



# RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/10/97)

Agency: AGRICULTURE

- Permanent Rule
- Emergency Rule
- Expedited Adoption
- Expedited Repeal

(1) Date of adoption: June 8, 1999

(2) Purpose: Remove reference to the word "Horticultural" in the title and replace with the words "Fruit and Vegetable" to comply with Chapter 15.17 RCW; Remove section WAC 16-458-004 Promulgation; and add language to sections WAC 16-458-075, 080 and 085 to clarify language in these sections.

(3) Citation of existing rules affected by this order: Chapter 16-458 WAC Horticultural Inspection District Boundaries

Repealed:  
 Amended: X  
 Suspended:

(4) Statutory authority for adoption: Chapter 15.17 RCW, Standards of Grades and Packs  
Other Authority:

### PERMANENT RULE ONLY (Including EXPEDITED ADOPTION)

Adopted under notice filed as WSR 99-08-113 on April 7, 1999 (date).  
Describe any changes other than editing from proposed to adopted version:

### EMERGENCY RULE ONLY

Under 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:

### EXPEDITED REPEAL ONLY

Under Preproposal Statement of Inquiry filed as WSR \_\_\_\_\_ on \_\_\_\_\_ (date)

(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:

Emergency Rules

Permanent Rules  
or Expedited Repeal

- 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)

Name (Type or Print)

Jim Jesernig

Signature

Title

Director

Date

7/30/99

### CODE REVISER USE ONLY

CODE REVISER'S OFFICE  
STATE OF WASHINGTON  
FILED

AUG 4 1999

TIME

2:17

AM

PM

FILE

99-17-002

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

**The number of sections adopted in the agency's own initiative:**

New	_____	Amended	<u>2</u>	Repealed	<u>1</u>
-----	-------	---------	----------	----------	----------

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	<u>2</u>	Repealed	_____
-----	-------	---------	----------	----------	-------

**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	<u>2</u>	Repealed	<u>1</u>

Chapter 16-458 WAC

HORTICULTURAL FRUIT AND  
VEGETABLE INSPECTION DISTRICT  
BOUNDARIES

AMENDATORY SECTION (Amending Order 1471, filed 7/2/76)

**WAC 16-458-075 Fruit and vegetable district two.** Fruit and vegetable district two shall consist of Kittitas, Klickitat, Skamania, Yakima and that portion of Benton County lying west of a line running south from the Columbia River known as the center line of Range 27E, and north of Sellards Road from its junction with Range 27E on the east, thence west to the Yakima County line; this includes the Prosser, Kiona, and Benton City areas.

AMENDATORY SECTION (Amending WSR 87-24-009, filed 11/20/87, effective 1/1/88)

**WAC 16-458-080 Fruit and vegetable district three.** Fruit and vegetable district three shall consist of all counties located west of the Cascade Mountains, Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla and Whitman counties, and that portion of Benton County lying south and east of the Sellards Road, from its junction with Yakima County on the west thence east to the center line of Range 27E, thence north to the Columbia River; this excludes the Benton City, Kiona and Prosser areas.

AMENDATORY SECTION (Amending Order 1471, filed 7/2/76)

**WAC 16-458-085 Fruit and vegetable district four.** Fruit and vegetable district four shall consist of Chelan, Douglas and Okanogan counties.

REPEALER

The following section of the Washington Administrative Code is repealed:

**WAC 16-458-004 Promulgation.**