



# RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/10/97)

Agency: Department of Agriculture

- Permanent Rule
- Emergency Rule
- Expedited Adoption
- Expedited Repeal

(1) Date of adoption: December 15, 2000

(2) Purpose: The purpose of the amendments to chapter 16-164 WAC is to clarify and strengthen the rules for the handling of organic food products, improve the integrity of organic food products, and provide harmonization with national and international organic food standards.

(3) Citation of existing rules affected by this order: Chapter 16-164 WAC

Repealed: WAC 16-164-030

Amended: WAC 16-164-010 through 16-164-100

Suspended:

(4) Statutory authority for adoption: Chapter 15.86 RCW

Other Authority:

### PERMANENT RULE ONLY (Including EXPEDITED ADOPTION)

Adopted under notice filed as WSR 00-22-100 on November 1, 2000 (date).

Describe any changes other than editing from proposed to adopted version: See attachment

### EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

### EXPEDITED REPEAL ONLY

Under Preproposal Statement of Inquiry filed as WSR \_\_\_\_\_ on \_\_\_\_\_ (date)

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?:

- Yes
  - No
- If Yes, explain:

(6) Effective date of rule:

#### Emergency Rules

#### Permanent Rules or Expedited Repeal

- 31 days after filing
- Other (specify) \_\_\_\_\_\*
- Immediately
- Later (specify) \_\_\_\_\_

\*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

Name (Type or Print)

Jim Jesernig

Signature

Title  
Director

Date

12/14/00

#### CODE REVISER USE ONLY

STATE OF WASHINGTON  
FILED

DEC 15 2000

TIME 2:54

01-01-100

AM  
PM

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
<b>Federal rules or standards:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
<b>Recently enacted state statutes:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>

**The number of sections adopted at the request of nongovernmental entity:**

	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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**The number of sections adopted in the agency's own initiative:**

	New	<u>4</u>	Amended	<u>9</u>	Repealed	<u>1</u>
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

	New	<u>1</u>	Amended	<u>4</u>	Repealed	<u>1</u>
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	-----	Amended	-----	Repealed	-----
<b>Pilot rule making:</b>	New	-----	Amended	-----	Repealed	-----
<b>Other alternative rule making:</b>	New	-----	Amended	-----	Repealed	-----

# CR-103 Attachment

## Differences between proposed text and adopted rule

### **WAC 16-164-020 Definitions.**

We made editorial changes to the definition of new applicant and renewal applicant to improve the clarity of the rule.

### **WAC 16-164-035 Application for certification.**

We edited the language of the adopted rule to specify that only retailers that do not process are exempted from certification. This editorial change is consistent with the statutory language in RCW 15.86.090.

### **WAC 16-164-037 Confidentiality.**

We corrected the statutory reference to the Public Disclosure Act.

### **WAC 16-164-040 Organic handler standards.**

We deleted the proposed requirement to require separate storage for thiabendazole treated food.

We deleted the proposed requirement to require separate regular storage for diphenylamine treated food.

We added a provision to allow used containers to be lined with food grade plastic liners to protect the integrity of the organic food products.

### **WAC 16-164-050 Post harvest materials and practices.**

We deleted the proposed requirement to require separate storage for thiabendazole treated food.

The adopted rule clarifies that quaternary ammonium compounds are prohibited as sanitizers prior to handling organic food products but they are not prohibited from use on these packing lines at other times.

### **WAC 16-164-055 Labels, Labeling and Market Information.**

We eliminated the requirement that organic food products had to be individually labeled.

### **WAC 16-164-085 Certification.**

We deleted a redundant sentence that stated that new applicants needed to be inspected prior to receiving their certification.

AMENDATORY SECTION (Amending Order 5070, filed 6/20/95, effective 7/21/95)

**WAC 16-164-010 Purpose.** This chapter is promulgated pursuant to RCW 15.86.060 wherein the director is authorized to adopt rules for the proper administration of the Organic Food Products Act and pursuant to RCW 15.86.070 wherein the director is authorized to establish a certification program for processors and vendors of organic food products. This chapter provides standards for the certification of handlers of organic food products, including ((packers and vendors)) produce distributors, grocery distributors, fruit packers, marketing companies, brokers, warehouses, and retailers.

