

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE  
STATE OF WASHINGTON**

In the matter of the Washington Strawberry Commission's request )  
To amend the marketing order established in WAC 16-555 by )  
Adding a position on the Commission representing District 3 )  
 )  
 )

**FINDINGS OF FACT,  
CONCLUSIONS OF LAW  
AND FINAL DECISION**

The above titled matter came to public hearing at the Natural Resources Building, Room 259, 1111 Washington Street SE, Olympia, WA 98504, beginning at 10:00 a.m.. The hearing officer was William E. Brookreson, Deputy Director, Washington State Department of Agriculture. In attendance at the hearing were Norval Johansen, Manager for the Strawberry Commission and agency staff, Deborah Anderson.

**FINDINGS OF FACT**

The Director, having reviewed the complete record, hereby adopts the following Findings of Fact:

1. The Washington Strawberry Commission submitted a request to the Director of Agriculture to amend the Strawberry marketing order in chapter 16-555 WAC. The proposed amendment adds a position to the Commission representing District 3 (Clark, Cowlitz, Lewis, Pacific, Skamania, Wahkiakum, Grays Harbor, Mason and Thurston Counties).
2. According to the Commission, District 3 produced more strawberries than District 1 and almost as much as District 2, which are both, represented by two positions. In 1999 District 1 had 19 growers who produced 7,226,483 pounds of strawberries; District 2 had 17 growers producing 1,040,003 pounds of strawberries; and District 3 had 24 growers producing 3,675,026 pounds of strawberries.
3. A notice of the hearing was published in the Washington State Register on March 7, 2001, and was sent to all Strawberry growers on a list maintained by the Washington Strawberry Commission. Notice was also published in the Olympian on March 17 and 18, 2001.
4. Norval Johansen, representing the Strawberry Commission, testified in support of the amendment. The Department received one letter from two producers in Whatcom County also in support of the proposed amendment.
5. The 10-day period to file objections to a recommended decision of the Director was waived as provided in RCW 15.65.110.

**CONCLUSIONS OF LAW**

The Director adopts the following conclusions:

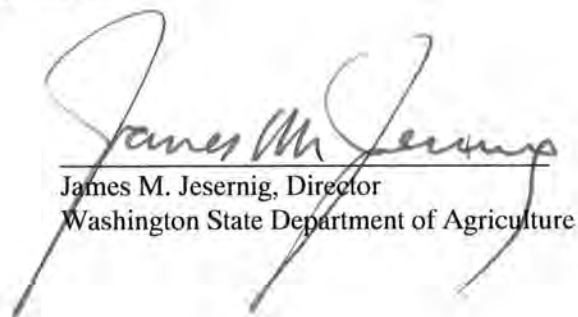
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1. The procedures to amend the marketing order follow the provisions and terms of chapter 15.65 RCW, Washington State Agricultural Enabling Act of 1961.
2. The proposed amendment to add a new position on the board of the Strawberry Commission in District 3 (District 3 representing Clark, Cowlitz, Lewis, Pacific, Skamania, Wahkiakum, Grays Harbor, Mason and Thurston Counties) will tend to effectuate one or more of the declared policies of chapter 15.65 RCW, Washington State Agricultural Enabling Act of 1961 with respect to the Strawberry Commission.
3. Through the public hearing process it was determined that there is sufficient support for the proposed amendment to add a new position representing District 3 on the Commission and to submit the proposal to a referendum vote of the growers.
4. In accordance with RCW 15.65.110, the Director may in his discretion waive the 10-day period to file objections to a recommended decision and issue a final decision.

### FINAL DECISION

It is hereby the Director's final decision that the Strawberry Commission's request to amend the Commission's marketing order established in WAC 16-555, by adding a new position representing District 3, be accepted and submitted to a referendum of the growers for final approval.

DATED at Olympia, Washington this 26th day of April 2001.



James M. Jesernig, Director  
Washington State Department of Agriculture