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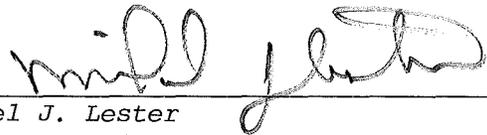
STATE OF WISCONSIN)
) SS.
DEPARTMENT OF AGRICULTURE,)
TRADE & CONSUMER PROTECTION)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Michael J. Lester, Assistant Administrator, Marketing Division, State of Wisconsin, Department of Agriculture, Trade and Consumer Protection, and custodian of the official records of said Division, do hereby certify that the annexed order amending rules relating to certified seed potatoes, Chapter Ag 26, Wis. Adm. Code, was duly approved and adopted by the Department on July 28, 1986.

I further certify that said copy has been compared by me with the original on file in the Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the Department offices in the city of Madison, this 28th day of July, 1986.



Michael J. Lester
Assistant Administrator
Marketing Division

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ORDER OF THE
STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION
ADOPTING, AMENDING AND REPEALING RULES

To repeal Ag 26.01(4)(a) through (j) and (11)(a) through (h); to repeal and recreate Ag 26.04(4)(intro.) and (4)(b), Ag 26.05(3)(b) and (4), and Ag 26.06(3); to renumber Ag 26.01(6), (7) and (10), Ag 26.03(5), Ag 26.05(1)(b)5, and Ag 26.06(4); to renumber and amend Ag 26.01(8), (9), (11)(intro.) and (12), Ag 26.03(4) and (6) through (8), and Ag 26.05(1)(b)6 and 7; to amend Ag 26.01(4)(intro.), Ag 26.03(3), Ag 26.04(1) and (4)(a), and Ag 26.05(1)(b)4, (3)(a) and (5)(a); and to create Ag 26.01 (intro.), (6), (9) and (11), Ag 26.03(4) and (9)(d), and Ag 26.04(5), Ag 26.05(1)(b)5 and (5)(c), Ag 26.06(4) and (5)(c), and Ag 26.07(1)(c)(3) and (2)(c)3; relating to certified seed potatoes.

Analysis
Prepared by the Department of Agriculture, Trade
and Consumer Protection

Chapter Ag 26, Wis. Adm. Code (Certified Seed Potatoes) provides authority for the certification of seed potatoes which have been inspected and certified by the College of Agriculture and Life Sciences of the University of Wisconsin as having been produced under and meeting field and bin inspection standards and requirements. The department is responsible for conducting grading inspections and to certify the grades. No potatoes may be sold or represented as certified seed potatoes unless they have been field and bin inspected by the college and certified as to grade by the department.

These amendments to ch. Ag 26 will establish a limited generation scheme for certification of seed potatoes, to help eliminate disease problems. Under the rules, there will be a five-year scheme with a limit of four foundation class seed generations. Seed lots entered for certification and meeting

inspection tolerances would be downgraded one generation each year. Certified class seed cannot be recertified. If a seed lot exceeds the tolerances allowed for a specific seed class, it will be lowered to the next acceptable seed classification. Potato stock entering the seed program at certain levels must have a pathogen test history.

The rule amendments also modify grading standards for the current Badger State Brand certified and foundation grades. The grading changes upgrade current standards to make the Badger State Brand consistent with the US #1 seed potato grade. The US #1 grade standard is more restrictive on external grade defects than current Badger State Brand standards. The US #1 grade permits a 5% external grade defect, whereas the Badger State Brand permits 6% tolerance. There are no major changes in internal grade tolerances except for hollow heart.

The rule amendments also make certain drafting and organizational changes to Ag 26.

1 Pursuant to authority vested in the state of Wisconsin
2 department of agriculture, trade and consumer protection by
3 ss. 93.06(1m) and 93.07(1) and 97.09(4), Wis. Stats., the
4 department repeals, amends and creates rules interpreting
5 s. 97.09, Stats., as follows:

6 SECTION 1. Ag 26.01 (intro.) is created to read:
7 Ag 26.01 (intro.) As used in this chapter:

8 SECTION 2. Ag 26.01(4)(intro.) is amended to read:
9 Ag 26.01(4) "Damage" means any injury or defect, except
10 sunburn, greening and hollow heart, or any combination of defects
11 which materially injures the edible or shipping quality, or detracts
12 from the internal or external appearance of the individual
13 potato or the general appearance of the potatoes in the
14 container, or any defect which cannot be removed without a loss
15 of more than 5% of the total weight of the potato including
16 peel covering defective area. Any one of the following
17 defects or any combination of defects the seriousness of which

1 ~~exceed the maximum allowed for any one defect shall be considered~~
2 ~~as damage:~~ "Damage" may include one or more of the internal or
3 external defects specified in Ag 26.04(5)(a) and (b).

