



STATE OF WASHINGTON

DEPARTMENT OF AGRICULTURE

P.O. Box 42560 • Olympia, Washington 98504-2560 • (360) 902-1800

Date: June 30, 2020

To: Office of the Code Reviser
Joint Administrative Rules Review Committee
Office of Financial Management
Agency Rule Coordinators:
Agricultural Commodity Commissions
Department of Corrections
Department of Ecology
Department of Fish and Wildlife
Department of Health
Department of Labor and Industries
Department of Natural Resources
Department of Transportation
Forest Practices Board
Liquor and Cannabis Board
Noxious Weed Control Board
Parks and Recreation Commission

From: Gloriann Robinson, Rules Coordinator
Washington State Department of Agriculture

Re: Semi-Annual Rules Development Agenda
July 1 through December 31, 2020

Attached is the Department of Agriculture's semi-annual rules development agenda for the period of July 1 through December 31, 2020. This document is being sent to you in compliance with RCW 34.05.314.

The Department may undertake additional rule-making activity as conditions warrant. If you have questions regarding the Department's rule-making agenda, please contact me at (360) 902-1802 or grobinson@agr.wa.gov.

Attachment

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 30, 2020

TIME: 7:28 AM

WSR 20-14-078

**Washington State Department of Agriculture
SEMI-ANNUAL RULES DEVELOPMENT AGENDA
July 1, 2020 – December 31, 2020**

WAC Chapter	Rule Title or Subject	Agency Contact	Tentative Timeline			Subject of Rule Making
			CR-101 CR-105	CR-102	CR-103	
New	Produce Safety	Jill Wisehart Produce Safety Program Phone: (360) 545-7071 jwisehart@agr.wa.gov	Jan. 2019	TBD	TBD	Establishes in rule a voluntary program for farms exempt or partially exempt from the federal Produce Safety Rule (21 CFR Part 112) to verify that such farms comply with the federal rule.
16-06	Public Records	Hannah Flournoy Admin. Regulations Phone: (360) 902-1809 hflournoy@agr.wa.gov	May 2020	Expedited	July 2020	Replaces language that duplicates public disclosure exemptions already specified in the Public Records Act (chapter 42.56 RCW) with a general reference to the Public Records Act and only list specific exemptions that are specified in other statutes and exemptions the agency is required by statute to detail in rule. Adds information on submitting public records requests through an online web portal and language regarding inspecting records; repeals the exemption for industrial hemp research; and adds language referencing the department's website to obtain a list of common record exemptions.
16-19	Custom Farm Slaughter, Custom Slaughtering Establishments and Custom Meat Facilities	David Smith Food Safety Program Phone: (360) 902-1952 dsmith@agr.wa.gov	June 2020	Expedited	Aug. 2020	Updates the rule to reflect the restructuring of chapter 69.04 RCW which moved the food related requirements into chapter 15.130 RCW.
16-54	Animal Importation	Jodi Jones Animal Services Division Phone: (360) 902-1889 jjones@agr.wa.gov	Feb. 2019 Aug. 2020	TBD	TBD	Clarifies that dogs imported into Washington State must have a negative heartworm test prior to entry and allows horses to enter the state on an electronic equine certificate of veterinary inspection.

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16-70	Animal Diseases-Reporting	Jodi Jones Animal Services Division Phone: (360) 902-1889 jjones@agr.wa.gov	Feb. 2019 Aug. 2020	TBD	TBD	Updates the diseases that need to be reported to the State Veterinarians office and the timeframes associated with reporting.
16-80	Swine Diseases in Washington State	Jodi Jones Animal Services Division Phone: (360) 902-1889 jjones@agr.wa.gov	Feb. 2019 Aug. 2020	TBD	TBD	Removes reference to the department's laboratory for blood samples from Washington swine; updates USDA CFR citations.
16-89	Sheep and Goat Diseases in Washington State	Jodi Jones Animal Services Division Phone: (360) 902-1889 jjones@agr.wa.gov	Feb. 2019 Aug. 2020	TBD	TBD	Removes Q fever testing requirements; updates USDA CFR citations.
16-125	Farm Milk Storage Tanks and Bulk Milk Tanker Requirements	David Smith Food Safety Program Phone: (360) 902-1952 dsmith@agr.wa.gov	June 2020	Expedited	Aug. 2020	Updates the rule to reflect the restructuring of chapter 69.04 RCW which moved the food related requirements into chapter 15.130 RCW and removes an outdated reference to chapter 42.17 RCW.
16-129	Labeling and Advertising of Products Resembling Genuine Dairy Products	David Smith Food Safety Program Phone: (360) 902-1952 dsmith@agr.wa.gov	June 2020	Expedited	Aug. 2020	Readopts a section to reflect the restructuring of chapter 69.04 RCW which moved the food related requirements into chapter 15.130 RCW.
16-130	Direct Sellers	David Smith Food Safety Program Phone: (360) 902-1952 dsmith@agr.wa.gov	June 2020	Expedited	Aug. 2020	Updates and readopts sections to reflect the restructuring of chapter 69.04 RCW which moved the food related requirements into chapter 15.130 RCW.
16-139	Penalties	David Smith Food Safety Program Phone: (360) 902-1952 dsmith@agr.wa.gov	June 2020	Expedited	Aug. 2020	Updates and readopts sections to reflect the restructuring of chapter 69.04 RCW which moved the food related requirements into chapter 15.130 RCW and removes other outdated statutes.
16-142	Perishable Packaged Food Goods – Pull Dating	David Smith Food Safety Program Phone: (360) 902-1952 dsmith@agr.wa.gov	June 2020	Expedited	Aug. 2020	Updates the rule to reflect the restructuring of chapter 69.04 RCW which moved the food related requirements into chapter 15.130 RCW and changes the

