ENGROSSED HOUSE BILL 2773

Chapter 235, Laws of 2002

57th Legislature
2002 Regular Session

FRUIT SALES--MARKETING INFORMATION

EFFECTIVE DATE: 6/13/02

Passed by the House March 11, 2002
Yeas 96  Nays 0

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate March 7, 2002
Yeas 48  Nays 0

BRAD OWEN
President of the Senate

Approved March 28, 2002

CERTIFICATE
I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is ENGROSSED HOUSE BILL 2773 as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER
Chief Clerk

FILED
March 28, 2002 - 9:08 a.m.

GARY LOCKE
Governor of the State of Washington

Secretary of State
State of Washington
AN ACT Relating to sales of fruit; adding a new section to chapter 42.17 RCW; creating new sections; and providing an expiration date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. To provide uniformity in the marketplace and to protect consignors of apples, the existing state standards for grades and packs of apples shall be evaluated. Revision of the standards for grades and packs of apples that will clarify the standards in such a way that they will be applied consistently among warehouses and commission merchants shall be evaluated. The evaluation must consider the appropriate level of uniformity that will ensure that the apples of a particular variety, grade, and pack sold from one warehouse will be equivalent to the apples of the same variety, grade, and pack sold from other warehouses.

For this purpose, the director shall convene an apple grades and packs committee that is widely recognized within the horticultural industry as representing the interests of the industry to recommend by consensus revisions to the standards that it believes will provide the desired level of uniformity that best serves the interest of apple producers, packers, and consumers.
If the industry committee recommends such revisions by consensus by December 15, 2003, the director shall give great weight to the recommendations in proposing the adoption of rules that reflect the consensus recommendations.

If the apple grades and packs committee does not make recommendations by consensus by December 15, 2003, the committee shall report its findings and conclusions to the department of agriculture, and to appropriate legislative committees that have jurisdiction over agricultural issues at meetings scheduled during the next ensuing regular session of the legislature. The appropriate legislative committees may monitor the activities of the apple grades and packs committee and may schedule interim committee meetings to obtain progress reports by the apple grades and packs committee.

This section expires April 30, 2004.

NEW SECTION. Sec. 2. The legislature finds that consignors of fruit, whether the sale is conducted as individual sales or in a pooling arrangement, need timely and more complete marketing information regarding terms of sale for various varieties of fruit so that producers can make informed business decisions. The legislature finds that the affected industry needs to review the type of information that is currently available, the type of information that would be useful, and how best to make available the additional information.

The legislature requests that the Washington state horticultural association, the Wenatchee valley traffic association, the Yakima valley growers and shippers association, and the Washington growers clearinghouse association meet with each other to conduct a thorough analysis of the marketing information needs of the industry and provide recommendations to the legislature on how the market information needs can best be addressed. The legislature requests that these groups develop a joint report containing those items to improve the availability of market information for which agreement has been attained. On issues for which consensus has not been reached, each organization is requested to provide a brief statement containing the perspective of that industry segment. The legislature requests that these reports shall be completed by December 15, 2003, with a copy to be delivered to the director of the department of agriculture and to the appropriate standing committees of the senate and the house of
representatives with jurisdiction over agricultural issues. These legislative committees may schedule interim committee meetings to obtain progress reports for activities being conducted under this section.

NEW SECTION. Sec. 3. (1) Each commission merchant that received apples imported into the United States between January 1, 2002, and November 30, 2002, shall report to the department of agriculture by December 15, 2002. The report shall include the volume of each variety of imported apples that was received by and packed and sold by the commission merchant.

(2) The department of agriculture shall compile the information, in the aggregate, and provide a report to the secretary of the senate and the chief clerk of the house of representatives by December 31, 2002.

NEW SECTION. Sec. 4. A new section is added to chapter 42.17 RCW to read as follows:

The disclosure requirements of this chapter do not apply to information that can be identified to a particular business and that is collected under section 3(1), chapter . . ., Laws of 2002 (section 3(1) of this act).

Passed the House March 11, 2002.
Passed the Senate March 7, 2002.
Approved by the Governor March 28, 2002.
Filed in Office of Secretary of State March 28, 2002.