

TRANSMITTAL OF RULES ADOPTED

FROM: Department of Agriculture
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98501

The enclosed Permanent rules , being order No. 1145
Emergency rules
relating to (Name of rules or description of subject matter)

Establishing exemptions from sealing or marking and/or annual retesting of certain weights and measures. Also providing for disposition of condemned and confiscated weights and measures.

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 2534 ① filed with the code reviser on 1/21/70 ② were regularly adopted as permanent rules of this agency at Olympia, Wa. on 2/27/70 and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be 4/1/70 ③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of these rules is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, were regularly adopted as emergency rules of this agency at _____ on _____ and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW.

Dated this 27th. day of February 1970.

STATE OF WASHINGTON
FILED
FEB 27 1970
CODE REVISER'S OFFICE
KET 2784 FILE # 22

Department of Agriculture
(AGENCY)
By *Donald W. Moos*
Donald W. Moos
Director
Title

- ① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
- ② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
- ③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING: RCW 34.04.040. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 1145
SUPERSEDING ORDER NO. 792
EFFECTIVE APRIL 1, 1970

AMD WAC 16-674-002 PROMULGATION. (This promulgation relates only to WAC 16-674-010 and WAC 16-674-020) WEIGHTS AND MEASURES REGULATIONS EXEMPTING FROM SEALING OR MARKING AND/OR ANNUAL RETESTING OF WEIGHTS AND MEASURES DEVICES AND PROVIDING FOR THE DISPOSITION OF CONDEMNED AND CONFISCATED WEIGHTS AND MEASURES.

I, Donald W. Moos, Director of Agriculture of the State of Washington, by virtue of the authority vested in me under Chapter 67, Laws of 1969, and after due notice as provided under Chapters 34.04 and 42.42 RCW, and a public hearing held in Olympia, Washington, on February 17, 1970, do hereby promulgate the following regulations relating to exemptions from sealing or marking and/or annual retesting of weights and measures devices and providing for the disposition of condemned and confiscated weights and measures.

AMD WAC 16-674-010 EXEMPTIONS FROM SEALING OR MARKING AND/OR ANNUAL RETESTING OF WEIGHTS AND MEASURES DEVICES. (1) The weights and measures listed below shall be specifically exempted from the sealing or marking requirements of Chapter 67, Laws of 1969, Section 25:

- (a) Measure containers
- (b) Milk bottles
- (c) Lubricating-oil bottles
- (d) Berry baskets and boxes.

(2) The weights and measures listed below shall be specifically exempted from the annual retesting requirements of Chapter 67, Laws of 1969, Sections 20 and 21, and shall be retested only as required by the director:

- (a) Vehicle tanks used as measures*
- (b) Farm milk tanks*
- (c) Liquid measures*
- (d) Glass graduates
- (e) Measures containers
- (f) Milk bottles
- (g) Lubricating-oil bottles
- (h) Linear measures*
- (i) Dry measures*
- (j) Berry baskets and boxes.

*Whenever an item of this class is damaged, repaired or modified in any way that affects the accuracy of measurement, it shall not thereafter be used for measurement until it has been officially inspected and reapproved.

AMD WAC 16-674-020 DISPOSITION OF CONDEMNED AND CONFISCATED WEIGHTS AND MEASURES. Commercial weights and measures or weighing and measuring devices that have been found to be incorrect and in the best judgment of the director or his duly appointed representative are not susceptible of satisfactory repair may be confiscated as provided in Chapter 67, Laws of 1969, and taken into his possession. Such devices shall be held for a period of sixty days from the date of confiscation and at the expiration of this period of time if no action at law or suit in equity has been brought for the

recovery of such devices they may be destroyed.

I hereby certify that the foregoing is a true and correct copy of the regulations promulgated.

Dated at Olympia, Washington

Date: February 27, 1970

A handwritten signature in cursive script, appearing to read "Donald W. Moos", written over a horizontal line.

DONALD W. MOOS
Director of Agriculture
State of Washington