

**WAC 16-520-006 Marketing order purposes.** This marketing order is to promote the general welfare of the state and for the purpose of maintaining existing markets or creating new or larger local, domestic, and foreign markets; ensuring a fair regulatory environment; and increasing production efficiency of seed potatoes in Washington state. The Washington state seed potato commission is designated by the director to conduct the following programs in accordance with chapter 15.66 RCW:

(1) **Research.** The commission may research or enter into contracts or agreements for research in the production, irrigation, processing, transportation, marketing, use, or distribution of seed potatoes.

(2) **Marketing and sales promotion plans.**

(a) Subject to the provisions of the act, the commission is hereby authorized to prepare plans, administer and conduct programs and expend moneys for marketing and sales promotion for promoting the sale of seed potatoes including, but not necessarily limited to, the following:

(i) Increasing the sales of Washington produced seed potatoes through the use of the press, radio, television and all other market-media.

(ii) Trade promotion, publicity, market development and expansion activities.

(iii) Presentation of facts to and negotiations with state, federal, or foreign governmental agencies on matters which affect the marketing of seed potatoes produced in this state, and such other activities and programs which are consistent with the objectives of this marketing order and the act.

(b) In carrying out any marketing and sales promotion plans or programs, the commission may engage or hire such marketing medias as may be necessary to accomplish the purposes of the act and this order, arrange for marketing space, display material and other advertising material, or may use any other methods consistent with the act and this marketing order which the commission considers appropriate in promoting or creating new and larger domestic or foreign markets for seed potatoes, or in maintaining existing markets. The commission may also engage in cooperative efforts in the domestic or foreign marketing of seed potato food products.

(c) Programs and plans adopted by the commission under this marketing order shall be directed towards promoting the sale of seed potatoes without reference to any particular private brand or trade name. Sales promotion and marketing programs shall not disparage the value, quality, sale or use of any other agricultural commodity or make use of any unwarranted or false claims regarding seed potatoes.

(d) Marketing plans, programs and projects developed by the commission shall be submitted for director review and approval as required under RCW 15.66.141.

(3) **Labeling.**

(a) Under chapter 15.66 RCW, the commission may adopt rules, subject to the provisions of chapter 34.05 RCW, to define, establish and provide labeling requirements for improving standards and grades of seed potatoes, and may expend money for such purposes. Such requirements shall not be inconsistent with the horticultural laws of this state with respect to seed potatoes.

(b) The commission shall be authorized to cooperate with state and federal agencies or departments responsible for revising and modernizing grades and standards and labeling of seed potatoes.

(c) Nothing in this section shall be construed as authorizing the commission to set minimum grades, sizes or maturity of seed potatoes which a producer may sell, offer for sale or ship.

(4) **Unfair trade practices.** The commission may investigate and take necessary action to prevent unfair trade practices and to correct, where possible, trade practices which hinder marketing of Washington produced seed potatoes. To the extent permitted under the Public Records Act, chapter 42.56 RCW, information acquired in an investigation shall be confidential and shall be released only to the extent necessary to effectuate the purposes of the act.

(5) **Standards, grades, labels, trade practices.** The provisions covering standards, grades, labels and trade practices shall apply with respect to seed potatoes produced in Washington state.

(6) The commission is authorized to provide information and communicate on matters pertaining to the production, irrigation, processing, transportation, marketing, or uses of seed potatoes produced in Washington state to any elected official or officer or employee of any agency.

(7) **Information and education.** The commission may conduct programs for the purpose of providing information and education including:

(a) Marketing information and services for producers of seed potatoes.

(b) Information and services enabling producers to meet their resource conservation objectives.

(c) Seed potato-related education and training.

(8) The director shall approve any plans, programs, and projects concerning:

(a) The establishment, issuance, effectuation, and administration of programs authorized under this section for advertising and promotion of seed potatoes.

(b) The establishment and effectuation of market research projects, market development projects, or both to the end that marketing and utilization of seed potatoes may be encouraged, expanded, improved or made more efficient.

[Statutory Authority: RCW 15.66.030, 15.66.053, 15.66.055, and chapter 34.05 RCW. WSR 10-22-008, § 16-520-006, filed 10/21/10, effective 11/21/10.]