



RULE-MAKING ORDER

CR-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: Chapter 16-436 WAC, Washington standards for peaches, establishes the requirements and standards for Washington grown fresh peaches. The changes to this rule are the result of the department's ongoing commitment to review and revise its rules, when necessary as mandated by Executive Order 97-02. The purpose of this rule is to use the expedited rule making process to rewrite the peach standards in a clear and usable format in order to clarify the language of the rule. Two subsections of the chapter, WAC 16-436-002, Promulgation, and 16-436-003, Promulgation, are repealed because the rules represent an outdated method of rule writing that is no longer used and are no longer necessary. WAC 16-436-150, Cull peach requirements, is repealed and the language merged with WAC 16-436-140, Cull peaches. WAC 16-436-166, Tolerances—sizes, is repealed and the language added to WAC 16-436-160 and WAC 16-436-165. WAC 16-436-200, Definitions, is repealed and replaced with WAC 16-436-060, Definitions, at the beginning of the chapter. WAC 16-436-225 is repealed and the language moved to WAC 16-436-080, Standards and grades of Washington grown peaches. WAC 16-436-230, Effective date, is repealed because this rule is no longer necessary. No amendments change the rules' effects.

Citation of existing rules affected by this order:
Repealed: WAC sections 16-436-002; 16-436-003; 16-436-150; 16-436-166; 16-436-200; 16-436-225; 16-436-230
Amended: WAC sections 16-436-140; 16-436-160; 16-436-165; 16-436-060; 16-436-080
Suspended:

Statutory authority for adoption: Chapters 15.17 and 34.05 RCW

Other authority :

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 07-08-114 on April 4, 2007.
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:
June 5, 2007

NAME (TYPE OR PRINT)

Valoria Loveland

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

DATE FILED
JUN 5 2007

TIME 10:16
WSR 07-12-075

**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	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

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

New	_____	Amended	_____	Repealed	_____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

New	_____	Amended	<u>5</u>	Repealed	<u>7</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	<u>5</u>	Repealed	<u>7</u>

NEW SECTION

WAC 16-436-060 Definitions. The following definitions are important to this chapter, and where appropriate, apply to all Washington state commercial grades of peaches:

"At destination" means the final point of delivery by a commercial carrier or the wholesale or retail facility where the peaches are held.

"Damage" means any injury or defect that materially affects a peach's appearance, edible quality, or shipping quality.

"Department" means the Washington state department of agriculture.

"Diameter" means the greatest distance measured through the center of the peach at right angles to a line running from the stem to the blossom end.

"Director" means the director of the department or the director's designee.

"En route" means the peaches have left their original shipping point and are in transit or are being held in an intermediate storage facility before arriving at their final destination.

"Fairly well formed" means that the shape of the peach must be consistent with the characteristic shape of the variety and must not be so misshapen that the appearance is more than moderately affected.

"Loose or jumble pack" means the peaches are not placed in the container in cups, compartments, or trays.

"Mature" means a peach has reached a stage of growth that will ensure a proper completion of the ripening process.

"Not badly misshapen" means a peach may be more irregularly shaped than "fairly well formed" but must not be deformed as to seriously affect its utility or general appearance.

"Serious damage" means any injury or defect that seriously affects the appearance, edible quality, or shipping quality of the peach.

"Soft or overripe" means a peach has very little resistance to pressure. Such peaches are also called "dead ripe."

"Standard peach box" means a container with minimum inside dimensions of 4-1/4 to 6 inches by 11-1/2 to 16 inches.

NEW SECTION

WAC 16-436-080 Standards and grades of Washington grown peaches. (1) The following grades apply to peaches grown in Washington state:

- (a) Washington extra fancy;
- (b) Washington fancy;
- (c) Washington combination extra fancy and fancy; and
- (d) Cull peaches.

(2) In addition to the standards contained in this chapter for Washington grown peaches, the department adopts the United States Standards for Grades of Peaches, effective May 21, 2004, for use by producers or shippers. Peaches must meet the Washington state standards contained in this chapter.

