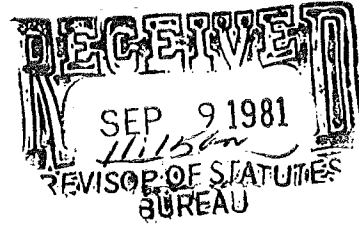


Ag 26

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

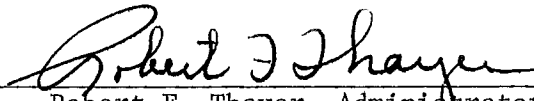


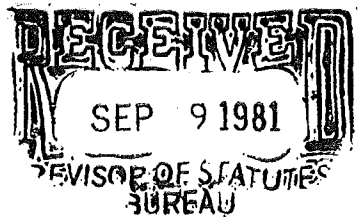
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Robert F. Thayer, 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 September 8, 1981.

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 8th day of September, 1981.

  
Robert F. Thayer, Administrator  
Marketing Division



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ORDER OF THE STATE OF WISCONSIN  
DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION  
REPEALING, AMENDING AND ADOPTING RULES  
Relating to rules concerning certified seed potatoes:

Analysis by the Department of Agriculture,  
Trade and Consumer Protection

The primary purpose of these rule changes is to clarify the process used by the university of Wisconsin, college of agricultural and life sciences to certify seed potatoes and the process used by the department in grading seed potatoes which have been certified by the university. The rule is being amended to make it clear that when seed potatoes are certified by the university and the department as meeting the 0.0% tolerance for bacterial ring rot disease the certification does not mean the entire lot of potatoes is free from the disease, but only that the samples inspected were observed not to have bacterial ring rot.

The definition section was amended to put the words in alphabetical order and place substantive language into the body of the rule. Section Ag 26.02 was changed to clearly define the roles played by the university and the department in the certification of seed potatoes. Section Ag 26.03 was changed to set forth in detail the application process, inspection procedures, and inspection standards used by the university to certify seed potatoes. Under the existing rule, a winter test is only required for foundation certified seed potatoes. The winter test is now being required of all certified seed potatoes.

Sections Ag 26.04 through Ag 26.07 were amended so the rule conforms to existing certified seed potato labeling and tagging processes and nomenclature. The rule was amended to change the "Red Tag" grade to a "Yellow Tag" grade so Wisconsin practices regarding certification of seed potatoes are in conformity with the practices followed throughout the United States. Changes were also made in these sections to clarify existing language and specify in more detail the grading procedures to be followed by the department.

A new section, Ag 26.08, was added to the rule to specify the requirements that must be satisfied for the production and sale of "Elite Foundation" certified seed potatoes.

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Pursuant to authority vested in the State of Wisconsin Department of Agriculture, Trade and Consumer Protection by sections 93.07(1), 93.09 and 100.14, Wis. Stats., the State of Wisconsin Department of Agriculture, Trade and Consumer Protection

1 proposes to repeal, amend and adopt rules interpreting sections  
2 93.09 and 100.14, Wis. Stats., as follows:

3 SECTION 1. Chapter Ag 26 (title) is amended to read:

4 Ag 26 (title) CERTIFIED SEED POTATOES

5 SECTION 2. Ag 26.01(6) of the Wisconsin Administrative Code  
6 is renumbered Ag 26.04(1) and as renumbered is amended to read:

7 Ag 26.04(1) GRADES. The grades of Wisconsin certified  
8 seed potatoes are: Badger State Brand-~~certified-seed~~, Wisconsin  
9 Red Yellow Tag Grade, ~~Blue-Tag-Growers~~ Badger State Brand Foundation  
10 ~~seed~~, and Red Yellow Tag-Growers Grade Foundation seed.

11 SECTION 3. Ag 26.01(2) through (5), (7), and (9) through (12)  
12 of the Wisconsin Administrative Code are renumbered Ag 26.01(3), (10),  
13 (2), (9), (12), (5), (6), (4), and (11), respectively and  
14 Ag 26.01(2) and (9) as renumbered are amended to read:

15 Ag 26.01(2) "Certified seed potatoes" means seed potatoes  
16 which have been inspected and certified as-to-seed-source,  
17 cultural-practices,-storage-and-quality-factors-by-the-seed  
18 certification-agency by the college as having been produced under and  
19 meeting field and bin inspection standards and requirements under this  
20 chapter and which have been graded and certified by the department as  
21 being of a grade specified in this chapter.

22 (9) "Person" ~~includes~~ means individuals, partnerships,  
23 corporations, ~~firms,-and~~ associations,- and any other business  
24 organization or entity.

25 SECTION 4. Ag 26.01(7) of the Wisconsin Administrative Code is  
26 created to read:

27 Ag 26.01(7) "Foundation seed" means seed potatoes which have

1 been certified as Badger State Brand Foundation seed potatoes, Yellow  
2 Tag Grade Foundation seed potatoes or Elite Foundation seed potatoes.

