

# Chapter 16-436 WAC

## WASHINGTON STANDARDS FOR PEACHES

### WAC

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### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

<p>16-436-001 16-436-002 16-436-003 16-436-010 16-436-020 16-436-030 16-436-040 16-436-050 16-436-130 16-436-150 16-436-166 16-436-170</p>	<p>Promulgation. [Order 1014, Promulgation, filed 4/29/66; Order 919, filed 6/4/63; Order 860, effective 8/25/61.] Repealed by Order 1203, filed 5/14/71, effective 6/14/71. Promulgation. [Order 1203, § 16-436-002, filed 5/14/71, effective 6/14/71.] Repealed by 07-12-075, filed 6/5/07, effective 7/6/07. Statutory Authority: Chapters 15.17 and 34.05 RCW. Promulgation. [Order 1212, § 16-436-003, filed 9/17/71, effective 10/18/71.] Repealed by 07-12-075, filed 6/5/07, effective 7/6/07. Statutory Authority: Chapters 15.17 and 34.05 RCW. Grades. [Order 1014, Regulation A, filed 4/29/66; Order 919, Regulation 1, filed 6/4/63; Order 860, Regulation 1, effective 8/25/61.] Repealed by Order 1203, filed 5/14/71, effective 6/14/71. Application of tolerances to individual packages. [Order 1014, Regulation B, filed 4/29/66; Order 919, Regulation 2, filed 6/4/63; Order 860, Regulation 2, effective 8/25/61.] Repealed by Order 1203, filed 5/14/71, effective 6/14/71. Marking requirements. [Order 1014, § 16-436-030, filed 6/4/68, effective 7/5/68; Order 1014, Regulation C, filed 4/29/66; Order 919, Regulation 3, filed 6/4/63; Order 860, Regulation 3, effective 8/25/61.] Repealed by Order 1203, filed 5/14/71, effective 6/14/71. Cull peach requirements. [Order 1014, Regulation D, filed 4/29/66; Order 919, Regulation 4, filed 6/4/63; Order 860, Regulation 4, effective 8/25/61.] Repealed by Order 1203, filed 5/14/71, effective 6/14/71. Definitions. [Order 1014, Regulation E, filed 4/29/66; Order 919, Regulation 5, filed 6/4/63; Order 860, Regulation 5, effective 8/25/61.] Repealed by Order 1203, filed 5/14/71, effective 6/14/71. Washington No. 2 grade. [Order 1203, § 16-436-130, filed 5/14/71, effective 6/14/71.] Repealed by 92-11-076, filed 5/20/92, effective 6/20/92. Statutory Authority: Chapter 15.17 RCW. Cull peach requirements. [Statutory Authority: Chapter 15.17 RCW. 92-11-076, § 16-436-150, filed 5/20/92, effective 6/20/92; Order 1203, § 16-436-150, filed 5/14/71, effective 6/14/71.] Repealed by 07-12-075, filed 6/5/07, effective 7/6/07. Statutory Authority: Chapters 15.17 and 34.05 RCW. Later promulgation, see WAC 16-436-140. Tolerances—Size. [Statutory Authority: Chapter 15.17 RCW. 92-11-076, § 16-436-166, filed 5/20/92, effective 6/20/92.] Repealed by 07-12-075, filed 6/5/07, effective 7/6/07. Statutory Authority: Chapters 15.17 and 34.05 RCW. Later promulgation, see WAC 16-436-160. Tolerances. [Statutory Authority: Chapter 15.17 RCW. 88-11-048 (Order 1977), § 16-436-170, filed 5/16/88;</p>	<p>16-436-230</p>	<p>Order 1203, § 16-436-170, filed 5/14/71, effective 6/14/71.] Repealed by 92-11-076, filed 5/20/92, effective 6/20/92. Statutory Authority: Chapter 15.17 RCW. Containers. [Statutory Authority: Chapter 15.17 RCW. 92-11-076, § 16-436-186, filed 5/20/92, effective 6/20/92.] Repealed by 06-11-052, filed 5/11/06, effective 6/11/06. Statutory Authority: Chapters 15.17 and 34.05 RCW. Definitions. [Statutory Authority: Chapter 15.17 RCW. 92-11-076, § 16-436-200, filed 5/20/92, effective 6/20/92; Order 1203, § 16-436-200, filed 5/14/71, effective 6/14/71.] Repealed by 07-12-075, filed 6/5/07, effective 7/6/07. Statutory Authority: Chapters 15.17 and 34.05 RCW. Later promulgation, see WAC 16-436-060. Adoption of United States standards as state standards. [Statutory Authority: Chapter 15.17 RCW. 92-11-076, § 16-436-225, filed 5/20/92, effective 6/20/92.] Repealed by 07-12-075, filed 6/5/07, effective 7/6/07. Statutory Authority: Chapters 15.17 and 34.05 RCW. Later promulgation, see WAC 16-436-080. Effective date. [Order 1212, § 16-436-230, filed 9/17/71, effective 10/18/71; Order 1203, § 16-436-230, filed 5/14/71, effective 6/14/71.] Repealed by 07-12-075, filed 6/5/07, effective 7/6/07. Statutory Authority: Chapters 15.17 and 34.05 RCW.</p>
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**WAC 16-436-060 Definitions.** The following definitions are important to this chapter, and where appropriate, apply to all Washington state commercial grades of peaches:

