

State of Washington

DEPARTMENT OF AGRICULTURE

(agency name)

Administrative Order No. 1711

(1) I, Bob J. Mickelson, director of Department of Agriculture

do promulgate and adopt at (place) the annexed rules relating to: Amending Sections WAC 16-406-050 and WAC 16-406-060.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. filed with the code reviser on. Such rules shall take effect:

- i i pursuant to RCW 34.04.040(2).
i i at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, Bob J. Mickelson, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

The ash fall from Mt. St. Helens has stained apricots to the extent that a large percentage of them will not meet the cleanliness criteria of the present Washington State Grades for apricots.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04. (1977 c 19 § 2) that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in statement (a), (b), or (c) as appropriate):

(a) This rule is promulgated pursuant to RCW 15.17 and is intended to administratively implement that statute.

(b) This rule is promulgated pursuant to RCW which directs that the

(agency)

has authority to implement the provisions of

(name of act or RCW citation)

(c) This rule is promulgated under the general rule-making authority of the

(agency)

as authorized in RCW

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

(5) This order after being first recorded in the order register of this agency is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON

APPROVED AND ADOPTED June 30, 19 80

JUN 30 1980

By Bob J. Mickelson

Director

Title

CODE REVISER'S OFFICE

WSR 80-08-049



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

DEPARTMENT OF AGRICULTURE

418 General Administration Building, Olympia, Washington 98504

June 30, 1980

For purposes of legislative review of agency rules, the following statement is submitted:

- (a) This Administrative Order No. 1711 amends Sections WAC 16-406-050 and 16-406-060 of Washington State Grades for Apricots.
- (b) This rule amends the apricot grades to relax the requirements for cleanliness. This is made necessary because the ash fall from Mt. St. Helens has stained apricots to the extent that a large percentage of them will not meet the cleanliness criteria of the present Washington State Grades for apricots.
- (c) Department of Agriculture
Division of Plant Industry
C. T. Nielsen, Assistant Director and Supervisor
A. R. Hurd, Assistant Supervisor
418 General Administration Building
Olympia, Washington
753-5052
- (d) The Department of Agriculture is proposing this order at the request of the Washington Apricot Marketing Committee.
- (e) The Department is in favor of this request.
- (f) This order is not made necessary as the result of federal law or federal or state court action.

AMENDATORY SECTION (Amending Order ~~1015~~, filed 4/29/66)^{VH}

WAC 16-406-050 DEFINITION OF TERMS. As used in these grades:

(1) "Mature" means having reached the stage of maturity which will insure a proper completion of the ripening process.

(2) "Well formed" means having the shape characteristic of the variety.

(3) "Damage" means that the apricot is injured to an extent readily apparent in the process of proper grading and handling. Well healed growth cracks not over three eighths of an inch in length, punctures not over three sixteenths of an inch in diameter, stem pulls not over three-eighths of an inch in diameter (except for the Riland Variety--growth cracks not over three eighths of an inch in length, punctures not over one-fourth of an inch in diameter and stem pulls not over one-half inch in diameter) or smooth shallow limb rubs not more than one-fourth of an inch in diameter or russeting affecting not to exceed one-tenth of the surface of the apricot shall not be regarded as damage. Bruises not to exceed five percent of the surface of the apricot shall not be regarded as damage. Dirt and foreign material on the surface of the apricot shall not be regarded as damage.

(4) Hail marks that are shallow and superficial or not more than three-eighths of an inch in diameter in the aggregate, or when the skin has been broken, except that not to exceed one well healed hail mark, such mark not to exceed one-eighth of an inch in diameter will not be considered as damage.

(5) "Serious damage" means immaturity, or any deformity or injury which causes breaking of the skin in excess of three-eighths of an inch in diameter or which seriously affects the appearance, but well-healed growth cracks, not over one-half inch in length, shall not be regarded as serious damage. Except for the Riland Variety--growth cracks that are not well healed and not over one-half inch in length shall not be regarded as serious damage. Bruises not to exceed ten percent of the surface of the apricot shall not be regarded as serious damage. Hail marks that are not more than three-sixteenth of an inch deep, or not more than one-half of an inch in diameter in the aggregate or when the skin has been broken, except that not to exceed four well healed hail marks, each such mark not to exceed one-eighth of an inch in diameter, will not be considered as serious damage. Dirt and foreign material on the surface of the apricot shall not be regarded as serious damage.

(6) "Diameter" means the greatest diameter, measured through the center of the apricot, at right angles to a line running from the stem to the blossom end. Apricots having a diameter of one and one-half inches, ring measurement, shall be considered large, while the apricots having a diameter of less than one and one-half inches shall be designated as small.

(7) The following will be taken into consideration in determining maturity:

(a) Ambering--Replacement of the green color of the flesh immediately around the pit by an amber shade is recognized by many authorities on apricots as an indicator of maturity.

(b) Springiness--This condition develops in connection with the separation of the flesh from the pit and is an indication that the fruit is reaching proper tree maturity for picking for fresh shipment. Springiness may be detected by external pressure on the fruit or by cutting the apricot in half at right angles to the longitudinal axis and noting how one-half or both halves slip away from the pit.

(c) Taste--On a tree whose fruit is ready for harvest for fresh shipment it is usually impossible to find at least an occasional fruit which has lost sufficient of its green taste to be fairly palatable. In using this test, do not be misled by fruits which may be maturing abnormally because of worm infestation.

(d) Separation of fruit from stem--The manner in which fruit may be separated from its stem is some indication of maturity, the more immature fruit tending to tear the adjacent skin and flesh more than fruit which is near proper maturity.

(8) The following varieties shall not be considered to have reached that stage of maturity which will insure a proper completion of the ripening process until they have developed characteristic turning or yellow (shades Nos. 3 or 4 on U. S. standard ground color chart) on the minimum percentage of surface area as stated opposite the varietal name:

Moorpark--20%

Gilbert or Newcastle--50%

Tilton--40%

Blenheim--40%

Royal--40%

AMENDATORY SECTION (Amending Order 1015, filed 4/29/66) vH

WAC 16-406-060 DEFINITION OF GRADES. (1) Washington No. 1 shall consist of apricots of one variety which are mature but not soft, overripe or shriveled, and which are well formed, (~~visibly clean~~) and free from decay, worm holes, and from damage caused by (~~dirty~~) limb rubs, growth cracks, bruises, scale, hail, disease, insects or mechanical or other means. (See tolerances [WAC 16-406-020].)

(2) Washington No. 2 shall consist of apricots of one variety which are mature but not soft, overripe or shriveled, but which are (~~fairly clean and~~) free from decay, worm holes, and from serious damage caused by growth cracks, bruises, hail, insect pests, mechanical or other means. (See tolerances [WAC 16-406-020])

(3) Washington combination shall consist of a combination of Washington No. 1 and Washington No. 2 and may be packed. When such a combination is packed, at least fifty percent of the apricots in any container shall meet the requirements of Washington No. 1. (See tolerances [WAC 16-406-020])

(4) Culls shall consist of apricots which are immature or seriously damaged by growth cracks, hail, insect pests, mechanical or other means. (See marking and packing requirements [WAC 16-406-030])