



MEMORANDUM

Date: July 3, 2007

To: Kyle Thiessen, Code Reviser
Victor Moore, OFM Director
Joint Administrative Rules Review Committee
Agency Rule Coordinators:
Department of Corrections
Department of Ecology
Department of Fish and Wildlife
Department of Health
Department of Labor and Industries
Department of Natural Resources
Washington State Parks and Recreation Commission
Department of Social and Health Services
Department of Transportation

From: Teresa Norman, Rules Coordinator *Teresa Norman*
Washington State Department of Agriculture

Re: **Semi-Annual Rules Development Agenda**
July 1 to December 31, 2007

Attached is the Department of Agriculture's semi-annual rules development agenda for the period of July 1, 2007 through December 31, 2007. This document is being sent to you in compliance with RCW 34.05.314.

The department may undertake additional rule making activity as conditions warrant. If you have any questions, please call me at (360) 902-2043 or e-mail me at tnorman@agr.wa.gov.

Attachment

CODE REVISIONS OFFICE STATE OF WASHINGTON - FILED -	
JUL 3 2007	
TIME	3:53
RES	017-14-137

Washington State Department of Agriculture
 Semi-Annual Rules Agenda, July 1, 2007 – December 31, 2007
 P.O. Box 42560, Olympia, WA 98504-2560

WAC Number	Rule Title	Agency Contact	CR-101	Tentative Timeline	CR-102	CR-103	Subject of Rulemaking
Agency Operations							
Chapter 16-08	Practice and Procedure	Dannie McQueen Administrative Regulations Program Manager Phone: (360) 902-1809	Expedited October			TBD	Updating the rules for adjudicative proceedings.
Chapter 16-06	Public Records	Dannie McQueen Administrative Regulations Program Manager Phone: (360) 902-1809	May	TBD		TBD	In accordance with the Public Disclosure Act, WSDA is required to develop and maintain its public disclosure rules and processes. Amendments to chapter 16-06 WAC fall under that mandate.
Animal Services Division							
Chapter 16-30	Restricted Feedlots	Lynn Briscoe Special Assistant to the State Veterinarian Phone: (360) 902-1987	December 2006	September		November	Title change to "Restricted Feedlots and Holding Facilities." Adding a restricted holding facility and eliminating the category II restricted feedlot.
Chapter 16-59	Importation and Movement of Poultry and Hatching Eggs	Lynn Briscoe Special Assistant to the State Veterinarian Phone: (360) 902-1987	January 2007	September		November	Title change to make this chapter regarding in-state poultry. Update requirements, rewrite rules in plain talk, remove references to importation (moved to WAC 16-54).
Chapter 16-71	Equine Infectious Anemia	Lynn Briscoe Special Assistant to the State Veterinarian Phone: (360) 902-1987	January 2007	TBD		TBD	Title change to "Equine Diseases." Rewrite rules in plain talk and bring them up-to-date with current disease requirements; adding section on equine viral arteritis.
Chapter 16-86	Brucellosis and Tuberculosis in Cattle and Goats	Lynn Briscoe Special Assistant to the State Veterinarian Phone: (360) 902-1987	August 2006	August 2007		October	Title change to "Cattle Diseases." Rewrite rules in plain talk and bring them up-to-date with current disease requirements.
Chapter 16-89	Sheep and Goat Scrapie Disease Control	Lynn Briscoe Special Assistant to the State Veterinarian Phone: (360) 902-1987	August 2006	TBD		TBD	Rewrite rules in plain talk and bring them up-to-date with current disease requirements.
Chapter 16-604	Public Livestock Markets	Lynn Briscoe Special Assistant to the State Veterinarian Phone: (360) 902-1987	TBD	TBD		TBD	Correcting a reference to the Code of Federal Regulation and adding an additional special sale day.
Commodity Inspection							

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16-390-240 16-390-242	Fresh Produce Audit Verification Program	Jim Quigley Fruit and Vegetable Inspection Program Manager Phone: (360) 902-1883		In process	TBD	TBD	Fees for audit of good agricultural practices and good handling practices.
16-461-010	Inspection Requirements	Jim Quigley Fruit and Vegetable Inspection Program Manager Phone: (360) 902-1883	July	TBD	TBD	TBD	Remove or rewrite exemption for certificates of compliance.
16-409-024	Asparagus standards	Jim Quigley Fruit and Vegetable Inspection Program Manager Phone: (360) 902-1883	August	TBD	TBD	TBD	Write new size requirements for asparagus standards.
16-439-210 -16-439-240	Pear standards	Jim Quigley Fruit and Vegetable Inspection Program Manager Phone: (360) 902-1883	September	TBD	TBD	TBD	Grade and size requirements for pears.
16-390-060	Fees for inspecting beans, peas, lentils	Jim Quigley Fruit and Vegetable Inspection Program Manager Phone: (360) 902-1883	September	TBD	TBD	TBD	Housekeeping WAC reference by September or earlier.
16-390-200	Phytosanitary inspections	Jim Quigley Fruit and Vegetable Inspection Program Manager Phone: (360) 902-1883	December	TBD	TBD	TBD	Possible rulemaking based on new user fee from USDA for state-issued phytosanitary certificates.
16-303-200	Seed Program fees	Fawad Shah Seed Program Manager Phone: (509) 225-2630		In process			Adjust seed testing fees.
16-303-210	Fees for special seed tests	Fawad Shah Seed Program Manager Phone: (509) 225-2630		In process			Continuance of quarantine rule.
Food Safety & Consumer Services Division							
Chapter 16-108	Washington state egg seals and assessments	Claudia Coles Food Safety Program Mgr Phone: (360) 902-1905	September	October	December	December	Amending assessment fees.

