

# Chapter 16-414 WAC

## WASHINGTON STANDARDS FOR CHERRIES

### WAC

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#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

16-414-015	Northwest No. 1 grade and tolerances defined. [Statutory Authority: Chapter 15.17 RCW. WSR 95-13-038, § 16-414-015, filed 6/14/95, effective 7/15/95.] Repealed by WSR 05-12-037, filed 5/25/05, effective 6/25/05. Statutory Authority: Chapters 15.17 and 34.05 RCW.
16-414-030	Definitions. [Statutory Authority: Chapter 15.17 RCW. WSR 95-13-038, § 16-414-030, filed 6/14/95, effective 7/15/95; WSR 78-04-060 (Order 1550), § 16-414-030, filed 3/31/78.] Repealed by WSR 05-12-037, filed 5/25/05, effective 6/25/05. Statutory Authority: Chapters 15.17 and 34.05 RCW.
16-414-040	Damage. [Statutory Authority: Chapter 15.17 RCW. WSR 78-04-060 (Order 1550), § 16-414-040, filed 3/31/78.] Repealed by WSR 05-12-037, filed 5/25/05, effective 6/25/05. Statutory Authority: Chapters 15.17 and 34.05 RCW.
16-414-050	Diameter. [Statutory Authority: Chapter 15.17 RCW. WSR 78-04-060 (Order 1550), § 16-414-050, filed 3/31/78.] Repealed by WSR 05-12-037, filed 5/25/05, effective 6/25/05. Statutory Authority: Chapters 15.17 and 34.05 RCW.
16-414-060	Serious damage. [Statutory Authority: Chapter 15.17 RCW. WSR 78-04-060 (Order 1550), § 16-414-060, filed 3/31/78.] Repealed by WSR 05-12-037, filed 5/25/05, effective 6/25/05. Statutory Authority: Chapters 15.17 and 34.05 RCW.
16-414-070	Permanent defects. [Statutory Authority: Chapter 15.17 RCW. WSR 78-04-060 (Order 1550), § 16-414-070, filed 3/31/78.] Repealed by WSR 05-12-037, filed 5/25/05, effective 6/25/05. Statutory Authority: Chapters 15.17 and 34.05 RCW.
16-414-080	Condition defects. [Statutory Authority: Chapter 15.17 RCW. WSR 78-04-060 (Order 1550), § 16-414-080,

filed 3/31/78.] Repealed by WSR 05-12-037, filed 5/25/05, effective 6/25/05. Statutory Authority: Chapters 15.17 and 34.05 RCW.

16-414-085 What requirements apply to containers used to ship sweet cherries? [Statutory Authority: Chapters 15.17 and 34.05 RCW. WSR 05-12-037, § 16-414-085, filed 5/25/05, effective 6/25/05. Statutory Authority: Chapter 15.17 RCW. WSR 95-13-038, § 16-414-085, filed 6/14/95, effective 7/15/95.] Repealed by WSR 06-12-116, filed 6/7/06, effective 7/8/06. Statutory Authority: Chapters 15.17 and 34.05 RCW.

16-414-095 Adoption of United States standards as state standards. [Statutory Authority: Chapter 15.17 RCW. WSR 95-13-038, § 16-414-095, filed 6/14/95, effective 7/15/95.] Repealed by WSR 05-12-037, filed 5/25/05, effective 6/25/05. Statutory Authority: Chapters 15.17 and 34.05 RCW.

16-414-100 Grades. [Statutory Authority: Chapter 15.17 RCW. WSR 80-08-010 (Order 1708), § 16-414-100, filed 6/20/80.] Repealed by WSR 05-12-037, filed 5/25/05, effective 6/25/05. Statutory Authority: Chapters 15.17 and 34.05 RCW.

16-414-130 Definitions. [Statutory Authority: Chapter 15.17 RCW. WSR 80-08-010 (Order 1708), § 16-414-130, filed 6/20/80.] Repealed by WSR 05-12-037, filed 5/25/05, effective 6/25/05. Statutory Authority: Chapters 15.17 and 34.05 RCW.

#### Part I SWEET CHERRIES

**WAC 16-414-005 Definitions.** "Clean" means cherries are practically free from dirt, dust, spray residue, or other foreign material. For example, clean means the product is practically free from leaves, fruit spurs, bark, twigs, dirt or foreign material.