3 SECTION 5. Ag 26.02 of the Wisconsin Administrative Code is  
4 repealed and recreated to read:

5 Ag 26.02 INSPECTION AND CERTIFICATION. (1) FIELD AND BIN  
6 INSPECTION; GRADING INSPECTION. (a) No potatoes may be sold or  
7 represented as certified seed potatoes unless they have been  
8 officially inspected by the seed certification agency and inspection  
9 certificates or reports have been issued showing that they have been  
10 produced under and met field and bin inspection standards and  
11 requirements, and conform to all other certification standards and  
12 requirements as provided in this chapter, including grade standards  
13 for the grade under which the seed is to be sold.

14 (b) Field and bin inspections shall be made by the college  
15 and grading inspections by the department. No grading inspection  
16 shall be made or grading certificates issued by the department  
17 until both a field inspection and separate bin inspection certificate  
18 or report have first been issued by the college.

19 (2) ISSUANCE OF CERTIFICATES. Field and bin and grading inspec-  
20 tions and certifications or reports shall be based upon visual inspec-  
21 tions of fields, bins, plants and tubers in accordance with standards,  
22 procedures, and tolerances specified in ss. Ag 26.03 and Ag 26.04,  
23 Wis. Admin. Code. In the issuance of inspection certificates or  
24 reports, neither the department nor the college make any express or  
25 implied warranties or representations as to freedom from disease or  
26 quality of the certified seed, but certifies only that at the time of  
27 inspection the sample plants and tubers of each lot inspected conform

1 to standards and tolerances for certified seed or certified seed of a  
2 particular grade under this chapter.

3 (3) PROHIBITIONS AND EXCEPTIONS. (a) No person may sell,  
4 offer for sale, have in possession with intent to sell, advertise,  
5 label or otherwise represent any potatoes as certified seed or as  
6 being of a grade prescribed in this chapter; or use in connection  
7 with the sale of seed potatoes any word, phrase or designation  
8 which suggests that they have been inspected, certified, or graded  
9 unless they have been inspected, graded and certified under this  
10 chapter, and conform to grades as specified in the grading  
11 certificate.

12 (b) This chapter shall not apply to potatoes originating from  
13 another state which have been officially inspected and certified as to  
14 quality by an authorized certification agency of the state of origin  
15 as evidenced by an official certification label of the state of origin  
16 and which are otherwise accurately labeled and not misrepresented as  
17 being certified seed or seed of a particular grade or quality.

18 SECTION 6. Ag 26.03 of the Wisconsin Administrative Code is  
19 repealed and recreated to read:

20 Ag 26.03 FIELD AND BIN INSPECTIONS. (1) APPLICATION;  
21 GENERAL REQUIREMENTS. Persons desiring to qualify a seed lot as  
22 certified seed shall make application to the department of plant  
23 pathology of the college for the required field and bin inspec-  
24 tions. The applicant shall voluntarily agree to pay and be liable  
25 for the expenses of inspection on a reasonable unit cost basis as  
26 determined by the college. All potatoes grown on farms on which  
27 certified seed is to be produced shall be entered for certifica-

1 tion and subject to field and bin inspections for variety, field  
2 standards, disease tolerances, cultural standards, bin standards,  
3 and other inspectional standards and requirements provided in this  
4 section.

5 (2) INSPECTION PROCEDURES. (a) Field and bin inspections  
6 shall be conducted on basis of a visual observation of sample  
7 plants and tubers under growing conditions and during storage.

8 (b) A minimum of 2 field inspections shall be made during  
9 the growing season with a visual examination being made of a mini-  
10 mum of 100 plants for each planted acre. Inspections of bins and  
11 storage areas shall include a visual inspection of at least 100  
12 stored tubers for each harvested acre.

13 (c) Certification shall not extend to diseases which cannot be  
14 observed on basis of a visual inspection of plants and tubers.

15 (3) FIELD STANDARDS. (a) All seed lots entered for certifi-  
16 cation shall be planted with foundation seed of the grower's own  
17 production. Foundation seed not produced by the grower may be  
18 used only with the approval of the college.

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

25 (c) No variety of potatoes shall be certified if grown with-  
26 in 100 feet of other potato crops affected with virus in excess of  
27 viral disease tolerances permitted in sub. (4)(a). Less than 100

1 feet may be permitted if the seed field is protected against vec-  
 2 tors of viral diseases by an adequate barrier or other condition  
 3 affords protection to the seed field against vectors of viral  
 4 diseases.

