

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2892

Chapter 316, Laws of 2002

57th Legislature
2002 Regular Session

APPLE SALES--FRESH CONSUMPTION

EFFECTIVE DATE: 6/13/02

Passed by the House February 14, 2002
Yeas 98 Nays 0

FRANK CHOPP
**Speaker of the House of
Representatives**

Passed by the Senate March 6, 2002
Yeas 48 Nays 0

BRAD OWEN
President of the Senate

Approved April 2, 2002

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2892** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER
Chief Clerk

FILED

April 2, 2002 - 10:38 a.m.

**Secretary of State
State of Washington**

HOUSE BILL 2892

Passed Legislature - 2002 Regular Session

State of Washington

57th Legislature

2002 Regular Session

By Representatives Clements, Linville, Grant, Lisk, Armstrong,
Mulliken, Chandler, Holmquist, Schoesler, Hatfield and Ogden

Read first time 02/01/2002. Referred to Committee on Agriculture &
Ecology.

1 AN ACT Relating to selling apples for fresh consumption; and
2 amending RCW 15.17.210.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 15.17.210 and 1998 c 154 s 14 are each amended to read
5 as follows:

6 It is unlawful:

7 (1) To sell any fruits or vegetables:

8 (a) As meeting the standards for any fruit or vegetable as
9 prescribed by the director unless they in fact do so;

10 (b) For which no standards have been established under this chapter
11 unless ninety percent or more by weight or count, as determined by the
12 director, are free from plant pest injury that has penetrated or
13 damaged the edible portions and from worms, mold, slime, or decay;

14 (c) In containers other than the size and dimensions prescribed by
15 the director by rule;

16 (d) Unless the containers in which the fruits or vegetables are
17 placed or packed are marked with the proper grade and additional
18 information as may be prescribed by rule. The additional information
19 may include:

1 (i) The name and address of the grower, or packer, or distributor;
2 (ii) The varieties of the fruits or vegetables;
3 (iii) The size, weight, and either volume or count, or both, of the
4 fruits or vegetables;

5 (e) Which are in containers marked or advertised for sale or sold
6 as being either graded or classified, or both, according to the
7 standards prescribed by the director by rule unless the fruits or
8 vegetables conform with the standards;

9 (f) Which are deceptively packed;

10 (g) Which are deceptively arranged or displayed;

11 (h) Which are mislabeled; or

12 (i) Which do not conform to this chapter or rules adopted under
13 this chapter;

14 (2) For any person to ship or transport or any carrier to accept
15 any lot of fruits or vegetables without an inspection certificate,
16 permit, or certificate of compliance when the director has prescribed
17 by rule that such products be accompanied by an inspection certificate,
18 permit, or certificate of compliance. The inspection certificate,
19 permit, or certificate of compliance shall be on a form prescribed by
20 the director and may include methods of denoting that all assessments
21 provided for by law have been paid before the fruits or vegetables may
22 lawfully be delivered or accepted for shipment;

23 (3) For any person to refuse to submit any container, load, or
24 display of fruits or vegetables for inspection by the director, or
25 refuse to stop any vehicle or equipment containing such products for
26 the purpose of inspection by the director; ((or))

27 (4) For any person to move any fruits or vegetables or their
28 containers to which any tag has been affixed, except as provided in RCW
29 15.17.200; or

30 (5) After October 1st of any calendar year, for any person to sell
31 containers of apples, containing apples harvested in a prior calendar
32 year, to any retailer or wholesaler for the purpose of resale to the
33 public for fresh consumption.

Passed the House February 14, 2002.

Passed the Senate March 6, 2002.

Approved by the Governor April 2, 2002.

Filed in Office of Secretary of State April 2, 2002.