**"At destination"** means the final point of delivery by a commercial carrier or the wholesale or retail facility where the peaches are held.

**"Damage"** means any injury or defect that materially affects a peach's appearance, edible quality, or shipping quality.

**"Department"** means the Washington state department of agriculture.

**"Diameter"** means the greatest distance measured through the center of the peach at right angles to a line running from the stem to the blossom end.

**"Director"** means the director of the department or the director's designee.

**"En route"** means the peaches have left their original shipping point and are in transit or are being held in an intermediate storage facility before arriving at their final destination.

**"Fairly well formed"** means that the shape of the peach must be consistent with the characteristic shape of the variety and must not be so misshapen that the appearance is more than moderately affected.

**"Loose or jumble pack"** means the peaches are not placed in the container in cups, compartments, or trays.

**"Mature"** means a peach has reached a stage of growth that will ensure a proper completion of the ripening process.

**"Not badly misshapen"** means a peach may be more irregularly shaped than "fairly well formed" but must not be deformed as to seriously affect its utility or general appearance.

**"Serious damage"** means any injury or defect that seriously affects the appearance, edible quality, or shipping quality of the peach.

**"Soft or overripe"** means a peach has very little resistance to pressure. Such peaches are also called "dead ripe."

**"Standard peach box"** means a container with minimum inside dimensions of 4-1/4 to 6 inches by 11-1/2 to 16 inches.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. 07-12-075, § 16-436-060, filed 6/5/07, effective 7/6/07.]

**WAC 16-436-080 Standards and grades of Washington grown peaches.** (1) The following grades apply to peaches grown in Washington state:

- (a) Washington extra fancy;
- (b) Washington fancy;
- (c) Washington combination extra fancy and fancy; and
- (d) Cull peaches.

(2) In addition to the standards contained in this chapter for Washington grown peaches, the department adopts the United States Standards for Grades of Peaches, effective May 21, 2004, for use by producers or shippers. Peaches must meet the Washington state standards contained in this chapter.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. 07-12-075, § 16-436-080, filed 6/5/07, effective 7/6/07.]

**WAC 16-436-100 Washington extra fancy peaches.**

(1) Washington extra fancy peaches consist of one variety that are:

- (a) Mature, but not soft or overripe;
- (b) Fairly well formed;
- (c) Free from decay, broken skin, worms, or worm holes;
- (d) Free from damage caused by bruises, dirt or other foreign material, bacterial spot, scab, scale, growth cracks, hail injury, leaf or limb rubs, russeting, split pits, stem pull, rough suture, and other diseases, insects or mechanical or other means.

(2) Washington extra fancy peaches must be at least 2-1/4 inches in diameter and must also meet the minimum size requirements of WAC 16-436-187.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. 07-12-075, § 16-436-100, filed 6/5/07, effective 7/6/07. Statutory Authority: Chapter 15.17 RCW. 92-11-076, § 16-436-100, filed 5/20/92, effective 6/20/92; 88-11-048 (Order 1977), § 16-436-100, filed 5/16/88; Order 1203, § 16-436-100, filed 5/14/71, effective 6/14/71.]

**WAC 16-436-110 Washington fancy peaches.** (1)

Washington fancy peaches consist of one variety that meet all Washington extra fancy requirements, except:

- (a) Split pits no more than 3/8 inch in length are allowed; and
- (b) Damage, but not serious damage, for rough suture is allowed.