5 (4) DISEASE TOLERANCES. (a) No fields of potatoes may be  
 6 certified which on first and subsequent inspections by the college  
 7 are found to be infected with diseases or to contain variety mix-  
 8 tures in excess of respective percentage tolerances for variety  
 9 mixture or various types of diseases as specified below:

10	<u>Disease and</u>	<u>1st</u>	<u>2nd or Subsequent</u>
11	<u>Variety Mixture</u>	<u>Inspection</u>	<u>Inspections</u>
12	Leafroll	1.5%	1.0%
13	Mosaics	2.0%	1.0%
14	Spindle tuber	1.0%	1.0%
15	TOTAL VIRUS ALLOWED	3.0%	3.0%
16	Bacterial ring rot	0.0%	0.0%
17	Variety mixture	1.0%	0.1%

18 NOTE: Although individual tolerances on first inspection  
 19 for leafroll, mosaics, and spindle tuber are shown as  
 20 1.5%, 2.0%, and 1.0% respectively, the total combined  
 21 tolerances for these diseases on first inspection shall  
 22 not exceed 3.0%. The 0.0% tolerance for ring rot does not  
 23 mean the lot of potatoes is free of the disease, but means  
 24 that the samples inspected were observed not to have the  
 25 disease.

26 (b) In addition to the rejection of potatoes for failing to  
 27 meet tolerance standards under par. (a), the college shall reject  
 for certification any lot of potatoes because of the presence of  
 any other disease to a damaging extent or serious insect damage,  
 or any other condition that adversely affects or impairs the  
 growth, quality, or value of the potatoes.

(5) CULTURAL STANDARDS. Uneven or slowly emerging plants or  
 an excessive number of missing hills due to disease, poor seed or

1 other cultural conditions shall be cause for rejection of any lot  
2 of potatoes for certification. Potatoes may also be rejected for  
3 certification because of the presence of weeds or existence of any  
4 other environmental or cultural factors or conditions contributing  
5 to the unsatisfactory growth or development of the potatoes or  
6 interfering with the ability of the college to conduct full and  
7 complete field inspections.

8 (6) FOUNDATION SEED STANDARDS. In addition to meeting all  
9 requirements for certified seed, foundation seed shall meet the  
10 following additional requirements:

11 (a) Foundation seed shall not be stored in warehouses or  
12 other storage areas where non-certified seed potatoes are stored,  
13 but may be stored in the same warehouse or storage area where  
14 other potatoes inspected and meeting foundation or certified  
15 standards are stored.

16 (b) Production of foundation seed shall be limited to those  
17 farms which have satisfied disease tolerances for ring rot under  
18 these rules for two successive growing seasons. Seed lots may be  
19 carried forward a second season if disease tolerances for ring rot  
20 have been satisfied and sanitary precautions are taken to prevent  
21 their contamination.

22 (c) No fields of potatoes may be certified as foundation  
23 seed which on first or subsequent inspections by the college are  
24 found to be infected with diseases or to contain variety mixtures  
25 in excess of respective tolerances for variety mixture or various  
26 types of diseases as specified below:

27



	<u>Disease and Variety Mixture</u>	<u>First Inspection</u>	<u>2nd and Subsequent Inspection</u>
1			
2	Leafroll	0.25%	0.25%
3	Mosaics	0.25%	0.25%
4	Spindle tuber	0.10%	0.10%
5	TOTAL VIRUS ALLOWED	0.25%	0.25%
6	Bacterial ring rot	0.0%	0.0%
7	Variety mixture	0.0%	0.0%

NOTE: Although individual tolerances on first and subsequent inspections for leafroll, mosaics, and spindle tuber are .25%, .25%, and .10% respectively, the total combined tolerances for these diseases on first or subsequent inspections shall not exceed .25%. The 0.0% tolerance for ring rot does not mean the lot of potatoes is free of the disease, but means that the samples inspected were observed not to have the disease.

(d) The inspection records on seed lots certified by out-of-state agencies as meeting foundation class or better, shall be submitted to the college before being approved for foundation planting in this state. A grower purchasing foundation seed originating from out-of-state sources shall make a thorough investigation of the out-of-state producer's operation to assure that an adequate sanitation program has been followed to protect the seed potatoes from contamination by bacterial ring rot and other diseases.

(7) WINTER FIELD TEST; STANDARDS AND REQUIREMENTS. (a) A follow-up winter field test, at a site chosen by the college, shall be conducted on all seed lots certified by the college on basis of summer field and bin inspections. A minimum of 300 to 400 B-size 1-1/4 to 2-1/4 inch diameter tubers shall be submitted to the college for winter test purposes from each lot of seed potatoes the grower intends to sell or use as certified or foundation seed potatoes.