"Condition defects" means defects that may develop or change during shipment or storage. Condition defects include, but are not limited to, decayed or soft cherries and such other factors as pitting, shriveling, sunken areas, brown discoloration and bruising that, because of its location appears to have occurred after packing.

"Damage" means any injury or specific defect described in WAC 16-414-045 or any equally objectionable variation of those defects, any other defect, or any combination of defects, which materially detracts from the appearance, or the edible quality or marketing quality of the fruit.

"Department" means the Washington state department of agriculture (WSDA).

"Diameter" means the greatest dimension measured at right angles to a line from the stem to the blossom end of the cherry.

"Director" means the director of the Washington state department of agriculture or the director's designee.

"Face packed" means the cherries in the top layer of any container are placed so the stem ends are pointing downward toward the bottom of the container.

"Fairly well colored" means that at least ninety-five percent of the surface of the cherry shows characteristic color for mature cherries of the variety.

**"Firm"** means the cherries:

- (1) Possess a firm, fleshy texture;
- (2) Retain their approximate original shape;
- (3) Are not shriveled; and
- (4) Do not show more than slight collapsed areas of flesh.

**"Mature"** means cherries have reached the stage of growth that will insure the proper completion of the ripening process. Rainier cherries or other varieties of "light colored sweet cherries" shall meet a minimum of seventeen percent soluble solids as determined from a composite sample by refractometer prior to packing, at time of packing, or at time of shipment; provided that individual lots shall not be combined with other lots to meet soluble solids requirements.

**"Permanent defects"** means defects that are not subject to change during shipping or storage. Permanent defects include, but are not limited to, factors of shape, scarring, skin breaks, injury caused by hail or insects, and mechanical injury that, because of its location, appears to have occurred before shipment.

**"Off-size"** means a cherry whose diameter fails to meet a designated size when measured at right angles to a line from its stem to its blossom end.

**"Serious damage"** means any specific defect described in WAC 16-414-065 or an equally objectionable variation of any one of these defects, any other defect, or any combination of defects that seriously detracts from the appearance, edible quality or marketing quality of cherries.

**"Shipping point"** means:

- (1) The point of origin of the shipment in the producing area or at the port of loading; or
- (2) The port of entry into the United States in the case of shipments from outside the continental United States.

**"Similar varietal characteristics"** means the cherries in any container are similar in color and shape.

**"Well formed"** means a cherry has the normal shape characteristic of the variety. Mature well-developed doubles are considered well formed if the halves are approximately evenly formed with a variation of no more than 2/64 of an inch.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. WSR 07-12-076, § 16-414-005, filed 6/5/07, effective 7/6/07; WSR 06-12-116, § 16-414-005, filed 6/7/06, effective 7/8/06; WSR 05-12-037, § 16-414-005, filed 5/25/05, effective 6/25/05.]

**WAC 16-414-010 Washington No. 1 grade and Northwest No. 1 grade sweet cherry requirements.** (1) Washington No. 1 grade and Northwest No. 1 grade sweet cherries are cherries with similar varietal characteristics that are:

- (a) Mature;
  - (b) Not soft, overripe or shriveled;
  - (c) Fairly well colored;
  - (d) Well formed;
  - (e) Clean;
  - (f) Free from underdeveloped doubles, decay, or sunscald;
  - (g) Free from insect larvae or insect holes; and
  - (h) Free from damage by any other cause.
- (2) Northwest No. 1 grade sweet cherries must meet the size requirements listed in WAC 16-414-011.

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[Statutory Authority: Chapters 15.17 and 34.05 RCW. WSR 07-12-076, § 16-414-010, filed 6/5/07, effective 7/6/07; WSR 05-12-037, § 16-414-010, filed 5/25/05, effective 6/25/05. Statutory Authority: Chapter 15.17 RCW. WSR 95-13-038, § 16-414-010, filed 6/14/95, effective 7/15/95; WSR 78-04-060 (Order 1550), § 16-414-010, filed 3/31/78.]

**WAC 16-414-011 Size requirements—Sweet cherries.** (1) The minimum diameter of each cherry must be at least 54/64 inch.

(2) The maximum diameter of the cherries in any lot may be specified according to the facts.

(3) For the Rainier variety and similar varieties commonly referred to as "light colored sweet cherries," at least ninety percent, by count, of the cherries in any lot shall measure not less than 61/64 inch in diameter and not more than five percent, by count, may be less than 57/64 inch in diameter.

