

FROM: DEPARTMENT OF AGRICULTURE
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG. (Southwest Corner, Ground Floor)
OLYMPIA 98504

The enclosed rules Permanent rules , being Order No. 1523
Emergency rules

relating to (Name of rules or description of subject matter)

Movement of Fruits and Vegetables from Area of Production,
Order No. 1324, as it relates to shipping of fresh potatoes

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

pursuant to Notice No. 7458 ① filed with the code reviser
on March 18, 1977 ② were regularly adopted as permanent rules of
(date)
this agency at Olympia at 9:00 a.m. on April 20 and are herewith
(place) (date)
filed in the office of the code reviser pursuant to chapter 34.04
RCW. The effective date of such rules shall be May 20, 1977 ③

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

pursuant to its finding in the attached administrative order,
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
(place) (date)
are herewith filed in the office of the code reviser pursuant to
chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter
34.04 RCW and of the Open Public Meetings Act of 1971, chapter
42.30 RCW have been fulfilled.

Dated this twentieth day of April 1977.

STATE OF WASHINGTON
FILED
MAY 11 1977

Department of Agriculture
(AGENCY)
[Signature]
By _____
Deputy Director
Title

CODE REVISER'S OFFICE
DUPLICATE # 9126 FILE # 30

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.
[FORM CR-2: Rev. 9/21/74]

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE

ADMINISTRATIVE ORDER NO. 1523

(1) I, GARY STROHMAIER, Director, Department of Agriculture of the State of Washington, by virtue of the authority vested in me under chapters 34.04 RCW, and 15.17 RCW

after due notice and after carefully and fully considering the oral and written views of the public received in a meeting open to the public held in _____

as required by chapters 34.04 and 42.30 RCW, do promulgate and adopt the annexed rules and regulations, to wit:

AMD: WAC 16-461-010 relating to Inspection Certificate and/or Permit required

as permanent rules of this agency.

(2) This order after being first recorded in the order register of this agency shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED April 20 1977

By



Deputy Director

Title

WAC 16-461-010 INSPECTION CERTIFICATE AND/OR PERMIT RE-
QUIRED.

(1) No person shall ship or transport or accept for shipment or transportation from the area of production without an inspection and the issuance of a certificate and/or a permit, allowing such shipment or movement by the division of plant industry of the department of agriculture, any of the following agricultural products:

(a) Apricots - in closed or open containers for fresh shipment.

(b) Italian prunes - in closed or open containers for fresh shipment.

(c) Peaches - in closed or open containers for fresh shipment.

(d) Potatoes - in closed or open containers, or bulk, for certified seed.

(e) Cherries - PROVIDED, That no permit shall be issued on cherries infested with live cherry fruit fly larvae.

(f) Apples - Pears (summer, fall and winter) - in closed or open containers, or bulk for shipment: PROVIDED, That pears for processing entering intrastate commerce will not require a permit for shipment: FURTHER PROVIDED, That apples and/or pears may be shipped or transported if accompanied by certificates of compliance issued by the shipper or packer of such apples and/or pears, having the approval of the director to issue such certificates of compliance.

(2) (a) Any shipper or packer of apples, apricots, cherries, pears, peaches, or prunes may petition the director for authority to issue certificates of compliance for each season. Such authority shall be limited to the issuance of certificates of compliance for apples, apricots, cherries, pears, peaches, and prunes under said applicant's direct control or being handled at said shipper's or packer's facilities.

(b) Such certificate of compliance shall be issued at time of shipment by the shipper or packer authorized to do so: PROVIDED, That the apples and/or pears about to be shipped or transported are in full compliance with the requirements of Chapter 15.17 RCW, regulations adopted thereunder and administrative directives of the director: FURTHER PROVIDED, That apricots, cherries, peaches or prunes about to be shipped or transported are in full compliance with the federal marketing order requiring quality and condition certification and Washington state lot identification.

(c) The director's approval to issue certificates of compliance shall be revoked for cause, and such cause shall be the shipper's or packer's failure to comply with the requirements of paragraph 2-b of these regulations. The revocation shall be for the current season.

(d) Any shipper or packer whose authority to issue certificates of compliance has been revoked by the director shall be subject to those provisions of Chapter 15.17 RCW and the regulations requiring the issuance of a shipping permit by the director before apples, apricots, cherries, pears, peaches, and prunes may be shipped or transported.

(e) Certificates of compliance shall be on forms approved and issued by the director of agriculture. Each such certificate of compliance shall be stamped with a number assigned to the authorized shipper or packer.

(f) Any shipper or packer authorized to issue certificates of compliance shall deposit with the director of agriculture at the regular base fee equivalent to that charged by the director for a shipping permit, for each certificate of compliance issued by the authorized shipper or packer. Such base fees shall be

deposited with the director of agriculture in the same manner as fees for shipping permits.