(b) Certification by the college based on summer field and bin inspections shall be revoked if the potatoes fail to meet winter test standards and tolerances for diseases and variety mixture. Winter test standard and tolerances for diseases and variety mixture for foundation and other certified seed potatoes are as follows:

<u>Disease and Variety Mixture</u>	<u>Foundation Seed</u>	<u>Other Certified Seed</u>
Leafroll	0.5%	5.0%
Mosaics	0.5%	5.0%
Spindle tuber	0.5%	2.0%
TOTAL VIRUS ALLOWED	0.5%	5.0%
Bacterial ring rot	0.0%	0.0%
Variety mixture	0.0%	2.0%

NOTE: Although individual tolerances for leafroll, mosaics, and spindle tuber for foundation seed are .5% and for other certified seed are 5.0%, 5.0% and 2.0% respectively, the total combined tolerance for foundation seed is .5% and certified seed is 5%. The 0.0% tolerance for ring rot does not mean the lot of potatoes is free of the disease, but means the samples inspected were observed not to have the disease.

(c) No seed potatoes certified by the college on basis of summer field and bin inspections may be sold or offered for sale as foundation seed potatoes until after the winter test has been completed and the lot of seed potatoes has been further certified by the college as having met the requirements of the winter test. This does not prohibit the sale of other seed potatoes which have been graded and certified by the department as being Yellow Tag Grade or Badger State Brand certified seed potatoes following completion of the summer field and bin inspections and prior to completion of the winter test.

(d) If lot samples are destroyed through natural causes such as flooding or the winter test cannot be satisfactorily completed for any other reason, certification by the college shall be based only on

1 summer field and bin inspections conducted by the college.

2 (8) BIN STANDARDS. (a) All storage areas or bins shall, prior to  
3 use for the storage of newly harvested lots of seed potatoes for certi-  
4 fication, be cleaned and disinfected with a disinfectant approved by  
5 the college. Disinfection shall be verified by the college and evi-  
6 denced by posting on storage areas or bins a sign dated and signed  
7 by an inspector of the college certifying that storage areas or bins  
8 have been properly cleaned and disinfected.

9 (b) Bins of seed potatoes shall be clearly labeled with the  
10 name of the grower, variety, foundation seed source, and bin mea-  
11 surements. Potatoes showing severe defects, such as frost, late  
12 blight, soft rot or any other condition that may adversely affect  
13 the quality or value of the potatoes may be rejected for certifi-  
14 cation.

15 (c) All potatoes stored in a warehouse in which certified or  
16 foundation seed is stored shall be from fields entered for  
17 certification.

18 SECTION 7. Ag 26.04 (title) is amended to read:

19 GRADES AND GRADE INSPECTION.

20 SECTION 8. Ag 26.04(1) through (3) of the Wisconsin Administra-  
21 tive Code are renumbered Ag 26.04(2) through (4) respectively, and  
22 Ag 26.04(2), (3), (4) (intro) and (4)(b) as renumbered are amended to  
23 read:

24 Ag 26.04(2) APPLICATION; COSTS. ~~Any-person~~ Persons desiring  
25 to sell or offer for sale potatoes as Wisconsin certified seed ~~or~~  
26 ~~Growers'-Foundation-Seed~~ of a grade prescribed in this section  
27 shall make application to the department for the required grade

1 inspection. The applicant shall agree to pay and shall be liable  
2 for the expense of such-inspection grade inspections on a reason-  
3 able unit cost basis as determined ~~from-time-to-time~~ by the  
4 department.

5 (3) GRADE INSPECTIONS. (a) ~~The-grade-inspections-shall-in-~~  
6 ~~clude-determinations-as-to-quality-and-condition---~~~~Tolerances-for-the~~  
7 ~~standards-shall-be-calculated-on-basis-of-weight-and-will-be-allowed~~  
8 ~~as-provided-in-this-chapter.~~ Grades shall be determined on the basis  
9 of visual examination of individual samples of each lot for quality  
10 and condition in accordance with standards and tolerances for each  
11 specific grade as established in these rules. Individual samples used  
12 for grading and grade inspections shall consist of at least 20 pounds  
13 of potatoes drawn from each lot to be graded. The number of individ-  
14 ual samples to be taken from each lot will vary with the size of the  
15 lot.

16 (b) Tolerances for size and defects for the various grades spe-  
17 cified in these rules shall be calculated on basis of weight. Toler-  
18 ances specified for each grade shall apply to both bulk and package  
19 lots of certified seed potatoes.