(4) When containers of cherries are marked with a row count/row size designation, the row count/row size marked must comply with the corresponding minimum diameter size as shown in the following table:

Row count/Row size	Minimum diameter in inches
8	84/64
8 1/2	79/64
9	75/64
9 1/2	71/64
10	67/64
10 1/2	64/64
11	61/64
11 1/2	57/64
12	54/64

[Statutory Authority: Chapters 15.17 and 34.05 RCW. WSR 07-12-076, § 16-414-011, filed 6/5/07, effective 7/6/07; WSR 06-12-116, § 16-414-011, filed 6/7/06, effective 7/8/06; WSR 05-12-037, § 16-414-011, filed 5/25/05, effective 6/25/05.]

**WAC 16-414-012 Tolerances for Washington No. 1 and Northwest No. 1 grade sweet cherries.** (1) **Washington No. 1:**

(a) To allow for variations incident to proper grading and handling at the shipping point, the following tolerances, by count, are established:

(i) Eight percent of cherries that fail to meet the requirements of the grade are allowed.

(ii) Of the total tolerance of eight percent, no more than four percent is allowed for defects causing serious damage.

(iii) Of the four percent tolerance for serious damage defects, no more than one-half of one percent is allowed for cherries affected by decay.

(b) To allow for variations incident to proper grading and handling en route or at destination, the following tolerances, by count, are established:

(i) Twenty-four percent of cherries in any lot may fail to meet the requirements of the grade.

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(ii) Of the total tolerance of twenty-four percent, no more than eight percent is allowed for cherries that fail to meet the grade requirements because of permanent defects.

(iii) Of the total tolerance of twenty-four percent, no more than six percent is allowed for cherries that are seriously damaged, including no more than four percent of cherries seriously damaged by permanent defects and two percent for cherries affected by decay.

**(2) Northwest No. 1:**

(a) To allow for variations incident to proper grading and handling at the shipping point, the following tolerances are established:

(i) Ten percent of cherries in any inspection lot that fail to meet the requirements of the grade are allowed.

(ii) Of the total tolerance of ten percent, no more than five percent is allowed for defects causing serious damage.

(iii) Of the five percent tolerance for serious damage defects, no more than one percent is allowed for cherries affected by decay.

(iv) The contents of individual samples or containers in any lot must not be limited to the percentage of grade defects discussed in WAC 16-414-020.

(b) To allow for variations incident to proper grading and handling en route or at destination, the following tolerances, by count, are established:

(i) Twenty-four percent of cherries in any lot may fail to meet the requirements of the grade.

(ii) Of the total tolerance of twenty-four percent, no more than ten percent, by count, is allowed for cherries that fail to meet the grade requirements because of permanent defects.

(iii) Of the total tolerance of twenty-four percent, no more than seven percent, by count, is allowed for cherries that are seriously damaged, including no more than five percent for cherries seriously damaged by permanent defects and two percent for cherries affected by decay.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. WSR 07-12-076, § 16-414-012, filed 6/5/07, effective 7/6/07; WSR 05-12-037, § 16-414-012, filed 5/25/05, effective 6/25/05.]

**WAC 16-414-014 Tolerances for "off-size" sweet cherries.** To allow for variations in size incident to proper grading and handling, the following tolerances, by count, are established for off-size grade sweet cherries:

(1) No more than ten percent of the cherries in any inspection lot must measure less than 54/64 inches in diameter.

(2) Ten percent for cherries that fail to meet any specified maximum diameter when that maximum diameter is marked on the container or specified in terms of fractions of inches.

(3) When containers are marked with row count/row size or a lot is specified by row count/row size, no more than ten percent of the cherries in any inspection lot may fail to meet the corresponding diameter size listed in the table in WAC 16-414-011(3).

(4) When containers are marked with a "minimum diameter," no more than five percent of the cherries in the container may fail to meet the corresponding diameter.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. WSR 07-12-076, § 16-414-014, filed 6/5/07, effective 7/6/07; WSR 05-12-037, § 16-414-014, filed 5/25/05, effective 6/25/05.]