(2) Washington fancy peaches must be at least 2-1/4 inches in diameter and must also meet the minimum size requirements of WAC 16-436-187.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. 07-12-075, § 16-436-110, filed 6/5/07, effective 7/6/07. Statutory Authority: Chapter 15.17 RCW. 92-11-076, § 16-436-110, filed 5/20/92, effective 6/20/92; 88-11-048 (Order 1977), § 16-436-110, filed 5/16/88; Order 1212, § 16-436-110, filed

9/17/71, effective 10/18/71; Order 1203, § 16-436-110, filed 5/14/71, effective 6/14/71.]

**WAC 16-436-120 Washington combination extra fancy and fancy peaches.** (1) Washington combination peaches consists of extra fancy and fancy peaches packed together in the same container.

(2) Containers must be marked "Washington combination extra fancy and fancy" and must contain at least seventy-five percent Washington extra fancy peaches.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. 07-12-075, § 16-436-120, filed 6/5/07, effective 7/6/07; Order 1203, § 16-436-120, filed 5/14/71, effective 6/14/71.]

**WAC 16-436-140 Cull peaches.** Cull peaches are peaches not graded in conformity with the foregoing grades described in this chapter.

(1) The words "cull peaches" must be marked clearly and legibly in at least 2-1/2 inch letters on the top and side of the container and on any container label.

(2) The container lid or labels must be marked in at least 1/2 inch letters with the:

- (a) Name and address of the grower, shipper, or packer;
- (b) Variety;
- (c) Minimum diameter; and
- (d) Net weight.

(3) Peaches identified as culls must be packed in one-bushel baskets with lids and ring faced with the peaches in the ring representative of the size and quality of those in the container.

(4) Every bill of lading, invoice, memorandum, or other document referring to the peaches must identify the peaches as culls.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. 07-12-075, § 16-436-140, filed 6/5/07, effective 7/6/07. Statutory Authority: Chapter 15.17 RCW. 92-11-076, § 16-436-140, filed 5/20/92, effective 6/20/92; 88-11-048 (Order 1977), § 16-436-140, filed 5/16/88; Order 1203, § 16-436-140, filed 5/14/71, effective 6/14/71.]

**WAC 16-436-160 Tolerances for Washington extra fancy and combination extra fancy and fancy peaches.** In order to allow for variations incident to proper grading, handling, and sizing the following tolerances, by count, apply to Washington extra fancy and Washington combination extra fancy and fancy peaches.

(1) Not more than ten percent of the peaches in any lot may fail to meet grade requirements.

(a) Not more than five percent is allowed for defects causing serious damage.

(b) Not more than one percent is allowed for decay at the shipping point.

(2) At the time of packing, an additional tolerance of not more than ten percent is allowed in any lot for damage, but not serious damage, by bruising.

(3) Not more than ten percent of the peaches in any lot may be below the specified minimum size.

(4) Not more than fifteen percent of the peaches in any lot may be above any specified maximum size.

(5) When applying these tolerances to combination grades, no part of any tolerance is allowed to reduce, for the lot as a whole, the seventy-five percent of peaches of the

higher grade required in the combination. Individual containers must have at least sixty-five percent of the higher grade.

(6) En route or at destination, an additional tolerance of two percent is allowed for soft, overripe, or decayed peaches.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. 07-12-075, § 16-436-160, filed 6/5/07, effective 7/6/07. Statutory Authority: Chapter 15.17 RCW. 88-11-048 (Order 1977), § 16-436-160, filed 5/16/88; Order 1203, § 16-436-160, filed 5/14/71, effective 6/14/71.]

**WAC 16-436-165 Tolerances for Washington fancy peaches.** In order to allow for variations incident to proper grading, handling, and sizing, the following tolerances, by count, apply to Washington fancy peaches.

(1) Not more than twenty percent of the peaches in any lot may fail to meet the grade requirements.

(a) Not more than five percent is allowed for defects causing serious damage.

(b) Not more than one percent is allowed for decay.

(2) Not more than ten percent of the peaches in any lot may be below the specified minimum size.

(3) Not more than fifteen percent of the peaches in any lot may be above any specified maximum size.

(4) En route or at destination, an additional tolerance of two percent is allowed for soft, overripe, or decayed peaches.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. 07-12-075, § 16-436-165, filed 6/5/07, effective 7/6/07. Statutory Authority: Chapter 15.17 RCW. 88-11-048 (Order 1977), § 16-436-165, filed 5/16/88.]

**WAC 16-436-180 Application of tolerances to individual packages.** The contents of individual packages of peaches in a lot are subject to the following limitations as long as the average for the entire lot of peaches of a specific grade is within the tolerances specified for that grade.

