

**STATE CERTIFIED WEED-FREE HAY AND CROP PRODUCTS 2007
QUESTIONS AND ANSWERS
USDA FOREST SERVICE, PACIFIC NORTHWEST REGION**

Q. What is changing for parties who use hay or crop products on Oregon and Washington National Forests?

- A. Commercially processed feed (pellets or steamed, rolled grains) or state certified weed-free feed is now required in all congressionally designated wilderness on Oregon and Washington National Forests. This requirement is based on recent decisions by the Forest Service in the Pacific Northwest Region. Beginning in 2002, the Forest Service began analysis in compliance with the National Environmental Policy Act to determine appropriate prevention standards for invasive plants on all National Forest lands in Oregon and Washington. The process included extensive public outreach and analysis. In October of 2005 a record of decision was signed for the *Final Environmental Impact Statement for the Invasive Plant Program - Preventing and Managing Invasive Plants*. This decision established invasive plant prevention standards that apply to all National Forest Lands in the Pacific Northwest Region. Standard #4 requires use of state certified weed-free hay or crop products on all National Forest System lands within the Pacific Northwest Region. Enforcement of the selected alternative will be phased in, starting with congressionally designated wilderness. A copy of the ROD and more information can be found at this Forest Service website: <http://www.fs.fed.us/r6/invasiveplant-eis/>.

Q. How is the Forest Service going to put the weed-free requirement into effect? Don't some areas of Pacific Northwest National Forests already require weed-free feed?

- A. A formal closure order has been issued to begin implementing this weed prevention standard from the regional record of decision. The closure order states, "For the purpose of this order, it is prohibited to possess or store hay or crop products that are not state certified weed-free, to include any hay, hay cubes, straw, grain or other crop or mulch product within all congressionally designated wilderness and trailheads leading into wilderness within the boundaries of the National Forest System of the Pacific Northwest Region in the States of Washington, Oregon and Idaho. [36 CFR 261.58(t)]." This requirement will be extended to all National Forest System lands in Oregon and Washington on January 1, 2009. A small portion of the Wallowa-Whitman National Forest is located in the state of Idaho.

For some National Forest congressionally designated wilderness in the Pacific Northwest, the requirement for weed-free feed is not new. All Washington state Cascade Mountain wildernesses in National Forests have required commercially processed feed pellets for over 15 years. The Wallowa-Whitman National Forest has required state certified hay in the Eagle Cap and Hells Canyon Wildernesses for a number of years. This new closure order makes the requirement for use of weed-free feed hay or crop products a consistent requirement throughout congressionally designated wilderness across Pacific Northwest National Forests.

Many organizations already encourage use of weed-free feed. In the publication: *Leave No Trace: Outdoor Skills and Ethics for Backcountry Horse Use*, found at the Backcountry Horsemen of Washington website (<http://www.bchw.org/lnt/lntbk.htm>), use of processed feed pellets is encouraged.

Q. What is meant by the term "weed-free hay or crop products"?

- A. Weed-free hay or crop products have been inspected according to standards used by the North American Weed Management Association (NAWMA) and member states. Under NAWMA standards, fields are inspected to ensure the absence of seed and reproductive parts from listed invasive weed species. Fields which pass the inspection are state certified and the producer may then officially label the products as a

weed-free hay or crop product. In a like sense, state certified weed-free mulch comes from fields that pass inspection and are then state certified and labeled for use in restoration and re-vegetation projects.

Q. Exactly what types hay or crop products are included in the closure order requirement?

- A. The closure order requires use of hay, hay cubes, straw, grain or other crop or mulch products that are state certified as weed-free.

Commercially processed feed pellets or steamed, rolled grains are also allowed under this order. They are considered weed-free feed and need not be state certified (see additional information about commercially processed feed below).

Q. Why is it necessary for the Forest Service to require the use of weed-free hay or crop products on National Forest System congressionally designated wilderness in Oregon and Washington and in 2009 on all National Forest System lands in these states?