AMENDATORY SECTION (Amending WSR 92-11-076, filed 5/20/92, effective 6/20/92)

WAC 16-436-100 Washington extra fancy ((grade)) peaches. (1) ~~((Shall))~~ Washington extra fancy peaches consist ~~((of peaches))~~ of one variety ~~((which))~~ that are:

- (a) Mature, but not soft or overripe;
- (b) Fairly well formed; ~~((and which are))~~
- (c) Free from decay, broken skin, worms, or worm holes;
~~((and))~~

(d) Free from damage caused by bruises~~((τ))~~, dirt or other foreign material~~((τ))~~, bacterial spot~~((τ))~~, scab~~((τ))~~, scale~~((τ))~~, growth cracks~~((τ))~~, hail injury~~((τ))~~, leaf or limb rubs ~~((or))~~, russeting~~((τ))~~, split pits~~((τ))~~, stem pull~~((τ))~~, rough suture~~((τ))~~, and other diseases, insects or mechanical or other means.

(2) ~~((Size. Such peaches shall measure not less than 2-1/4 inches in diameter. Provided, That such peaches shall also meet requirements of WAC 16-436-187 Minimum size. Definitions for the above grade will be found under WAC 16-436-160, 16-436-180, 16-436-185, 16-436-190, 16-436-200, 16-436-210, and 16-436-220.))~~ Washington extra fancy peaches must be at least 2-1/4 inches in diameter and must also meet the minimum size requirements of WAC 16-436-187.

AMENDATORY SECTION (Amending WSR 92-11-076, filed 5/20/92, effective 6/20/92)

WAC 16-436-110 Washington fancy ((grade)) peaches. (1) ~~((Shall))~~ Washington fancy peaches consist ~~((of peaches))~~ of one

variety ~~((which))~~ that meet all ~~((of the requirements of))~~ Washington extra fancy requirements, except: ~~((Provided,))~~

(a) Split pits ~~((not to exceed))~~ no more than 3/8 inch in length ~~((shall be))~~ are allowed~~((-))~~; and

(b) Damage, but not serious damage, for rough suture ~~((shall be))~~ is allowed ~~((in this grade))~~.

(2) ~~((Size. Such))~~ Washington fancy peaches ~~((shall measure not less than))~~ must be at least 2-1/4 inches in diameter~~((- Provided, That such peaches shall))~~ and must also meet the minimum size requirements of WAC 16-436-187 ~~((Minimum size. Definitions for the above grade will be found under WAC 16-436-165, 16-436-180, 16-436-185, 16-436-190, 16-436-200, 16-436-210, and 16-436-220))~~.

AMENDATORY SECTION (Amending Order 1203, filed 5/14/71, effective 6/14/71)

WAC 16-436-120 Washington combination extra fancy and fancy ~~((grade))~~ peaches. ~~((When extra fancy and fancy peaches are packed together, the box shall be marked))~~ (1) Washington combination ~~((extra fancy and fancy and shall))~~ peaches consists of extra fancy and fancy peaches packed together in the same container.

(2) Containers must be marked "Washington combination extra fancy and fancy" and must contain at least ~~((75%))~~ seventy-five percent Washington extra fancy peaches. ~~((Definitions for the above grade will be found under WAC 16-436-160, 16-436-180, 16-436-185, 16-436-190, 16-436-200, 16-436-210, and 16-436-220.))~~

AMENDATORY SECTION (Amending WSR 92-11-076, filed 5/20/92, effective 6/20/92)

WAC 16-436-140 Cull ~~((grade))~~ peaches. ~~((Shall consist of))~~ Cull peaches ~~((which))~~ are peaches not graded in conformity with the foregoing grades described in this chapter.

(1) The words "cull peaches" must be marked clearly and legibly in at least 2-1/2 inch letters on the top and side of the container and on any container label.

(2) The container lid or labels must be marked in at least 1/2 inch letters with the:

(a) Name and address of the grower, shipper, or packer;

(b) Variety;

(c) Minimum diameter; and

(d) Net weight.

(3) Peaches identified as culls must be packed in one-bushel baskets with lids and ring faced with the peaches in the ring

representative of the size and quality of those in the container.
(4) Every bill of lading, invoice, memorandum, or other document referring to the peaches must identify the peaches as culls.

AMENDATORY SECTION (Amending Order 1977, filed 5/16/88)

WAC 16-436-160 Tolerances for Washington extra fancy and combination extra fancy and fancy peaches. In order to allow for variations incident to proper grading ~~((and))~~, handling, and sizing the following tolerances ~~((shall))~~, by count, apply to ~~((the))~~ Washington extra fancy ~~((WAC 16-436-100))~~ and ~~((the))~~ Washington combination extra fancy and fancy ~~((WAC 16-436-120))~~ peaches.