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Pesticide Management Division							
Chapter 16-230	Use of chemicals and chemically treated materials in certain counties	Cliff Weed Compliance Program Mgr Phone: (360) 902-2036	July	September	November		Modify the nozzle requirements for air and ground applications
Chapter 16-231	Restricted Use Herbicides	Cliff Weed Compliance Program Mgr Phone: (360) 902-2036	July	September	November		Modify the nozzle requirements for air and ground applications
Chapter 16-232	Restricted Use Herbicides in Certain Counties	Cliff Weed Compliance Program Mgr Phone: (360) 902-2036	July	September	November		Modify the nozzle requirements for air and ground applications
Chapter 16-228	Wood Destroying Organisms	Cliff Weed Compliance Program Mgr Phone: (360) 902-2036	July	September	November		Modify wood destroying reporting requirements
Plant Protection Division							
New	Brassica Seed Production Districts	Mary Toohey Plant Protection Division Assistant Director Phone: (360) 902-1907	05/15/07	08/22/07	10/03/07		The department is proposing to adopt rules regarding the orderly production of Brassica seed crops.
New	Weights & Measures Penalties	Kirk Robinson Weights & Measures Program Manager Phone: (360) 902-1856	09/05/07	10/24/07	12/05/07		The department is proposing to adopt penalty matrices related to violations of chapter 19.94 RCW.
New	Motor Fuel Quality Penalties	Kirk Robinson Weights & Measures Program Manager Phone: (360) 902-1856	09/05/07	10/24/07	12/05/07		The department is proposing to adopt penalty matrices related to violations of chapter 19.112 RCW.
New	Christmas Trees	Tom Wessels Plant Services Program Mgr Phone: (360) 902-1984	08/01/07	09/19/07	10/31/07		The department is proposing to adopt rules related to the implementation of ESB5401.
Chapter 16-324	Rules for the Certification of Seed Potatoes	Tom Wessels Plant Services Program Mgr Phone: (360) 902-1984	CR-105 08/22/07	N/A	10/24/07		The department is proposing to revise the current seed potato certification rule by repealing the requirement for PVY testing for Generation 1 lots because of changes in

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WAC Number Rule Title Agency Contact CR-101 CR-102 CR-103 Subject of Rulemaking

WAC Number	Rule Title	Agency Contact	CR-101	Tentative Timeline	CR-102	CR-103	Subject of Rulemaking
Chapter 16-354	Hop Rootstocks – Certification	Mary Toohey Plant Protection Division Assistant Director Phone: (360) 902-1907	07/05/07	08/22/07	10/03/07		the US-Canada Necrotic Virus Management Plan. The department is proposing to amend the hop certification rule by adding hop stunt viroid to the list of diseases that certified hop planting stock needs to be free of. In addition, the department is proposing to revise the current language to make it more clear and readable and reflect current industry practices.
Chapter 16-497	Hop Disease Quarantine	Mary Toohey Plant Protection Division Assistant Director Phone: (360) 902-1907	07/05/07	08/22/07	10/03/07		The department is proposing to amend the hop disease quarantine by adding hop stunt viroid to the list of diseases that hop planting stock entering the state needs to be certified free of. In addition, the department is proposing to revise the current language to make it more clear and readable and reflect current industry practices.
Chapter 16-662	Weights and Measures – National Handbooks	Kirk Robinson Weights & Measures Program Manager Phone: (360) 902-1856	11/07/07	01/02/08	02/15/08		The department is proposing to adopt the most recent version of the NIST handbooks.
Chapter 16-664	National Type Evaluation Program	Kirk Robinson Weights & Measures Program Manager Phone: (360) 902-1856	10/03/07	11/21/07	01/16/08		The department is considering amending the rule to accommodate devices dispensing alternate fuels.
Chapter 16-752	Noxious Weed Control	Tom Wessels Plant Services Program Mgr Phone: (360) 902-1984	09/05/07	10/24/07	12/05/07		The department is considering adding additional species to the wetland and aquatic weed quarantine and the noxious weed seed and plant quarantine.

Teresa Norman, Rules Coordinator