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**IDAPA 02
TITLE 06
CHAPTER 05**

02.06.05 - RULES GOVERNING DISEASES OF HOPS (*HUMULUS LUPULUS*)

000. LEGAL AUTHORITY.

This chapter is adopted under legal authority of Title 22, Chapters 7 and 20, Idaho Code. (5-3-03)

001. TITLE AND SCOPE.

01. Title. The title of this chapter is IDAPA 02.06.05, “Rules Governing Diseases of Hops (*Humulus lupulus*).” (5-3-03)

02. Scope. This chapter has the following scope: This rule establishes definitions, regulated pests, regulated products, control areas, quarantine areas and special permits. This rule requires farm machinery to be clean of plant debris and soil, sets forth consequences if a regulated pest is found, including penalties for violations, and sets a fee schedule. The official citation of this chapter is IDAPA 02.06.05 et seq. For example, the citation for this Section is IDAPA 02.06.05.001. (4-6-15)

002. WRITTEN INTERPRETATIONS.

There are no written interpretations of these rules. (3-19-99)

003. ADMINISTRATIVE APPEAL.

There is no provision for administrative appeal before the Idaho State Department of Agriculture under this chapter. Hearing and appeal rights are set forth in Title 67, Chapter 52, Idaho Code. (3-19-99)

004. INCORPORATION BY REFERENCE.

There are no documents incorporated by reference in this chapter. (5-3-03)

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. (5-3-03)

02. Mailing Address. The mailing address for the central office is Idaho State Department of Agriculture, P.O. Box 790, Boise, Idaho 83701. (5-3-03)

03. Street Address. The central office is located at 2270 Old Penitentiary Road, Boise, Idaho 83712. (5-3-03)

006. PUBLIC RECORDS ACT COMPLIANCE.

These rules are public records available for inspection and copying at the Department and the State Law Library. (5-3-03)

007. FINDINGS.

The revision of IDAPA 02.06.05, “Rules Governing Diseases of Hops (*Humulus lupulus*),” will confer benefits to the Idaho hop industry and members of the public. This rule will provide for consistency among the quarantine rules of Oregon, Washington, and Idaho for the shipment of hop propagating materials among Idaho, Oregon, and Washington. (4-6-15)

008. -- 009. (RESERVED)

010. DEFINITIONS.

The Idaho State Department of Agriculture adopts the definitions set forth in Section 22-2005, Idaho Code. (5-3-03)

011. (RESERVED)

012. REGULATED PESTS.

01. Verticillium Wilt. Plant Material infected with the disease caused by the fungus *Verticillium nonalfalfae* (formerly known as *Verticillium albo-atrum Reinke and Berth*) and any species or strains of the genus *Verticillium* pathogenic to hops. (4-6-15)

02. Powdery Mildew. Plant Material infected with the disease caused by the fungus *Podosphaera macularis* (Wallr. Fr.), synonyms *Sphaerotheca macularis* (Wallr. Fr.) Lind and *Sphaerotheca humuli* (Burril) Lind. (4-6-15)

03. Hop Stunt Viroid. Plant Material infected with the disease caused by the viroid *Hostuviroid hop stunt viroid* and all strains and genetic variants associated with the genus. (4-6-15)

04. Ilarvirus Species. Plant Material infected with the disease caused by virus species within the Genus *Ilarvis*, including but not limited to Apple Mosaic Virus and Prunus Necrotic Ringspot Virus. (4-6-15)

013. -- 049. (RESERVED)

050. REGULATED ARTICLES.

01. Plant Material. Plants and all plant parts of hops, except kiln dried cones. (4-6-15)

02. Machinery. Machinery, vehicles, tools, equipment, trellis poles, wire, anchor irons, and any other appurtenances used in the culture and/or production of hops. (8-1-80)

051. -- 099. (RESERVED)

100. QUARANTINE AREA.

All areas outside of the territorial borders of Idaho, Oregon, and Washington. (4-6-15)

101. -- 149. (RESERVED)

150. RESTRICTIONS ON IMPORT.

No person may import restricted articles from the quarantined area into Idaho unless the person importing the regulated articles first obtains a special permit from the department as set forth in Section 200. (4-6-15)

151. MOVEMENT OF USED FARMING EQUIPMENT.

01. Clean and Free. Used farm equipment including, but not limited to, tillage equipment, vehicles, and hop yard appurtenances moving into Idaho from the quarantine area, must be clean and free of soil and plant material including, but not limited to, hop debris. (4-6-15)

02. Requirements. Freedom from plant material and soil may be accomplished by washing, steam cleaning, and/or use of a disinfectant appropriately labeled for the purpose. (8-1-80)

152. -- 199. (RESERVED)

200. SPECIAL PERMITS.

Any person(s) or agencies wishing to import covered commodities from the area under quarantine must apply in writing for a special permit as authorized by the director of the department. (4-6-15)

01. Application. Application for special permits must list the prospective buyer and seller; the number, and origin of stock; location of proposed planting site; and any other relevant information. (4-6-15)

02. Conditions. Special permits, when granted, may include such conditions as may be necessary to prevent disease establishment. All permitted material must be found free from regulated pests by the Clean Plant Center at Washington State University, Prosser, Washington, or an equivalent lab approved by the department.

(4-6-15)

201. -- 299. (RESERVED)

300. PEST DETECTION.

01. Inspection. If evidence of a regulated pest is detected by visual inspection, the Department, in cooperation with the University of Idaho, Department of Plant, Soil and Entomological Sciences, will perform laboratory procedures sufficient to determine the causal organism. (4-6-15)

02. Consequences. Positive identification of the presence of Verticillium wilt, hop stunt viroid, ilar viruses, or powdery mildew virulently pathogenic to hops will result in loss of eligibility for sale or transfer for those rootstocks within the infected field. The director may also order that the infested area be removed from hop production and the soil be disinfested. (4-6-15)

301. -- 399. (RESERVED)

400. AUTHORITY TO ENTER AND INSPECT.

The Director of the Idaho State Department of Agriculture or his designated agents are authorized to enter and inspect any and all hop plantings within the state of Idaho. (3-19-99)

401. -- 449. (RESERVED)

450. PENALTY.

Any person violating any of the provisions of these rules shall be subject to the penalty provisions of Title 22, Chapters 7 and 20, Idaho Code. (5-3-03)

451. -- 499. (RESERVED)

500. FEES AND CHARGES.

01. Special Permits. For special permits for importation of hops from areas under quarantine, the fee will be sixty dollars (\$60) per permit. (4-6-15)

02. General Fees and Charges. The fees and charges for inspection, certificates, and permits shall be as set forth in IDAPA 02.06.04, "Idaho Department of Agriculture, Phytosanitary and Post-Entry Certification Rules," Section 500. (4-6-15)

501. -- 999. (RESERVED)

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