



# 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 Chapter 16-128 WAC Dry Milk Products and Chapter 16-140 WAC Processing Low Acid Foods. These rules are covered by the federal standards under 21 CFR adopted in Chapter 16-167 WAC making these chapters redundant.

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

Repealed: Chapter 16-128 WAC; Chapter 16-140 WAC

Amended:

Suspended:

**(4) Statutory authority for adoption:** Chapters 15.32, 15.36 and 69.04 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 96-14-016 on <sup>June 20, 1996</sup> ~~July 21, 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:**

**Permanent Rules  
or Expedited Repeal**

**Emergency Rules**

- 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 A. Jacob*

Title

Assistant Director

Date

September 3, 1996

CODE REVISER USE ONLY

CODE REVISER'S OFFICE  
STATE OF WASHINGTON

SEP 14 1996

11:40  
96-18-113

**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	<u>25</u>
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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	-----