

WSR 18-07-113
EXPEDITED RULES
DEPARTMENT OF AGRICULTURE

[Filed March 21, 2018, 10:42 a.m.]

Title of Rule and Other Identifying Information: Chapter 16-403 WAC, Standards for apples marketed within the state of Washington.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 16-403-155 and 16-403-175 were repealed in 2017. The department is proposing to correct or remove references to these sections. In addition, errors were found in the color requirements in WAC 16-403-064 pertaining to the Spartan variety. The color requirements are listed twice, once with the correct color standards and a second time with incorrect color standards. The department is proposing to remove the incorrect color standards for the Spartan variety to ensure the correct color requirements are being followed for this variety.

Reasons Supporting Proposal: The Washington state department of agriculture (WSDA) fruit and vegetable inspectors and apple shippers rely on correct references and standards in chapter 16-403 WAC in order to correctly identify standards for apples marketed within the state of Washington. Having incorrect references and standards creates confusion.

Statutory Authority for Adoption: RCW 15.17.030 and chapter 34.05 RCW.

Statute Being Implemented: RCW 15.17.050 and [15.17].060.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: WSDA, governmental.

Name of Agency Personnel Responsible for Drafting: Jeff Larsen, 1111 Washington Street S.E., Olympia, WA 98504, 360-902-1960; Implementation and Enforcement: Jim Nelson, 270 9th Street N.E., Suite 101-A, East Wenatchee, WA 98802, 509-662-6161.

This notice meets the following criteria to use the expedited adoption process for these rules:

Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: The agency believes the expedited rule-making process is appropriate

because the proposed action only corrects typographical errors without changing the effect of the rule per RCW 34.05.353 (1)(c).

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Henri Gonzales, Agency Rules Coordinator, WSDA, P.O. Box 42560, Olympia, WA 98504-2560, phone 360-902-1802, fax 360-902-2092, email wsdarulescomments@agr.wa.gov, AND RECEIVED BY May 21, 2018.

March 21, 2018
 Jason Ferrante
 Assistant Director

AMENDATORY SECTION (Amending WSR 17-03-002, filed 1/4/17, effective 2/4/17)

WAC 16-403-064 Color requirements. (1) Faded brown stripes may not be considered as color.

(2) The color requirements for any variety may not be less than those required under the United States standards for the varieties and the respective variety grades of apples under 7 C.F.R. Sec. 51.305 (effective December 19, 2002), which color standards are incorporated by reference.

(3) Solid red varieties: The color percentage requirement stated below refers to the area of the surface which must be covered with a good shade of solid red characteristic of the variety. However, an apple having color of a lighter shade of solid red or striped red than that considered as a good shade of red characteristic of the variety may be admitted to a grade provided it has sufficient additional area covered so that the apple has as good an appearance as one with the minimum percentage of good red characteristic of the variety required for the grade, subject to the limitations set forth below.

Color shade percentages for solid red varieties.

Variety	Extra Fancy Good Shade Percent	Extra Fancy Lighter Shade Percent	Fancy Good Shade Percent	Fancy Lighter Shade Percent
Beacon	33 1/3	33 1/3	15	15
Empire	50	66	33	40
Idared	66	66	40	40
((Spartan	50	66	33	40))
Jonathan	50	66	33	40
Melrose	66	66	40	40
Red Delicious	66	66	40	40
Red Rome	66	66	40	40

Variety	Extra Fancy Good Shade Percent	Extra Fancy Lighter Shade Percent	Fancy Good Shade Percent	Fancy Lighter Shade Percent
Spartan	((66)) 50	66	((40)) 33	40
Winesap	66	66	40	40
Other similar varieties	50	66	33	40
Red sport varieties	66	66	40	40

(4) Striped red varieties:

The percentage stated refers to the area of the surface in which stripes of a good shade of red characteristic of the variety predominate over stripes of lighter red, green or yellow. However, an apple having color of a lighter shade than that considered as a good shade of red characteristic of the variety may be admitted to a grade provided it has sufficient additional area covered so that the apple has as good an appearance as one with the minimum percentage of good red characteristic of the variety required for the grade, subject to the limitations set forth below.

Color requirements for striped or partial red varieties.

Variety	Extra Fancy Good Shade Percent	Extra Fancy Lighter Shade Percent	Fancy Good Shade Percent	Fancy Lighter Shade Percent
Akane	33 1/3	33 1/3	15	15
Cameo	33 1/3	33 1/3	15	15
Cortland	50	50	33	33
Delicious	50	50	25	25
Red Fuji	50	50	33	33
Red Gala	50	50	33	33
Honeycrisp	33 1/3	33 1/3	15	15
Jonamac	50	50	33	33
Liberty	33 1/3	33 1/3	15	15
Early McIntosh	33 1/3	33 1/3	15	15
McIntosh	35	50	15	33
Nittany	25	25	10	10
Rome	35	50	15	33
Rome Beauty	50	50	33	33
Starkrimson	33 1/3	33 1/3	15	15
Stayman	50	50	33	33
Tydemant Red	33 1/3	33 1/3	15	15
Winesap	50	50	25	25
York	50	50	33	33
Other similar varieties	50	50	25	25

(5) Red cheeked or blushed varieties.

