



PROPOSED RULE MAKING

CR-102 (July 2022)
(Implements RCW 34.05.320)
Do **NOT** use for expedited rule making

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OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 17, 2025

TIME: 7:46 AM

WSR 25-19-090

Agency: Washington State Department of Agriculture

☒ **Original Notice**

☐ **Supplemental Notice to WSR** _____

☐ **Continuance of WSR** _____

☒ **Preproposal Statement of Inquiry was filed as WSR 25-15-151 ; or**

☐ **Expedited Rule Making--Proposed notice was filed as WSR** _____; or

☐ **Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or**

☐ **Proposal is exempt under RCW** _____.

Title of rule and other identifying information: (describe subject) Chapter 16-610 WAC, Livestock Identification

Hearing location(s):

Date:

Time:

Location: (be specific)

Comment:

October 23, 2025

10:00 a.m.

Remotely through Microsoft
Teams
[Join by link:
https://teams.microsoft.com/l/meetup-join/19%3ameeting_MjlhNzdmZDUtZTQ4OC00ODY5LTkzNjgtNmZhOTFhZDMwZDNj%40thread.v2/0?context=%7b%22Tid%22%3a%2211d0e217-264e-400a-8ba0-57dcc127d72d%22%2c%22Oid%22%3a%228067d4fb-227d-4cd5-a00a-7902df280a3c%22%7d

Meeting ID: 250 976 126 202
Passcode: 5Zy77q6M

Join by phone:
+1 564-999-2000

Phone conference ID:
581 846 173#]

Date of intended adoption: October 30, 2025 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Gloriann Robinson, Agency Rules Coordinator

Address: PO Box 42560, Olympia, Washington 98504-2560

Email: WSDARulesComments@agr.wa.gov

Fax: 360) 902-2092

Other:

By (date) 5:00 PM October 23, 2025

Assistance for persons with disabilities:

Contact Kelsey Lindstrom, Animal Services Division Coordinator

Phone: (360) 725-5642

Fax: 360) 902-2087

TTY: 800-833-6388

Email: Kelsey.lindstrom@agr.wa.gov

Other:

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The Department is considering amending WAC 16-610-122 to change the reference to the type of document that must be obtained before livestock can be removed from a public livestock market from “livestock clearance from the Director” to “livestock inspection certificate”.

Reasons supporting proposal:

WAC 16-610-122 serves a foundational role in regulating the removal of cattle and horses from public livestock markets in Washington State. At its core, the rule establishes a clearly defined legal framework for how animals can be moved out of these markets, specifying that proper documentation—currently, a livestock inspection clearance from the Director—must be obtained before removal. The purpose of this requirement is to ensure that only lawful owners, or their authorized agents, are able to take custody of livestock, thereby affirming ownership and authenticity of transactions.

This verification process is fundamental in preventing fraud and theft, risks that are inherent wherever valuable commodities like livestock are transferred or sold. By mandating official inspections and the issuance of a release to the person taking the animals, the rule creates a transparent trail of documentation. This trail is vital for market operators, regulatory agencies, and law enforcement, as it not only deters improper or unauthorized removals, but also bolsters the state’s capacity to trace animal movements. Such traceability plays a key role in responding to outbreaks of livestock disease, protecting public health, and maintaining the integrity of the broader agricultural supply chain.

Ambiguous language—such as the reference to “livestock inspection clearance from the director”—creates unnecessary confusion among market operators and attendees regarding what documentation is required to remove livestock from the market. This ambiguity weakens enforceability and creates potential compliance inconsistencies. To correct this weakness, the department is proposing to change the name of the document required to remove animals from the public livestock market to “Livestock Inspection Certificate” to accurately reflect the name of the document being issued.

Statutory authority for adoption: RCW 16.65.020

Statute being implemented: Chapter 16.65 RCW

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None

Type of proponent: ☐ Private ☐ Public ☒ Governmental

Name of proponent: (person or organization) Washington State Department of Agriculture

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Brennan Kimbel	1111 Washington St. SE Olympia, WA 98504	(360) 902-1808
Implementation:	Brennan Kimbel	1111 Washington St. SE Olympia, WA 98504	(360) 902-1808
Enforcement:	Joel Williams	1111 Washington St. SE Olympia, WA 98504	(360) 688-4294

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)?

☐ Yes ☒ No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

Is a cost-benefit analysis required under [RCW 34.05.328](#)?

☐ Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

Phone:
Fax:
TTY:
Email:
Other:

☒ No: Please explain: The Washington State Dept. of Agriculture is not a listed agency under RCW 34.05.328(5)(a)(i)

Regulatory Fairness Act and Small Business Economic Impact Statement

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

☐ This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

☐ This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:

- | | |
|---|--|
| <input type="checkbox"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |

☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#) (does not affect small businesses).

☐ This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: *Check one.*

☐ The rule proposal is fully exempt (*skip section 3*). Exemptions identified above apply to all portions of the rule proposal.

☐ The rule proposal is partially exempt (*complete section 3*). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):

☒ The rule proposal is not exempt (*complete section 3*). No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

☒ No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. Based on the analysis of the proposed amendment, a full Small Business Economic Impact Statement (SBEIS) is not required for this rulemaking. The proposed amendment codifies current practices that are already in effect at all public livestock markets in Washington State and does not introduce any new procedures or requirements. Accordingly, the proposed amendment is not expected to result in any costs for affected businesses.

☐ Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name: Gloriann Robinson, Agency Rules Coordinator
Address: PO Box 42560, Olympia, WA 98504-2560
Phone: (360) 902-1802

Fax:
TTY:
Email: wsdarulescomments@agr.wa.gov
Other:

Date: September 17, 2025

Name: Jodi Jones

Title: Animal Services Operations Director

Signature:

A handwritten signature in blue ink that reads "Jodi Jones". The signature is written in a cursive, flowing style.

WAC 16-610-122 Release of cattle and horses from public livestock markets. (1) Before allowing the removal of any cattle or horses from any public livestock market, a licensee or the licensee's agent or employee must:

(a) Obtain a livestock inspection (~~(clearance from the director)~~) certificate for the cattle or horses being removed; and

(b) Issue a release to the person wishing to remove the cattle or horses.

(2) The licensee shall hold proceeds from the sale of impounded cattle or horses for a reasonable period of time not to exceed (~~(thirty)~~) 30 days to permit the consignor to establish ownership or the right to sell the cattle or horses. If the consignor fails to establish legal ownership or the right to sell the cattle or horses, the proceeds shall be paid to the director to be disposed of as any other estray proceeds under RCW 16.57.300.

(3) Cattle and horses that have been offered for sale at a public livestock market but did not sell, will not be assessed an additional inspection fee upon reconsignment if:

(a) The reconsignment occurs within eight days of the original sale;

(b) The animals are reconsigned to the original sale facility;

(c) The animals have not been removed from the original sale facility before reconsignment;

(d) The animals have not been commingled with other animals; and

(e) No animals have been added or removed from the group.