes all of Sections 19, 20, 21, 22, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36; (1-2-02)T

**b.** That portion of Bonneville County, Idaho located in Township 3 North, Range 41 East which includes all of Sections 8, 15, 16, 17, 18, 20, 21, 22, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36; (1-2-02)T

**c.** That portion of Bonneville County, Idaho located in Township 2 North, Range 42 East which includes all of Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34; and (1-2-02)T

**d.** That portion of Bonneville County, Idaho located in Township 3 North, Range 42 East which includes all of Sections 31, 32, and 33. (1-2-02)T

**021. -- 049. (RESERVED).**

**050. REGULATED ARTICLES.**

**01. Irish Potato.** All plants and plant parts of the Irish potato, *Solanum tuberosum*. (1-2-02)T

**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. (1-2-02)T

**03. Any Host.** Any host which may spread or assist in the spread of any of the diseases or pests of concern (1-2-02)T

**04. Equipment.** All ground working, earth moving, or potato handling equipment shall be cleaned of soil and plant debris and disinfected before entering the Seed Potato Crop Management Areas in order to prevent the introduction of disease(s) or pest(s) of concern. (1-2-02)T

**051. -- 099. (RESERVED).**

**100. DISEASES AND PESTS OF CONCERN.**

**01. Introduction Of Pests.** Introduction into the Seed Potato Crop Management Areas of any of the pests or diseases listed in this Section by a contaminated vehicle or any other means shall constitute a violation of this rule. (1-2-02)T

**02. Leaf Roll.** Net necrosis or leaf roll, caused by potato leaf roll virus. (1-2-02)T

**03. Ring Rot.** Ring rot, *Corynebacterium sepedonicum*. (1-2-02)T

**04. Columbia Root Knot Nematode.** Columbia root knot nematode, *Meloidogyne chitwoodii*. (1-2-02)T

**05. Green Peach Aphid.** Green peach aphid, *Myzus persicae*, a vector of the leaf roll virus. (1-2-02)T

**06. Northern Root Knot Nematode.** Northern root knot nematode, *Meloidogyne hapla*. (1-2-02)T

**07. Corky Ring Spot.** Corky ring spot, a disease caused by tobacco rattle virus. (1-2-02)T

**08. Powdery Scab.** Powdery scab, *Spongospora subterranea* (Wallr.) Lagerh. f. sp. subterranea. (1-2-02)T

**09. Stubby Root Nematode.** Stubby root nematode, *Paratrichodorus pachydermus*, *Paratrichodorus christiei*, *Trichodorus primitivus*. (1-2-02)T

**10. Potato Late Blight.** Potato late blight, a disease caused by *Phytophthora infestans*. (1-2-02)T

**101. -- 149. (RESERVED).**

**150. PLANTING OF POTATOES.**

**01. Seed Potato Crop Management Area.** No person shall plant any potatoes in any of the Seed Potato Crop Management Areas except those which have met standards for recertification of the ICIA or equivalent agency of another state or political jurisdiction in accordance with Section 22-503, Idaho Code. (1-2-02)T

**02. Certification.** All plantings of potatoes shall be entered for certification with ICIA. The ISDA shall be notified by ICIA of any lots of potatoes rejected. Exceptions: (1-2-02)T

**a.** All plantings of potatoes in Lost River Seed Potato Crop Management Area; and (1-2-02)T

**b.** All plantings of potatoes in home gardens which are fifteen one-hundredths (.15) acre or less. (1-2-02)T

**03. Home Gardens.** Potatoes planted in home gardens within a Seed Potato Crop Management Area shall be subject to inspection by the ISDA for the pests and diseases listed in Section 100. ISDA shall ensure that proper control measures shall be taken. (1-2-02)T

**04. Control.** The grower shall spray with a pesticide or take other control measures approved by ISDA when potato late blight is found within a twenty-five (25) mile radius of a Seed Potato Crop Management Area boundary except the Lost River Seed Potato Crop Management Area. A grower in the Lost River Seed Potato Crop Management Area shall spray with a pesticide or take other control measures approved by ISDA when potato late blight is found within the boundaries of the Lost River Seed Potato Crop Management Area. (1-2-02)T