(1) Packages containing more than ten pounds with a tolerance of ten percent or more must have no more than 1-1/2 times the tolerance specified.

(2) Packages containing more than ten pounds with a tolerance of less than ten percent must have no more than double the tolerance specified.

(3) Packages containing ten pounds or less are not restricted as to the percentage of defects and sizes. However, only one peach that is seriously damaged by insects or affected by decay may be in any package.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. 07-12-075, § 16-436-180, filed 6/5/07, effective 7/6/07; Order 1203, § 16-436-180, filed 5/14/71, effective 6/14/71.]

**WAC 16-436-185 Requirements for Washington standard packs.** To allow for variations incident to proper packing, no more than ten percent of the packages in any lot may be out of compliance with the following requirements. These requirements apply to all grades except culls.

(1) Each package must be packed so that the peaches in the shown face are reasonably representative in size, color, and quality of the contents in the package.

(2) Peaches packed in U.S. Standard bushel baskets or half-bushel baskets with lids must be ring faced and tightly packed with sufficient bulge to prevent any appreciable movement of the peaches within the packages.

(3) Peaches packed in standard western boxes must comply with the following:

(6/5/07)

(a) The peaches must be reasonably uniform in size and arranged in packages, such as tray packed, place packed, or jumble filled, according to the approved and recognized methods.

(b) When wrapped, each peach must be fairly well enclosed by its individual wrapper.

(c) All packages must be well filled and tightly packed but the contents must not show excessive or unnecessary bruising because of being over-filled.

(d) The number of peaches must not vary by more than four from the number indicated on the container.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. 07-12-075, § 16-436-185, filed 6/5/07, effective 7/6/07. Statutory Authority: Chapter 15.17 RCW. 92-11-076, § 16-436-185, filed 5/20/92, effective 6/20/92; 88-11-048 (Order 1977), § 16-436-185, filed 5/16/88; Order 1203, § 16-436-185, filed 5/14/71, effective 6/14/71.]

**WAC 16-436-187 Minimum size requirements.** (1) Fresh peaches, except for Elberta varieties, must be at least 2-3/8 inches in diameter when packed and marketed in any container except a standard peach box.

(2) Fresh peaches of any variety must be at least 2-1/4 inches in diameter when packed and marketed in a standard peach box.

(3) Fresh Elberta varieties of peaches must be at least 2-1/4 inches in diameter when marketed in any container.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. 07-12-075, § 16-436-187, filed 6/5/07, effective 7/6/07. Statutory Authority: Chapter 15.17 RCW. 92-11-076, § 16-436-187, filed 5/20/92, effective 6/20/92.]

**WAC 16-436-190 Marking requirements.** The following marking requirements apply to all grades except culls.

(1) All containers must be conspicuously and legibly stamped with the:

- (a) Name and address of the grower, shipper or packer;
- (b) Fruit variety;
- (c) Grade; and
- (d) Numerical count or minimum diameter.

(2) When the numerical count is not shown on the container, the minimum diameter and net weight must be plainly stamped or otherwise marked on the container.

(3) Minimum size must be stated on the container in terms of:

- (a) Whole inches, such as 3 inches minimum; or
- (b) Whole and half inches, such as 2-1/2 inches minimum; or
- (c) Whole and quarter inches, such as 2-1/4 inches minimum; or
- (d) Whole and eighth inches, such as 2-3/8 inches minimum.

(4) Both minimum and maximum diameters may be stated on the container.

(5) The grade must be stamped on the container in letters that are at least 1/4 inch high. The following abbreviations may be used:

- (a) Washington: Wash or WA;
- (b) Extra fancy: Ex fcy or extra fcy;
- (c) Fancy: Fcy; and
- (d) Combination: Comb.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. 07-12-075, § 16-436-190, filed 6/5/07, effective 7/6/07. Statutory Authority: Chapter 15.17 RCW. 92-11-076, § 16-436-190, filed 5/20/92, effective 6/20/92; 88-11-048

(Order 1977), § 16-436-190, filed 5/16/88; Order 1203, § 16-436-190, filed 5/14/71, effective 6/14/71.]

**WAC 16-436-210 Damage—Specific defects.** Any of the following defects or combination of them are considered damage when the seriousness of the combination exceeds the maximum allowed for any specific defect.

(1) Bruises on peaches 2-1/4 inches or smaller in diameter are considered damage if they:

(a) Discolor the flesh to a depth greater than 3/16 of an inch; or

(b) Discolor the skin in an area greater than 1/2 inch in diameter; or

(c) Are an aggregate of smaller bruises totaling more than 1/2 inch in diameter.

