



RULE-MAKING ORDER
(RCW 34.05.360)

2045

CR-103 (10/1/89)

Agency: Department of Agriculture

- Permanent Rule
- Emergency Rule

(1) Date of adoption: June 19, 1990

(2) Purpose: To establish color requirements for new varieties of apples being produced. Current rules do not specify color requirements for these varieties.

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

Repealed:
 Amended: 16-403-155
 Suspended:

(4) Authority for adoption:

Statute: Chapter 15.17 RCW
 Other Authority:

(5.1) PERMANENT RULE ONLY

Pursuant to notice filed as WSR 90-10-086 on May 2, 1990 (date).

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

No changes

(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

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

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

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NAME (TYPE OR PRINT)

Alan Pettibone

SIGNATURE

TITLE

Deputy Director

DATE

6/19/90

AMENDATORY SECTION (Amending Order 1374, filed 7/26/74, effective 9/1/74)

WAC 16-403-155 COLOR REQUIREMENTS. In addition to the requirement specified for the grades set forth in WAC 16-403-145 and 16-403-150, apples of these grades shall have the percentage of color specified for the variety appearing in this section.

(1) Solid red varieties. For the solid red varieties the percentage stated refers to the area of the surface which must be covered with a good shade of solid red characteristic of the variety: PROVIDED, That an apple having color of a lighter shade of solid red or striped red than that considered as a good shade of red characteristic of the variety may be admitted to a grade provided it has sufficient additional area covered so that the apple has as good an appearance as one with the minimum percentage of good red characteristic of the variety required for the grade, subject to the limitations set forth below.

VARIETY	EXTRA FANCY PERCENT	FANCY PERCENT
Black Ben	66 ⁽¹⁾	40 ⁽³⁾
Gano	66 ⁽¹⁾	40 ⁽³⁾
Winesaps	66 ⁽¹⁾	40 ⁽³⁾
Other similar varieties	66 ⁽¹⁾	40 ⁽³⁾
Red sport varieties ⁽²⁾	66 ⁽⁴⁾	40 ⁽³⁾

- ⁽¹⁾ Must have at least 50 percent good shade of red color characteristic of the variety.
- ⁽²⁾ When the red sport varieties are marked as such, they shall meet the color requirements of red sport varieties, and the containers must also bear the name of the parent variety.
- ⁽³⁾ Must have at least 33 percent good shade of red color; characteristic of the variety.
- ⁽⁴⁾ Must have at least 66 percent good shade of red color; characteristic of the variety.

(2) Striped or partial red varieties. For the striped or partial red varieties the percentage stated refers to the area of the surface in which the stripes of a good shade of red characteristic of the variety shall predominate over stripes of lighter red, green or yellow. However, an apple having color of a lighter shade than that considered as a good shade of red characteristic of the variety may be admitted to a grade, provided it has sufficient additional area covered so that the apple has as good an appearance as one with the minimum percentage of stripes of a good red characteristic of the variety required for the grade, subject to the limitations set forth below. Faded brown stripes shall not be considered as color.

VARIETY	EXTRA FANCY PERCENT	FANCY PERCENT
Delicious	50	25
Rome Beauty	50 ⁽¹⁾	33 ⁽²⁾
Wealthy	50	25
Stayman	50	33
Other similar varieties	50	25
Jonathan	66 ⁽¹⁾	33 ⁽²⁾
McIntosh	50 ⁽¹⁾	33 ⁽²⁾
Cortland	50	33
Akane	33 1/3	15
Jonamac	50	33
Nittany	25	10
Vista Bella	25	10
Other similar varieties	50	33
Red sport varieties ⁽⁵⁾	66 ⁽⁴⁾	40 ⁽³⁾

- (1) Must have at least 35 percent good shade of red color characteristic of the variety.
- (2) Must have at least 15 percent good shade of red color characteristic of the variety.
- (3) Must have at least 33 percent good shade of red color characteristic of the variety.
- (4) Must have at least 66 percent good shade of red color characteristic of the variety.
- (5) When the red sport varieties are marked as such, they shall meet the color requirements of red sport varieties, and the containers must also bear the name of the parent variety.

(3) Red cheeked or blushed varieties.

VARIETY	EXTRA FANCY PERCENT	FANCY PERCENT
Braeburn	Blush Cheek	Tinge of color
Elstar	Blush Cheek	Tinge of color
Fuji	Blush Cheek	Tinge of color
Gala, (Royal Gala)	Blush Cheek	Tinge of color
Jonagold	Blush Cheek	Tinge of color
Winter Banana	Blush Cheek	Tinge of color
Other similar varieties	Blush Cheek	Tinge of color

(4) In no case shall the color requirements for any variety be less than those required under the United States standards for grades of apples, effective September 1, 1964, as amended October 1, 1966 and July 25, 1972 for the comparable Washington grade and variety.