**151. -- 199. (RESERVED).**

**200. PEACH, APRICOT TREES, OR ANY HOST.**

Peach, apricot trees, or any host of green peach aphid growing in Seed Potato Crop Management Areas shall be controlled with an ISDA approved pesticide. (1-2-02)T

**201. -- 249. (RESERVED).**

**250. BEDDING PLANTS.**

**01. Aphid Inspection.** All bedding plants shall be subject to inspection by the Director for aphids. If aphids are found, the plants shall be treated by a method approved by the Director. Such methods may include destruction of infested plants. (1-2-02)T

**02. Treatment For Infestation.** Bedding plants in transit to Seed Potato Crop Management Areas shall be subject to inspection for aphids and if found infested, shall be treated in a manner approved by the Director before delivery into Seed Potato Crop Management Areas. (1-2-02)T

**03. Treatment Of Property.** The Director may order treatment of property on which there are bedding plants or cut floral arrangements where he determines such treatment is necessary to control aphids. (1-2-02)T

**04. Treatment Of Cemeteries.** All cemeteries within Seed Potato Crop Management Areas shall be sprayed or controlled for insects immediately after the Memorial Day holiday. Such spraying or control shall be done in compliance with all State and Federal laws, rules and regulations. (1-2-02)T

**251. -- 299. (RESERVED).**

**300. STORAGE OF POTATOES.**

**01. Potatoes Produced Within Seed Potato Crop Management Areas.** All potatoes grown within Seed Potato Crop Management Areas may be stored within Seed Potato Crop Management Areas. All potatoes found to be infested with any disease or pests of concern as defined in Section 100 shall be removed from Seed Potato Crop Management Areas no later than April 15 of the year following harvest. (1-2-02)T

**02. Potatoes Produced Outside Seed Potato Crop Management Areas.** Before any lot of potatoes can be brought into Seed Potato Crop Management Areas, the lot shall be inspected, certified, and tagged by ICIA, the Federal/State Inspection Service or a recognized equivalent agency of another state or territory in accordance with Section 22-503, Idaho Code except the Lost River Seed Potato Crop Management Area. Before any lot of potatoes can be brought into the Lost River Seed Potato Crop Management Area the lot shall pass ICIA summer inspection or shall be inspected, certified, and tagged by the Federal/State Inspection Service or a recognized equivalent agency of another state or territory in accordance with Section 22-503, Idaho Code. (1-2-02)T

**301. SEED DISPOSITION NOTIFICATION.**

The Federal/State Inspection Service shall notify the ISDA of all seed lots rejected for certification. This notification shall include the variety, grower, storage location and the certification number of each rejected lot. (1-2-02)T

**302. -- 349. (RESERVED).**

**350. CULL AND VOLUNTEER POTATOES.**

**01. Plant Growth.** All plant growth on cull potato piles shall be controlled by a state approved chemical or mechanical measure including, but not limited to, burial with a minimum of eighteen (18) inches of soil, field spreading no more than two (2) potato layers and composting. (1-2-02)T

**02. Destroying Volunteer Potatoes.** It shall be the responsibility of each grower within Seed Potato Crop Management Areas to destroy all cull piles and volunteer potatoes growing on summer fallow, set-aside and non-cultivated areas of the grower's property. In the event that the grower fails to destroy such plants, the Director may order them destroyed at the expense of the grower. (1-2-02)T

**351. -- 399. (RESERVED).**

**400. TRANSPORTATION OF POTATOES.**

**01. Responsibilities.** It shall be the responsibility of the growers of rejected lots to keep contaminated trucks and equipment, infested vegetable matter and foliage from contaminating public roadways, neighboring fields and cellars. (1-2-02)T

**02. In Transit.** Potatoes in transit through Seed Potato Crop Management Areas shall be in covered vehicles. Potatoes in transit through Seed Potato Crop Management Areas shall not be unloaded in Seed Potato Crop Management Areas. (1-2-02)T

**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 costs of the suit including a reasonable attorney's 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 Idaho Code, Section 22-1006. (1-2-02)T

**451. -- 499. (RESERVED).**

**500. POTATOES FOR CONSUMPTION.**

Potatoes for human and animal consumption, grown outside Seed Potato Crop Management Areas as defined in Section 020, shall be treated with a sprout inhibitor before being offered for sale within Seed Potato Crop Management Areas as defined in Section 020. (1-2-02)T

**501. -- 999. (RESERVED).**

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