

FROM: Department of Agriculture
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98501

The enclosed Permanent rules , being order No. 1213
Emergency rules

relating to (Name of rules or description of subject matter)

Rules and Regulations for Controlled Atmosphere Storage

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 3130^① filed with the code reviser
on 8/19/71^② were regularly adopted as permanent rules of this
(date) 1971
agency at Olympia, Washington on Sept. 20, and are herewith
(place) (date)
filed in the office of the code reviser pursuant to chapter 34.04
RCW. The effective date of such rules shall be 10/20/71^③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of
these rules 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 the public interest,
were regularly adopted as emergency rules of this agency at
_____ on _____ and are herewith filed in
(place) (date)
the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter
34.04 RCW and of the Open Public Meetings Act of 1971, chapter
42.30 RCW (1971 ex.s. c 250) have been fulfilled.

Dated this Twentieth day of September 19 71.

STATE OF WASHINGTON
FILED
SEP 20 1971
CODE REVISER'S OFFICE
DOCKET # 3130 FILE # 24

Department of Agriculture
(AGENCY)
By Donald W. Moos
Director
Title

- ① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
- ② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
- ③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING: RCW 34.04.040. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.

Chapter 16-459

RULES AND REGULATIONS FOR CONTROLLED ATMOSPHERE STORAGE

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 1213
RULES AND REGULATIONS FOR CONTROLLED ATMOSPHERE STORAGE
Effective October 20, 1971

NEW WAC 16-459-001 PROMULGATION. I, Donald W. Moos, director of agriculture of the state of Washington by virtue of the authority vested in me under chapter 15.30 RCW, relating to controlled atmosphere storage of fruits and vegetables, and after due notice as provided under chapters 34.04 and 42.30 RCW, and a public hearing held in Wenatchee, Washington, on September 16, 1971, do hereby promulgate the following rules and regulations relating to controlled atmosphere storage.

NEW WAC 16-459-010 REQUIREMENTS. (1) Controlled atmosphere storage operators and/or lessees are required to submit an application for license prior to August 31 of any year: PROVIDED, a notarized affidavit is furnished the department stating he was not engaged in the business of operating a controlled atmosphere storage facility or a payment of the penalty prescribed in chapter 15.30.070 RCW. This form will be entitled application for a controlled atmosphere storage license and will be known as P.I. #9.

(2) Controlled atmosphere storage operators are required to separately report to the district chief the date of sealing the storage, and

(a) The quantity of loose fruit by variety and owner.

(b) The quantity of packed fruit by variety and owner.

This information will be submitted to the district chief on form P.I. #10 and signed by the operator.

(3) Each controlled atmosphere operator must keep daily determinations of air components as to percentages of carbon dioxide, oxygen, and temperature at least once each day as prescribed in chapter 15.30.120 RCW. This information is subject to audit by the inspection service and the various audits will be reported for each storage on form P.I. #11 by department personnel.

The forms mentioned above are plant industry forms which will be furnished by the division.

All license holders are required to notify the local inspection office on or before opening any controlled atmosphere storage rooms.

NEW WAC 16-459-020 IDENTIFICATION OF CONTROLLED ATMOSPHERE FRUIT PRIOR TO INSPECTION. (1) All controlled atmosphere storage fruit that requires transportation by a Washington state licensed motor vehicle for shipment, storage, or packaging will require identification. All fruit removed from controlled atmosphere storage and stored in conventional cold storage will require identification.

(2) Identification may be made at the time of entry into controlled atmosphere storage or at the time of removal from controlled atmosphere storage. This option is to be exercised by the controlled atmosphere licensee with the following requirements:

(a) Loose fruit in bins will be tagged with the pre-numbered official department storage identification tag.

(b) Packed fruit is to be marked with a stamp supplied by the department at the time fruit enters controlled atmosphere storage.

(c) Packed fruit marked at time of removal from controlled atmosphere storage with stamp supplied by the department will be used under the supervision of inspection personnel.

The above identification requirements will be used on all fruit subject to identification as noted in paragraph (1) above only.

(3) Controlled atmosphere fruit retained by a packer for packaging at a later date will be identified as follows:

(a) Loose fruit held in bins will be tagged with a current state lot number without certification.

(b) Fruit held in field lugs will be identified in a like manner by pallet.

(c) Fruit held in any other manner will require certification and state lotting.

(4) Fruit subject to condition because of out-dated state lot stamp may be stamped with a current up-to-date state lot number if identification may be a problem. Fruit not restamped with an up-to-date number will be subject to an additional condition certification if identification is questionable.

NEW WAC 16-459-030 FEES. Controlled atmosphere licensees will be subject to the following fees:

(1) Tags. First 1 to 100 - 50¢
Each additional 100 - 50¢

(2) Stamp distributed by the department only to be used on packed containers -- \$1.00 each year.

(3) Inspection personnel. Supervision as required in WAC 16-459-020, paragraph (2), section (c), will be at the rate established under permanent order entitled horticultural inspection fees.

NEW WAC 16-459-040 PENALTIES. Willful violation of any of the above rules or provisions of chapter 15.30 RCW by controlled atmosphere operators and/or lessees will be sufficient cause for the department to consider suspension of the controlled atmosphere operator's or lessee's license.

NEW WAC 16-459-050 EFFECTIVE DATE. This order shall take effect on and after October 20, 1971.

I hereby certify that the foregoing is a true and correct copy of the regulations promulgated.



DONALD W. MOOS
Director of Agriculture
State of Washington

Signed at Olympia, Washington

Date: September 20, 1971