(a) Blush cheek means at least ten percent of the surface has blush color characteristic of the variety.

(b) Tinge of color means the apples has any amount of the surface area of blush type color which predominates over the background color of the apple.

(c) Color requirements for red cheeked or blushed varieties:

Variety	Extra Fancy Percent	Fancy Percent
Ambrosia	Blush cheek	Tinge of color
Arlet or Swiss Gourmet	Blush cheek	Tinge of color

Variety	Extra Fancy Percent	Fancy Percent
Braeburn	Blush cheek	Tinge of color
Envy	Blush cheek	Tinge of color
Elstar	Blush cheek	Tinge of color
Fuji	Blush cheek	Tinge of color
Gala	Blush cheek	Tinge of color
Gala Supreme	Blush cheek	Tinge of color
Royal Gala	Blush cheek	Tinge of color
Blushing Golden Delicious	Blush cheek	Tinge of color

Variety	Extra Fancy Percent	Fancy Percent
Jazz	Blush cheek	Tinge of color
Jonagold	Blush cheek	Tinge of color
Lady Alice	Blush cheek	Tinge of color
Molleys Delicious	Blush cheek	Tinge of color
Pacific Rose	Blush cheek	Tinge of color
Pinata	Blush cheek	Tinge of color
Pomona	Blush cheek	Tinge of color
Sonata	Blush cheek	Tinge of color
Sonya	Blush cheek	Tinge of color
Swiss Gourmet or Arlet	Blush cheek	Tinge of color
Other similar varieties	Blush cheek	Tinge of color

AMENDATORY SECTION (Amending WSR 06-12-117, filed 6/7/06, effective 7/8/06)

WAC 16-403-145 Red, partial red or blushed varieties—Washington extra fancy. Washington extra fancy consists of apples of one variety (except when more than one variety is printed on the container) which are mature but not overripe, clean, fairly well formed; free from decay, internal browning, internal breakdown, scald, scab, freezing injury, visible watercore, and broken skins and bruises except those which are slight and incident to proper handling and packing. The apples are also free from injury caused by smooth net-like russetting, sunburn or spray-burn, limb rubs, hail, drought spots, scars, disease, insects, or other means; and free from damage by smooth solid, slightly rough or rough russetting, or stem or calyx cracks, Jonathan spot, bitter pit and free from damage by invisible watercore after January 31st of the year following the year of production: Provided, That smooth net-like russetting and/or invisible watercore shall not be a quality factor of Fuji variety at any time of the year. Each apple of this grade has the amount of color specified in WAC ((46-403-155)) 16-403-064 for the variety.

AMENDATORY SECTION (Amending WSR 06-12-117, filed 6/7/06, effective 7/8/06)

WAC 16-403-150 Red, partial red or blushed varieties—Washington fancy. Washington fancy consists of apples of one variety (except when more than one variety or commodity is printed on the container) which are mature but not overripe, clean, fairly well formed; free from decay, internal browning, internal breakdown, scald, freezing injury, visible watercore, and broken skins and bruises, except those which are incident to proper handling and packing. The apples are also free from damage caused by russetting, sunburn or sprayburn, limb rubs, hail, drought spots, scars, stem or calyx cracks, Jonathan spot, bitter pit, disease, insects, invisible watercore after January 31st of the year following the year of production, or damage by other means: Provided, That smooth net-like russetting and/or invisible watercore

shall not be a quality factor of Fuji variety at any time of the year. Each apple of this grade has the amount of color specified in WAC ((46-403-155)) 16-403-064 for the variety.

AMENDATORY SECTION (Amending WSR 06-12-117, filed 6/7/06, effective 7/8/06)

WAC 16-403-160 Green or yellow varieties—Washington extra fancy. Washington extra fancy consists of apples of one variety (except when more than one variety or commodity is printed on the container) which are mature but not overripe, clean, fairly well formed; free from decay, internal browning, internal breakdown, scald, scab, freezing injury, visible watercore, broken skins and bruises except those which are slight and incident to proper handling and packing. The apples are also free from slightly rough or rough russetting, provided, russetting other than rough or bark-like russetting materially affecting the appearance of the apple shall be permitted in the stem cavity or calyx basin if it cannot be seen when the apple is placed stem end or calyx end down on a flat surface. The apples are also free from injury caused by smooth net-like russetting, smooth solid russetting, sunburn or sprayburn, limb rubs, hail, drought spots, scars, disease, insects, stem or calyx cracks, or other means; and free from damage by Jonathan spot, bitter pit and by invisible watercore after January 31st of the year following the year of production. ((Each apple of this grade has the amount of color specified in WAC 16-403-175 for the variety.))