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						section titles from a Q&A format to a statement/phrase format.
16-144	Processing Frozen Desserts	David Smith Food Safety Program Phone: (360) 902-1952 dsmith@agr.wa.gov	June 2020	Expedited	Aug. 2020	Updates the rule to reflect the restructuring of chapter 69.04 RCW which moved the food related requirements into chapter 15.130 RCW and changes the section titles from a Q&A format to a statement/phrase format.
16-149	Cottage Foods	David Smith Food Safety Program Phone: (360) 902-1952 dsmith@agr.wa.gov	June 2020	Expedited	Aug. 2020	Updates the rule to reflect the restructuring of chapter 69.04 RCW which moved the food related requirements into chapter 15.130 RCW, and to align with the revised labeling requirements in House Bill 2217 (chapter 171 Laws of 2020).
16-160	Registration of materials for organic food production	Brenda Book Organic Program Phone: (360) 902-2090 bbook@agr.wa.gov	Oct. 2019	Aug. 2020	Sept. 2020	Increases the registration fees and restructures the fee schedule. Updates the registered material logo.
16-161	Standards for the Production of Marijuana	Brenda Book Organic Program Phone: (360) 902-2090 bbook@agr.wa.gov	Oct. 2017	TBD	TBD	Establishes in rule standards for the production of marijuana that would be consistent with the requirements of the U.S. Dept. of Agriculture's National Organic Program as provided for in chapter 317, Laws of 2017.
16-165	Food Inspection	David Smith Food Safety Program Phone: (360) 902-1952 dsmith@agr.wa.gov	June 2020	Expedited	Aug. 2020	Updates and readopts sections to reflect the restructuring of chapter 69.04 RCW which moved the food related requirements into chapter 15.130 RCW and corrects other outdated statutes and federal regulations references.
16-167	Intrastate Commerce in Foods	David Smith Food Safety Program Phone: (360) 902-1952 dsmith@agr.wa.gov	June 2020	Expedited	Aug. 2020	Readopts sections to reflect the restructuring of chapter 69.04 RCW which moved the food related requirements into chapter 15.130 RCW.

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16-168	Approved Independent Sanitation Consultants for Food Storage Warehouses	David Smith Food Safety Program Phone: (360) 902-1952 dsmith@agr.wa.gov	June 2020	Expedited	Aug. 2020	Updates the rule to reflect the restructuring of chapter 69.04 RCW which moved the food related requirements into chapter 15.130 RCW and changes the section titles from a Q&A format to a statement/phrase format.
16-170	Special Permits for Slaughtering Poultry	David Smith Food Safety Program Phone: (360) 902-1952 dsmith@agr.wa.gov	June 2020	Expedited	Aug. 2020	Updates the rule to reflect the restructuring of chapter 69.04 RCW which moved the food related requirements into chapter 15.130 RCW and changes the section titles from a Q&A format to a statement/phrase format.
16-218	Hops-Certification Analyses - Fees	Mike Firman Chemical & Hop Lab. Phone: (509) 249-6943 mfirman@agr.wa.gov	June 2020	TBD	TBD	Increases several hop certification related fees in order to stabilize and maintain the financial health of the Hop Inspection Program.
16-228	General Pesticide Rules	Christina Zimmerman Pesticide Licensing Phone: (360) 902-2150 czimmerman@agr.wa.gov	Nov. 2018 July 2020	TBD	TBD	Amends provisions regarding pesticide exams in order to have the option to contract out for third party administration of testing.
16-228	General Pesticide Rules	Tim Schultz Pesticide Compliance Phone: (509) 994-0936 tschultz@gr.wa.gov	Jan. 2020	TBD	TBD	Modifies the penalty calculation for pesticide violations.
16-232	Use restricted herbicides in certain counties.	Tim Schultz Pesticide Compliance Phone: (509) 994-0936 tschultz@gr.wa.gov	Aug. 2020	TBD	TBD	Updates legal descriptions and area boundaries in Eastern Washington counties regarding phenoxy hormone requirements.
16-233	Worker Protection Standards	Tim Schultz Pesticide Compliance Phone: (509) 994-0936 tschultz@gr.wa.gov	April 2020	Expedited	Oct. 2020	Adopts the same language that the Department of Labor and Industries adopted in chapter 296-307 WAC.
16-240	WSDA Grain Inspection Program –	Philip Garcia Grain Inspection Program Phone: (360) 902-1921	Jan. 2020	TBD	TBD	Amends the grain inspection fee schedule, updates federal agency references and clarifies language.