AMENDATORY SECTION (Amending Order 5070, filed 6/20/95, effective 7/21/95)

**WAC 16-164-020 Definitions.** As used in this chapter:

(1) "Approved" means any material or practice which meets the required criteria or standards for use in the handling of organic agricultural products.

(2) "Commingling" means the physical contact between unpackaged organic food products and nonorganic food products during production, processing, transportation, storage or handling.

(3) "Container" means a box, bin, carton, package or other wrapping that encloses or holds organic food products.

(4) "Department" means the department of agriculture of the state of Washington.

~~((+3))~~ (5) "Director" means the director of the department of agriculture or his or her duly authorized representative.

~~((+4))~~ (6) "EPA's list 4" means the United States Environmental Protection Agency's list 4 of other (inert) pesticide ingredients that are generally regarded as safe or that have sufficient data to substantiate they can be used safely in pesticide products. This list is available at EPA's website [www.epa.gov/opprd001/inerts/lists.html](http://www.epa.gov/opprd001/inerts/lists.html).

(7) "Facility" includes, but is not limited to, any premises, plant, establishment, facilities and the appurtenances thereto, in whole or in part, where organic food products are prepared, handled, packaged, or repackaged in any manner for eventual sale or distribution for eventual sale to the ultimate consumer.

~~((+5))~~ (8) "Handle" means to sell, arrange the sale of, represent, process, distribute or package organic food products.

(9) "Handler" means any person who sells, arranges the sale of, represents, processes, distributes, or packs organic food products.

~~((6))~~ (10) "Label" means all written, printed, or graphic material on the immediate container of an organic food product or accompanying or representing the product.

(11) "Material" means any substance or mixture of substances that is used in the handling of organic agricultural products.

~~((7))~~ (12) "New applicant" means any person that applies for organic certification for the first time, or any person that applies whose organic certification has expired for at least one year.

(13) "Organic food product" means any food product, including fruit, vegetable, meat, dairy, beverage and grocery, that is marketed using the term organic or any derivative of the term organic in its labeling or advertising. This includes using the term organic on the principal display panel, the ingredients list or other locations on the label.

~~((8) "Packer" means any person who receives any organic food product, either through gaining possession or through providing a service, from a producer or other party and packages or repackages that food product.~~

~~(9))~~ (14) "Packing" means to wrap, box, or put together raw or processed organic food in a container, box, or package in preparation for sale.

~~((10))~~ (15) "Person" means any natural person, firm, partnership, exchange, association, trustee, receiver, corporation, and any other member, officer, or employee thereof or assignee for the benefit of creditors.

~~((11))~~ (16) "Processed organic food" means food that in whole or in part is organically grown and which in its processing has not been treated with synthetically or artificially derived preservatives, colorings, flavorings, or any other artificial or synthetic additive, except as otherwise approved for use under chapter 16-158 WAC.

~~((12))~~ (17) "Prohibited" means any material or practice which ~~(is disallowed in)~~ does not meet the required criteria or standards for use in the handling of organic agricultural products.

~~((13))~~ (18) "Recognized organic certification agency" means any third-party organization that is accepted by the director as being one which verifies compliance with standards consistent with chapter 15.86 RCW or rules adopted thereunder.

~~((14))~~ (19) "Renewal applicant" means any person that has received organic certification in the previous year.

(20) "Retail facility" means any facility, in whole or in part, that sells organic food products directly to consumers.

(21) "Sale" means selling, offering for sale, holding for sale, preparing for sale, trading, bartering, offering a gift as an inducement for sale of, and advertising for sale in any media.

AMENDATORY SECTION (Amending Order 5070, filed 6/20/95, effective 7/21/95)

WAC 16-164-035 Application for certification~~((--Expiration date))~~. ~~((Organic food handlers, except for final retailers, must apply to the department for organic food certification on an annual basis. The application deadline is March 1. The application, accompanied by the appropriate fee shall be submitted to the department on forms furnished by the department. Organic food handler certificates shall expire on March 31st of the year following their issuance.~~

~~Applications made after the set deadline may be processed as the department can schedule the initial inspections, provided that the handler pay a late fee of fifty dollars.~~

~~Except for final retailers of organic food products, it shall be unlawful for any handler to represent, label, or sell organic food products without having obtained an annual organic food handler certificate.)~~ (1) All facilities that handle organic food products must be certified by the department or through a recognized organic certification agency, except for retail facilities that do not process, organic food products.