20 (4) PERMITTED TOLERANCES. ~~The-tolerances-herein-specified-are~~  
21 ~~expressed-on-a-container-basis---~~~~The-grade-of-an-entire-lot-may-be~~  
22 ~~determined-on-the-basis-of-sample-inspections---~~~~In-such-cases-the~~  
23 ~~averages-for-the-entire-lot-must-be-within-the-tolerances-specified~~  
24 ~~for-the-respective-grades.~~ All packages of potatoes within a lot  
25 shall on the average conform to grade tolerances for the entire lot  
26 as determined on an individual lot sample basis, but the contents of  
27 individual packages in the lot may vary from the specified tolerances

1 for the entire lot subject to the following limitations:

2 (b) When the tolerance specified is less than 10%, individual  
3 packages in any lot may contain not more than double the tolerance  
4 specified except, ~~that for frozen potatoes, or those affected by soft~~  
5 ~~rot or wet breakdown, not more than one-tenth of the packages may~~  
6 ~~contain more than double the tolerance but not more than four times~~  
7 ~~the tolerance specified, and except that at least one defective and~~  
8 ~~one off-size specimen shall be permitted in a package.~~

9 1. That at least one defective and one off-size specimen shall  
10 be permitted in a package and

11 2. That for frozen potatoes or those affected by soft rot or  
12 wet breakdown, not more than one-tenth of the packages in any lot may  
13 contain a maximum of 4 times the tolerance specified.

14 SECTION 9. Ag 26.05(1), (4) and (5) of the Wisconsin Admini-  
15 strative Code are amended to read:

16 Ag 26.05 BADGER STATE BRAND. (1) GRADE REQUIREMENTS.

17 Badger State Brand Certified-Seed certified seed potatoes  
18 shall consist of potatoes of one variety certified by the college,  
19 which are;

20 (a) Fairly well shaped and not frozen and

21 (b) Which are Free from;

22 1. freezing injury,

23 2. blackheart,

24 3. late blight,

25 4. ring rot, and

26 5. soft rot or wet breakdown, and from

27 6. damage caused by dirt or other foreign matter, seed

1 ~~growth, growth-cracks, air-cracks~~ as defined in s. Ag 26.01(4),  
 2 Wis. Admin. Code, including cuts, shriveling, sprouting, scab, dry  
 3 rot, rhizoctonia, ether-disease, wireworm, ether-insects or damage  
 4 by mechanical or other means, and which are free from

5 7. serious damage as defined in s. Ag 26.01(11), Wis. Admin.  
 6 Code, including serious damage caused by sunburn, hollow heart,  
 7 mahogany browning, and internal necrosis discoloration.

8 (4) TOLERANCE FOR DEFECTS. (a) In order to allow for vari-  
 9 ations incident to proper grading and handling, other than for size,  
 10 sunburn, hollow heart, mahogany browning and internal necrosis  
 11 discoloration, not more than a total of 6% of the potatoes in any  
 12 lot may fail to meet the required grade because of external defects,  
 13 but within the 6% tolerance not more than 3% of the potatoes in any lot  
 14 shall be affected by late blight or damaged by scab, and including  
 15 within the 3% tolerance established for late blight or scab not more  
 16 than one per cent for potatoes that are shall be frozen or affected with  
 17 soft rot or wet breakdown.

18 (b) In addition to the ~~above tolerances~~ 6% tolerance for external  
 19 defects in par. (a), not more than 5% of the potatoes may be seriously  
 20 damaged by sunburn and not more than 5% of the potatoes may be  
 21 seriously damaged by hollow heart, mahogany browning and or internal  
 22 necrosis discoloration. No tolerance shall be allowed for bacterial  
 23 ring rot.

24 (5) SALE AND DISTRIBUTION. (a) ~~Bags~~ Bagged potatoes.  
 25 Bagged potatoes of this grade the Badger State Brand shall, except  
 26 for bulk shipment under paragraph (b), may be sold, distributed or  
 27 transported for sale as certified seed potatoes only in new clean

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

18 (b) Bulk shipment potatoes. Potatoes of ~~this~~ the Badger  
 19 State Brand grade may be sold, distributed or transported for sale  
 20 in bulk quantities, only in containers or carriers which ~~can be~~  
 21 ~~sealed and which~~ have been thoroughly cleaned and disinfected  
 22 immediately ~~prior to~~ before the ~~stock being loaded~~ potatoes are  
 23 placed in the containers or carriers and which can be sealed and  
 24 opened only by the breaking of a seal. Each container or carrier  
 25 of potatoes shall be identified with an official blue tag ~~contain-~~  
 26 ing issued by the college and bearing information required under  
 27 paragraph par. (a). ~~and be~~ The blue tag shall be attached to each

1 container or carrier with an official metal seal, furnished by the  
 2 department, in such a manner that the ~~shipment~~ contents of the  
 3 container or carrier cannot be ~~unloaded~~ removed without ~~destroying~~  
 4 the breaking of the seal. ~~and-removing-the-tag.~~

5 SECTION 10. Ag 26.06 of the Wisconsin Administrative Code is  
 6 amended to read:

7 Ag 26.06 Wisconsin-RED YELLOW TAG GRADE. (1) GRADE REQUIRE-  
 8 MENTS. Wisconsin-Red Yellow Tag Grade Certified-Seed certified  
 9 seed potatoes shall consist of potatoes of one variety, certified  
 10 by the college, which are;

