



RULE-MAKING ORDER
(RCW 34.05.360)

2019

CR-103 (7/1/89)

Agency: Washington State Dept. of Agriculture

- Permanent Rule
- Emergency Rule

(1) Date of adoption: October 31, 1989

(2) Purpose: The home and garden fee on registered pesticide products is to support the pesticide incident reporting and tracking review pan established by the 1989 legislature.

(3) Citation of existing rules affected by this order:

- Repealed:
- Amended:
- Suspended:

(4) Authority for adoption:

Statute: RCW 15.58

Other Authority:

(5.1) PERMANENT RULE ONLY

Pursuant to notice filed as WSR 89-18-081 on Sept. 6, 1989 (date)

Describe any changes other than editing from proposed to adopted version:

None

(5.2) EMERGENCY RULE ONLY

Pursuant to RCW 34.05.350 the agency for good cause finds:

- (a) 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.
- (b) 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:

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

- Yes No If yes, explain:

(6) Effective date of rule:

Permanent Rules

Emergency Rules

- 30 days after filing
- Other (specify) _____ *
- Immediately
- Later (specify) _____

*(If less than 30 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

NAME (TYPE OR PRINT)

Michael Schwisow

SIGNATURE

TITLE

Deputy Director

DATE

10-31-89

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

OCT 31 1989

TIME:

3:30

PM

WSR

89-22-074

NEW SECTION

WAC 16-228-117 Home and garden products--Definition--

Registration fee. (1) For purposes of this section, "home and garden use only" means any pesticide determined by the department to be packaged and labeled solely for use by the general public in and around a residence. In making this determination, the department shall consider, but not be limited to, the following criteria:

- (a) Packaging;
- (b) Package size;
- (c) Label instructions;
- (d) Application method;
- (e) Equipment to be used;
- (f) Rates of application.

(2) Registrants applying for new or renewal registration of any pesticide labeled and intended for home and garden use only shall pay an additional registration fee of ten dollars per product over and above the registration fees established in RCW 15.58.070.

(3) The additional ten dollar fee received by the department for the registration of home and garden products shall be deposited in the agriculture local fund to assist in funding activities of the pesticide incident reporting and tracking review panel.