(1) Not more than ~~((10% by count,))~~ ten percent of the peaches in any lot may fail to meet ~~((the))~~ grade requirements ~~((of this grade but))~~.

(a) Not more than ~~((1/2 of this amount, or 5%, shall be))~~ five percent is allowed for defects causing serious damage ~~((, as defined under WAC 16-436-220, and))~~.

(b) Not more than ~~((1/5 of this amount, or 1%, shall be))~~ one percent is allowed for decay at the shipping point ~~((, Provided,))~~.

(2) At the time of packing, an additional tolerance of not more than ~~((10% by count, of the peaches))~~ ten percent is allowed in any lot ~~((may be damaged))~~ for damage, but not ~~((seriously damaged))~~ serious damage, by bruising ~~((at packing time as defined under WAC 16-436-210 and 16-436-220))~~.

(3) Not more than ten percent of the peaches in any lot may be below the specified minimum size.

(4) Not more than fifteen percent of the peaches in any lot may be above any specified maximum size.

(5) When applying ~~((the foregoing))~~ these tolerances to ~~((the))~~ combination grades, no part of any tolerance ~~((shall be))~~ is allowed to reduce, for the lot as a whole, the ~~((75%))~~ seventy-five percent of peaches of the higher grade required in the combination ~~((, but))~~. Individual containers ~~((shall))~~ must have ~~((not less than 65%))~~ at least sixty-five percent of the higher grade.

(6) En route or at destination, an additional tolerance of ~~((2% shall be))~~ two percent is allowed for soft, overripe, or decayed peaches ~~((en route or at destination as defined under WAC 16-436-200))~~.

AMENDATORY SECTION (Amending Order 1977, filed 5/16/88)

WAC 16-436-165 Tolerances for Washington fancy peaches. In order to allow for variations incident to proper grading ~~((and)),~~ handling, and sizing, the following tolerances ~~((shall)),~~ by count, apply to ~~((the))~~ Washington fancy ~~((WAC 16-436-110),)~~ peaches.

~~(1) Not more than ((20% by count))~~ twenty percent of the peaches in any lot may fail to meet the grade requirements ~~((of this grade, but)).~~

~~(a) Not more than ((1/4 of this amount, or 5% shall be))~~ five percent is allowed for defects causing serious damage ~~((, as defined under WAC 16-436-220 and)).~~

~~(b) Not more than ((1/5 of this amount, or 1% shall be))~~ one percent is allowed for decay ~~((at shipping point)).~~

~~(2) Not more than ten percent of the peaches in any lot may be below the specified minimum size.~~

~~(3) Not more than fifteen percent of the peaches in any lot may be above any specified maximum size.~~

~~(4) En route or at destination, an additional tolerance of ((2% shall be))~~ two percent is allowed for soft, overripe, or decayed peaches ~~((en route or at destination as defined under WAC 16-436-200)).~~

AMENDATORY SECTION (Amending Order 1203, filed 5/14/71, effective 6/14/71)

WAC 16-436-180 Application of tolerances to individual packages. ~~((Applying to all grades-~~

~~(1))~~ The contents of individual packages of peaches in ~~((the))~~ a lot ~~((, based on sample inspection,))~~ are subject to the following limitations ~~((:- Provided,))~~ as long as the average ~~((s))~~ for the entire lot ~~((are))~~ of peaches of a specific grade is within the tolerances specified for ~~((this))~~ that grade.

~~((2) For))~~ (1) Packages ~~((which contain))~~ containing more than ~~((10))~~ ten pounds ~~((, and))~~ with a tolerance of ~~((10%))~~ ten percent or more ~~((is provided, individual packages in any lot shall))~~ must have ~~((not))~~ no more than 1-1/2 times the tolerance specified. ~~((For))~~

~~(2) Packages~~ ~~((which contain))~~ containing more than ~~((10))~~ ten pounds ~~((and))~~ with a tolerance of less than ~~((10% is provided, individual packages in any lot shall))~~ ten percent must have ~~((not))~~ no more than double the tolerance specified.

