

FROM: Department of Agriculture
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98501

The enclosed Permanent rules Emergency rules, being order No. 1297

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

Regulations pertaining to the registration of acreage commitments made by processors to producers.

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

pursuant to Notice No. 3849 ^① filed with the code reviser on 1/30/73 ^② were regularly adopted as permanent rules of this agency at Olympia, WA. on 2/28/73 and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be 3/2/73 ^③

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

pursuant to its finding 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 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 (1971 ex.s. c 250) have been fulfilled.

Dated this 28th day of February 1973.

DEPARTMENT OF AGRICULTURE
(AGENCY)
Stewart Bledsoe
By STEWART BLEDSOE
Director
Title

STATE OF WASHINGTON
FILED
FEB 28 1973
CODE REVISER'S OFFICE
DOCKET # 4624 FILE # 25

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.

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 1297

RELATING TO REGULATIONS PERTAINING TO THE REGISTRATION OF ACREAGE
COMMITMENTS MADE BY PROCESSORS TO PRODUCERS
Effective March 2, 1973

NEW WAC 16-621-001 PROMULGATION.

I, Stewart Bledsoe, director of agriculture of the state of Washington, by virtue of the authority vested in me under chapter 20.01 RCW and after due notice and public hearings held in the Seattle area on January 19, 1973, and at Moses Lake, Washington on February 20, 1973, as provided under chapters 42.32 and 34.04 RCW, do hereby promulgate the following regulations relating to the registration of acreage commitments made by processors to producers of annual crops.

NEW WAC 16-621-010 PROCESSOR PLANT CAPACITY REPORTING FORM. When reporting plant capacity as provided for under RCW 20.01.510 a processor shall include the daily total capacity in tons or cases for each crop for all plants which process any Washington product.

NEW WAC 16-621-020 CONTRACTS AND GROWER LIST. The processor shall furnish the department with a copy of the contract used and a list of all growers with whom such contract is made, within 10 days of the execution of the contract. The list shall itemize the amounts contracted with each grower. Copies of any original contracts will be furnished to the Director upon request.

NEW WAC 16-621-030 GROWER NOTIFICATION OF COMMITMENTS BY PROCESSOR. Any grower may notify the Director in writing by certified mail that he has an oral commitment with a processor for a specified amount of product. Growers shall notify the Director of any implied agreement within 10 days after commitment was allegedly made. Upon receipt of such notification the Director shall notify the processor within 5 days by certified mail. The processor shall advise the Director by certified mail within 10 days of the receipt of this notice whether or not they confirm such notice. Within 5 days of receipt of the processor reply, the Director shall notify the grower by certified mail. The processor may accept all, none or any portion of the acreage and/or tonnage stated. The oral statement being confirmed by the processor for all or a portion thereof commits the processor to receive from that grower the acreage or tonnage so specified therein: Should the terms of the contract, price and other conditions, subsequently offered to the grower be unacceptable to said grower then nothing is binding upon said processor: PROVIDED, the contract so offered and rejected is that processor's standard contract offered for that crop year.

NEW

WAC 16-621-040 BASIS FOR ESTABLISHMENT OF CONTRACT VOLUME. In contracts specifying purchases of the production of a specific number of acres, the contracted amount will be based upon the crop yield for the comparable area according to the most recent 5 year average as established by the USDA Crop Reporting Service.



STEWART BLEDSOE, Director
Department of Agriculture
State of Washington

Signed at Olympia, WA.

Date: February 28, 1973