



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Agency: Agriculture

- Permanent Rule
 Emergency Rule

(1) Date of adoption: 12/21/93

(2) Purpose: To exempt watercore as a quality factor in the Fuji variety of apples. Current grading rules consider damage by invisible watercore as a defect of Washington Extra Fancy and Fancy grades after January 31st of the year following the year of production.

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

- Repealed:
Amended: WAC 16-403-145, 16-403-150 and 16-403-290
Suspended:

(4) Authority for adoption:

Statute: Chapter 15.17 RCW
Other Authority:

(5.1) PERMANENT RULE ONLY

Pursuant to notice filed as WSR _____ on _____ (date).
Describe any changes other than editing from proposed to adopted version:

(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: See attached statement.

(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 Immediately
 Other (specify) _____ * Later (specify) _____

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

CODE REVISER USE ONLY

NAME (TYPE OR PRINT)

James M. Jesernig

TITLE

Director

DATE

12/29/93

DEC 21 1993
4:04
94.01.168



STATE OF WASHINGTON

DEPARTMENT OF AGRICULTURE

P.O. Box 42560 • Olympia, Washington 98504-2560 • (206) 902-1800

Date: December 6, 1993
To: Hearing File
From: Jim Archer, Program Manager, Fruit & Vegetable Inspection
Re: WAC 16-403 Marketing Standards for Apples
Emergency Exemption for Watercore in Fuji Variety

The Fuji variety is very new to Washington State with the 1993 crop being approximately the fourth year of commercial production.

The 1993 apple harvest was late in general, with Fuji variety being the last harvested variety due to its long growing season requirement. Conclusion of harvest on Fuji was about mid November.

By the time the growers and packers of Fuji apples had opportunity to assess the internal quality of the crop, there was insufficient time remaining to proceed with the normal rule making process in order for the watercore exemption to become effective by February 1 deadline. (Under the current grade standards, damage by invisible watercore becomes a quality or grade defect following January 31).

Watercore is not necessarily detrimental to quality unless the apple discolors internally or breaks down, usually following a long storage period of several months. With the relative inexperience in growing Fuji variety in the Pacific Northwest, and the sporadic occurrence of water core from season to season, it is not yet known how watercore will behave following extended cold storage. This variety may react differently than other varieties, e.g., the Fuji apple may not discolor or breakdown as is sometimes the case with Red Delicious, etc. Given the typical late harvesting dates for Fuji, the storage period prior to February 1 is obviously much shorter for Fuji than for other red varieties of apples.

Under Washington Extra Fancy and Fancy grades, damage by invisible watercore is considered a defect of grade and must be held to the combined tolerances with all other external grade factors, following January 31. The same is true for U. S. Extra Fancy and Fancy. The only permissible grade available for watercore damaged fresh market apples is U. S. No. 1.



Hearing File
December 6, 1993
Page two

The Fuji variety is currently marketed heavily overseas and commands a premium price due to its limited production. The Washington Growers Clearing House Bulletin No. 12, November 16, 1993, reported Washington Extra Fancy grade Fuji for Export ranged in price from \$40 to \$60 per carton, 72 size and larger. Size 100s were quoted at \$20 to \$24. In comparison, Red Delicious were at \$12 to \$22, and \$11 to \$18 respectively for the same grade and sizes.

By requiring this variety to be sold as U. S. No. 1 grade, a very substantial price discount will occur, in that the U. S. No. 1 grade is generally viewed as being a minimum level of commercial quality in apples.

As production increases and the industry gains added experience with storage and post harvest condition in the Fuji variety, the need may arise for re-evaluation of this factor as a grade defect. In the interim, however, it does not seem appropriate to classify and treat watercore in Fuji in the same manner as other earlier season red varieties of apple. Doing so artificially devalues a very high demand product and diminishes returns to producers.

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

WAC 16-403-145 Red, partial red or blushed varieties--
Washington extra fancy. (~~(1)~~) Washington extra fancy consists of apples of one variety which are mature but not overripe, carefully hand picked, clean, fairly well formed; free from decay, internal browning, internal breakdown, scald, scab, bitter pit, Jonathan spot, freezing injury, visible watercore, and broken skins and bruises except those which are slight and incident to proper handling and packing. The apples are also free from injury caused by smooth net-like russeting, sunburn or spray-burn, limb rubs, hail, drought spots, scars, disease, insects, or other means; and free from damage by smooth solid, slightly rough or rough russeting, or stem or calyx cracks, and free from damage by invisible watercore after January 31st of the year following the year of production: Provided, That invisible watercore shall not be a quality factor of Fuji variety at any time of the year. Each apple of this grade has the amount of color specified in WAC 16-403-155 for the variety.

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

WAC 16-403-150 Red, partial red or blushed varieties--
Washington fancy. (~~(1)~~) Washington fancy consists of apples of one variety which are mature but not overripe, carefully hand picked, clean, fairly well formed; free from decay, internal browning, internal breakdown, bitter pit, Jonathan spot, scald, freezing injury, visible watercore, and broken skins and bruises, except those which are incident to proper handling and packing. The apples are also free from damage caused by russeting, sunburn or sprayburn, limb rubs, hail, drought spots, scars, stem or calyx cracks, disease, insects, invisible watercore after January 31st of the year following the year of production, or damage by other means: Provided, That invisible watercore shall not be a quality factor of Fuji variety at any time of the year. Each apple of this grade has the amount of color specified in WAC 16-403-155 for the variety.

WAC 16-403-290 Damage by invisible watercore. (See chart below.)

DAMAGE BY INVISIBLE WATERCORE

affects:

Wash. extra fancy and Wash. fancy grades, except Fuji variety, after February 1 of year following production and affecting U.S. condition standards for export anytime.

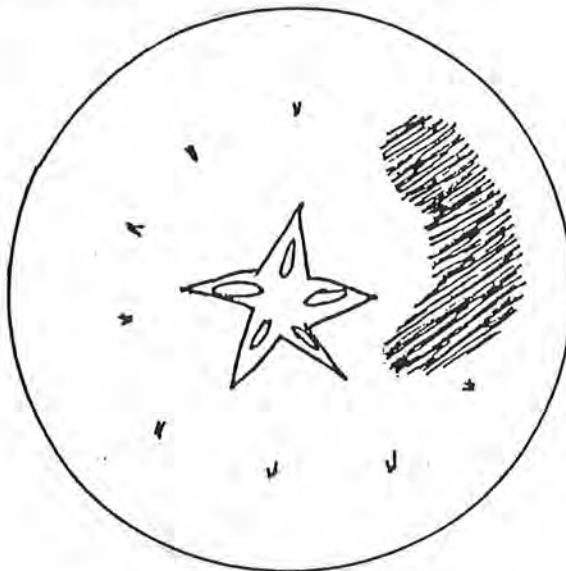
THIS

1. existing around core and extending to watercore in vascular bundles



OR THIS

2. surrounding vascular bundles when affected areas around three or more bundles meet or coalesce



OR THIS

3. more than right degree outside circular area formed by vascular bundles

