

WSR 22-06-070

EXPEDITED RULES

DEPARTMENT OF AGRICULTURE

[Filed February 28, 2022, 11:54 a.m.]

Title of Rule and Other Identifying Information: Chapter 16-414 WAC, Washington standards for cherries.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: In 2006, the department amended chapter 16-414 WAC. One of the amendments repealed the shipping container requirements specified in WAC 16-414-085 to allow growers/packers and shippers to pack and market various types of containers that may be requested or required by buyers and the consuming public. WAC 16-414-086 still specifies how to obtain an exemption to the shipping container requirements specified in WAC 16-414-085. Since the shipping container requirements in WAC 16-414-085 were repealed, there is no longer a need to obtain container size exemptions. This proposal repeals the obsolete shipping container exemption language in WAC 16-414-086.

Reasons Supporting Proposal: When WAC 16-414-085 was repealed, WAC 16-414-086 became obsolete. The proposed amendment will add clarity to stakeholders by removing rule language that is no longer necessary.

Statutory Authority for Adoption: RCW 15.17.030 and 15.17.050.

Statute Being Implemented: Chapter 15.17 RCW.

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

Name of Proponent: Washington state department of agriculture, governmental.

Name of Agency Personnel Responsible for Drafting: Reanna McNamara, 1111 Washington Street S.E., Olympia, WA 98504, 360-902-1997; Implementation and Enforcement: Brenda Buckmiller, 270 9th Street N.E., Suite 101-A, East Wenatchee, WA 98802-7674, 509-885-4500.

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

The rule is no longer necessary because of changed circumstances.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: The proposed amendment repeals WAC 16-414-086 since it became no longer necessary when WAC 16-414-085 was repealed in 2006.

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 Gloriann Robinson, Agency Rules Coordinator, Washington State Department of Agriculture, 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 23, 2022.

February 25, 2022
Jessica Allenton
Assistant Director

OTS-3654.1

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-414-086	Can the director grant exemptions to the container requirements listed in WAC 16-414-085?
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