- A. Hay and crop products often contain seed or reproductive parts from non-native, invasive and noxious weeds. When these products are brought into an area, weed populations become established that degrade the health of native ecosystems by destroying wildlife habitat, soil and water quality. Impacts from weeds also cause decline in aesthetic values, rangeland and economic values. Congressionally designated wilderness is among the areas most vulnerable to impacts from weeds and is also, in general, where prevention of infestation is most likely to succeed. Hay and crop products are not the only things that cause weeds to spread on National Forests; however, ensuring that only state certified weed-free hay and crop products are used is one action that will minimize their spread.

Q. Does certification of hay or crop products guarantee that no invasive, noxious weeds will be found in the product?

- A. No. Certification is simply the most feasible way to minimize the risk of viable invasive and noxious weed seed being transported within hay or crop products. When fields are inspected, they are inspected for invasive and noxious weeds which presently contain, or could within the next ten days produce, viable seed. Weed leaves and stems may occur in state certified products, but the intent is to minimize the risk of *seed or reproductive parts* transport.

Q. Exactly what types of hay or crop products are mentioned in this closure order?

- A. The closure order deals with hay, hay cubes, straw, grain or other crop or mulch products.

Q. Are livestock feeds the only products which are subject to the closure order?

- A. While hay and similar crop products are most often associated with livestock feeding, they are also used as mulch for erosion control, bedding, and other uses. The closure requires that **all** hay, hay cubes, straw, grain or other crop or mulch products, regardless of how they are used, be state certified as weed-free, when used or stored on National Forest System congressionally designated wilderness.

Q. Why are feed pellets or steamed and rolled grains allowed, while non state certified hay cubes are prohibited?

- A. Feed pellets are made by finely grinding the ingredients, heat treating, and then compressing into pellets. This process kills a very high percentage of viable seed that may be in the source ingredients. Similarly, steaming and rolling grains kills most viable seeds that may be present, including those of invasive, noxious weeds. While commercial processing feed may not in all cases eliminate all weed seed, feed pellets and steamed rolled grains are considered a reasonable option for preventing invasive and noxious weed spread.

Q. Is there such thing as state certified hay cubes?

- A. Yes. Some states, including Colorado, have developed a process and a market for the development of state certified hay cubes. These cubes are made from state certified hay that is traceable back to the field of origin where the inspection occurred. State certified hay cubes are sold in bags which have sewn-in tags, designating the cubes as state certified. If no tag exists on the bag, cubes cannot be considered state certified.

Note: state certified hay cubes are currently not available in Oregon or Washington.

Q. Does the order apply to me if I am simply passing through National Forests or National Grasslands?

- A. No. As long as hay or crop products are not unloaded or otherwise used on National Forest System lands or the Crooked River National Grasslands, the order does not apply.

Q. Are there penalties for violation of these closure orders, and how will the orders be enforced?

- A. Yes, there are penalties for violation under the statutes listed on the closure order. Following the period of adjustment and education in 2007 and 2008, violations of the closure order prohibitions are punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization or imprisonment for not more than 6 months, or both (16 U.S.C. 551 and 18 U.S.C 3559 and 357). These are the maximum penalties; most violators will not receive the maximum penalty.

Q. Where do I get state certified hay and crop products, Oregon is just one year into their certification program under the North American Weed Management Association standards and Washington state does not have a certification program?

- A. For state certified hay and crop products, the State of Oregon Department of Agriculture has established their certification program and growers have participated around the state. More growers will join the program as the demand for product increases. For more information, please see: <http://oregon.gov/ODA/PLANT/WEEDS/weedfreeforageprogram.shtml> or (503)986-4620. In addition, Wallowa County has had a certification program for weed-free hay and crop products that is sanctioned by Oregon and North American Weed Management Association. Please contact the Wallowa County Extension Office at (541) 426-3143.

Currently the State of Washington Department of Agriculture does not have a certification program for either hay or crop products. There is no projected date for when a program will be in place. Since Washington has no program to certify hay or crop products as weed-free, no Washington grown hay or crop products will meet the requirements of this closure. Contact the State of Washington Department of Agriculture at (509)225-2604 for further information.

Where no state certified weed-free hay or crop products are available, commercially processed feed pellets or steamed and rolled grains will be required in congressionally designated wilderness within National Forests of Oregon and Washington. Commercially processed feed pellets and steamed, rolled grains are available from local livestock feed supply stores and co-ops throughout Washington and Oregon. If you cannot find a local dealer with these products, contact your local county extension office.

