

**WAC 16-545-010 Definitions.** Definitions for terms used in this chapter are also found in chapter 15.65 RCW, Washington State Agriculture Commodity Boards Act. For the purpose of this marketing order, the following additional definitions apply:

"Act" means the Washington State Agriculture Commodity Boards Act or chapter 15.65 RCW.

"Affected area" or "production area" means that portion of the state of Washington located east of the summit of the Cascade Mountains.

"Affected handler" means any person who acts as principal or agent or otherwise in processing, selling, marketing or distributing turfgrass seed not produced by the handler and shall include any lending agencies for a commodity credit corporation loan to producers. "Handler" does not include a common carrier used to transport an agricultural commodity. "To handle" means to act as a handler.

"Affected producer" means any person who produces, or causes to be produced, in commercial quantities, turfgrass seed in the state of Washington.

"Affected unit" means one pound net pay weight of turfgrass seed.

"Commercial quantity" means all the turfgrass seed produced for sale in any calendar year by any producer.

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

"Director" means the director of agriculture of the state of Washington or the director's duly appointed representative.

"Disclosure" means inspection or copying.

"Marketing season" or "fiscal year" means the twelve-month period beginning on June 1st of any year and ending with the last day of May, both dates being inclusive.

"Person" means any individual, firm, corporation, limited liability company, trust, association, partnership, society, or any other organization of individuals or any unit or agency of local or state government.

"Producer-handler" is both a "producer" and a "handler" with respect to turfgrass seed and is covered by this order as a producer when engaged in the business of producing turfgrass seed or a handler when engaged in processing, selling, marketing or distributing turfgrass seed. "To produce" means to act as a producer. For the purposes of the turfgrass seed marketing order, "producer" shall include bailees who contract to produce or grow any agricultural product on behalf of a bailor who retains title to the turfgrass seed and its resulting agricultural product or the agricultural product delivered for further production or increase.

"Public records" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by the commission regardless of physical form or characteristics.

"Sell" includes offer for sale, expose for sale, and have in possession for sale, exchange, barter or trade.

"Turfgrass seed" means Kentucky bluegrass, perennial ryegrass, tall fescue, hard fescue, slender fescue, and creeping red fescue. Forage fescue and reclamation grass seed are excluded from this order.

"Turfgrass seed by-products" means turfgrass seed straw and screenings.

"Turfgrass seed commodity board" referred to as "board" or "commission" means the turfgrass seed commodity board formed under WAC 16-545-020.

[Statutory Authority: RCW 15.65.047, 42.56.040, and chapter 34.05 RCW. WSR 17-05-037, § 16-545-010, filed 2/8/17, effective 3/11/17. Statutory Authority: RCW 15.65.047 and chapter 34.05 RCW. WSR 04-22-073, § 16-545-010, filed 11/1/04, effective 12/2/04. Statutory Authority: RCW 15.65.050. WSR 99-02-064, § 16-545-010, filed 1/6/99, effective 2/6/99.]