4 SECTION 3. Ag 26.01(4)(a) through (j) are repealed.

5 SECTION 4. Ag 26.01(6) through (10), (11)(intro.) and (12)
6 are renumbered Ag 26.01(7), (8), (10), (12), (13), (14) and (15);
7 and, as renumbered, Ag 26.01(10), (12), (14) and (15) are amended
8 to read:

9 Ag 26.01(10) "Internal discoloration" means discoloration
10 such as is caused by net necrosis or any other type of necrosis,
11 stem-end browning, internal brown spot, or other similar types of
12 discoloration ~~not visible externally, except blackheart.~~

13 (12) "Person" means ~~individuals, partnerships, corporations,~~
14 ~~associations, and any~~ an individual, partnership, corporation,
15 association or other business organization or entity.

16 (14) "Serious damage" means any ~~injury or~~ defect
17 or combination of defects under s. Ag 26.04(5), except sunburn
18 or greening, which seriously injures the edible or shipping
19 quality, or detracts from the internal or external appearance of
20 ~~the individual potato or the general appearance of the potatoes in~~
21 ~~the container, or~~ any defect which cannot be removed without a
22 loss of more than 10% of the total weight of the potato including
23 ~~peel covering defective area. Any one of the following defects or~~
24 ~~any combination of defects the seriousness of which exceeds the~~
25 ~~maximum allowed for any one defect shall be considered as serious~~
26 ~~damage:~~

27 (15) "Soft rot or wet breakdown" means any soft,

1 mushy, or leaky condition of the tissue ~~such as slimy soft~~
2 ~~rot, leak, or wet breakdown following freezing injury~~
3 ~~or unsealed~~ of seed potatoes.

4 SECTION 3. Ag 26.01(11)(a) through (h) are repealed.

5 SECTION 4. Ag 26.01(6), (9) and (11) are created to read:

6 Ag 26.01(6) "External defect" means any defect under s. Ag
7 26.04(5)(a) which can be detected by inspection of the outer
8 surface of a seed potato, except that cutting may be required to
9 determine the extent of internal injury related to the external
10 defect.

11 (9) "Internal defect" means any defect under s.
12 Ag 26.04(5)(b) which cannot be detected without cutting the
13 potato.

14 (11) "Nematode or tuber moth injury" means the presence of, or
15 any evidence of prior activity by, nematode or tuber moth.

16 SECTION 5. Ag 26.03(3) is amended to read:

17 Ag 26.03(3) FIELD STANDARDS. (a) All seed lots entered for
18 certification shall be planted with foundation class seed of
19 the grower's own production. Foundation class seed not
20 produced by the grower may be used only with the approval of the
21 college.

22 (b) Each separate variety of foundation class seed
23 plantings, including seed of the same variety originating from
24 different sources and grown in the same field, shall be separated
25 by at least 2 one planting ~~rows~~ row ~~or otherwise separately~~
26 ~~identified as to variety and foundation seed source in a manner~~
27 ~~approved by the college.~~

1 (c) No variety of potatoes shall may be certified if grown
2 within 100 feet of other potato crops affected with virus in excess
3 of viral disease tolerances permitted in sub. ~~(4)~~ (5) (a). ~~Less~~
4 A distance of less than 100 feet may be permitted if the seed field
5 is protected against vectors of viral diseases by an adequate barrier
6 or other condition ~~affords~~ affording protection to the seed field
7 against vectors of viral disease.

