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IDAPA 02
TITLE 06
CHAPTER 14

02.06.14 – RULES GOVERNING BLUEGRASS

000. LEGAL AUTHORITY.

This chapter is adopted under the legal authority of Sections 22-2004 and 22-2006, Idaho Code. (3-30-01)

001. TITLE AND SCOPE.

01. Title. This chapter is titled IDAPA 02.06.14, “Rules Governing Bluegrass.” (5-3-03)

02. Scope. This chapter has the following scope: these rules are to prevent the introduction of annual or rough bluegrass into major Kentucky bluegrass, fescue (*Festuca*) species, ryegrass (*Lolium*) species and bentgrass (*Agrostis*) species in the regulated areas as defined in Sections 050 and 051, of this rule. (6-30-19)T

002. WRITTEN INTERPRETATIONS.

There are no written interpretations of these rules. (3-30-01)

003. ADMINISTRATIVE APPEAL.

There is no provision for administrative appeal before the Department of Agriculture under this chapter. (6-30-19)T

004. INCORPORATION BY REFERENCE.

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

005. ADDRESS, OFFICE HOURS, TELEPHONE, FAX NUMBERS, WEB ADDRESS.

The Idaho State Department of Agriculture central office is located at 2270 Old Penitentiary Road, Boise, ID 83712-8298. The office is open from 8 a.m. to 5 p.m., except Saturday, Sunday, and legal holidays. The mailing address is PO Box 7249, Boise, Idaho 83707. The phone number is (208) 332-8500 and the fax number is (208) 334-2170. The Department web address is <https://agri.idaho.gov/>. (6-30-19)T

006. PUBLIC RECORDS ACT COMPLIANCE.

These rules are public records. (6-30-19)T

007. -- 009. (RESERVED)

010. DEFINITIONS.

The Department adopts the definitions set forth in Section 22-2005, Idaho Code. In addition, as used in this chapter: (5-3-03)

01. Annual Bluegrass. *Poa annua* and all related species off-types or sub-species of *Poa annua*, hereinafter referred to as annual bluegrass. (3-30-01)

02. Annual Bluegrass Analysis Certificate. A test report from an official laboratory showing freedom from annual bluegrass. (3-30-01)

03. Grass Species. All bluegrass (*Poa*) species, fescue (*Festuca*) species, ryegrass (*Lolium*) species and all bentgrass (*Acrostic*) species. (3-30-01)

04. Official Seed Laboratory. A seed testing laboratory approved by the Director. (4-6-90)

05. Annual Bluegrass Quarantine Release Tag. A numbered tag printed and issued by the Idaho Department of Agriculture to be attached to each bag showing said seed has met quarantine requirements and giving the following information: “This lot of seed was tested and found to be apparently free of annual bluegrass and is eligible for planting in Idaho.” (6-30-19)T

06. Rough Bluegrass Quarantine Release Tag. A numbered tag printed and issued by the Idaho State

Department of Agriculture to be attached to each bag showing said seed has met quarantine requirements and giving the following information: "This lot of seed was tested and found to be apparently free of rough bluegrass and is eligible for planting in Idaho." (6-30-19)T

07. Regulated Pest. The seeds of *Poa annua* (Annual bluegrass) and all related off-types or sub-species of *Poa annua* hereinafter referred to as Annual bluegrass which are objectionable in grass seed stock, are considered weeds for the purposes of this chapter. (5-3-03)

08. Representative Sample. A sample of seed drawn in accordance IDAPA 26.06.01, "Rules Governing the Pure Seed Law." (6-30-19)T

09. Rough Bluegrass. *Poa trivialis* and all related off-types or sub-species of *Poa trivialis*, hereinafter referred to as rough bluegrass. (6-30-19)T

10. Rough Bluegrass Analysis Certificate. A test report from an official laboratory showing freedom from rough bluegrass. (6-30-19)T

11. Seed Stock. Those seeds of grass species which are to be planted for seed increase or with intent of seed increase. (3-30-01)

011. -- 049. (RESERVED)

050. ANNUAL BLUEGRASS REGULATED AREA.
The regulated area is the entire state of Idaho. (6-30-19)T

051. ROUGH BLUEGRASS REGULATED AREA.
The regulated areas are the Idaho counties of Benewah, Bingham, Blaine, Bonner, Camas, Clark, Clearwater, Elmore, Idaho, Jerome, Kootenai, Latah, Lewis, Madison, Nez Perce, Power, Shoshone and Twin Falls. (6-30-19)T

052. ROUGH BLUEGRASS QUARANTINE – RESTRICTIONS.
No rough bluegrass shall be planted for seed production in the regulated areas. (6-30-19)T

053. -- 149. (RESERVED)

150. REGULATED ARTICLES.
Those articles which are regulated are seed stocks as defined in Subsection 010.11. (6-30-19)T

151. -- 199. (RESERVED)

200. RULES GOVERNING PLANTING OF REGULATED ARTICLES (ANNUAL BLUEGRASS).

01. Requirements. Prior to any person planting any grass species seed stock in Idaho, that person shall comply with the following requirements: (3-30-01)

a. Submit for an official laboratory analysis a representative sample showing freedom from annual bluegrass based on a five (5) gram sample for bentgrass or redtop, a twenty-five (25) gram sample for bluegrass, or a fifty (50) gram sample for other grasses; or (4-4-13)

b. Have a representative sample submitted for testing. (3-30-01)