(6/5/07)

**WAC 16-414-016 Washington state adopts the U.S. standards for grades of sweet cherries.** In addition to the standards for sweet cherries contained in this chapter, the Washington state department of agriculture adopts the United States standards for grades of sweet cherries (effective May 7, 1971) as they apply to U.S. No. 1 grade cherries, except the minimum size of cherries and tolerances for undersize cherries must meet the requirements for Washington No. 1 grade.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. WSR 07-12-076, § 16-414-016, filed 6/5/07, effective 7/6/07; WSR 05-12-037, § 16-414-016, filed 5/25/05, effective 6/25/05.]

**WAC 16-414-020 Washington No. 1 and Northwest No. 1 grade sweet cherries—Individual sample tolerances.** Tolerances are applied to Washington No. 1 and Northwest No. 1 sweet cherries as follows:

(1) Individual samples must have no more than double the tolerances specified. However, if the averages for the entire lot are within the tolerances specified for the grade, at least two defective and two off-size specimens may be allowed in any sample.

(2) When containers are marked with row count/row size or when a lot is specified by row count/row size, the individual samples or containers must not be limited by the percentage of cherries that are smaller than the diameter corresponding to the particular row count/row size. However, no more than twenty percent, by count, of the cherries in any sample or container must measure less than 54/64 inches in diameter.

(3) When marked with minimum size, individual samples may have no more than double the tolerances specified.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. WSR 07-12-076, § 16-414-020, filed 6/5/07, effective 7/6/07; WSR 05-12-037, § 16-414-020, filed 5/25/05, effective 6/25/05. Statutory Authority: Chapter 15.17 RCW. WSR 95-13-038, § 16-414-020, filed 6/14/95, effective 7/15/95; WSR 78-04-060 (Order 1550), § 16-414-020, filed 3/31/78.]

**WAC 16-414-045 Damage to fresh, sweet cherries—Specific defects.** The following defects are considered damage to fresh, sweet cherries:

(1) Cracks within the stem cavity when they are deep or not well healed, or when the cherry's appearance is affected to a greater extent than a cherry that has a superficial well healed crack 1/16 inch in width and extending one-half the greatest circumference of the stem cavity.

(2) Cracks outside the stem cavity when they are deep or not well healed, or when they materially affect the cherry's appearance, or when the crack has weakened the cherry to the extent that it is likely to split or break in the process of proper grading, packing and handling.

(3) Hail marks when they are deep or not well healed, or when the aggregate area exceeds 3/16 inch in diameter.

(4) Evidence of insects when scale is present, or when any insect materially affects the cherry's appearance.

(5) Limb rubs when they affect the cherry's appearance more than the amount of scarring that is allowed.

(6) Pulled stems when the skin or flesh is slightly torn.

(7) Russetting when it affects the cherry's appearance more than the amount of scarring that is allowed.

(8) Blemishes including bird pecks, sunburn, other blemishes or combinations of blemishes that materially affect the appearance of the cherry, or any materially discolored flesh.

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(9) Scars when excessively deep or rough or dark colored and when the aggregate area exceeds 3/16 inch in diameter, or when smooth or fairly smooth, light colored, superficial, and the aggregate area exceeds 1/4 inch in diameter.

(10) Skin breaks when they are not well healed, or when the cherry's appearance is materially affected.

(11) Sutures when they are excessively deep or cause the cherry's shape to be less than well formed.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. WSR 07-12-076, § 16-414-045, filed 6/5/07, effective 7/6/07; WSR 05-12-037, § 16-414-045, filed 5/25/05, effective 6/25/05.]

**WAC 16-414-065 Serious damage to fresh, sweet cherries—Specific defects.** The following defects are considered serious damage to fresh, sweet cherries:

- (1) Cracks when they are not well healed;
- (2) Insect larvae or insect holes;
- (3) Pulled stems if they cause more than a slight tear in the cherry skin or flesh, or when they cause the cherry to leak;
- (4) Skin breaks when they are not well healed; and
- (5) Decay.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. WSR 07-12-076, § 16-414-065, filed 6/5/07, effective 7/6/07; WSR 05-12-037, § 16-414-065, filed 5/25/05, effective 6/25/05.]

**WAC 16-414-086 Can the director grant exemptions to the container requirements listed in WAC 16-414-085?**

(1) Upon the recommendation of the Washington State Horticultural Association's cherry committee, the director may waive the container requirements in WAC 16-414-085 and allow the use of experimental containers for the purpose of test or trial marketing.