~~(3) ((For))~~ Packages ~~((which contain 10))~~ containing ten pounds or less ~~((, individual packages in any lot))~~ are not restricted as to the percentage of defects and sizes ~~((:- Provided, That not more than)).~~ However, only one peach ~~((which))~~ that is seriously damaged by insects or affected by decay may be ~~((permitted))~~ in any package.

AMENDATORY SECTION (Amending WSR 92-11-076, filed 5/20/92, effective 6/20/92)

WAC 16-436-185 Requirements for Washington standard packs.

~~((Applies))~~ To allow for variations incident to proper packing, no more than ten percent of the packages in any lot may be out of compliance with the following requirements. These requirements apply to all grades except culls.

(1) Each package ~~((shall))~~ must be packed so that the peaches in the shown face ~~((shall be))~~ are reasonably representative in size, color, and quality of the contents ~~((of))~~ in the package.

(2) ~~((Baskets-))~~ Peaches packed in U.S. Standard bushel baskets~~((7))~~ or half-bushel baskets ~~((shall))~~ with lids must be ring faced and tightly packed with sufficient bulge to prevent any appreciable movement of the peaches within the packages ~~((when lidded))~~.

(3) ~~((Boxes-))~~ Peaches packed in standard western boxes ~~((shall))~~ must comply with the following:

(a) The peaches must be reasonably uniform in size and arranged in ~~((the))~~ packages, such as tray packed, place packed, or jumble filled, according to the approved and recognized methods.

~~((Each))~~ (b) When wrapped, each peach ((shall)) must be fairly well enclosed by its individual wrapper.

(c) All packages ((shall)) must be well filled and tightly packed but the contents ~~((shall))~~ must not show excessive or unnecessary bruising because of being over-filled ~~((packages))~~.

(d) The number of peaches ((in the box shall)) must not vary by more than ~~((4))~~ four from the number indicated on the ~~((box))~~ container.

~~((4) Peaches packed in other type boxes such as fibre-board boxes or corrugated cartons may be place packed, or jumble packed faced, and all packs shall be well filled.~~

~~(5) Peaches packed in boxes equipped with cell compartments or molded trays shall be of the proper size for the cells or the molds in which they are packed.~~

~~(6) Peaches placed in individual paper cups and packed in boxes shall be in cups of the proper size for the peaches.~~

~~(7) In order to allow for variations incident to proper packing, not more than 10% of the packages in any lot may not meet these requirements.)~~

AMENDATORY SECTION (Amending WSR 92-11-076, filed 5/20/92, effective 6/20/92)

WAC 16-436-187 Minimum size requirements. (1) Fresh peaches (~~(of any variety)~~), except (~~(peaches of the)~~) for Elberta varieties, must be at least 2-3/8 inches in diameter when packed and marketed in any container except (~~(the)~~) a standard peach box (~~(, shall measure not less than 2 3/8 inches in diameter)~~).

(2) Fresh peaches of any variety must be at least 2-1/4 inches in diameter when packed and marketed in (~~(the)~~) a standard peach box (~~(shall measure not less than 2 1/4 inches in diameter)~~).

(3) Fresh Elberta varieties of peaches (~~(of the Elberta varieties)~~) must be at least 2-1/4 inches in diameter when marketed in any container (~~(shall measure not less than 2 1/4 inches in diameter)~~).

AMENDATORY SECTION (Amending WSR 92-11-076, filed 5/20/92, effective 6/20/92)

WAC 16-436-190 Marking requirements. (~~(Applies)~~) The following marking requirements apply to all grades except culls.

(1) All containers (~~(shall)~~) must be conspicuously and legibly stamped with the:

(a) Name and address of the grower, shipper or packer (~~(the)~~);

(b) Fruit variety (~~(-)~~);

(c) Grade (~~(-)~~); and

(d) Numerical count (~~(-)~~) or minimum diameter.

(2) When the numerical count is not shown on the container, the minimum diameter and net weight (~~(shall)~~) must be plainly stamped or otherwise marked on the container.

(3) Minimum size must be stated on the container in terms of:

(a) Whole inches, such as 3 inches minimum; or

(b) Whole and half inches, such as 2-1/2 inches minimum; or

(c) Whole and quarter inches, such as 2-1/4 inches minimum; or

(d) Whole and eighth inches, (as 3 inches minimum, 2-1/4 inches minimum, 2-3/8 inches minimum, in accordance with the facts.