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	Definitions, Standards and Fees	pgarcia@agr.wa.gov				
16-302	General Rules for Seed Certification	Paula Moore Seed Inspection Program Phone: (509) 249-6950 pmoore@agr.wa.gov	Jan. 2020	Aug 2020	Oct 2020	Amends the rule in regards to plants with the AXigen trait, allowances for ascochyta blight in chickpea fields, tolerances for triticale in wheat seed, and amending seed standards regarding CoAXium varieties. <i>Proposed in response to petition for rule making.</i>
16-303	Seed Assessment, Fees for Seed Services and Seed Certification	Paula Moore Seed Inspection Program Phone: (509) 249-6950 pmoore@agr.wa.gov	Feb. 2019	TBD	TBD	Amends the fee schedule in order to recover the costs of providing service.
16-390	Fruit & Vegetable Inspection Fees and Other Charges	Greg Haubrich Pest Program Phone: (360) 902-2071 ghaubrich@agr.wa.gov	Feb. 2020	May 2020	July 2020	Increases the apple maggot survey fee specified in WAC 16-390-230.
16-462	Grape Planting Stock Registration & Certification	Cindy Cooper Plant Services Program Phone: (360) 902-2062 ccooper@agr.wa.gov	Jan. 2019	July 2020	Sept. 2020	Amends certification definitions and standards to harmonize with other Northwest states. <i>Proposed in response to petition for rule making.</i>
16-470	Quarantine – Agricultural Pests (Hornet Quarantine)	Greg Haubrich Pest Program Phone: (360) 902-2071 ghaubrich@agr.wa.gov	July 2020	TBD	TBD	Adds multiple species of hornet to the list of quarantined pests.
16-483	Grape Pest Quarantine	Cindy Cooper Plant Services Program Phone: (360) 902-2062 ccooper@agr.wa.gov	Jan. 2019	Aug. 2020	Oct. 2020	Amends the grape pest quarantine to harmonize the pest list with other Northwest states, and to clarify actions required if quarantine pests are found within Washington. <i>Proposed in response to petition for rule making.</i>
16-501	WSDA Procedural Rules – Commodity	Teresa Norman Admin. Regulations Phone: (360) 902-2043	Aug. 2020	TBD	TBD	Requires petitioners who wish to issue, amend, or terminate a marketing order to deposit funds with the Director to defray

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	Boards or Commissions	tnorman@agr.wa.gov				expenses incurred by the department, in accordance with chapters 15.65 and 15.66 RCW.
16-700	State Fair Fund – Proration	Teresa Norman Admin. Regulations Phone: (360) 902-2043 tnorman@agr.wa.gov	Aug. 2020	Expedited	Nov. 2020	Removes the requirement for fairs to be nonprofit in order to align with chapter 15.76 RCW.
16-730	Asparagus Equipment Leasing Program	Teresa Norman Admin. Regulations Phone: (360) 902-2043 tnorman@agr.wa.gov	April 2020	Expedited	July 2020	Repeals the rule, as the program is no longer active.
16-731	Asparagus Grower Equipment Leasing Program	Teresa Norman Admin. Regulations Phone: (360) 902-2043 tnorman@agr.wa.gov	April 2020	Expedited	July 2020	Repeals the rule, as the program is no longer active.
16-752	Noxious Weed Seed and Plant Quarantine	Cindy Cooper Plant Services Program Phone: (360) 902-2062 ccooper@agr.wa.gov	Oct. 2018 June 2020	Aug. 2020	Oct. 2020	Adds additional species to the noxious weed, seed and plant quarantine; updates scientific names. <i>Proposed in response to petition for rule making.</i>