(2) Cherries placed in experimental containers:

- (a) Must meet the quality requirements of Washington No. 1, U.S. No. 1, or Northwest No. 1 grade; and
- (b) At least ninety percent, by count, must measure at least 54/64 inches in diameter.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. WSR 05-12-037, § 16-414-086, filed 5/25/05, effective 6/25/05.]

**WAC 16-414-090 Sweet cherry container marking requirements.** (1) Containers must be conspicuously and legibly stamped with the:

- (a) Name and the address of the grower, packer or shipper;
  - (b) Net weight; and
  - (c) True variety name or "sweet cherries."
- (2) The containers may be marked with the grade name Washington No. 1, U.S. No. 1, or Northwest No. 1.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. WSR 07-12-076, § 16-414-090, filed 6/5/07, effective 7/6/07; WSR 05-12-037, § 16-414-090, filed 5/25/05, effective 6/25/05. Statutory Authority: Chapter 15.17 RCW. WSR 95-13-038, § 16-414-090, filed 6/14/95, effective 7/15/95; WSR 78-04-060 (Order 1550), § 16-414-090, filed 3/31/78.]

## Part II SULPHURED CHERRIES

**WAC 16-414-105 Definitions—Sulphured cherries.** "Damage" means any injury or specific defect described in WAC 16-414-145 or any equally objectionable variation of those defects, any other defect, or any combination of

defects, which materially detracts from the appearance, or the edible quality or marketing quality of the fruit.

"**Fairly well bleached**" means the cherries possess a reasonably uniform color typical of reasonably well bleached sulphured cherries for that variety.

"**Pit**" means an entire pit or portion of a pit that is attached to a sulphured cherry or located within the pit cavity.

"**Properly matured**" means that stage of ripeness when a cherry is ready for brining.

"**Serious damage**" means any injury that seriously affects the appearance or market quality of the product.

"**Sulphured cherries**" means properly matured whole cherries of similar varietal characteristics packed in a solution of sulphur dioxide of sufficient strength to preserve the cherries without adding hardening agents.

"**Sulphured cherries with pits**" means whole cherries, with or without stems, from which the pits have not been removed. If:

(1) Without stems, not more than twenty percent, by weight, of all the cherries may have the stems removed.

(2) With stems, not more than one-half of one percent, by weight, of all the cherries may have the stems attached.

"**Sulphured cherries without pits**" means whole cherries with or without stems from which the pits have been removed. If:

(1) Without stems (cocktail), not more than seven percent, by weight, of all the cherries may have the stems removed.

(2) With stems, not more than one-half of one percent, by weight, of all the cherries may have the stems attached.

"**Unclassified cherries**" means sulphured cherries that do not conform to the descriptions of "sulphured cherries with pits" or sulphured cherries without pits.

"**Well bleached**" means the cherries possess a practically uniform color that is typical of well bleached sulphured cherries for that variety.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. WSR 07-12-076, § 16-414-105, filed 6/5/07, effective 7/6/07; WSR 05-12-037, § 16-414-105, filed 5/25/05, effective 6/25/05.]

**WAC 16-414-107 Washington state grades for sulphured cherries.** (1) Washington No. 1 grade sulphured whole cherries are cherries of similar varietal characteristics that are:

- (a) Properly matured;
- (b) Clean;
- (c) Firm;
- (d) Well formed;
- (e) Well bleached; and
- (f) Free from damage caused by mechanical injury, surface discoloration, rain cracks, blemishes, or other means.

(2) Washington No. 1 grade sulphured halved cherries are portions of sliced cherries of similar varietal characteristics where no particle is smaller than an estimated one-third or larger than an estimated two-thirds of a whole cherry and are:

- (a) Properly matured;
- (b) Clean;
- (c) Firm;
- (d) Well formed;
- (e) Well bleached; and

(f) Free from damage caused by mechanical injury, surface discoloration, rain cracks, blemishes, or other means.

(3) Washington No. 2 grade sulphured whole cherries are cherries of similar varietal characteristics that are:

- (a) Properly matured;
- (b) Clean;
- (c) Fairly firm;
- (d) Well formed;
- (e) Fairly well bleached; and

(f) Free from serious damage caused by mechanical injury, surface discoloration, rain cracks, blemishes, or other means.

(4) Washington No. 2 grade sulphured halved cherries are portions of sliced cherries of similar varietal characteristics that are:

- (a) Properly matured;
- (b) Fairly firm;
- (c) Well formed;
- (d) Fairly well bleached; and

(e) Free from serious damage caused by mechanical injury, surface discoloration, rain cracks, blemishes, or other means.