11 (a) Not badly seriously misshapen and not frozen and

12 (b) Which are Free from;

13 1. freezing injury,

14 2. blackheart,

15 3. late blight,

16 4. ring rot, and

17 5. soft rot or wet breakdown, ~~and-from~~

18 6. damage caused-by-dirt-or-other-foreign-matter,-air

19 cracks as defined in s. Ag 26.01(4), Wis. Admin. Code, including

20 cuts, ~~shriveling,-sprouting,-scab,~~ dry rot, ~~rhizoctonia,-other~~

21 ~~disease,-wireworm,-other-insects~~ or damage by mechanical or other

22 means except that potatoes seriously misshapen may be graded and

23 certified as Yellow Tag Grade potatoes if the potatoes are

24 acceptable to the buyer, and

25 7. serious damage as defined in s. Ag 26.01(11), Wis. Admin.

26 Code, including serious damage caused by growth cracks, mahogany

27 browning or internal necrosis discoloration.



1 Potatoes-misshapen-because-of-second-growth-may-be-certified-in  
2 special-instances-when-such-potatoes-are-acceptable-to-the-buyer-

3 (2) SIZE. The size requirements and the tolerances for size  
4 to-be-allowed shall be the same as for Badger State Brand Certified  
5 Seed certified seed potatoes.

6 (3) TOLERANCE FOR DEFECTS. (a) In order to allow for vari-  
7 ations incident to proper grading and handling, other than size,  
8 hollow heart, mahogany browning, sunburn and internal necrosis dis-  
9 coloration, not more than a total of 20% of the potatoes in any lot  
10 may fail to meet the required grade because of external defects, but  
11 within the 20% tolerance not more than 6% shall be allowed-for  
12 defects-causing affected with serious damage; and not more than 3%  
13 of-the-potatoes-in-any-lot shall be affected by late blight or  
14 damaged by scab, and including within the 3% tolerance established  
15 for late blight or scab not more than 4%-for-potatoes-that-are one  
16 per cent shall be frozen or affected with soft rot or wet breakdown.

17 (b) In addition to the above-tolerances 20% tolerance for  
18 external defects in par. (a), not more than 5% of-the-potatoes may be  
19 seriously damaged by mahogany browning or internal necrosis discol-  
20 oration. No tolerance shall be allowed for bacterial ring rot.

21 (4) SALE AND DISTRIBUTION. (a) Bags- Bagged potatoes.  
22 Bagged potatoes of this the Yellow Tag grade shall,-except-for-bulk  
23 shipment-under-paragraph-(b), may be sold, distributed or trans-  
24 ported for sale as certified seed potatoes only in new clean  
25 bags, which-may The bags shall bear a net weight statement and  
26 otherwise be plain or bear conspicuously and prominently imprinted  
27 with the brand of the grower or an organization through which the

1 seed potatoes are marketed. ~~They shall have no other grade designa-~~  
 2 ~~tion.~~ and bear an official red yellow tag, issued by the college.  
 3 The bags shall bear no other grade or brand designation. The  
 4 official yellow tag shall be securely attached to each bag, printed  
 5 and be prominently and conspicuously imprinted with the words  
 6 "Wisconsin Red-Tag Certified Seed Potatoes Yellow Tag Grade". and  
 7 showing in addition, the tag shall show the variety of the potatoes,  
 8 the season during which grown, and name and address of the grower,  
 9 ~~and net weight, shall be securely attached to each bag.~~ An  
 10 official metal seal furnished by the department shall be affixed to  
 11 the finishing end of the string on all hand sewn bags to seal the  
 12 contents of the bag. Official metal seals are not required on  
 13 machine sewn bags where the stitching acts as an effective seal of  
 14 for the contents of the bag.

15 (b) Bulk shipment potatoes. Yellow Tag Grade potatoes of  
 16 ~~this grade~~ may be sold, distributed or transported for sale in bulk  
 17 quantities, only in containers or carriers which can be sealed and  
 18 ~~which~~ have been thoroughly cleaned and disinfected immediately  
 19 ~~prior to~~ before the ~~stock being loaded.~~ potatoes are placed in the  
 20 containers or carriers and which can be opened only by the breaking  
 21 of a seal. Each container or carrier of potatoes shall be identi-  
 22 fied with an official red yellow tag containing issued by the  
 23 college and bearing the information required under paragraph  
 24 par. (a). ~~and be~~ The yellow tag shall be attached to each container  
 25 or carrier with an official metal seal, furnished by the department,  
 26 in such a manner that the shipment contents of the container or  
 27 carrier cannot be unloaded removed without destroying the breaking

1 of the seal. and-removing-the-tag.

