

WSR 22-20-098
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE
[Filed October 4, 2022, 12:49 p.m.]

Subject of Possible Rule Making: Chapter 16-157 WAC, Organic food standards and certification. The Washington state department of agriculture (WSDA) is considering changes to the certification fee schedules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 15.86.010, 15.86.060, 15.86.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 15.86.070 requires rules to include a fee schedule that will provide for the recovery of the full cost of the program.

Overall program operating costs have increased since the last certification fee update in January 2019. To support the staff and resources necessary to provide certification services, an increase in the fees charged is needed. In addition, United States Department of Agriculture (USDA) organic regulations are being updated in the most significant new rule making in 20 years. Regulatory changes in response to growing and evolving markets will require increased technical assistance and resources to support the organic industry in Washington state. New regulations will also include added accreditation requirements for WSDA, resulting in added operating costs to meet expectations around oversight and enforcement of the federal organic standards.

WSDA fees must be adequate to ensure resources are in place to continue certification services in line with current operating costs and the updated federal requirements. WSDA is considering changes to chapter 16-157 WAC to ensure the continuation of quality services to all Washington businesses that want to produce, handle, and market organic products, domestically and abroad.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: USDA National Organic Program (NOP) accredits WSDA to implement and enforce 7 C.F.R. Part 205. WSDA will communicate changes to chapter 16-157 WAC to NOP.

Process for Developing New Rule: WSDA staff will discuss rule making with affected stakeholders. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will also be able to present oral testimony at the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Brenda Book, WSDA Organic Program Manager, 1111 Washington Street S.E., P.O. Box 42560, Olympia, WA 98504-2560, phone 360-902-1805, TTY 800-833-6388 or 711, email organic@agr.wa.gov, website <https://agr.wa.gov/departments/organic>.

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