(5) Washington combination grade sulphured cherries are a combination of Washington No. 1 and Washington No. 2 cherries of any style that are, unless otherwise specified, packed in a lot that averages at least fifty percent Washington No. 1 quality cherries.

(6) Washington No. 3 grade sulphured cherries are cherries that fail to meet the requirements of the above grades and are practically free of stems, leaves, fruit spurs, bark, dirt, or foreign material.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. WSR 07-12-076, § 16-414-107, filed 6/5/07, effective 7/6/07; WSR 05-12-037, § 16-414-107, filed 5/25/05, effective 6/25/05.]

**WAC 16-414-108 Tolerances for Washington sulphured cherries.** (1) Washington No. 1 grade sulphured whole cherries:

(a) At least ninety-five percent of the cherries in any lot must meet the requirements of "firm."

(b) Not more than ten percent of the cherries in any lot may be below the remaining requirements of this grade, of which not more than one-half or five percent must be allowed for defects classified as serious damage.

(2) Washington No. 1 grade sulphured halved cherries:

(a) At least ninety-five percent of the cherries of any lot must meet the requirements of "firm."

(b) Not more than ten percent of the cherries in any lot may be below the remaining requirements of this grade, of which not more than one-half or five percent must be allowed for defects classified as serious damage.

(3) Washington No. 2 grade sulphured whole cherries:

(a) At least ninety-five percent of the cherries of any lot must meet the requirements of "fairly firm."

(b) Not more than ten percent of the cherries in any lot may be below the remaining requirements of this grade.

(4) Washington No. 2 grade sulphured halved cherries:

(a) At least ninety percent of the cherries in any lot must meet the requirements of "fairly firm."

(b) Not more than ten percent of the cherries of any lot may be below the remaining requirements of this grade.

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(5) Washington combination grade sulphured cherries:

(a) A tolerance of not more than ten percent is allowed for cherries that are below the requirements of Washington No. 2 grade.

(b) The tolerances for combination grade sulphured cherries are on a container basis. However, individual containers in any lot may vary from the specified tolerances if the averages for the entire lot, based on sample inspections, are within the specified tolerances.

(c) For the entire lot, no part of any tolerance must reduce the requirement that fifty percent of cherries in the combination must be of the higher grade. However, individual containers may have at least thirty-five percent of the higher grade or be more than twenty percent below the requirements of Washington No. 2 grade.

(d) When other combinations are specified, individual containers may not have more than fifteen percent less than the percentage specified of the higher grade or be more than twenty percent below the requirements of Washington No. 2 grade.

(6) Washington No. 3 grade sulphured cherries: There are no applicable tolerances for Washington No. 3 grade sulphured cherries.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. WSR 07-12-076, § 16-414-108, filed 6/5/07, effective 7/6/07; WSR 05-12-037, § 16-414-108, filed 5/25/05, effective 6/25/05.]

**WAC 16-414-110 Size requirements for all grades of Washington sulphured whole cherries.** (1) The following table lists the standard sizes for all grades of Washington whole sulphured cherries.

SIZE DESIGNATION	SIZE RANGE
Extra small	14 mm to and including 16 mm
Small	16 mm to and including 18 mm
Medium	18 mm to and including 20 mm
Large	20 mm to and including 22 mm
Extra large	22 mm and over

(2) The following tolerances are allowed:

(a) Five percent for cherries that fail to meet the specified minimum diameter; and

(b) Ten percent for cherries that fail to meet the specified maximum diameter.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. WSR 07-12-076, § 16-414-110, filed 6/5/07, effective 7/6/07; WSR 05-12-037, § 16-414-110, filed 5/25/05, effective 6/25/05. Statutory Authority: Chapter 15.17 RCW. WSR 80-08-010 (Order 1708), § 16-414-110, filed 6/20/80.]

**WAC 16-414-120 Tolerance requirements for the certification of lots of Washington No. 1 and Washington No. 2 grade sulphured cherries.** (1) Tolerances for the certification of lots of Washington No. 1 or Washington No. 2 grades of sulphured cherries must be on a container basis.

(2) At least one-sixth of the individual containers in any lot may vary from the specified tolerances if the averages for the entire lot, based on sample inspection, are within the specified tolerances.

