

## DAPA 08 – STATE BOARD OF EDUCATION

### Office of the State Board of Education

#### 08.05.01 – Rules Governing Seed and Plant Certification

##### **Who does this rule apply to?**

*This rule applies to the Idaho Crop Improvement Association and crop producers in Idaho.*

##### **What is the purpose of this rule?**

*The purpose of this rule is to set certification standards for:*

- Alfalfa;
- Bean;
- Red Clover;
- Chickpea;
- Grain;
- Grass;
- Rapeseed/Canola/Mustard;
- Potato;
- Pre-variety Germplasm;
- Lentil;
- Blue Flax;
- Milkvetch;
- Pea;
- Sanfoin;
- Birdsfoot Refoil;
- White Clover; and
- Penstemon

##### **What is the legal authority for the agency to promulgate this rule?**

*This rule implements the following statutes passed by the Idaho Legislature:*

Agriculture and Horticulture:

- [Title 22, Chapter 15, et seq., Idaho Code](#) – Seed and Plant Certification

##### **Who do I contact for more information on this rule?**

Idaho State Board of Education  
8:00 am – 5:00 pm (Mountain Time)  
650 W. State Street  
P.O. Box 83720  
Boise, Idaho 83720-0037  
Phone: (208) 334-2270  
Fax: (208) 334-2632  
Email: [tracie.bent@osbe.idaho.gov](mailto:tracie.bent@osbe.idaho.gov)  
<https://boardofed.idaho.gov/>

# Table of Contents

---

## **DAPA 08 – STATE BOARD OF EDUCATION**

### **08.05.01 – Rules Governing Seed and Plant Certification**

|   |   |
|---|---|
| 000. Legal Authority. ....  | 3 |
| 001. Title And Scope. ....  | 3 |
| 002. Written Interpretations. ....                                    | 3 |
| 003. Administrative Appeal. ....                                      | 3 |
| 004. Incorporation By Reference. ....                                 | 3 |
| 005. Office – Office Hours – Mailing Address And Street Address. .... | 4 |
| 006. Public Records Act Compliance. ....                              | 4 |
| 007. -- 009. (Reserved) ....  | 4 |
| 010. Definitions. ....  | 4 |
| 011. (Reserved) ....  | 5 |
| 012. Applicability. ....  | 5 |
| 013. Official In Charge Of Certified Seed. ....                       | 5 |
| 014. Seed Certification Fee And Application Schedule. ....            | 5 |
| 015. -- 999. (Reserved) ....  | 5 |

## 08.05.01 – RULES GOVERNING SEED AND PLANT CERTIFICATION

### 000. LEGAL AUTHORITY.

This chapter is adopted under the authority of Title 22, Chapter 15, Idaho Code. (4-6-15)

### 001. TITLE AND SCOPE.

**01. Title.** The title of this chapter is IDAPA 08.05.01, “Rules Governing Seed and Plant Certification,” by Idaho Crop Improvement Association, Inc. (4-6-15)

**02. Scope.** These rules govern the standards and procedures for the certification of seeds, tubers, plants, or plant parts in the state of Idaho by the Regents of the University of Idaho through the Idaho Agricultural Experiment Station in the College of Agricultural and Life Sciences and its duly authorized agent, Idaho Crop Improvement Association, Inc., as an agent and instrumentality and servant of the State. (4-6-15)

### 002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, any written interpretations of the rule of this chapter will be made available at the Idaho State Board of Education office. (4-6-15)

### 003. ADMINISTRATIVE APPEAL.

There is no provision for administrative appeals before the Board under this chapter. Hearing and appeal rights are set forth in Title 67, Chapter 52, Idaho Code. (4-6-15)

### 004. INCORPORATION BY REFERENCE.

The following documents are incorporated by reference into this rule. The Idaho Seed and Plant Certification Standards are adopted by the Idaho Crop Improvement Association. Copies of the following documents may be obtained from the Idaho Crop Improvement Association, Inc. website at <http://www.idahocrop.com/index.aspx>, or from the Idaho Crop Improvement Association, Inc. office. (4-6-15)