(2) Retail facilities of organic food products may be certified under this chapter.

(3) Certified organic producers who handle only their own product are not required to obtain additional certification under this chapter.

(4) Processors of organic food must obtain certification under chapter 16-158 WAC, Standards for the certification of processors of organic food.

(5) Applications to the department for organic food certification must be made on an annual basis at least thirty days prior to the handling of organic food products. The application, accompanied by the appropriate fee, must be submitted to the department on forms furnished by the department.

(6) The application must include an organic handling plan that includes, as applicable:

(a) A description of the handling operation;

(b) A schematic flow chart of the organic handling process;

(c) A list of the postharvest materials used in the handling of organic food products;

(d) A description of the recordkeeping system used at the facility to trace organic food products;

(e) A copy of organic food product labels used at the facility;

(f) A description of the pest management program used at the facility including a list of all pesticides used in the facility.

NEW SECTION

**WAC 16-164-037 Confidentiality.** Except for applications and laboratory analyses submitted for certification under this chapter, the department keeps confidential any business-related information obtained under this chapter. All business-related information submitted to the department under this chapter is exempt from public inspection and copying consistent with RCW 15.86.110 and 42.17.310.

AMENDATORY SECTION (Amending Order 5070, filed 6/20/95, effective 7/21/95)

**WAC 16-164-040 ((Standards for handlers.)) Organic handler standards.** (1) Identification: All organic food products must be clearly identified at all times with appropriate labeling on all boxes, bins, bags, or other containers that contain organic food products.

(2) Storage:

(a) All organic food products ((in a facility)) must be stored so that there is no cross contamination from or confusion with nonorganic food products.

~~((Insect and rodent control programs must be in place for organic product storage areas. Any materials used in organic product storage areas must be approved for use in organic food production under chapter 16-154 WAC or this chapter.~~

~~In areas where entire facilities are periodically fumigated, the handler must demonstrate that any fumigants used will not contaminate organic products.~~

~~Compounds for cleaning storage areas must be used in a manner that does not contaminate organic food products.~~

~~Organic and nonorganic food products may be stored in the same storage room as long as there is adequate separation of products and product identification assures no mixing of products.~~

~~Storage techniques may be used to alter the nitrogen, oxygen, and carbon dioxide levels in the storage room atmosphere. Organic food products shall not be stored in controlled atmosphere storage with diphenylamine treated food products.~~

~~(3) Handling of organic food products.~~

~~All packaging and products must be free of fungicides, preservatives, fumigants, and any other materials which are prohibited for use on organic food products under chapter 16-154 WAC or this chapter.~~

~~All water used in handling must be potable and comply with all local, state, and federal guidelines for potable water.~~

~~Cleaning and sanitizing must be done with appropriate cleansers and sanitizers that will ensure clean and sanitary facilities and do not leave any residues of cleansers or sanitizers~~

~~on the organic food products.))~~ (b) Organic and nonorganic food products may be stored in the same storage room as long as there is adequate separation of products and product identification assures no commingling of products. Organic food products shall not be stored in controlled atmosphere storage with diphenylamine treated food products.

(c) Storage techniques may be used to alter the nitrogen, oxygen, and carbon dioxide levels in the storage room atmosphere.

(3) Wet nonorganic food products must not be stacked on top of any organic food products at any time.

(4) Water: All water used in handling must be potable and comply with all state, local, and federal guidelines for potable water except as provided under WAC 16-164-050.

(5) Containers: All containers must be free of fungicides, preservatives, fumigants, and any other materials that are prohibited for use on organic food products under chapter 16-154 WAC or this chapter. The containers must be either:

(a) New;

(b) Designated for organic products only;

(c) If they have previously contained nonorganic food products, they must be completely emptied and cleaned; or

(d) Lined with a food grade plastic liner.

(6) Pest control.

(a) Insect and rodent control programs must be in place in areas where organic food products are stored or displayed. Any materials used must be approved for use in organic food production under chapter 16-154 WAC or this chapter.

(b) Prohibited pest control materials must not be applied in areas where organic food products are present.

(c) Organic food products must be removed from areas where prohibited pest control materials are applied.

