



# RULE-MAKING ORDER

## R-103 (June 2004) (Implements RCW 34.05.360)

**Agency:** Washington State Department of Agriculture

**Permanent Rule**  
 **Emergency Rule**

**Effective date of rule:**

**Permanent Rules**

31 days after filing.  
 Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Effective date of rule:**

**Emergency Rules**

Immediately upon filing.  
 Later (specify) \_\_\_\_\_

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

Yes  No If Yes, explain: The amendment to clarify inspection requirements in WAC 16-532-035 was approved in a referendum of affected hop producers pursuant to RCW 15.65.170.

**Purpose:** The Washington State Hop Commission petitioned the Director to amend its marketing order. Inspection requirements for hops are clarified to ensure that a Washington State Department of Agriculture inspector, consistent with current industry practice, officially samples all baled hops.

**Citation of existing rules affected by this order:**

Repealed:  
Amended: WAC 16-532-035  
Suspended:

**Statutory authority for adoption:** Chapters 15.65 and 34.05 RCW

**Other authority :**

**PERMANENT RULE ONLY (Including Expedited Rule Making)**

Adopted under notice filed as WSR 06-03-132 on January 18, 2006.  
Describe any changes other than editing from proposed to adopted version: A referendum for the proposed increase in the hop annual assessment rate under WAC 16-532-040 was not approved by the affected hop producers and, therefore, is not being adopted.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting: N/A

Name: \_\_\_\_\_ phone ( ) \_\_\_\_\_  
Address: \_\_\_\_\_ fax ( ) \_\_\_\_\_  
e-mail \_\_\_\_\_

**EMERGENCY RULE ONLY**

Under RCW 34.05.350 the agency for good cause finds:  
 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.  
 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:

**Date adopted:** July 17, 2006

**NAME (TYPE OR PRINT)**  
Robert W. Gore

**SIGNATURE**

**TITLE**  
Deputy Director

**CODE REVISER USE ONLY**

STATE OF WASHINGTON  
STATE GOVERNMENT DEVELOPMENT  
16000  
JUL 17 2006  
227  
TIME \_\_\_\_\_  
WSR 06-15-105 PM

**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	0	Amended	0	Repealed	0
<b>Federal rules or standards:</b>	New	0	Amended	0	Repealed	0
<b>Recently enacted state statutes:</b>	New	0	Amended	0	Repealed	0

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

New	0	Amended	0	Repealed	0
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**The number of sections adopted in the agency's own initiative:**

New	0	Amended	0	Repealed	0
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	0	Amended	0	Repealed	0
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	0	Amended	0	Repealed	0
<b>Pilot rule making:</b>	New	0	Amended	0	Repealed	0
<b>Other alternative rule making:</b>	New	0	Amended	1	Repealed	0

AMENDATORY SECTION (Amending Order 5077, filed 8/23/95, effective 9/23/95)

**WAC 16-532-035 Inspection required.** (1) Before marketing or processing, all varieties of hops produced in the state of Washington ((shall)) must be inspected and certified by the Federal/State Hop Inspection Service for quality and condition of seed, leaf and stem ((prior to marketing or processing, pursuant)) according to the standards established by the Federal Grain Inspection Service of the United States Department of Agriculture.

(2) Any hops that are baled on a producer's farm must be officially sampled by a Washington state department of agriculture inspector.