

Plant Industry Division  
“Quarantine for Late Blight”  
8 CCR 1203-13  
Colorado Department of Agriculture  
Division of Plant Industry  
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## QUARANTINE FOR LATE BLIGHT

### 2.10

#### Imported Seed Potatoes

A. A quarantine is imposed against seed potatoes imported into the San Luis Valley. Pursuant to said quarantine, seed potatoes may be imported into the San Luis Valley under the terms and conditions set forth in paragraphs B through F immediately below.

B. Imported seed potatoes shall be certified and accompanied by a certificate which shows proof of field inspection and documents that a representative sample of tubers from the load(s) was tested for late blight.

C. If the inspection certificate indicates that late blight was present during growing or loading, or no statement is made on the certificate concerning the presence or absence of late blight, the load(s) to which said certificate pertains shall not be unloaded, and, pursuant to § 35-4-109, shall be removed from the state within forty-eight (48) hours or shall be destroyed by the Commissioner.

D. Any load(s) which are not accompanied by an inspection certificate shall not be unloaded, and, if a certificate cannot be produced within forty-eight (48) hours, pursuant to § 35-4-109, shall be removed from the state within forty-eight (48) hours or shall be destroyed by the Commissioner.

E. If the inspection certificate indicates that no late blight was present during the growing, loading, or testing, the load(s) to which said certificate pertains shall be reinspected during the unloading process. Random sampling of the load shall be taken and any tubers showing symptoms of late blight shall be tested. Any load(s) showing symptoms of late blight shall be placed in a bin and held at the place where reinspection occurred, or, they shall be placed in a truck owned by the receiver of said load(s) and held at the place where reinspection occurred, pending results of testing. If late blight is confirmed by testing, the load(s) must be removed from the state or destroyed within seventy-two (72) hours.

F. Nuclear seed stock is exempt from the reinspection and sampling set forth in paragraph E immediately above.

### 2.40

#### Producer Reports

Any person who plants imported seed potatoes in the San Luis Valley shall report to the Commissioner annually, not later than June 1, the location (section, township and range) where such seed potatoes were planted and not later than October 1, as to whether late blight did or did not appear after planting.

## RULES PERTAINING TO THE QUARANTINE FOR LATE BLIGHT

### 3.10

#### Reinspection

A. Any person who receives imported seed potatoes shall notify the Department whenever a load of imported seed potatoes arrives. This notification may be accomplished by phoning the Monte Vista or Lakewood, Colorado office of the Department.

B. Imported seed potatoes shall not be unloaded until authorized by the Commissioner.

C. The Commissioner shall inspect the certificates for compliance with the provisions of the quarantine.

D. Loads which do not comply with the provisions of the quarantine shall be sealed by the Commissioner.

E. The Commissioner shall take random samples and route the samples for testing as required by

the quarantine.

F. The Commissioner shall insure that loads pending test results are held in a bin or a truck at the site of reinspection, as required by the quarantine.

G. After reinspection, the Commissioner shall document the presence or absence of visible late blight and the results of testing, if any.

3.20

Investigations

The Division of Plant Industry of the Department shall conduct investigations of all alleged violations of the quarantine and these rules.

3.30

Costs

A. The fees for reinspection shall be on file at the offices of the Colorado Department of Agriculture at Monte Vista and Lakewood, Colorado. These fees shall be applicable when such reinspection occurs during normal business hours, 0800-1700 hours, Monday through Friday, excluding state recognized holidays.

B. In the event a person requests reinspection outside of normal business hours, that person shall pay all overtime and mileage for the Commissioner's inspector.

C. Except for the special cost set forth in paragraph B immediately above, the cost for all reinspection shall be billed monthly to CPAC.

D. The full cost (direct and indirect cost) incurred by the Department for activities associated with investigations conducted pursuant to Paragraph 3.20 above shall be billed to CPAC on a quarterly basis.

6 This copy of the text of the rules and regulations for the "Quarantine for Late Blight" is provided as a convenience to the public by the Colorado Department of Agriculture and does not constitute an official publication of these Rules. The official version of these Rules is published by the Office of the Secretary of State in the Colorado Code of Regulations at 8 CCR 1203-13 and may be obtained from the following website:

<http://www.sos.state.co.us/CCR/Welcome.do>.

E. The Department shall recover all legal costs from CPAC incurred as a result of promulgating, implementing, and enforcing the quarantine and these rules at the rate charged by the Department of Law to the Department for legal services. CPAC shall be billed quarterly for any such legal costs.