

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

DEPARTMENT OF AGRICULTURE

(agency name)

Administrative Order No. 1659

(1) I, Bob J. Mickelson, director of

Washington State Department of Agriculture

do promulgate and adopt at Olympia, Washington

(place)

the annexed rules relating to:

The mandatory sampling and inspection of incoming shipments of corn or sorghum from the midwestern states in WAC 16-212-085.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules. WSR 79-11-037

This action is taken pursuant to Notice No. WSR 79-09-117 and filed with the code reviser on Sept. 4 and Oct. 12, 1979. Such rules shall take effect:

- [X] pursuant to RCW 34.04.040(2).
[] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, find that an emergency exists and that the foregoing order 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 public interest. A statement of the facts constituting such emergency is:

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04 (1977 c 19 § 2) that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in statement (a), (b), or (c) as appropriate):

- [X] (a) This rule is promulgated pursuant to RCW RCW 22.09 and is intended to administratively implement that statute.
[] (b) This rule is promulgated pursuant to RCW which directs that the

(agency)

has authority to implement the provisions of

(name of act or RCW citation)

- [] (c) This rule is promulgated under the general rule-making authority of the

(agency)

as authorized in RCW

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

(5) This order after being first recorded in the order register of this agency is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED October 16 1979

FILED

OCT 16 1979

By Bob J. Mickelson

Director of Agriculture

Title

[Form CR-7: Effective 12/1/77]

CODE REVISER'S OFFICE WSR 79-11-051



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

DEPARTMENT OF AGRICULTURE

406 General Administration Building, Olympia, Washington 98504

For the purpose of legislative review of agency rules, the following statement is submitted:

- (a) This rule relates to the inspection of corn or sorghum in the State of Washington (statutory authority RCW 22.09).
- (b) The regulation provides that any corn or sorghum officially sampled by a delegated or designated agency or by the Federal Grain Inspection Service, and accompanied by written assurance that identity has been maintained shall be considered sampled, inspected and/or graded by an employee of the department. This will facilitate the movement of corn and sorghum through licensed terminal elevators.
- | | |
|---|--|
| (c) Department of Agriculture
Grain and Chemical Division
Art G. Losey
406 General Administration Bldg.
Olympia, WA
753-5062 | Department of Agriculture
Grain Branch
Harold Pfaff
406 General Administration Bldg.
Olympia, WA
753-5066 |
|---|--|
- (d) Proponents: Department of Agriculture
Jim Downs
Joe Christopher
Leonard Kuhl
- Opponents: None
- (e) No agency comments.

NEW SECTION

WAC 16-212-085 INSPECTION OF CORN OR SORGHUM. For the purpose of RCW 22.09.210, any corn or sorghum which has been sampled, inspected, and/or graded under a designated or delegated agency or the Federal Grain Inspection Service inspection program and which has remained in the original container and has not lost its identity since such sampling, inspection, and/or grading shall be deemed to have been sampled, inspected, and/or graded by an employee of the department under the supervision of a duly authorized inspector of the department: PROVIDED, That the warehouseman must give written assurance to a duly authorized inspector of the department that the corn or sorghum container has been officially sampled, inspected, and/or graded as per this regulation: PROVIDED FURTHER, That any warehouseman who intentionally, negligently or carelessly gives such written assurance to a duly authorized inspector that the corn or sorghum container has been officially sampled, inspected, and/or graded, when in fact it has not, will no longer be permitted to operate pursuant to this regulation.