



**RULE-MAKING ORDER**  
(RCW 34.05.360)

**CR-103** (7/10/97)

Agency: Department of Agriculture	<input checked="" type="checkbox"/> Permanent Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Expedited Adoption <input type="checkbox"/> Expedited Repeal
(1) Date of adoption: October 8, 1999	

(2) Purpose: Reduce the amount of days from 90 to 60 days for qualifying winter pears as meeting controlled atmosphere storage requirements.

(3) Citation of existing rules affected by this order: Chapter 16-449 WAC

Repealed:   
 Amended:   
 Suspended:

(4) Statutory authority for adoption: Chapter 15.17 RCW Standards of Grades and Packs.  
 Other Authority:

**PERMANENT RULE ONLY (Including EXPEDITED ADOPTION)**  
 Adopted under notice filed as WSR 99-17-078 on August 16, 1999.  
 Describe any changes other than editing from proposed to adopted version: None

**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:

<b>Permanent Rules or Expedited Repeal</b> <input checked="" type="checkbox"/> 31 days after filing <input type="checkbox"/> Other (specify) ___*	<b>Emergency Rules</b> <input type="checkbox"/> Immediately <input type="checkbox"/> Later (specify) ___
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\*(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 October, 8, 1999

**CODE REVISER USE ONLY**

CODE REVISER'S OFFICE  
STATE OF WASHINGTON  
FILED

OCT 8 1999

TIME: 5:44 AM  
PM

WSR: 99-21-003

**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
<b>Federal rules or standards:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed
<b>Recently enacted state statutes:</b>	New	<u>0</u>	Amended	<u>1</u>	Repealed

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

	New		Amended	<u>1</u>	Repealed
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**The number of sections adopted in the agency's own initiative:**

	New		Amended		Repealed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

	New		Amended	<u>1</u>	Repealed
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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	<u>1</u>	Repealed

**WAC 16-449-010 Requirements.** Winter pears to be classified as controlled atmosphere storage pears, which meet the following requirements, other than those specifically set forth in chapter 15.30 RCW.

(1) Oxygen content of each room shall not exceed 5 percent oxygen within 20 days after sealing of room.

(2) Winter pears shall be retained in a controlled atmosphere storage, under required degrees of temperature and percentage of air components, for a period of not less than 45 days for the Bosc variety, and not less than ((90)) 60 days for all other varieties of winter pears, to qualify as having been stored in controlled atmosphere storage.

(3) No person in this state shall place or stamp the letters "CA" or a similar designation in conjunction with a number or numbers upon any container or sub-container of any fruits or vegetables, unless the director has inspected such fruits or vegetables and issued a state lot number for such fruits or vegetables in conjunction with a certificate stating their quality and condition, that they were stored in a warehouse licensed under the provisions of this chapter and that they meet all other requirements of this chapter or rules adopted hereunder: *Provided*, That if such fruits or vegetables are not allowed to enter the channels of commerce within two weeks of such inspection or a subsequent similar inspection by the director the letters "CA" and the state lot number shall be eradicated by the licensee.

(4) Preconditioned winter pears: In order to bear the "CA" stamp, all winter pears must be certified as meeting controlled atmosphere storage requirements prior to the preconditioning.