(d) Records must be maintained for all pesticides applied within the facility, including the pesticide used, where used, quantity applied, and the date of application.

(7) Preparation of organic food products for retail sale.

(a) Organic food products must be prepared in water not previously used for nonorganic food products and with equipment that has been thoroughly cleaned.

(b) If preparation surface area is used for processing both nonorganic and organic food products, the organic food products must be prepared first with clean equipment.

(8) Display of organic food products in retail facilities.

(a) Organic and nonorganic food products must not be placed side by side without a sufficient barrier to prevent commingling.

(b) If an organic food product is going to be placed in a container that previously contained nonorganic food products, the container must be completely emptied, cleaned, and labeled appropriately.

(c) If a nonorganic food product is going to be placed in a container that previously contained organic food products, the organic label must be removed.



**WAC 16-164-050 Postharvest materials and practices.** (1)

Approved materials and practices. The following list of materials and practices are approved for postharvest use for organic food. Some materials have certain restrictions regarding their use. These restrictions are noted in the list. All materials must be used with awareness and care for the environment and in compliance with state and federal laws.

- (a) Acetic acid.
- (b) Ascorbic acid.
- (c) Beneficial insects.
- ~~((b))~~ (d) Biological control organisms.
- (e) Carbon dioxide gas.
- ~~((c) Chlorine dioxide.~~
- ~~(d))~~ (f) Chlorine compounds include calcium hypochlorite, sodium hypochlorite and chlorine dioxide. Chlorine compounds are allowed to sanitize food contact surfaces. Dump tank water, flume water and water used to wash organic food products may contain chlorine compounds up to 50 ppm free chlorine. Must be followed by a potable water rinse.

- (g) Citric acid, naturally derived.
- ~~((e))~~ (h) Cleansers. Must be biodegradable and on EPA's list 4. Must be followed by a potable water rinse.

(i) Controlled atmosphere storage: Storage with diphenylamine treated food products is prohibited.

- ~~((f))~~ (j) Ethylene gas: Ethylene gas may be used on bananas only.

~~((g))~~ (k) Fruit waxes: Natural waxes are permitted as long as they do not contain synthetic additives.

- ~~((h))~~ (l) Hydrogen peroxide.
- ~~((i))~~ (m) Lignosulfonates for floating tree fruits.
- ~~((j))~~ (n) Microorganisms and microbial products.

Genetically engineered organisms and their products are prohibited.

- (o) Ozone.
- (p) Periacetic acid (peracetic or peroxyacetic acid).
- (q) Soap, biodegradable. Must be followed by a potable water rinse.

~~((k) Soda ash for floating tree fruits.~~

- ~~(i))~~ (r) Sodium silicate for floating tree fruits.

(2) Prohibited materials and practices. The postharvest materials and practices that are prohibited for use in the handling of organic ((packing)) food products includes but is not limited to the following:

- (a) Antibiotics.
- (b) Artificial preservatives.
- (c) Fumigants.
- (d) Fungicides.
- (e) Ionizing radiation (irradiation).
- (f) ~~((Other pesticides not specifically approved for use in subsection (1) of this section.))~~ Quaternary ammonium compounds are

prohibited as sanitizers on food bearing surfaces prior to handling organic food products.

NEW SECTION

**WAC 16-164-055 Labels, labeling and market information.** (1) The term "organic" may be used only on labels and in labeling on products that have been produced and handled in accordance with this chapter and rules adopted under chapter 15.86 RCW.

(2) All food products displayed under an organic banner or label must be organic food products.

AMENDATORY SECTION (Amending Order 5070, filed 6/20/95, effective 7/21/95)

**WAC 16-164-060 Recordkeeping requirements.** ((All organic food must be completely followed by an audit control system.

