

State of Washington

DEPARTMENT OF AGRICULTURE

(agency name)

Administrative Order No. 1549

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

do promulgate and adopt at Olympia, Washington (place)

the annexed rules relating to:

Amending existing prune grade and standard to allow a greater tolerance at destination, WAC 16-445-040

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

This action is taken pursuant to Notice No. WSR 78-02-083 filed with the code reviser on 1/30/78. Such rules shall take effect:

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

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

I, 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:

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.

APPROVED AND ADOPTED, March 30 19 78.

STATE OF WASHINGTON FILED

By Bob J. Mickelson

Director

MAR 31 1978

Title

[Form CR-7: Effective 12/1/77]

CODE REVISER'S OFFICE WSR 78-04-061

log

AMENDATORY SECTION (Amending Order 1262, filed 5/5/72)

WAC 16-445-040 WASHINGTON NO. 1 GRADE AND TOLERANCES. (1) Defined. Washington No. 1 grade shall consist of prunes of one variety which are well formed (1), mature (2) but not overripe, soft or shriveled, and which are free from decay and sunscald (3), and from damage (4) caused by broken skins (4a), heat injury (4b), growth cracks (4c), sunburn (4d), split pits (4e), hail marks (4f), drought spots (4g), russeting (4h), scars (4i), dirt or other foreign material, disease, insects or mechanical or other means. Italian type prunes shall have two-thirds of the surface with purplish color characteristic of the particular area where grown, and unless otherwise specified, the minimum size of such prunes shall be not less than 1-1/4 inches in diameter (7).

(2) Tolerances. In order to allow for variations incident to proper grading and handling, the following tolerances are specified:

(a) At shipping point: Not more than a total of ((40)) ~~ten~~ percent, by count, of the prunes in any container may not meet the requirements of this grade for defects other than color and size, but not more than ((5)) ~~five~~ percent by count, may be allowed for defects causing serious damage and not more than ((4)) ~~one~~ percent may be allowed for decay. In addition, not more than ((40)) ~~ten~~ percent, by count, in any container may not meet the color requirements and not more than ((40)) ~~ten~~ percent, by count, may not meet the size specifications, but the combined tolerance for all defects shall not exceed ((45)) ~~fifteen~~ percent.

(b) At destination or en route: Not more than a total of eight-  
een percent of the prunes in any container may not meet the require-  
ments of this grade and not more than the following percentages shall  
be allowed for the defects listed:

Ten percent which fail to meet the color requirement;

Ten percent which fail to meet the minimum size requirement;

Ten percent which fail to meet the requirements of the grade  
because of other permanent defects;

Seven percent for defects causing serious damage, including  
therein not more than five percent for serious damage by permanent  
defects and not more than two percent decay.

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PRIORITY-010      TRAIN-AN      FORM-0001      P. F-UNITRCRD.P0000829      UNIQUE-39922

USERID-LISCRJLK060      SUBSYSTEM-IASOP      PRODUCT-LISCRJLK060      LINES-0000072

CURRENT TIME    9:43:55.65 ON    3/22/78      COPY-00001/00001      COMPLETE-YES

ROUTE TO:    JANETTE L KRIENER    BIN 4      BEVERLY'S GANG

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STATE OF  
WASHINGTON

Dixy Lee Ray  
Governor

DEPARTMENT OF AGRICULTURE

406 General Administration Building, Olympia, Washington 98504

March 30, 1978

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

- (a) This rule concerns prune grade and standard, Order No. 1549 (statutory authority RCW 15.17).
- (b) This rule amends existing prune grade and standard to allow a greater tolerance at destination, WAC 16-445-040.
- (c) Department of Agriculture  
Division of Plant Industry  
C. T. Nielsen  
418 General Administration Building, Olympia  
753-5052
- (d) Proponents:  
Bill Ryan, Wash. Department of Agriculture, Yakima  
Bob Cain, Snokist Growers, Yakima  
Dick Poyser, Wash.-Oregon Prune Marketing Committee, Yakima  
Ron Fox, Wash. Department of Agriculture, Moses Lake  
Jim Archer, Wash. Department of Agriculture, Yakima  
Allan Henry, USDA, Portland, Oregon  
F. W. Shields, Jr., Yakima Valley Growers-Shippers Assn., Yakima  
Bill Irely, USDA, Federal-State Inspection, Olympia  
Bob Rosko, USDA, FSQS, San Francisco  
Bill Buckley, Pacific Fruit, Yakima  
  
Opponents:  
None
- (e) Agency comments: none.