**01. Prohibited Noxious Seed in Idaho Certified Seed.** The standard Prohibited Noxious Seed in Idaho Certified Seed of the Idaho Crop Improvement Association, Inc., as last modified and approved on March 17, 2015. (3-25-16)

**02. Seed Certification Fee & Application Schedule.** The Seed Certification Fee and Application Schedule of the Idaho Crop Improvement Association, Inc., as last modified and approved on July 11, 2014. (4-6-15)

**03. Idaho Alfalfa Certification Standards.** The Idaho Alfalfa Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as last modified and approved on March 17, 2015. (3-25-16)

**04. Idaho Bean Certification Standards.** The Idaho Bean Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as last modified and approved on March 17, 2015. (3-25-16)

**05. Idaho Red Clover Certification Standards.** The Idaho Red Clover Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved on March 17, 2015. (3-25-16)

**06. Idaho Chickpea Certification Standards.** The Idaho Chickpea Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved on March 17, 2015. (3-25-16)

**07. Idaho Grain Certification Standards.** The Idaho Grain Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved on February 28, 2017. (3-28-18)

**08. Idaho Grass Certification Standards.** The Idaho Grass Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved on March 17, 2015. (3-25-16)

**09. Idaho Rapeseed/Canola/Mustard Certification Standards.** The Idaho Rapeseed/Canola/Mustard Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved on April 26, 2016. (3-29-17)

**10. Idaho Potato Certification Standards.** The Idaho Potato Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved on January 16, 2018. (4-11-19)

**11. Pre-Variety Germplasm Certification Regulations in Idaho.** The Pre-variety Germplasm Certification Regulations adopted by the Idaho Crop Improvement Association, Inc., as amended and approved

March 17, 2015. (3-25-16)

**12. Idaho Lentil Certification Standards.** The Idaho Lentil Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved March 17, 2015. (3-25-16)

**13. Idaho Blue Flax Certification Standards.** The Idaho Blue Flax Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved March 17, 2015. (3-25-16)

**14. Idaho Milkvech Certification Standards.** The Idaho Milkvech Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved March 17, 2015. (3-25-16)

**15. Idaho Pea Certification Standards.** The Idaho Pea Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved March 17, 2015. (3-25-16)

**16. Idaho Sanfoin Certification Standards.** The Idaho Sanfoin Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved March 17, 2015. (3-25-16)

**17. Idaho Birdsfoot Trefoil Certification Standards.** The Idaho Birdsfoot Trefoil Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved March 17, 2015. (3-25-16)

**18. Idaho White Clover Certification Standards.** The Idaho White Clover Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved March 17, 2015. (3-25-16)

**19. Idaho Penstemon Certification Standards.** The Idaho Penstemon Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved March 17, 2015. (3-25-16)

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

**01. Physical Addresses.** The main office of the Idaho Crop Improvement Association, Inc. is located at 429 SW 5th Avenue, Suite 105, Meridian, ID 83642. The branch offices are located at: 1680 Foote Drive, Idaho Falls, ID 83402; 5920 N Government Way, Suite 10, Dalton Gardens, ID 83815; 2283 Wright Avenue, Suite C, Twin Falls, ID 83303. (4-6-15)

**02. Office Hours.** Office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except holidays. These office hours apply to each branch. (4-6-15)

**03. Mailing Addresses.** The mailing address for the Idaho Crop Improvement Association, Inc. main office is 429 SW 5th Avenue, Suite 105, Meridian, ID 83642. The branch offices mailing addresses are: 1680 Foote Drive, Idaho Falls, ID 83402; 5920 N Government Way, Suite 10, Dalton Gardens, ID 83815; 2283 Wright Avenue, Suite C, Twin Falls, ID 83303. (4-6-15)

