Chapter 16-167 WAC
INTRASTATE COMMERCE IN FOODS

WAC
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WAC 16-167-010  Purpose and authority. (1) Consistent with the concept of uniformity where possible with the federal regulations adopted under the Federal Food, Drug and Cosmetic Act, 21 U.S.C. 301 et seq. the following federal regulations are specifically made applicable to all persons subject to chapters 69.04 and 69.07 RCW by virtue of RCW 69.04.392, 69.04.394, 69.04.396 and 69.04.398. Although those regulations are automatically applicable to all persons subject to chapters 69.04 and 69.07 RCW, the department is nevertheless adopting as its own rules the following existing regulations of the federal government published in the Code of Federal Regulations revised as of the dates stated in the rule.

(2) The purpose of this rule is to adopt the following portion of the federal regulations promulgated under Title 21 CFR, Title 40 CFR and FDA Compliance Policy Guidelines as Washington standards for food safety to ensure uniformity with United States standards and to protect the consuming public from possible harm due to the purchase or consumption of adulterated or misbranded food.

(3) These rules are promulgated under authority of RCW 69.04.392, 69.04.394, 69.04.396, 69.04.398 and 69.07.020.

WAC 16-167-020  Pesticide chemicals. The following federal regulations are adopted as Washington tolerances for pesticide chemicals: 40 CFR Revised as of July 1, 1998.

(1) Parts 180 - Tolerances and Exemptions from Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities.
   (a) Subpart A - Definitions and Interpretive Regulations.
   (b) Subpart C - Specific Tolerances.
   (2) Part 185 - Tolerances for Pesticides in Food.
   (3) Part 186 - Tolerances for Pesticides in Animal Feeds.

WAC 16-167-030  Food additives. The following federal regulations prescribing the conditions under which such food additives may safely be used are adopted as Washington food additive regulations: 21 CFR Chapter 1 Revised as of April 1, 1998.

(1) Part 170 - Food Additives.
   (2) Part 172 - Food Additives Permitted for Direct Addition to Food for Human Consumption.
   (3) Part 173 - Secondary Direct Food Additives Permitted in Food for Human Consumption.
   (4) Part 174 - Indirect Food Additives: General.
   (7) Part 177 - Indirect Food Additives: Polymers.
   (9) Part 179 - Irradiation in the Production, Processing and Handling of Food.
   (10) Part 180 - Food Additives Permitted in Food on an Interim Basis or in Contact with Food Pending Additional Study.
   (11) Part 181 - Prior-Sanctioned Food Ingredients.
   (12) Part 182 - Substances Generally Recognized as Safe.
   (13) Part 184 - Direct Food Substances Affirmed as Generally Recognized as Safe.
   (14) Part 186 - Indirect Food Substances Affirmed as Generally Recognized as Safe.
   (15) Part 189 - Substances Prohibited From Use in Human Food.

WAC 16-167-040  Color additives. The following federal regulations prescribing the use or limited use of such color additives are adopted as Washington color additive regulations: 21 CFR Chapter 1 Subchapter A-General Revised as of April 1, 1998.

(1) Part 70 - Color Additives.
   (2) Part 73 - Listing of Color Additives Exempt From Certification.
   (3) Part 74 - Listing of Color Additives Subject to Certification.
(4) Part 81 - General Specifications and General Restrictions for Provisional Color Additives for Use in Foods, Drugs and Cosmetics.
(5) Part 82 - Listing of Provisionally Listed Colors and Specifications.


WAC 16-167-050 General requirements. The following federal regulations concerning food are adopted as Washington regulations for regulating food in intrastate commerce.

(1) 21 CFR Chapter 1 Subchapter A-General Revised as of April 1, 1998.
(a) Part 1 - General Enforcement Regulations.
(ii) Subpart A General Provisions.
(ii) Subpart B General Labeling Requirements.
(b) Part 2 - General Administrative Rulings and Decisions.
(i) Subpart A General Provisions.
(ii) Subpart B Human and Animal Foods.
(c) Part 7 - Enforcement Policy.
(2) 21 CFR Chapter 1 Subchapter B-Food for Human Consumption, Revised as of Federal Register: July 8, 1998, (Volume 63, Number 130) Page 37030-37056.
(a) Part 100 - General.
(b) Part 101 - Food Labeling.
(c) Part 102 - Common or Usual Name for Nonstandardized Foods.
(d) Part 104 - Nutritional Quality Guidelines for Foods.
(e) Part 105 - Foods for Special Dietary Use.
(f) Part 106 - Infant Formal Quality Control Procedures.
(g) Part 107 - Infant Formula.
(b) Part 108 - Emergency Permit Control.
(i) Part 109 - Unavoidable Contaminants in Food for Human Consumption and Food Packaging Material.
(j) Part 110 - Current Good Manufacturing Practice in Manufacturing, Packing and Holding Human Food.
(l) Part 113 - Thermally Processed Low-Acid Foods Packaged in Hermetically Sealed Containers.
(m) Part 114 - Acidified Foods.
(n) Part 123 - Fish and Fishery Products.
(o) Part 129 - Processing and Bottling Bottled Drinking Water.
(p) Part 130 - Food Standards: General.
(q) Part 131 - Milk and Cream.
(r) Part 133 - Cheeses and Related Cheese Products.
(s) Part 135 - Frozen Desserts.
(t) Part 136 - Bakery Products.
(u) Part 137 - Cereal Flours and Related Products.
(v) Part 139 - Macaroni and Noodle Products.
(w) Part 145 - Canned Fruits.
(x) Part 146 - Canned Fruit Juices.

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(2) The compliance policy guidelines can be obtained by writing the Center for Food Safety and Applied Nutrition, Director, Office of Constituent Operations, Industry Activities Staff, HFS-S65 200 "C" Street SW, Washington D.C. 20204.

(3) Information can also be obtained from FDA’s homepage at HTTP://WWW.FDA.GOV/FDAHOMEPAGE.HTML