8 SECTION 6. Ag 26.03(4) through (8) are renumbered Ag 26.03(5)
9 through (9); and as renumbered, Ag 26.03(5)(title), (7), (8)(a) and
10 (9)(c) are amended to read:

11 Ag 26.03(5)(title) CERTIFIED CLASS DISEASE TOLERANCES.

12 (7) FOUNDATION SEED STANDARDS. In addition to meeting all
13 requirements for certified seed, foundation seed shall meet the
14 following additional requirements:

15 ~~(a) Foundation seed shall not be stored in warehouses or~~
16 ~~other storage areas where non-certified seed potatoes are stored,~~
17 ~~but may be stored in the same warehouse or storage area where~~
18 ~~other potatoes inspected and meeting foundation or certified~~
19 ~~standards are stored.~~

20 ~~(b)~~ (a) Production of foundation class seed shall be limited
21 to those farms which have satisfied disease tolerances for ring rot
22 under ~~these rules~~ this chapter for two successive growing seasons.
23 ~~Seed lots may be carried forward a second season if disease toler-~~
24 ~~ances for ring rot have been satisfied and sanitary precautions are~~
25 ~~taken to prevent their contamination.~~ If bacterial ring rot is
26 found in a seed lot during summer or winter field inspections
27 or bin inspections, all seed lots on that farm shall be replaced

1 and may not be entered for certification the following crop year.

2 If bacterial ring rot is not found in the replacement stocks the
3 following season, they may be reentered for certification.

4 If bacterial ring rot is found on or traceable to a seed farm
5 in more than one seed lot in the same year or in 2 of 3
6 consecutive years, all seed lots on that farm shall be rejected for
7 certification and all seed lots shall be replaced and may not be entered
8 for certification the following crop year.

9 (e) (b) No fields of potatoes may be certified as foundation
10 class seed ~~which~~ if, on first or subsequent inspections by the college,
11 they are found to be infected with diseases or to contain variety
12 mixtures in excess of respective tolerances for variety mixture or
13 various types of diseases as specified below:

Disease and Variety Mixture	First Inspection	Foundation		2nd and Subsequent Inspection	Foundation	
		-G1	-G2		-G3	-G4
Leafroll	0.25%	0.1%	0.1%	0.25%	0.25%	0.25%
Mosaics	0.25%	0.1%	0.1%	0.25%	0.25%	0.25%
Spindle tuber	0.10%	0.1%	0.1%	0.10%	0.10%	0.10%
Total Virus Allowed	0.25%	0.1%	0.1%	0.25%	0.25%	0.25%
Bacterial ring rot	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Variety mixture	0.0%	0.0%	1 plant per 20 acres	0.0%	1 plant per 10 acres	1 plant per acre

21 (d) (c) The inspection records on seed lots certified by
22 out-of-state agencies as meeting foundation class or better, shall
23 be submitted to the college before being approved for foundation
24 planting in this state. A grower purchasing foundation seed
25 originating from out-of-state sources shall make a thorough
26 investigation of the out-of-state producer's operation to assure
27 that an adequate sanitation program has been followed to protect the seed

1 potatoes from contamination by bacterial ring rot and other diseases.

2 (8)(a) A follow-up winter field test, at a site chosen by the
3 college, shall be conducted on all seed lots certified by the
4 college on basis of summer field and bin inspections. A ~~minimum~~
5 sample of 300 400 to 400-B-size-1-1/4 425 tubers, 1-3/4 to 2-1/4
6 ~~inch~~ inches in diameter ~~tubers~~ and not to exceed 2-1/2 inches
7 in length, shall be submitted to the college for winter test
8 purposes ~~from~~ for every 50 acres planted of each lot of seed
9 potatoes the grower intends to sell or use as certified ~~or foun-~~
10 ~~ation~~ seed potatoes.

11 (9)(c) All potatoes stored in a warehouse in which certified
12 ~~or foundation~~ seed is stored shall be from fields entered for
13 certification.

14 SECTION 7. Ag 26.03(4) is created to read:

15 (4) LIMITED GENERATION. (a) All certified seed shall be
16 produced in a limited generation production scheme. Seed lots are
17 limited to a maximum of five generations of propagation designated
18 as follows:

19	<u>CLASS</u>	<u>GENERATION</u>
20	Foundation	G1
21	Foundation	G2
22	Foundation	G3
23	Foundation	G4
24	Certified	G5

25 (b) Generation numbers increase with years of production from
26 the original seed source. Foundation class seed shall be
27 downgraded automatically one generation each year. The generation

1 year for foundation class seed shall be printed on tags by the
2 college upon request of the seller or buyer of certified seed
3 potatoes. When disease tolerances for a seed class or generation
4 are exceeded, seed lots shall be lowered to the next acceptable
5 seed classification or be rejected for certification. Certified
6 class seed shall not be designated by generation on tags, nor be
7 reentered for certification.