(2) Bruises on peaches larger than 2-1/4 inches in diameter are considered damage when any discoloring of the flesh or skin affects correspondingly greater areas or depths than identified in subsection (1) of this section. The following lists the depths and diameters of flesh discoloration allowed before the discoloring is considered damage on peaches that are:

(a) 2-1/2 inches in diameter: Discoloration 5/24 inch deep and 5/9 inch in diameter;

(b) 2-3/4 inches in diameter: Discoloration 11/48 inch deep and 11/18 inch in diameter;

(c) 3 inches in diameter: Discoloration 1/4 inch deep and 2/3 inch in diameter;

(d) 3-1/4 inches in diameter: Discoloration 13/48 inch deep and 13/18 inch in diameter;

(e) 3-1/2 inches in diameter: Discoloration 7/24 inch deep and 7/9 inch in diameter;

(f) 3-3/4 inches in diameter: Discoloration 5/16 inch deep and 15/18 inch in diameter;

(g) 4 inches in diameter: Discoloration 1/3 inch deep and 8/9 inches in diameter.

(3) Bacterial spot when cracked or aggregating more than 3/8 inch in diameter.

(4) Scab spot when cracked or aggregating more than 3/8 inch in diameter.

(5) Scale when concentrated or scattered and aggregating more than 1/4 inch in diameter.

(6) Growth cracks when unhealed or more than 1/2 inch in length.

(7) Hail injury when unhealed or deep, or when aggregating more than 1/4 inch in diameter or more than 1/8 inch in depth.

(8) Leaf or limb rubs or russetting when exceeding 1-1/4 inches in diameter when smooth and light colored, or when exceeding 1/2 inch in diameter when rough or dark colored.

(9) Split pit when causing any unhealed crack or when causing any crack that is readily apparent, or when affecting the peach's shape to the extent that the fruit is not fairly well formed.

(10) Stem pulls larger than 1/2 inch in diameter, including stem area.

(11) Rough suture when the length is more than half way down side of peach and exceeds 1/4 inch wide and 1/32 inch high.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. 07-12-075, § 16-436-210, filed 6/5/07, effective 7/6/07. Statutory Authority: Chapter 15.17

RCW. 92-11-076, § 16-436-210, filed 5/20/92, effective 6/20/92; Order 1203, § 16-436-210, filed 5/14/71, effective 6/14/71.]

**WAC 16-436-220 Serious damage—Specific defects.** Any of the following defects or any combination of them, when the seriousness of the combination exceeds the maximum allowed for any specific defect, is considered serious damage.

(1) Bruises when aggregated and causing a waste in excess of ten percent by area on any peach or when any one bruise causes a waste in excess of five percent by area or exceeding 3/8 inch in depth.

(2) Bacterial spot when any cracks are not well healed, or when the aggregate area is more than 1/2 inch in diameter.

(3) Scab spots when cracked or when healed and aggregating more than one inch in diameter.

(4) Scale when the aggregate area is more than 1/2 inch in diameter.

(5) Growth cracks when unhealed or more than 5/8 inch in length.

(6) Hail injury when:

(a) Unhealed; or

(b) Shallow and the aggregate area is more than 3/4 inch in diameter; or

(c) Deep and seriously deforming the peach; or

(d) Aggregating more than 1/2 inch in diameter; or

(e) Aggregating more than 1/8 inch in depth.

(7) Leaf or limb rubs or russetting when the aggregate area is more than 1-1/2 inches in diameter when smooth and light, or when the aggregate area is more than 1/2 inch in diameter when dark and bark-like.

(8) Split pit when causing any unhealed crack, or when it is healed and the aggregate area is more than 1/2 inch in length including any part of the crack that might be covered by the stem.

(9) Stem pulls when they are larger than 5/8 inch in diameter, including stem area.

(10) Punctures when they are not on the shoulder area, or when they are on the shoulder area and are larger than 3/16 of an inch in diameter.

(11) Rough suture when the entire length of the suture exceeds 1/4 inch wide and 1/16 inch high.

[Statutory Authority: Chapters 15.17 and 34.05 RCW. 07-12-075, § 16-436-220, filed 6/5/07, effective 7/6/07. Statutory Authority: Chapter 15.17 RCW. 92-11-076, § 16-436-220, filed 5/20/92, effective 6/20/92; 88-11-048 (Order 1977), § 16-436-220, filed 5/16/88; Order 1203, § 16-436-220, filed 5/14/71, effective 6/14/71.]