2 SECTION 11. Ag 26.07 of the Wisconsin Administrative Code is  
3 amended to read:

4 Ag 26.07 Growers' FOUNDATION SEED. (1) BLUE-TAG. BADGER  
5 STATE BRAND FOUNDATION. (a) Grade requirements. Blue-Tag-Growers  
6 Badger State Brand Foundation Seed certified seed potatoes shall  
7 consist of potatoes of one variety, certified by the college, which  
8 shall meet the grade requirements of Badger State Brand Certified  
9 Seed certified seed potatoes under s. Ag 26.05, Wis. Admin. Code.

10 (b) Size. The size requirements and the tolerances for size  
11 to be allowed shall be the same as for Badger State Brand  
12 Certified-Seed certified seed potatoes.

13 (c) Sale and distribution. 1. Bags. Bagged potatoes.  
14 Bagged potatoes of this the Badger State Brand Foundation grade  
15 shall,--except-for-bulk-shipment-under-subdivision-2., may be sold,  
16 distributed or transported for sale as Growers' Badger State Brand  
17 Foundation Seed seed potatoes only in new clean bags. bearing The  
18 bags shall bear a net weight statement and be conspicuously and prom-  
19 inently imprinted with the brand-name words "Badger State Brand" or  
20 the brand of the grower or the organization through which the seed  
21 potatoes are marketed,--They shall have no other grade designation,  
22 and bear an official blue tag issued by the college. The bags shall  
23 bear no other grade or brand designation. The official blue tag  
24 used-for-Badger-State-Brand-Certified-Seed-with-the-word-"Foundation"  
25 everprinted-on-the-face-of-the-tag, shall be securely attached to  
26 each bag, and be prominently and conspicuously imprinted with the  
27 words "Wisconsin Certified Seed Potatoes Badger State Brand" with the

1 word "Foundation" overprinted on the face of the tag. In addition,  
 2 the tag shall show the variety of the potatoes, the season during  
 3 which grown, and name and address of the grower. An official metal  
 4 seal furnished by the department shall also be affixed to the finish-  
 5 ing end of the string on all hand sewn bags to seal the contents of  
 6 the bag. Official metal seals are not required on machine sewn bags  
 7 where the stitching acts as an effective seal ~~of~~ for the contents of  
 8 the bag.

9 2. ~~Bulk shipment~~ potatoes. Potatoes of ~~this~~ the Badger State  
 10 Brand Foundation grade may be sold, distributed or transported for  
 11 sale in bulk quantities, only in ~~intrastate-commerce-under-permit~~  
 12 ~~from-the-department---~~ Only containers or carriers which can be  
 13 sealed and opened by the breaking of the seal and which have been  
 14 thoroughly cleaned and disinfected immediately prior-to-the-stork  
 15 ~~being-loaded-may-be-used.~~ before use for the bulk shipment of  
 16 potatoes. Each container or carrier of potatoes shall be identified  
 17 with an official blue tag ~~containing~~ issued by the college and  
 18 bearing the information required under subdivision subd. 1.,  
 19 with the word "Foundation" overprinted on the face of the tag, and  
 20 The blue tag shall be attached to each container or carrier with an  
 21 official metal seal, furnished by the department, in such a manner  
 22 that the shipment contents of the container or carrier cannot be  
 23 unloaded removed without destroying the breaking of the seal. ~~or~~  
 24 ~~removing-the-tag.~~ Potatoes of this grade may not be sold, distri-  
 25 buted or transported in bulk to out-of-state buyers in interstate  
 26 commerce. No potatoes of the Badger State Brand Foundation grade  
 27 may be sold, distributed or transported in bulk within this state

1 without prior notification to or receipt of a permit from the  
 2 college.

3 (2) RED YELLOW TAG GRADE FOUNDATION. (a) Grade requirements.

4 Red Yellow Tag Growers' Grade Foundation Seed seed potatoes shall  
 5 consist of potatoes of one variety, certified by the college, which  
 6 shall meet the grade requirements of Wisconsin-Red Yellow Tag  
 7 Certified-Seed Grade certified seed potatoes under s. Ag 26.06, Wis.  
 8 Admin. Code.

9 (b) Size. The size requirements and the tolerances for size  
 10 to be allowed shall be the same as for Badger State Brand Certified  
 11 Seed certified seed potatoes.