8 (c) Foundation class seed lots shall be entered for certifi-
9 cation as foundation-G1 if seed lots are purchased from the col-
10 lege or from an equivalent source which participates in a limited
11 generation seed certification program and is responsible for
12 generating the original seed lot. All plants or tubers which con-
13 stituted the original seed lot shall have been tested and found
14 free from viruses X and Y, leafroll virus, spindle tuber viroid,
15 and Corynebacterium sepedonicum. Seed lots obtained from a source
16 other than the originator of the seed lot shall meet foundation
17 class standards and shall be downgraded one generation for each
18 year of propagation, as provided in par. (a). If seed lots,
19 including numbered selections and new varieties from breeding pro-
20 grams, are obtained from sources that are not in a limited genera-
21 tion program, the seed lot is eligible for foundation-G3 class
22 certification the first year and is subject to all other pro-
23 visions relating to seed classes and generations thereafter.

24 (d) Foundation class seed lots may be renewed as foundation
25 G-3 by tuber-unit planting (100% tuber-united). Foundation class
26 seed lots may be renewed as foundation G-1 by tuber-unit planting
27 and by testing all plants or tubers as being free from viruses X

1 and Y, leafroll virus, spindle tuber viroid, and Corynebacterium
2 sepedonicum.

3 SECTION 8. Ag 26.03(9)(d) is created to read:

4 Ag 26.03(9)(d) If bacterial ring rot is found during summer
5 field inspections, the seed lot shall be rejected from
6 certification and may not be stored in a certified seed potato
7 warehouse.

8 SECTION 9. Ag 26.04(1) is amended to read:

9 Ag 26.04(1) The grades of Wisconsin certified seed potatoes
10 are: Badger State Brand, also known as Blue Tag Grade, Yellow Tag
11 Grade, Badger State Brand Foundation, and Yellow Tag Grade
12 Foundation. Seed potatoes which do not meet foundation or
13 certification class standards may not be eligible for grade
14 inspection.

15 SECTION 10. Ag 26.04(4)(intro.) is repealed and recreated to
16 read:

17 Ag 26.04(4) APPLICATION OF TOLERANCES. The contents of
18 individual samples drawn from each lot to be graded, other than
19 bulk conveyances, are subject to the following tolerance
20 limitations provided that the averages for the entire lot are
21 within the tolerances specified for the grade:

22 SECTION 11. Ag 26.04(4)(a) is amended to read:

23 Ag 26.04(4)(a) When the tolerance specified is ~~10% or more~~
24 than 10%, individual ~~packages in any lot~~ samples may contain not
25 more than one and one-half times the tolerances specified ~~except~~
26 ~~that at least one defective and one off-size specimen shall be~~
27 ~~permitted in a package~~ for the grade.

1 SECTION 12. Ag 26.04(4)(b) is repealed and recreated to read:

2 Ag 26.04(4)(b) When the specified tolerance is 10% or less,
3 individual samples may contain not more than double the tolerance
4 specified. This does not apply to potatoes damaged by sprouts.
5 One defective and one off-size specimen are permitted in any
6 sample. One-tenth of the samples inspected enroute or at
7 destination may contain 3 times the tolerance permitted for
8 potatoes affected by freezing, soft rot, or wet breakdown.

9 SECTION 13. Ag 26.04(5) is created to read:

10 Ag 26.04(5) DEFECTS CONSTITUTING DAMAGE OR SERIOUS DAMAGE.

11 (a) External defects. The following external defects may
12 individually or collectively constitute damage or serious damage
13 as defined under s. Ag 26.01(4) and (14), respectively:

14 1. Deep air cracks which penetrate beyond the vascular ring
15 or shallow air cracks which materially detract from the appearance
16 of the individual potato.

17 2. Second growth or growth cracks which have developed to an
18 extent which materially detracts from the appearance of the
19 individual potato.

20 3. External discoloration with brown or darker in color
21 skinned areas which materially detract from the appearance of the
22 individual potato.

23 4. Shriveling, when the potato is more than moderately
24 shriveled, spongy or flabby.

25 5. Sprouting, when an individual potato has any sprout over
26 one inch in length.

27 6. Surface scab which covers an area of more than 5% of the

1 surface of the potato in the aggregate.