Q. Am I required to buy state certified hay or crop products from the same state of the National Forests System congressionally wilderness that I intend to visit?

- A. No. Many states (Oregon, Idaho, Nevada, Montana, and Wyoming) have certification programs with similar weed lists and certification standards that meet the requirements of the North American Weed Management Association. Refer to the North American Weed Management Association web site for a full list of participating states: <http://www.nawma.org/>

Products certified by any of these states, and bearing the appropriate official labeling or twine, qualify as state certified hay and crop products under this closure order. It is important to note that, although California is not a member of the North American Weed Management Association, the California certification standards are similar to those of the North American Weed Management Association. Therefore, hay and crop products certified under the California Weed-free Forage Program are acceptable under this order. No hay or crop products coming from any states without a certification program with the standards of the North American Weed Management Association, or similar standards, can be used on National Forest System congressionally wilderness in the PNW Region.

Q. Who conducts the inspections and how are state certified hay or crop products labeled?

- A. Hay or crop products are inspected in the field of origin by trained, certified inspectors. Inspectors check the fields of participating hay or crop producers, within ten days prior to harvest. Standing crops found to be free of listed noxious weed seed are then harvested and marked with the legal certification labeling of the state or county. Examples of certification labels include:

Oregon	white tags, and orange and blue twine
Idaho	tags and colored twine
California	transit certificates, colored twine and tags
Colorado	twine with orange and blue twisted fibers
Wyoming	twine with orange and blue twisted fibers, or orange bale tags

Q. For which weed species are fields and products inspected to achieve certification?

- A. The North American Weed Management Association standard or comparable certification standard as determined by each state and referred to in the closure order, specifies the checklist of species for which fields are checked within ten days prior to harvest.

Q. Do state certified hay or crop products cost more than uncertified products?

- A. The cost of state certified hay or crop products can be somewhat higher and the price will likely vary with location and availability.

Q. Where do I find state certified hay or crop products?

A. If you live in a state with a certification program, contact your nearest feed dealer or State Extension Service office. If you cannot find a local dealer of state certified hay or crop products, call or check the websites of your State Department of Agriculture to find a list of growers and producers who sell state certified hay or crop products. Within the western states, these numbers and websites include:

- Oregon Dept. of Agriculture Commodity Inspection Division; (503) 986-4620 or website: <http://www.oregon.gov/ODA/PLANT/WEEDS/weedfreeforageprogram.shtml>
- Wallowa County Extension Service, Enterprise, Oregon at 541-426-3143
- Washington State Dept. of Agriculture at (509)225-2604 or <http://agr.wa.gov/>
- California: Call 916-445-6214
- Idaho State Dept. of Agriculture at 208-332-8592 or at website: <http://www.idahoag.us/Categories/PlantsInsects/NoxiousWeeds/nwffs.php>
- Montana Dept. of Agriculture at 406 444-7819 or <http://www.agr.state.mt.us/weedpest/nwsff.asp>
- Nevada Dept. of Agriculture at 775-688-1180 ext. 269 or http://agri.state.nv.us/nwac/PLANT_WeedFreeHay.htm
- Colorado at 303-239-4149 or <http://www.ag.state.co.us/DPI/WeedFreeForage/weedfree.html>

For more information on the national weed-free certification program and standards, please refer to the North American Weed Management Association: at <http://www.nawma.org/> or (970) 887-1228.

Q. How can a producer get their crops state certified or get information about their state's certification program?

A. If your state has a program, you may phone the State Department of Agriculture (numbers above) to learn how to become a participant in the program.

Q. What other steps can recreational stock users take to minimize the spread of noxious, invasive weeds?

A. Feeding animals exclusively with commercially processed feed pellets, steamed rolled grains, or state certified hay one or more days before your trip will not only help you be sure your stock can eat these products, it will also help prevent transport of weed seed in stock manure. You can also help by making sure your vehicles, boots, and your animal's coat and feet (both stock and dogs) are cleaned of weed seeds prior to your trip. Finally, keeping vehicles on roads and in designated parking areas also helps minimize the spread of weeds.