12 (c) Sale and distribution. 1. Bags- Bagged potatoes.  
 13 Bagged potatoes of this the Yellow Tag Grade Foundation grade shall,  
 14 except-for-bulk-shipment-under-subdivision-2., may be sold, dis-  
 15 tributed or transported for sale as Growers'-Red Yellow Tag Grade  
 16 Foundation Seed seed potatoes only in new clean bags, which may  
 17 The bags shall bear a net weight statement and otherwise be plain  
 18 or bear conspicuously and prominently imprinted with the brand of  
 19 the grower or the organization through which the seed potatoes are  
 20 marketed. They shall have no other grade designation.--The and  
 21 bear an official red yellow tag issued by the college. The bags  
 22 shall bear no other grade or brand designation. used-for-Wisconsin  
 23 Red-Tag-Certified-Seed-Grade, with the word "Foundation" overprinted  
 24 on-the-face-of-the-tag, The official red yellow tag shall be  
 25 securely attached to each bag, and conspicuously and prominently  
 26 imprinted with the words "Wisconsin Certified Seed Potatoes Yellow  
 27 Tag Grade" with the word "Foundation" overprinted on the face of the

1 tag. In addition, the tag shall show the variety of the potatoes,  
 2 the season during which grown, and name and address of the grower.

3 An official metal seal furnished by the department shall also be  
 4 affixed to the finishing end of the string on all hand sewn bags to  
 5 seal the contents of the bag. Official metal seals are not required  
 6 on machine sewn bags where the stitching acts as an effective seal  
 7 ~~of~~ for the contents of the bag.

8 2. Bulk shipment potatoes. Potatoes of ~~this~~ the Yellow Tag  
 9 Grade Foundation grade may be sold, distributed or transported for  
 10 sale in bulk quantities, only in ~~intrastate-commerce-under-permit~~  
 11 ~~from-the-department.~~ Only containers or carriers which can be  
 12 sealed and opened by the breaking of the seal and which have been  
 13 thoroughly cleaned and disinfected immediately ~~prior-to-the-stork~~  
 14 ~~being-loaded-may-be-used~~ before use for the bulk shipment of potatoes  
 15 Each container or carrier of potatoes shall be identified with an  
 16 official ~~red~~ yellow tag issued by the college and bearing containing  
 17 the information required under subdivision subd. 1., with the word  
 18 "Foundation" overprinted on the face of the tag, ~~and~~ The yellow tag  
 19 shall be attached to each container or carrier with an official metal  
 20 seal, furnished by the department, in such a manner that the ~~shipment~~  
 21 contents of the container or carrier cannot be unloaded removed  
 22 ~~without destroying~~ the breaking of the seal. ~~or-removing-the-tag.~~  
 23 Potatoes of this grade may not be sold, distributed or transported in  
 24 bulk interstate to out-of-state buyers in interstate commerce. No  
 25 potatoes of the Yellow Tag Grade Foundation grade may be sold,  
 26 distributed or transported in bulk within this state without prior  
 27 notification to or receipt of a permit from the college.

1 SECTION 12. Ag 26.08 of the Wisconsin Administrative Code is  
2 adopted to read:

3 Ag 26.08 ELITE FOUNDATION SEED POTATOES. (1) Seed potatoes  
4 produced and sold by the college as elite foundation seed potatoes  
5 may be used for the planting and production of potatoes to be  
6 entered for certification as foundation or certified seed without  
7 grading inspection by the department. Elite foundation seed shall  
8 conform to all requirements prescribed in s. Ag 26.03(6), Wis.  
9 Admin. Code, and be the progeny from tuber-unit selections combined  
10 with clonal increase that have been rigidly screened for freedom  
11 from diseases by accepted indexing methods. No person may sell or  
12 represent seed potatoes as elite foundation seed potatoes unless the  
13 potatoes have been produced by the college and conform to the  
14 requirements of this section.

15 (2) Elite foundation seed potatoes shall consist of potatoes  
16 of one variety and as a minimum meet the standards for Yellow Tag  
17 Grade seed potatoes under s. Ag 26.06, Wis. Admin. Code, except for  
18 defects not affecting productivity such as shape, sunburn, insect  
19 damage, mahogany browning, and internal discoloration. Elite foun-  
20 dation seed potatoes shall be labeled with a white tag printed with  
21 the words "Wisconsin Certified Seed Potatoes" with the words "Elite  
22 Foundation" overprinted on the face of the tag.

23 SECTION 13. Ag 26.09 of the Wisconsin Administrative Code is  
24 adopted to read:

25 Ag 26.09 AUTHORITY. These rules are adopted under the author-  
26 ity of ss. 93.09 and 100.14, Stats., and enforced as provided under  
27 s. 93.21(3), Stats.

1 The rules and amendments contained in this order shall take  
2 effect on the first day of the month following publication in the  
3 Wisconsin Administrative Register, as provided in s. 227.026(1),  
4 Stats.

5 Dated: September 8, 1981.

STATE OF WISCONSIN  
DEPARTMENT OF AGRICULTURE,  
TRADE AND CONSUMER PROTECTION

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10 BY Robert F. Thayer  
11 Robert F. Thayer  
12 Administrator  
13 Marketing Division  
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