2 7. Pitted scab which affects the appearance of the potato to
3 a greater extent than the amount of surface scab permitted or
4 causes a loss of more than 5% of the total weight of the potato.

5 8. Rhizoctonia, when materially detracting from the
6 appearance of the individual potato.

7 9. Wireworm or grass damage, when any hole in a potato of
8 2-1/2 inches in diameter or 6 ounces in weight is more than 3/4
9 inch long, or when the aggregate length of all holes is more than
10 1-1/4 inches, or when correspondingly shorter or longer holes
11 occur in smaller or larger potatoes.

12 10. Dirt or other foreign matter, when the individual potato
13 is more than slightly dirty or slightly stained, or when more than
14 a moderate amount of loose dirt or other foreign matter is present
15 in the sample.

16 (b) Internal defects. The following internal defects may
17 individually or collectively constitute damage or serious damage
18 as defined under s. Ag 26.01(4) and (14), respectively.

19 1. Ingrown sprouts, if removal causes a loss of more than 5
20 percent of the total weight of the potato.

21 2. Internal discoloration occurring entirely within the
22 vascular ring, if more than the equivalent of 3 scattered light
23 brown spots 1/8 inch in diameter are present in a potato 2-1/2
24 inches in diameter or 6 ounces in weight, or if a correspondingly
25 lesser or greater number of spots are present in smaller or larger
26 potatoes.

27 3. Internal discoloration outside of or not entirely

1 confined within the vascular ring, if removal causes a loss of
2 more than 5 percent of the total weight of the potato.

3 (c) Defects constituting serious damage. The following
4 defects constitute serious damage:

5 1. Dirt, when the individual potato has caked dirt on more
6 than one-half of the surface.

7 2. External discoloration with brown or darker in color
8 skinned areas which seriously detract from the appearance of the
9 individual potato.

10 3. Shriveling, when the potato is excessively shriveled,
11 spongy, or flabby.

12 4. Surface scab which covers an area of more than 50% of the
13 surface of the potato in the aggregate.

14 5. Pitted scab which affects the appearance of the potato to
15 a greater extent than the amount of surface scab permitted or
16 causes a loss of more than 10% of the total weight of the potato.

17 6. Wireworm or grass damage, when any hole in a potato of
18 2-1/2 inches in diameter or 6 ounces in weight is more than 1-1/4
19 inches long, or when the aggregate length of all holes is more
20 than 2 inches or correspondingly shorter or longer holes in
21 smaller or larger potatoes.

22 7. Ingrown sprouts, when removal causes a loss of more than
23 10% of the total weight of the potato.

24 8. Internal discoloration occurring entirely within the
25 vascular ring, when more than the equivalent of 6 scattered light
26 brown spots of 1/8 inch diameter, in a potato 2-1/2 inches in
27 diameter or 6 ounces in weight, or a correspondingly lesser or

1 greater number of spots in smaller or larger potatoes.

2 9. Internal discoloration outside of or not entirely
3 confined within the vascular ring, when removal causes a loss of
4 more than 10% of the total weight of the potato.

5 SECTION 14. Ag 26.05(1)(b)4 is amended to read:

6 Ag 26.05(1)(b)4. ~~Ring~~ Bacterial ring rot,

7 SECTION 15. Ag 26.05(1)(b)5 through 7 are renumbered 6
8 through 8; and, as renumbered, Ag 26.05(1)(b)7 and 8 are amended
9 to read:

10 Ag 26.05(1)(b)7. Damage as defined in s. Ag 26.01(4),
11 including ~~cuts, dry rot, or damage by mechanical or other means,~~
12 arising from external or internal defects under s. Ag 26.04(5)(a)
13 and (b), and

14 8. Serious damage as defined in s. ~~Ag 26.01(11)~~ Ag 26.01(14)
15 ~~including serious damage caused by hollow heart, mahogany~~
16 ~~browning, and internal discoloration.~~

17 SECTION 16. Ag 26.05(1)(b)5 is created to read:

18 Ag 26.05(1)(b)5. Nematode or tuber moth injury,

19 SECTION 17. Ag 26.05(3)(a) is amended to read:

20 Ag 26.05(3)(a) In order to allow for variations incident to
21 proper sizing, not more than 3% of the potatoes in any lot may be
22 below the required or specified minimum size except that a 5%
23 tolerance shall be allowed when the minimum size specified is
24 2-1/4 inches or more in diameter or 5 ounces or more in weight.