~~The))~~ such as 2-3/8 inches minimum.

(4) Both minimum and maximum diameters may (~~(both)~~) be stated (~~(in accordance with the facts)~~) on the container.

~~((+))~~ (5) The grade (~~(shall)~~) must be stamped on the container in letters that are at least 1/4 inch high. The following abbreviations may be used:

(a) Washington (~~(may be abbreviated as)~~): Wash(~~(-)~~) or (~~(Wa-)~~) WA;

(b) Extra fancy (~~(may be abbreviated as ex. fcy.)~~): Ex fcy or extra fcy(~~(-)~~);

(c) Fancy (~~(may be abbreviated as)~~): Fcy(~~(-)~~); and

(d) Combination ((may be abbreviated as)): Comb.

AMENDATORY SECTION (Amending WSR 92-11-076, filed 5/20/92, effective 6/20/92)

WAC 16-436-210 ((Definition--))Damage--Specific defects.
((Applies to Wash. ex. fancy (WAC 16-436-100); Wash. fancy (WAC 16-436-110); Wash. comb. ex. fancy and fancy (WAC 16-436-120). "Damage" means any injury or defect which materially affects the appearance or the edible or shipping quality of the peach.)) Any ((one)) of the following defects((;)) or ((any)) combination ((thereof,)) of them are considered damage when the seriousness of ((which)) the combination exceeds the maximum allowed for any ((one)) specific defect((; shall be considered as damage)).

(1) Bruises ((where any bruise discolors)) on peaches 2-1/4 inches or smaller in diameter are considered damage if they:

(a) Discolor the flesh to a depth greater than 3/16 of an inch; or

(b) Discolor((s)) the skin in an area greater than 1/2 inch in diameter; or

(c) Are an aggregate of smaller bruises ((aggregating)) totaling more than 1/2 inch in diameter. ((Areas or depths of bruises are applicable to a peach 2-1/4 inches or smaller in diameter. Correspondingly greater areas or depths shall be allowed on larger peaches as follows:

2-1/2 inches in dia.	5/9 in. area dia.	5/24 in. deep
2-3/4 inches in dia.	11/18 in. area dia.	11/48 in. deep
3 inches in dia.	2/3 in. area dia.	1/4 in. deep
3-1/4 inches in dia.	13/18 in. area dia.	13/48 in. deep
3-1/2 inches in dia.	7/9 in. area dia.	7/24 in. deep
3-3/4 inches in dia.	15/18 in. area dia.	5/16 in. deep
4 inches in dia.	8/9 in. area dia.	1/3 in. deep))

(2) Bruises on peaches larger than 2-1/4 inches in diameter are considered damage when any discoloring of the flesh or skin affects correspondingly greater areas or depths than identified in subsection (1) of this section. The following lists the depths and diameters of flesh discoloration allowed before the discoloring is considered damage on peaches that are:

(a) 2-1/2 inches in diameter: Discoloration 5/24 inch deep and 5/9 inch in diameter;

(b) 2-3/4 inches in diameter: Discoloration 11/48 inch deep and 11/18 inch in diameter;

(c) 3 inches in diameter: Discoloration 1/4 inch deep and 2/3 inch in diameter;

(d) 3-1/4 inches in diameter: Discoloration 13/48 inch deep

and 13/18 inch in diameter;

(e) 3-1/2 inches in diameter: Discoloration 7/24 inch deep and 7/9 inch in diameter;

(f) 3-3/4 inches in diameter: Discoloration 5/16 inch deep and 15/18 inch in diameter;

(g) 4 inches in diameter: Discoloration 1/3 inch deep and 8/9 inches in diameter.

(3) Bacterial spot((7)) when cracked((7)) or ((when)) aggregating more than 3/8 inch in diameter((7)).

((+3)) (4) Scab spot((7)) when cracked((7)) or ((when)) aggregating more than 3/8 inch in diameter((7)).

((+4)) (5) Scale((7)) when concentrated((7)) or ((when)) scattered and aggregating more than 1/4 inch in diameter((7)).

((+5)) (6) Growth cracks((7)) when unhealed((7)) or more than 1/2 inch in length((7)).

((+6)) (7) Hail injury ((which is)) when unhealed((7)) or deep, or when aggregating more than 1/4 inch in diameter((7)) or more than 1/8 inch in depth((7)).