(1) ~~Handlers must keep records of products bought and sold that will enable the department to trace food products from receiving through sale. Such records must include but are not limited to, invoices, bills of lading, and grower affidavits of incoming raw product, repack data and production run reports, and invoices and bills of lading of products shipped out.~~

(2) ~~All handlers of organic food products shall have available to the department the following documents and information:~~

(a) ~~For organic food products obtained directly from producers a copy of their organic food producer certificate. All organic food producer certificates shall be from recognized organic certification agencies.~~

(b) ~~For organic food products obtained from another handler, a copy of that handler's organic food handler certificate, or, for handlers which are not certified, a copy of the certificate for each organic food product obtained from that handler. All organic food certificates shall be from recognized organic certification agencies.~~

(c) ~~For processed organic food products a copy of the organic food processor certificate or, if the processor is not certified, a copy of a certification verification form must be on file. Certification verification forms shall include the percentage of organic ingredients contained in each product, a list of all organic ingredients, and the certification organization(s) of those ingredients. All organic food certificates shall be from recognized organic certification agencies.~~

(d) ~~Recordkeeping that allows for the tracking of product from~~

~~receiving through sale. Records must be kept for a minimum of two years except for final retailers which must keep records for a minimum of six months.~~

~~(e) All paperwork and labels associated with organic food products must clearly indicate that the product is an organic product.~~

~~(3) Except for applications for organic handler certification or lab analysis pertaining to that certification, the department shall keep confidential any business related information obtained under this chapter concerning an entity certified under this chapter or an applicant for such certification and such information shall be exempt from public inspection and copying consistent with RCW 15.86.110 and 42.17.310 (1)(dd).)~~ (1) Handlers must maintain records that track organic food products from receiving through distribution, shipping or sale. Such records may include the following: Invoices, bills of lading, date and quantity of product handled, repack data, and production run reports. Handlers must maintain these records for a minimum of five years.

(2) All handlers must have available at all times copies of organic food certificates for all organic food products. Organic food certificates must be current and correspond to the organic food products handled by the facility. All organic food certificates must be issued by the department or a recognized organic certification agency.

(3) All records associated with organic food products must clearly indicate that the product is an organic food product.

AMENDATORY SECTION (Amending Order 5070, filed 6/20/95, effective 7/21/95)

**WAC 16-164-080 Sampling.** A representative sample of the product (~~(packed, sold or distributed by the handler)~~) handled may be tested for pesticide residues (~~(of prohibited materials)~~) or other contaminants whenever the director deems it necessary for certification or maintenance of certification.

It shall be the handler's responsibility to arrange for and bear the costs for any testing which is deemed necessary by the director.

NEW SECTION

**WAC 16-164-085 Certification.** (1) The conditions of organic food handler certification are the following:

(a) Inspection of the handler by the department of agriculture

showed no use of prohibited materials or practices as defined in chapter 15.86 RCW or rules adopted thereunder; and

(b) Recordkeeping practices meet the requirements specified in WAC 16-164-060 or rules adopted under chapter 15.86 RCW; and

(c) Analysis of samples taken by the department of agriculture showed no prohibited substance usage or contamination.

(2) The director must review the application, inspection report and results of any samples collected to determine that the handler has complied with the conditions for organic food handler certification. An organic food handler certificate will be issued when the director determines that the handler has complied with the conditions for organic food handler certification.

(3) In no event shall organic food products be handled by a facility prior to the issuing of an organic food handler certificate by the department of agriculture for that year. New applicants must be inspected by the department before an organic food handler certificate is issued.

(4) All organic food handler certificates expire on March 31st of the year following their issuance.

(5) Handlers certified under this chapter may use the logo adopted in WAC 16-164-110 to identify organic food products handled by the facility.

AMENDATORY SECTION (Amending Order 5070, filed 6/20/95, effective 7/21/95)

**WAC 16-164-090 Decertification.** Whenever the director finds that a handler who has been certified under this program has:

(1) Violated the standards for certification which are set forth in RCW 15.86.030 or any rules adopted under chapter 15.86 RCW;

(2) Filed an application for certification which is false or misleading in any particular;

(3) Violated any of the provisions of this chapter; (~~or~~)

(4) Failed to provide records as required by WAC 16-164-050 or rules adopted under chapter 15.86 RCW; or

(5) Failed to allow inspection to take place;

The director may issue an order denying, suspending, or revoking that handler's certification under this program (~~or he may~~). The director may also issue an order directing the handler to take other appropriate action to correct the violation. If appropriate action is taken, the handler may be returned to its previous status under the program.

Any handler who has received notice that its certification may be denied, suspended, or revoked under this section may apply for a hearing under the Washington Administrative Procedure Act, chapter 34.05 RCW.