25 SECTION 18. Ag 26.05(3)(b) and (4) are repealed and recreated
26 to read:

27 Ag 26.05(3)(b) Not more than 10% of the potatoes in any lot

1 may exceed the required or specified maximum size.

2 (4) TOLERANCES FOR DEFECTS. In order to allow for
3 variations incident to proper grading and handling, the following
4 tolerances are provided:

5 (a) 10% for potatoes seriously damaged by hollow heart,

6 (b) 10% for potatoes damaged by sprouts,

7 (c) 5% for potatoes which fail to meet the remaining
8 requirements of the grade because of internal defects, and

9 (d) 5% for potatoes which fail to meet the remaining
10 requirements of the grade because of external defects, provided
11 that the following tolerances are not exceeded for the following
12 defects:

13 1. 0.25% for varietal mixture,

14 2. 1.00% for late blight tuber rot,

15 3. 2.00% for serious damage by dry or moist type fusarium
16 tuber rot,

17 4. 0.00% for bacterial ring rot,

18 5. 0.00% for nematode or tuber moth injury,

19 6. 0.50% for potatoes damaged by freezing, soft rot or wet
20 breakdown, provided that an additional 0.50% tolerance for these
21 forms of damage is allowed for potatoes which are inspected en
22 route or at destination.

23 SECTION 19. Ag 26.05(5)(a) is amended to read:

24 Ag 26.05(5)(a). Bagged potatoes of the Badger State Brand
25 may be sold, distributed or transported for sale as certified seed
26 potatoes only in new clean bags. The bags shall bear a net weight
27 statement and be conspicuously and prominently imprinted with the

1 words "Badger State Brand," or the brand of the grower or an
2 organization through which the seed potatoes are marketed and bear
3 an official blue tag issued by the college. The bags shall bear
4 no other grade or brand designation unless approved by the
5 department. The official blue tag shall be securely attached to
6 each bag and be prominently and conspicuously imprinted with the
7 words "Wisconsin Certified Seed Potatoes Badger State Brand." In
8 addition, the blue tag shall show the variety of the potatoes,
9 season during which grown, and name and address of the grower. An
10 official metal seal furnished by the department shall also be
11 affixed to the string on all hand sewn bags to seal the contents
12 of the bag. Official metal seals are not required on machine sewn
13 bags where the stitching acts as an effective seal for the
14 contents of the bag.

15 SECTION 20. Ag 26.05(5)(c) is created to read:

16 Ag 26.05(5)(c) Transportation. All vehicles, containers or
17 other conveyance equipment shall be cleaned and sanitized prior to
18 use or loading of seed potatoes. The college may withhold tags
19 from any shipment which does not meet this requirement. Seed
20 potatoes shipped without tags may not be certified.

21 SECTION 21. Ag 26.06(1)(a) is amended to read:

22 Ag 26.06(1)(a) Not seriously misshapen and not frozen, except
23 that potatoes seriously misshapen may be graded and certified as
24 Yellow Tag Grade potatoes if the potatoes are acceptable to the
25 buyer, and

26 SECTION 22: Ag 26.06(1)(b)4, 6 and 7 are amended to read:

27 (b)4. ~~Ring~~ Bacterial ring rot,

1 (b)6. Damage by external defects as defined in s. Ag ~~26.01~~
2 26.04(5)(a), ~~(4) including cuts, dry rot, or damage by~~
3 ~~mechanical or other means except that potatoes seriously~~
4 ~~misshapen may be graded and certified as Yellow Tag Grade~~
5 ~~Grade potatoes if the potatoes are acceptable to the buyer, and~~

6 (b)7. Serious damage, except hollow heart, caused by
7 by internal defects as defined in s. Ag ~~26.01(11)~~ 26.04(5)(b),
8 ~~including serious damage caused by growth cracks, mahogany browning~~
9 ~~or internal discoloration.~~

10 SECTION 23. Ag 26.06(2) is amended to read:

11 (2) SIZE. The size requirements ~~and tolerances for size~~
12 for Yellow Tag Grade potatoes shall be the same as for Badger
13 State Brand certified seed potatoes.