((+7)) (8) Leaf or limb rubs or russetting((7)) when exceeding 1-1/4 inches in diameter when smooth and light colored, or when exceeding 1/2 inch in diameter when rough or dark colored((7)).

((+8)) (9) Split pit((7)) when causing any unhealed crack((7)) or when causing any crack ((which)) that is readily apparent, or when affecting the peach's shape to the extent that the fruit is not fairly well formed((7)).

((+9)) (10) Stem pulls larger than 1/2 inch in diameter, including stem area((7)).

((+10)) (11) Rough suture when the length((7)) is more than half way down side of peach and exceeds 1/4 inch wide and 1/32 inch high.

AMENDATORY SECTION (Amending WSR 92-11-076, filed 5/20/92, effective 6/20/92)

WAC 16-436-220 ((Definition--)) Serious damage--Specific defects. ((Applying to Washington extra fancy (WAC 16-436-100); Wash. fancy (WAC 16-436-110); Wash. comb. ex. fancy and fancy (WAC 16-436-120). "Serious damage" means any injury or defect which seriously affects the appearance, or the edible or shipping quality of the peach.)) Any ((one)) of the following defects((7)) or any combination ((thereof,)) of them, when the seriousness of ((which)) the combination exceeds the maximum allowed for any ((one)) specific defect, ((shall be)) is considered ((as)) serious damage.

(1) Bruises((7)) when aggregated and causing a waste in excess of ((10%)) ten percent by area on any peach or ((with)) when any one bruise ((causing)) causes a waste in excess of ((5%)) five percent by area or exceeding 3/8 ((of an)) inch in depth. ((Areas or depths of bruises specified are applicable to a peach 2-1/4

~~inches or smaller in diameter. Correspondingly greater areas or depths shall be allowed on definitely larger peaches.)~~

(2) Bacterial spot((~~τ~~)) when any cracks are not well healed, or when ~~((aggregating))~~ the aggregate area is more than 1/2 inch in diameter((~~τ~~)).

(3) Scab spots((~~τ~~)) when cracked((~~τ~~)) or when healed and aggregating more than one inch in diameter((~~τ~~)).

(4) Scale((~~τ~~)) when ~~((aggregating))~~ the aggregate area is more than 1/2 inch in diameter((~~τ~~)).

(5) Growth cracks((~~τ~~)) when unhealed((~~τ~~)) or more than 5/8 inch in length((~~τ~~)).

(6) Hail injury((~~τ~~)) when:

(a) Unhealed((~~τ~~)). or

(b) Shallow ~~((hail injury when aggregating))~~ and the aggregate area is more than 3/4 inch in diameter((~~τ~~)). or

(c) Deep ~~((hail injury which))~~ and seriously ~~((deforms))~~ deforming the ~~((fruit))~~ peach; or ~~((which aggregates))~~

(d) Aggregating more than 1/2 inch in diameter((~~τ~~)). or

(e) Aggregating more than 1/8 inch in depth((~~τ~~)).

(7) Leaf or limb rubs(~~(, when smooth and light colored and aggregating))~~ or russetting when the aggregate area is more than 1-1/2 inches in diameter when smooth and light, or ~~((dark or rough and barklike scars aggregating))~~ when the aggregate area is more than 1/2 inch in diameter((~~τ~~)) when dark and bark-like.

(8) Split pit((~~τ~~)) when causing any unhealed crack, or when it is healed and ~~((aggregating))~~ the aggregate area is more than 1/2 inch in length including any part of the crack ~~((which may))~~ that might be covered by the stem((~~τ~~)).

(9) Stem pulls when they are larger than 5/8 inch in diameter, including stem area((~~τ~~)).

(10) Punctures when they are not on the shoulder area, or ~~((punctures))~~ when they are on the shoulder area and are larger than 3/16 of an inch in diameter((~~τ~~)).

(11) Rough suture((~~τ~~)) when the entire length of the suture exceeds 1/4 inch wide((~~τ~~)) and 1/16 inch high.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-436-002	Promulgation.
WAC 16-436-003	Promulgation.
WAC 16-436-150	Cull peach requirements.
WAC 16-436-166	Tolerances--Size.
WAC 16-436-200	Definitions.
WAC 16-436-225	Adoption of United States standards as state standards.
WAC 16-436-230	Effective date.