02. Tags. Upon receipt by the Director of an official seed laboratory analysis showing freedom from annual bluegrass, sequentially numbered tags will be issued for each bag found free of annual bluegrass from those lots according to Subsection 010.06. (5-3-03)

03. Analysis Certificate. In lieu of tags, a seed analysis certificate from an official seed laboratory showing each lot being planted to be free from annual bluegrass must be kept on file for a minimum of one (1) year after all of the inventory of that lot's harvested seed has been sold. (4-4-13)

201. QUALIFICATIONS OF REGULATED ARTICLES FOR QUARANTINE RELEASE (ROUGH BLUEGRASS).

01. Planting Seed Stock of Regulated Articles. Any person planting seed stock of regulated articles shall comply with the following requirements: (6-30-19)T

a. Submit to the Director an official laboratory analysis of a representative sample showing freedom from rough bluegrass based on a five (5) gram sample for bentgrass or redtop, a twenty-five (25) gram sample for bluegrass, or a fifty (50) gram sample for other grasses; or (6-30-19)T

b. Submit to the Director a representative sample for laboratory analysis. (6-30-19)T

02. Quarantine Release Tag. Upon receipt of an official seed laboratory analysis, the Director may upon request issue sequentially numbered tags for each bag of regulated article found free of rough bluegrass. (6-30-19)T

03. Analysis Certificate. In lieu of tags, a seed analysis certificate from an official seed laboratory showing each lot being planted to be free from rough bluegrass must be kept on file for a minimum of one (1) year after all of the inventory of that lots harvested seed has been sold. (6-30-19)T

201. -- 249. (RESERVED)

250. INFESTED SEED STOCK (ANNUAL BLUEGRASS).

Each lot of seed found to contain annual bluegrass shall be placed under a "Hold Order" pursuant to Section 22-103(22), Idaho Code, to be released only for shipment out of Idaho or for planting in nurseries of two (2) acres or less under supervision of the Director. The nursery shall be seeded in rows spaced twenty-four (24) inches apart and it shall be the duty of the person receiving such seed to rogue this increase area or chemically treat to eradicate the annual bluegrass. Seed increases shall be inspected by the department or the Idaho Crop Improvement Association at least three (3) times during the seedling year. Any areas not passing inspection shall not be harvested but shall be destroyed upon the order of the Director at the owner's expense. (6-30-19)T

251. ROUGH BLUEGRASS QUARANTINE - INSPECTIONS.

The Director shall cause inspections to be made in accordance with the provisions of Section 22-2007, Idaho Code. (6-30-19)T

01. Infested Seed Stock. Lots of turf seed stock contaminated with rough bluegrass seeds may be planted in an approved nursery of two (2) acres or less under the supervision of the Director. The nursery shall be seeded in rows spaced twenty-four (24) inches apart and it shall be the duty of the person receiving such seed stock to rogue the planting or chemically treat to eradicate the rough bluegrass. The approved nursery shall be inspected by the Department or the Idaho Crop Improvement Association at least three (3) times during the seedling year. Any approved nursery not passing inspection shall not be harvested but shall be destroyed upon the order of the Director at the owner's expense. ()

251. -- 299. (RESERVED)

300. APPLICATION FOR NURSERY INSPECTION.

A person shall make application for nursery inspection to the Idaho Department of Agriculture or the Idaho Crop Improvement Association at least fourteen (14) days prior to planting. (4-4-13)

301. -- 349. (RESERVED)

350. EXEMPTIONS (ANNUAL BLUEGRASS).

01. Forage. These rules shall not apply to seed sown for forage. (12-1-92)

02. Experiments. These rules shall not apply to: (12-1-92)

- a. Experiments or trial grounds of the United States Department of Agriculture; or (12-1-92)
- b. Experiments or trial grounds of the Idaho State Experiment Station; or (12-1-92)
- c. Trial grounds of any person, firm, or corporation provided said trial ground plantings are approved by the Director and under supervision of technically-trained personnel familiar with annual bluegrass control. (12-1-92)

351. EXEMPTIONS (ROUGH BLUEGRASS).

01. Experiments or Trial Grounds. This quarantine shall not apply to: experiments or trial grounds of the United States Department of Agriculture, experiments or trial grounds of the University of Idaho Agriculture Experiment Station, or trial grounds of any person, provided said trial ground plantings are approved by the Director and under supervision of technically-trained personnel familiar with rough bluegrass. (6-30-19)T

02. Rough Bluegrass. Rough bluegrass may be planted in the regulated areas for turf but shall not be allowed to mature to the seed producing stage. (6-30-19)T

352. -- 399. (RESERVED)

400. FEES AND CHARGES.

01. Sampling. Fees for official sampling drawn by the Director shall be twelve dollars (\$12) per sample. (4-6-90)

02. Seed Analysis. Fees for seed analysis shall be that fee provided in the fee schedule of the official Seed Testing Laboratory. (4-6-90)

03. Inspection. Inspection fees for nursery plantings shall be fifty dollars (\$50) per acre or portion thereof for each inspection. Any field of less than one acre shall be a minimum fee of fifty dollars (\$50). (4-6-90)

04. Quarantine Release Tags. Quarantine release tags will be twenty-five cents (\$0.25) per tag and charged to person(s) when issued. (4-6-90)

401. -- 999. (RESERVED)

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