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(3) For a tolerance of ten percent or more, individual containers in any lot may contain no more than one and one-half times the specified tolerance.

(4) For a tolerance of less than ten percent, individual containers in any lot may contain no more than double the specified tolerances.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. WSR 07-12-076, § 16-414-120, filed 6/5/07, effective 7/6/07; WSR 05-12-037, § 16-414-120, filed 5/25/05, effective 6/25/05. Statutory Authority: Chapter 15.17 RCW. WSR 80-08-010 (Order 1708), § 16-414-120, filed 6/20/80.]

**WAC 16-414-125 Tolerances for sulphured pitted cherries.** The following tolerances apply to sulphured pitted cherries:

(1) For extra small and small sized cherries, the tolerance is no more than two pits per each forty ounces of cherries.

(2) For medium, large, or mixed size cherries, the tolerance is no more than one pit per each forty ounces of cherries.

(3) For extra large size cherries, the tolerance is no more than one pit per each sixty ounces of cherries.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. WSR 07-12-076, § 16-414-125, filed 6/5/07, effective 7/6/07; WSR 05-12-037, § 16-414-125, filed 5/25/05, effective 6/25/05.]

**WAC 16-414-145 Damage to sulphured cherries—Specific defects.** The following defects are considered damage for sulphured cherries:

(1) Mechanical injury. Any of the following mechanical injuries are considered damage:

- (a) Open pitter hole;
- (b) Pitter hole where there is a material loss of flesh;
- (c) One or more pitter tears; or
- (d) Other mechanical injuries that materially affect the appearance of the cherry.

(2) Surface discoloration of Washington No. 1 whole cherries when:

(a) Light surface discoloration exceeds, in the aggregate, one-eighth of the cherry's surface; or

(b) Dark surface discoloration exceeds, in the aggregate, an area 3/16 inch in diameter, but does not exceed one-eighth of the cherry's surface.

(3) Surface discoloration of Washington No. 1 halved cherries when:

(a) Light surface discoloration exceeds, in the aggregate, one-eighth of the cherry's surface; or

(b) Dark surface discoloration exceeds, in the aggregate, an area 1/16 inch in diameter.

(4) Rain cracks on Washington No. 1 whole cherries if they are in the stem basin and more than 1/4 inch in length, or if they are outside the stem basin and are more than 3/16 inch in length, measured on the circumference.

(5) Rain cracks on Washington No. 1 halved cherries if they are in the stem basin and more than 1/8 inch in length. No rain cracks are allowed outside the stem basin.

(6) Blemishes including insect injury, bird pecks, limb rub, hail marks, sunburn, solution cracks, other blemishes or combinations of blemishes that materially affect the appearance of the cherry, or any materially discolored flesh.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. WSR 07-12-076, § 16-414-145, filed 6/5/07, effective 7/6/07; WSR 05-12-037, § 16-414-145, filed 5/25/05, effective 6/25/05.]

**WAC 16-414-155 Serious damage to sulphured cherries—Specific defects.** The following defects are considered serious damage for sulphured cherries:

(1) Any deformed or double sulphured cherry.

(2) Mechanical injury to Washington No. 2 whole and No. 2 halved cherries if it causes:

(a) Open pitter holes;

(b) Pitter hole with a serious loss of flesh;

(c) Pitter tears; or

(d) Other mechanical injury that seriously affects the cherry's appearance.

(3) Surface discoloration when:

(a) Light surface discoloration exceeds, in the aggregate, one-half of the cherry's surface; or

(b) Dark surface discoloration exceeds, in the aggregate, one-eighth of the cherry's surface.

(4) Rain cracks on Washington No. 2 whole cherries if they are in the stem basin and more than 1/2 inch in length, or are outside the stem basin and more than 3/8 inch in length, measured on the circumference.

(5) Rain cracks on Washington No. 2 halved cherries if they are in the stem basin and more than 1/4 inch in length, or are outside the stem basin and more than 3/16 inch in length, measured on the circumference.

(6) Blemishes when they affect the appearance of the cherry or discolor the cherry's flesh.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. WSR 07-12-076, § 16-414-155, filed 6/5/07, effective 7/6/07; WSR 05-20-075, § 16-414-155, filed 10/4/05, effective 11/4/05; WSR 05-12-037, § 16-414-155, filed 5/25/05, effective 6/25/05.]