**WAC 16-164-100 Fee schedule.** (1)(a) Renewal applicants. Application fees must be based on the previous calendar year's gross sales of organic and transition to organic food. In the event that the current calendar year's gross sales exceed the previous year's gross sales, the department may bill the handler for the additional fee. In the event that the current calendar year's gross sales are less than the previous year's gross sales, the producer may request a refund for the reduced fee. In addition, renewal applications postmarked after March 1 must pay a late fee of fifty dollars.

(b) New applicants. Application fees must be based on an estimate of the current year's gross sales of organic and transition to organic food. In the event that the current calendar year's gross sales exceed the estimate, the department may bill the handler for the additional fee. In the event that the current calendar year's gross sales are less than the estimate, the handler may request a refund for the reduced fee. In addition, new applicants must pay a seventy-five dollar new applicant fee.

(c) The cost per (~~application shall~~) facility must be based on the following fee schedule. (~~Gross value shall be based on the previous calendar year's sales of organic food products. First year applicants shall base gross value on an estimate of the value of organic food products which will be handled at the facility. In the event that first year sales of organic food products exceed the estimate, WSDA may bill the handler for the additional application fee.~~) The appropriate fee (~~shall~~) must accompany the application.

FEE SCHEDULE

Gross value of products	FEE
sales under \$25,000 .....	\$75
<del>((25,000))</del> - 50,000 .....	150
<u>25,001</u>	
<del>((50,000))</del> - 75,000 .....	225
<u>50,001</u>	
<del>((75,000))</del> - 100,000 .....	300
<u>75,001</u>	
<del>((100,000))</del> - 200,000 .....	400
<u>100,001</u>	
<del>((200,000))</del> - 300,000 .....	500
<u>200,001</u>	
<del>((300,000))</del> - 400,000 .....	600
<u>300,001</u>	
<del>((400,000))</del> - 500,000 .....	700
<u>400,001</u>	
<del>((500,000))</del> - 750,000 .....	900
<u>500,001</u>	
<del>((750,000))</del> - 1,000,000 .....	1,000
<u>750,001</u>	

FEE SCHEDULE

Gross value of products	FEE
<del>((1,000,000))</del> - 1,250,000 .....	1,250
<u>1,000,001</u>	
<del>((1,250,000))</del> - 1,500,000 .....	1,500
<u>1,250,001</u>	
<del>((1,500,000))</del> - 2,000,000 .....	2,000
<u>1,500,001</u>	
<del>((2,000,000))</del> - 2,500,000 .....	2,500
<u>2,000,001</u>	
<del>((2,500,000))</del> - 3,000,000 .....	3,000
<u>2,500,001</u>	
<del>((3,000,000))</del> - 4,000,000 .....	3,500
<u>3,000,001</u>	
<del>((4,000,000))</del> - 5,000,000 .....	4,000
<u>4,000,001</u>	
<del>((5,000,000))</del> - 6,000,000 .....	5,000
<u>5,000,001</u>	
<del>((6,000,000))</del> - 7,000,000 .....	6,000
<u>6,000,001</u>	
<del>((7,000,000))</del> - 8,000,000 .....	7,000
<u>7,000,001</u>	
<del>((8,000,000))</del> - 9,000,000 .....	8,000
<u>8,000,001</u>	
<del>((9,000,000))</del> - 10,000,000 .....	9,000
<u>9,000,001</u>	
over <del>((10,000,000))</del> .....	10,000
<u>10,000,001</u>	

(2) Additional inspections (in addition to two inspections provided for), if necessary or requested, ~~((shall be))~~ will be charged to the applicant at the rate of thirty dollars per hour plus mileage set at the rate established by the state office of financial management. Out-of-state inspections, if necessary or requested, ~~((shall be))~~ will be charged to the applicant at the rate of thirty dollars per hour plus transportation costs.

(3) Samples and analysis for prohibited materials, if required for certification or maintenance of certification by the director, or requested by the ~~((handler, shall))~~ applicant, will be charged to the ~~((handler))~~ applicant at a rate established by the laboratory services division of the department of agriculture. If an additional visit must be arranged to obtain a sample, it ~~((shall be))~~ will be charged at the rate of thirty dollars per hour plus mileage set at the rate established by the state office of financial management.

WAC 16-164-110 Organic food handler certification logo.



REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-164-030

Organic certification of handlers, including packers and vendors.