

## Chapter Ag 27

## POTATO ROT NEMATODE

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**Ag 27.01 Definitions.** (1) **POTATO ROT NEMATODE.** The nematode (*Ditylenchus destructor*) which attacks potatoes, causing rot.

(2) **ENFORCEMENT AGENCY.** The Wisconsin State Department of Agriculture, referred to herein as the department.

(3) **SEED CERTIFICATION AGENCY.** The Wisconsin College of Agriculture potato seed certifying agency, approved for that purpose by the department.

(4) **INFESTATION.** The presence of potato rot nematode.

(5) **INFESTED FIELD.** Any parcel of land where potatoes were grown during the season in which any part of the crop of that season has been found to be infested.

(6) **EXPOSED FIELD.** Any parcel of land which may have been exposed to infestation because of movement of potatoes, machinery, containers, surface water or other means.

(7) **ADJACENT FIELD.** Any parcel of land which is contiguous to an infested field.

(8) **CROP.** The entire potato production of a grower during a season on any land owned or operated by him.

(9) **INFESTED CONTROL AREA.** Any field which shall have been found to be infested and marked, by the department, with identification posts at the corners as a control area.

(10) **QUARANTINE.** An order of the department requiring isolation of the material named and prohibiting movement or disposition except under department supervision.

**Ag 27.02 Living organism.** No person shall move or transport any living specimen of the potato rot nematode (*Ditylenchus destructor*) or of any soil or plant suspected of containing such organism. Only persons specifically authorized by the department may move such live organisms for experimental work or research.

**Ag 27.03 Potatoes, general.** (1) No person shall plant any potatoes on any infested control area, unless the department has granted written authority for planting. Any potatoes found growing on any infested control area without such authority shall be destroyed. The designation and marking of any field as an "infested field" or "infested control area" shall be terminated by the department if it finds that the field has been effectively fumigated and the next crop grown thereon evidences no infestation, or that 2 successive crops grown thereon evidence no infestation.

(2) No person shall remove any potatoes from any exposed field or adjacent field (which are considered as possibly infested) until after the crop shall have been inspected by the department at the time of or subsequent to digging. If any part of the crop of any such field is found to be infested the entire crop shall be subject to quarantine.

(3) No person shall sell, move, transport, market or conceal any potatoes which are a part of any crop in which infestation is found at the time of or after harvest without first obtaining the approval of the department. All of the crop shall be subject to quarantine and the field on which they were grown shall be posted as an infested control area.

(4) No potatoes will be permitted to be removed from quarantine to be marketed for food purposes except in trade channels approved by the department and unless they shall be first subjected to state-federal inspection and are certified to be of U. S. No. 1 quality and free of any visible evidence of infestation; provided that, upon direct order from the receiver, potatoes may be removed from quarantine if upon state-federal inspection they are certified as U. S. No. 2 or U. S. Commercial, with a decay tolerance not exceeding that for U. S. No. 1 potatoes, and free from any visible evidence of infestation. No person shall sell, move, transport, market or conceal any potatoes subject to quarantine which fail to so qualify as to grade and freedom from infestation except, for burial or for processing in this state, under the direct supervision of the department and in a manner approved by the department as will involve no risk of spreading the infestation. All culls removed in grading of quarantined potatoes shall be disposed of immediately by burial, incineration or otherwise as approved by the department.

(5) No person shall market any potatoes from infested fields for food purposes except in paper bags which, when closed, are free of holes which might permit the escape of particles of dirt or of potatoes; provided that the department, for cause shown, may specially authorize other packaging when disposition of the potatoes and containers is adequately supervised by authorized control officials.

(6) No person may ship any potatoes subject to quarantine to any place outside of the boundaries of this state except after notice to and approval by the nematode control officials of the receiving state.

(7) When the department has reason to believe that any material, machinery or equipment is contaminated, the person in charge thereof shall, upon order of the department, fumigate, disinfect, wash, burn, bury, or otherwise dispose of such contaminated material, machinery or equipment in the manner as required by such order.

(8) Subsections (2) to (6), inclusive, of this section shall not apply to potatoes harvested, sold and delivered during the months of August and September in any year.

**History:** 1-2-56; am. (1), Register, May, 1960, No. 53, eff. 6-1-60.

**Ag 27.04 Certified seed.** (1) No potatoes grown on an infested field, adjacent field or exposed field may be certified for seed purposes.

(2) No potatoes stored in any warehouse containing infested potatoes may be certified for seed purposes.

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(3) Potatoes grown on fields adjacent to exposed fields, may be certified only if, in the judgment of the certifying agency, there will be no danger of spreading the infestation because of distance, topography, natural barriers, and other adequate safety factors.

(4) No potatoes may be certified for seed purposes if any used or second hand bags are used during the production or storage of any part of seed crop submitted for certification.

(5) If upon final or shipping point inspection by the department any potatoes in any lot or of any crop are found to be infested, none of the potatoes in such lot or of such crop shall be certified.

(7) Notwithstanding subsections (1) and (3), potatoes may be certified for seed purposes if grown on any field after its status as an infested, exposed or adjacent field has been terminated by the department and the next potato crop grown thereon was inspected and no evidence of potato rot nematode was disclosed.

**History:** 1-2-56; r. (6), Register, September, 1957, No. 21, eff. 10-1-57; cr. (7), Register, May, 1960, No. 53, eff. 6-1-60.

**Ag 27.05 Penalty.** Any person violating the provisions of this order will be punished by fine or imprisonment or both as provided for in section 93.21, Wis. Stats.