



# PREPROPOSAL STATEMENT OF INQUIRY

## CR-101 (October 2017) (Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

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FILED

DATE: February 05, 2020

TIME: 8:22 AM

WSR 20-04-087

**Agency:** Department of Agriculture

**Subject of possible rule making:** Revisions to Chapter 16-390 WAC, Fruit and Vegetable Inspection Fees and Other Charges. The Department is considering increasing the apple pest certification fee specified in WAC 16-390-230.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 17.24.101 and RCW 17.24.131

**Reasons why rules on this subject may be needed and what they might accomplish:** The apple maggot is an invasive insect pest native to Eastern North America. Its hosts include apples, crabapple, and hawthorn. In its larval development stage it can cause extensive damage to fruit. It is economically significant to the Washington apple crop not only due to its ability to cause physical crop damage, but also because fruit from apple-maggot free areas or locations have greater market access for international shipments.

The apple pest certification fee is used to fund annual surveys for apple maggot. The fee was last increased in 2006 in order to conduct expanded apple maggot surveys to comply with international standards. In recent years, the apple pest certification fund balance has decreased to the level that the program cannot continue to provide the same level of survey. Additionally, the program has recently experienced increased operational costs. Increasing the existing fee is needed to continue providing the current level of survey to help manage and prevent the possible movement of apple maggot from infested areas into pest-free areas, secure continued access to international and interstate markets, and protect the commercial tree fruit industry from an economically significant pest.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** None

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) Department staff will discuss any proposed amendments with affected stakeholders groups, including the WSDA Apple Maggot Working Group. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present oral testimony at the public hearing.

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

Name: Brad White, Assistant Director  
Plant Protection Division  
Washington State Department of Agriculture  
Address: PO Box 42560  
Olympia, WA 98504-2560  
Phone: (360) 902-1907  
Fax: (360) 902-2094  
TTY: (800) 833-6388 or 711  
Email: [bwhite@agr.wa.gov](mailto:bwhite@agr.wa.gov)  
Web site: <https://agr.wa.gov/services/rulemaking>

(If necessary)

Name: Greg Haubrich, Pest Program Manager  
Plant Protection Division  
Washington State Department of Agriculture  
Address: PO Box 42560  
Olympia, WA 98504-2560  
Phone: (360) 902-2071  
Fax: (360) 902-2094  
TTY: (800) 833-6388 or 711  
Email: [ghaubrich@agr.wa.gov](mailto:ghaubrich@agr.wa.gov)  
Web site: <https://agr.wa.gov/services/rulemaking>

Other:	Other:
Additional comments:	
<b>Date:</b> February 4, 2020	<b>Signature:</b> 
<b>Name:</b> Brad White	
<b>Title:</b> Assistant Director	