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**IDAPA 02
TITLE 06
Chapter 32**

**02.06.32 - RULES CONCERNING THE ANTHRACNOSE DISEASE
OF LENTIL, LENS CULINARIS MEDIK**

000. LEGAL AUTHORITY.

This chapter is adopted under the legal authority of Sections 22-1905 and 22-1915, Idaho Code. (3-24-95)

001. TITLE AND SCOPE.

01. Title. The title of this chapter is "Rules Concerning the Anthracnose Disease of Lentil, Lens Culinaris Medik". (3-24-95)

02. Scope. This chapter has the following scope: these rules prohibit the importation of regulated products into the state of Idaho from areas under quarantine, provide inspection and control procedures, enforcement powers, and penalty provisions. (3-24-95)

002. WRITTEN INTERPRETATIONS.

There are no written interpretations of these rules. (3-24-95)

003. ADMINISTRATIVE APPEAL.

There is no provision for administrative appeal before the Department of Agriculture under this chapter. Hearing and appeal rights are pursuant to Title 67, Chapter 52, Idaho Code. (3-24-95)

004. DEFINITIONS.

The Idaho Department of Agriculture adopts the definitions set forth in Section 22-1904, Idaho Code. (3-24-95)

005. -- 049. (RESERVED).

050. REGULATED DISEASE.

The anthracnose disease of lentil, caused by the fungi identified as *Colletotrichum truncatum* (Schwein) Andrus & W.D. Moore and *Colletotrichum destructivum*. (3-24-95)

051. -- 099. (RESERVED).

100. REGULATED PRODUCTS.

The seeds and vegetative parts of lentil, *Vicia sp.*, faba beans, peas, Tangier pea, vetch, and other host of the regulated disease. (3-24-95)

101. -- 149. (RESERVED).

150. AREA UNDER QUARANTINE.

The Canadian provinces of Manitoba and Saskatchewan and all states and territories of the United States and foreign countries known to have confirmed the presence of the anthracnose of lentil. (3-24-95)

151. -- 199. (RESERVED).

200. SHIPMENTS.

No person shall import any regulated products into Idaho for planting purposes from any area under quarantine. (3-24-95)

201. -- 299. (RESERVED).

300. INSPECTION AND CONTROL PROCEDURES.

01. Inspection. The Department may inspect any regulated product or planting of regulated products

during any time of the year to determine if the regulated disease is present therein. If the Department finds that any regulated product or planting of the same is infected or otherwise in violation of these rules, it shall direct the control and/or the eradication of the infection. (3-24-95)

02. Control. The control and/or the eradication methods shall be only those approved by the Director, shall be at the expense of the owner, and may include but are not limited to: (3-24-95)

a. Any infected regulated product shall be destroyed. (3-24-95)

b. The infected crop shall be sprayed with fungicide(s) registered with the United States Environmental Protection Agency and the state of Idaho. (3-24-95)

c. Any infested field shall not be planted to any regulated products cited in Section 100. (3-24-95)

d. Volunteer regulated products cited in Section 100 growing in any infested field shall be destroyed by a method(s) approved by the Director. (3-24-95)

301. -- 349. (RESERVED).

350. ENFORCEMENT POWERS AND PENALTY PROVISIONS.

01. Director. The Director is empowered to carry out all the provisions of these rules. (3-24-95)

02. Penalty. Pursuant to Section 22-1915, Idaho Code, any person who shall violate or fail to comply with any provision of these rules shall be deemed guilty of a civil offense, and may be liable for treble the damages sustained and all cost 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. All civil offenses shall be heard in the magistrate division of the district court. (3-24-95)

351. -- 999. (RESERVED).

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