



# RULE-MAKING ORDER (RCW 34.05.360)

**CR-103** (4/25/96)

**Agency:** Washington State Department of Agriculture

- Permanent Rule
- Emergency Rule
- Expedited Repeal

**(1) Date of adoption:** September 3, 1996

**(2) Purpose:** To repeal WAC 16-144-001 Promulgation; WAC 16-144-020 Processing ice cream; WAC 16-144-030 Processing of other desserts--Frozen and French custards--Labeling--Optional ingredients; WAC 16-144-040 Ice milk--Labeling--Optional ingredients; WAC 16-144-050 Nonfat frozen dairy desserts--Labeling--Optional ingredients; WAC 16-144-060 Dietetic or dietary frozen dairy desserts--Labeling--Optional ingredients; WAC 16-144-070 Fruit sherbets--Labeling--Optional ingredients; WAC 16-144-080 Water ices--Labeling--Optional ingredients. These rules are governed by federal standards (21 CFR) which are adopted under Chapter 16-167 WAC, making these rules redundant.

**(3) Citation of existing rules affected by this order:**

Repealed: WAC 16-144-001; 16-144-020; 16-144-030; 16-144-040; 16-144-050; 16-144-060; 16-144-070; 16-144-080

Amended:

Suspended:

**(4) Statutory authority for adoption:** Chapters 15.32 and 15.36 RCW

Other Authority:

### PERMANENT RULE ONLY

Adopted under notice filed as WSR \_\_\_\_\_ on \_\_\_\_\_ (date).

Describe any changes other than editing from proposed to adopted version:

### 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 96-14-010 on July 17, 1996 (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:**

**Emergency Rules**

**Permanent Rules  
or Expedited Repeal**

- 31 days after filing
- Other (specify) \_\_\_\_\_ \*
- Immediately
- Later (specify) \_\_\_\_\_

\*If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required

**Name (Type or Print)**

Candace Jacobs

**Signature**

*Candace G. Jacobs*

**Title**

Assistant Director

**Date**

September 3, 1996

CODE REVISER USE ONLY

STATE REVISORY OFFICE  
STATE OF WASHINGTON

SEP 24 1996

11:32  
96-18-106

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	-----	Amended	-----	Repealed	-----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	New	-----	Amended	-----	Repealed	-----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	New	-----	Amended	-----	Repealed	-----

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

New	-----	Amended	-----	Repealed	-----
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**The number of sections adopted in the agency's own initiative:**

New	-----	Amended	-----	Repealed	8
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	-----	Amended	-----	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	-----	Repealed	-----