



RULE-MAKING ORDER

CR-103 (June 2004) (Implements RCW 34.05.360)

Agency:
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:

Purpose: The Department amended Chapter 16-409 WAC, *Washington standards for asparagus*. The Department changed the size small designation at WAC 16-409-024(5) from "less than 5/16" inch in diameter to "at least 3/16" inch in diameter.

Citation of existing rules affected by this order:

Repealed:
 Amended: WAC 16-409-024(5)
 Suspended:

Statutory authority for adoption: Chapter 15.17.050 RCW

Other authority : Chapter 34.05 RCW

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 08-01-056 on December 13, 2007.
 Describe any changes other than editing from proposed to adopted version: None.
 If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:
 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:
February 6, 2008

NAME (TYPE OR PRINT)

Valoria Loveland

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

9-5-4
08.04.108

**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:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

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

New	_____	Amended	_____1	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
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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:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____1	Repealed	_____

AMENDATORY SECTION (Amending WSR 07-06-047, filed 3/1/07, effective 4/1/07)

WAC 16-409-024 Size requirements for Washington asparagus grades. The following size designations apply to all grades of asparagus in Washington state.

- (1) Jumbo: Stalks at least $13/16$ inch in diameter.
- (2) Extra large: Stalks at least $10/16$ inch in diameter.
- (3) Large: Stalks at least $7/16$ inch in diameter.
- (4) Standard: Stalks at least $5/16$ inch in diameter.
- (5) Small: Stalks (~~(less than $5/16$)~~) at least $3/16$ inch in diameter.
- (6) All size designations, as defined in WAC 16-409-024, may be packed in all grades and in all containers.