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**IDAPA 02
TITLE 06
CHAPTER 15**

02.06.15 – RULES GOVERNING PEACH TREE DISEASES

000. LEGAL AUTHORITY.

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

001. TITLE AND SCOPE.

01. Title. The title of this chapter is IDAPA 02.06.15, “Rules Governing Peach Tree Diseases.” (5-3-03)

02. Scope. This chapter has the following scope: Establishes regulated pests, regulated areas, and regulated articles. Establishes the procedures for shipping regulated products into Idaho. The official citation for this chapter is IDAPA 02.06.15.000 et seq. For example, this section’s citation is IDAPA 02.06.15.001. (5-3-03)

002. WRITTEN INTERPRETATIONS.

There are no written interpretations of these rules. (5-3-03)

003. ADMINISTRATIVE APPEAL.

Hearing and appeal rights are set forth in Title 67, Chapter 52, Idaho Code. (5-3-03)

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.

These rules are adopted to prevent the introduction of Peach Yellows, Peach Rosette, and Little Peach virus diseases into the state and potentially affecting the production, marketability, and export of peach, nectarine, apricot, plum, and prunes. (5-3-03)

008. -- 009. (RESERVED)

010. DEFINITIONS.

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

011. (RESERVED)

012. REGULATED PESTS.

The viral diseases known as Peach Yellows, Peach Rosette, and Little Peach. (5-3-03)

013. -- 049. (RESERVED)

050. AREA UNDER QUARANTINE.

(Infested Areas). The entire states of Alabama, Arkansas, (except counties of Benton, Clark, Columbia, Garland and White), Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maryland (except counties of Worcester and Somerset), Massachusetts, Michigan, Mississippi, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia. (6-4-62)

051. -- 099. (RESERVED)

100. REGULATED ARTICLES.

All trees, cuttings, grafts, scions, or buds of all species and varieties including the flowering forms of peach, nectarine, apricot, almond, plum, and prune, and any trees budded or grafted on peach stock or peach roots, coming from a regulated area. (5-3-03)

101. -- 149. (RESERVED)

150. RESTRICTIONS GOVERNING SHIPMENTS.

The regulated articles will not be admitted into Idaho from the regulated areas unless the state of origin certifies that they were produced in a county free from infection with the regulated pests, as determined by adequate annual surveys satisfactory to the Director, and from disease-free bud sources, rootstocks, and environs. (5-3-03)

151. -- 199. (RESERVED)

200. OFFICIAL CERTIFICATE REQUIREMENTS.

The certificates required by Section 150 shall state the names and addresses of the shipper and consignee, the number and kind of regulated articles in the shipments, and the area where grown. A copy of the certificate shall accompany the shipment, and one (1) copy shall be forwarded at the time of shipment to the Division of Plant Industry, Idaho State Department of Agriculture, Boise, Idaho. (5-3-03)

201. -- 249. (RESERVED)

250. EXEMPTIONS.

This quarantine does not apply to experiments of the United States Department of Agriculture in the state of Idaho nor to experiments of the College of Agriculture, Department of Pathology of the University of Idaho. (6-4-62)

251. -- 299. (RESERVED)

300. PENALTY.

01. Penalty. Any person violating the provisions of these rules shall be subject to the penalty provisions of Title 22, Chapter 20, Idaho Code. (5-3-03)

02. Shipments. Any or all shipments or lots of the regulated articles enumerated in Section 100 arriving in Idaho in violation of this chapter shall immediately be sent out of the state 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. (5-3-03)

301. -- 349. (RESERVED)

350. COMMON CARRIER AGENTS MUST HOLD SHIPMENTS.

Any and all lots of shipments of commodities covered by this quarantine must be held and not delivered to consignee or agent until inspected and passed by the Director of the Idaho Department of Agriculture, his deputy, or by a State plant quarantine officer. (6-4-62)

351. -- 399. (RESERVED)

400. ENFORCEMENT POWERS.

All deputies of the Director of the Idaho Department of Agriculture and all State plant quarantine officers are empowered to carry out all the provisions of this quarantine. (6-4-62)

401. -- 449. (RESERVED)

450. EFFECTIVE DATE.

This Quarantine Order No. 4-1962, pertaining to Peach Tree Diseases, will be effective on and after June 4, 1962. (6-4-62)

451. -- 999. (RESERVED)

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