



RULE-MAKING ORDER

R-103 (June 2004) (Implements RCW 34.05.360)

Agency: Department of Agriculture

Permanent Rule
 Emergency Rule

Effective date of rule:

Permanent Rules

31 days after filing.
 Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Effective date of rule:

Emergency Rules

Immediately upon filing.
 Later (specify) _____

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

Yes No If Yes, explain:

Purpose: The purpose of this rule making order is to repeal chapter 16-404 WAC (Standards for Summer Apples Marketed Within Washington) because it is outdated and no longer followed by industry. It has been supplanted by chapter 16-403 WAC and is, therefore, redundant. The repeal of chapter 16-404 WAC is a result of the department's ongoing rule review effort under Executive Order 97-02.

Citation of existing rules affected by this order:

Repealed: WAC 16-404-001 through WAC 16-404-070
Amended: None
Suspended: None

Statutory authority for adoption: Chapter 15.17 RCW and Chapter 34.05 RCW

Other authority :

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 05-06-100 on March 2, 2005.
Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
Address: _____ fax () _____
e-mail _____

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- 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.
- 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:

Date adopted: May 4, 2005

NAME (TYPE OR PRINT)
Valoria H. Loveland

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON

MAY 4 2005

TIME: 8:02 AM
WSR: 05-10-091

(COMPLETE REVERSE SIDE)

**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:

Federal statute:	New	0	Amended	0	Repealed	0
Federal rules or standards:	New	0	Amended	0	Repealed	0
Recently enacted state statutes:	New	0	Amended	0	Repealed	0

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

New	0	Amended	0	Repealed	0
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The number of sections adopted in the agency's own initiative:

New	0	Amended	0	Repealed	8
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	0	Amended	0	Repealed	8
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The number of sections adopted using:

Negotiated rule making:	New	0	Amended	0	Repealed	0
Pilot rule making:	New	0	Amended	0	Repealed	0
Other alternative rule making:	New	0	Amended	0	Repealed	8

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 16-404-001	Promulgation.
WAC 16-404-010	Definitions.
WAC 16-404-020	Grades--Washington extra fancy apples.
WAC 16-404-030	Grades--Washington summer fancy apples.
WAC 16-404-040	Grades--Color percentages.
WAC 16-404-050	Marking requirements.
WAC 16-404-060	Tray packs.
WAC 16-404-070	Exceptions.