AMENDATORY SECTION (Amending WSR 06-12-117, filed 6/7/06, effective 7/8/06)

WAC 16-403-165 Green or yellow varieties—Washington fancy. Washington fancy consists of apples of one variety (except when more than one variety or commodity is printed on the container) which are mature but not overripe, clean, fairly well formed; free from decay, internal browning, internal breakdown, scald, freezing injury, visible watercore, and broken skins and bruises except those which are incident to proper handling and packing. The apples are also free from damage caused by russetting, sunburn or sprayburn, limb rubs, hail, drought spots, scars, stem or calyx cracks, Jonathan spot, bitter pit, disease, insects, invisible watercore after January 31st of the year following the year of production, or damage by other means. ((Each apple of this grade has the amount of color specified in WAC 16-403-175 for the variety.))

AMENDATORY SECTION (Amending WSR 06-12-117, filed 6/7/06, effective 7/8/06)

WAC 16-403-170 Green or yellow varieties—Washington C grade. The requirements of this grade are the same as for Washington fancy except for ((color,)) russetting and invisible watercore. Apples of this grade are free from excessive damage caused by russetting which means that apples meet the russetting requirements for Washington fancy as defined under the definitions of "damage by russetting," except the aggregate area of an apple which may be covered by smooth net-like russetting shall not exceed 25 percent; and the aggregate area of an apple which may be covered by

smooth solid russeting shall not exceed 10 percent: Provided, That in the case of the Yellow Newtown, Granny Smith or similar varieties the aggregate area of an apple which may be covered with smooth solid russeting shall not exceed 20 percent; and the aggregate area of an apple which may be covered with excessively rough or barklike russeting or limb rubs shall not exceed the area of a circle three-fourths of an inch in diameter. ((Each apple of this grade has the amount of color specified in WAC 16-403-175 for the variety.)) There is no requirement in this grade pertaining to invisible watercore.

WSR 18-07-118
EXPEDITED RULES
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed March 21, 2018, 11:51 a.m.]

Title of Rule and Other Identifying Information: Amends WAC 181-79A-150 to remove reference to school worker programs that are no longer required.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: All school social work education preparation programs closed in 2015. The board enacted rule changes that remove program requirements and replace them with nonprogram requirements.

Reasons Supporting Proposal: The referenced programs no longer are required.

Statutory Authority for Adoption: RCW 28A.410.220.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Professional educator standards board (PESB), governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: David Brenna, 600 Washington Street S.E., Olympia, WA 98504, 360-725-6238.

This notice meets the following criteria to use the expedited adoption process for these rules:

Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: Clarifies language.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO David Brenna, PESB, 600 Washington Street S.E., Olympia, WA 98504, phone 360-

725-6238, fax 360-586-4548, email david.brenna@k12.wa.us, AND RECEIVED BY May 22, 2018.

March 15, 2018
David Brenna
Senior Policy Analyst

AMENDATORY SECTION (Amending WSR 11-15-038, filed 7/13/11, effective 8/13/11)

WAC 181-79A-150 General requirements—Teachers, administrators, educational staff associates and first peoples' language, culture, and oral tribal traditions teachers. The following requirements are to be met by candidates for certification as teachers including career and technical education teachers, administrators, educational staff associates, or first peoples' language, culture, and oral tribal traditions teachers:

(1) Age. No person who is less than eighteen years of age shall receive a certificate to serve in the public or nonpublic schools of Washington state.

(2) Character. Applicants for certificates in Washington state who are not holders of a valid Washington state teacher's, administrator's, educational staff associate's, career and technical education, or first peoples' language, culture, and oral tribal traditions teacher's certificate must give evidence of good moral character and personal fitness as specified in WAC 181-79A-155 and must complete a record check through the Washington state patrol criminal identification system and through the Federal Bureau of Investigation at the applicant's expense as required by RCW 28A.410.010; such record check shall include a fingerprint check using a Washington state patrol approved fingerprint card: Provided, That the superintendent of public instruction may waive the record check for an applicant who has had a record check within the two years prior to application.

(3) Degrees and course work. A candidate for certification shall hold appropriate degrees, licenses, and additional course work as prescribed in chapters 181-79A and 181-77 WAC or have qualified under WAC 181-79A-257 or 181-78A-700.

(4) Approved preparation program. Applicants for certification as teachers, administrators, school counselors, and school psychologists (~~and school social workers~~), except as otherwise provided in WAC 181-79A-257, and 181-79A-231, and in chapter 181-77 WAC, in order to be certified within the state of Washington shall have completed a state approved preparation program in the professional field for which certification is to be issued; such program shall have included a defined course of study and a supervised internship as per chapter 181-78A WAC. Applicants for certification as first peoples' language, culture, and oral tribal traditions teachers shall have completed a sovereign tribal government's first peoples' language, culture, and oral tribal traditions teaching certification program.

(5) Assessments. See RCW 28A.410.220.