14 SECTION 24. Ag 26.06(3) is repealed and recreated to read:

15 Ag 26.06(3) TOLERANCE FOR SIZE. (a) In order to allow for
16 variations incident to proper sizing, not more than 3% of the
17 potatoes in any lot of Yellow Tag Grade potatoes may be below the
18 minimum size.

19 (b) Not more than 15% of the potatoes in any lot of Yellow
20 Tag Grade potatoes may exceed the maximum size, provided that when
21 the maximum size is not more than 12 ounces, the quantity of
22 potatoes in excess of 16 ounces shall not exceed 5% of the lot.

23 SECTION 25. Ag 26.06(4) is renumbered (5).

24 SECTION 26. Ag 26.06(4) is created to read:

25 Ag 26.06(4) TOLERANCE FOR DEFECTS. In order to allow for
26 variations incident to proper grading and handling, the following
27 tolerances are permitted for Yellow Tag Grade potatoes:

1 (a) 10% for potatoes damaged by sprouts.

2 (b) 5% for potatoes seriously damaged by internal defects.

3 (c) 20% for potatoes failing to meet the remaining

4 requirements of this grade, provided that the following tolerances

5 are not exceeded for the following defects:

6 1. 6.00% for defects constituting serious damage,

7 2. 5.00% for damage by scab,

8 3. 1.00% for late blight tuber rot,

9 4. 0.25% for varietal mixture,

10 5. 0.00% for injury caused by bacterial ring rot, nematodes

11 or tuber moths.

12 6. 1.00% for frozen, soft rot or wet breakdown,

13 SECTION 27. Ag 26.06(5)(c) is created to read:

14 (5)(c) Transportation. All vehicles, containers or other

15 conveyance equipment shall be cleaned and sanitized prior to use

16 or loading of seed potatoes. The college may withhold tags from

17 any shipment that does not meet this requirement. Seed potatoes

18 shipped without tags may not be certified.

19 SECTION 28. Ag 26.07(1)(c)3 is created to read:

20 Ag 26.07(1)(c)3. 'Transportation.' All vehicles, containers

21 or other conveyance equipment shall be cleaned and sanitized prior

22 to use or loading of seed potatoes. The college may withhold tags

23 from any shipment that does not meet this requirement. Seed

24 potatoes shipped without tags may not be certified.

25 SECTION 29. Ag 26.07(2)(c)3 is created to read:

26 Ag 26.07(2)(c)3. 'Transportation.' All vehicles, containers

27 or other conveyance equipment shall be cleaned and sanitized prior

1 to use or loading of seed potatoes. The college may withhold tags
2 from any shipment that does not meet this requirement. Seed
3 potatoes shipped without tags may not be certified.

4 SECTION 30. The rules contained in this order shall take
5 effect on the first day of the month following publication in the
6 Wisconsin administrative register, as provided in s.
7 227.026(1)(intro.), Stats.

8 Dated this 28 day of July, 1986.

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STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

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By



Michael J. Lester
Assistant Administrator
Marketing Division

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State of Wisconsin

Department of Agriculture, Trade & Consumer Protection

Howard C. Richards
Secretary

801 West Badger Road
P.O. Box 8911
Madison, WI 53708
608 266-1721

DATE: July 28, 1986

TO: Gary Poulson, Revisor of Statutes Office
Room 411 West, State Capitol

FROM: Michael J. Lester, Acting Administrator, Marketing Division
Agriculture, Trade and Consumer Protection *ml*

SUBJECT: Clearinghouse Rule 86-3, Chapter Ag 26, relating to
Certified Seed Potatoes with the Department of Agriculture,
Trade and Consumer Protection.

Final Regulatory Flexibility Analysis

Under s. 227.19(3m), Wis. Stats., the department is certifying the adoption of Chapter Ag 26 will not have a significant economic impact on a substantial number of small businesses and that the agency has complied with the requirements of s. 227.114(1) and (5), Wis. Stats. Pursuant to s. 227.19(3m), Wis. Stats., a final regulatory flexibility analysis is therefore not required.

Comments from Legislative Committees

The rule was referred to the Assembly Agriculture Committee on June 27, 1986 and to the Senate Committee on Agriculture, Health and Human Services on June 25, 1986. Neither committee held a hearing on the rule, and the department received no comments from either committee.

MJL:vg

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JUL 29 1986

Revisor of Statutes
Bureau