**04. Telephone Numbers.** The telephone number for the Idaho Crop Improvement Association, Inc. main office is (208) 884-8225. The telephone numbers for the branches are: Idaho Falls (208) 522-9198; Dalton Gardens (208) 762-5300; Twin Falls (208) 733-2468. (4-6-15)

**05. Fax Numbers.** The fax number for the Idaho Crop Improvement Association Inc. main office is (208) 884-4201. The fax numbers for the branches are: Idaho Falls (208) 529-4358; Dalton Gardens (208) 762-5335; Twin Falls (208) 733-4803. (4-6-15)

**006. PUBLIC RECORDS ACT COMPLIANCE.**

These rules are public records available for inspection and copying at the Idaho Crop Improvement Association Inc., and the State Law Library. (4-6-15)

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

**010. DEFINITIONS.**

In addition to the definitions set forth in Title 22, Chapter 15, Idaho Code, the definitions found in the standards of the Idaho Crop Improvement Association, Inc., incorporated by reference in Section 004 of these rules, apply to these rules. (4-6-15)

**011. (RESERVED)**

**012. APPLICABILITY.**

These rules apply to all seeds, tubers, plants, or plant parts located in, imported into, or exported from the state of Idaho that have an application for certification properly filed with a seed certification agency. (4-6-15)

**013. OFFICIAL IN CHARGE OF CERTIFIED SEED.**

The Idaho Legislature, at its 35th Session, enacted Senate Bill No. 107, the "Seed and Plant Certification Act of 1959". This Act designated the Regents of the University of Idaho, through the Agricultural Experiment Station of the College of Agriculture, as the seed certifying agency for the State. This Act further gives the Regents of the University of Idaho the authority to designate an agent to administer and conduct the certification program. The Regents of the University of Idaho on April 27, 1959, appointed the Idaho Crop Improvement Association, Inc., as its duly authorized agent to administer and conduct seed certification in Idaho as provided by the Seed and Plant Certification Act of 1959. (4-6-15)

**014. SEED CERTIFICATION FEE AND APPLICATION SCHEDULE.**

The Idaho Crop Improvement Association may assess a fee to defray the costs of seed testing and administration of the seed certification program. Fees are established through the Idaho Crop Improvement Association, Inc. (4-6-15)

**015. -- 999. (RESERVED)**

# Subject Index

## A

Administrative Appeal 3  
Applicability 5

## D

Definitions, IDAPA 08.05.01 4

## I

Incorporation By Reference 3  
Idaho Alfalfa Certification  
Standards 3  
Idaho Bean Certification  
Standards 3  
Idaho Birdsfoot Trefoil  
Certification Standards 4  
Idaho Blue Flax Certification  
Standards 4  
Idaho Chickpea Certification  
Standards 3  
Idaho Grain Certification  
Standards 3  
Idaho Grass Certification  
Standards 3  
Idaho Lentil Certification  
Standards 4  
Idaho Milkvetch Certification  
Standards 4  
Idaho Pea Certification  
Standards 4  
Idaho Penstemon Certification  
Standards 4  
Idaho Potato Certification  
Standards 3  
Idaho Rapeseed/Canola/Mustard  
Certification Standards 3  
Idaho Red Clover Certification  
Standards 3  
Idaho Sanfoin Certification  
Standards 4  
Idaho White Clover Certification  
Standards 4  
Pre-Variety Germplasm  
Certification Regulations in  
Idaho 3  
Prohibited Noxious Seed in Idaho  
Certified Seed 3  
Seed Certification Fee &  
Application Schedule 3

## L

Legal Authority 3

## O

Office – Office Hours – Mailing  
Address & Street Address 4  
Official In Charge Of Certified Seed 5

## P

Public Records Act Compliance 4

## S

Seed Certification Fee & Application  
Schedule 5

## T

Title & Scope 3

## W

Written Interpretations 3