



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
(Implements RCW 34.05.310)  
Do NOT use for expedited rule making

**Agency:**

Agriculture

**Subject of possible rule making:**

Amend chapter WAC 16-461-010, *Inspection certificate and/or permit required*, by removing of the mandatory certification and twenty-one day recertification of Red Delicious and Delicious Varieties and making any amendments that are necessary to update the chapter and make it more usable.

**Statutes authorizing the agency to adopt rules on this subject:**

Chapter 15.17 RCW, *Standards of grades and pack*, specifically RCW 15.17.030, *Enforcement -- Director's duties -- Rules*; and chapter 34.05 RCW, *Administrative Procedure Act*.

**Reasons why rules on this subject may be needed and what they might accomplish:**

Grade standards imposed by retail buyers and the desire by the shippers to comply with those standards makes the mandatory certification and recertification of Red Delicious and Delicious varieties of apples in rule unnecessary.

**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)

Washington State Department of Agriculture staff members will develop the rule proposal. Industry representatives may review and comment on the proposed rule amendments and interested parties can participate in the public hearing and comment process, the dates of which will be announced when the agency files the rule proposal with the Code Reviser.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Jim Quigley, Program Manager  
Fruit and Vegetable Inspection Program  
P.O. Box 42560  
Olympia, Washington 98504-2560  
Phone: 360-902-1833; FAX: 360-902-2085  
Email: jquigley@agr.wa.gov

**DATE**

November 24, 2008

**NAME (TYPE OR PRINT)**

Dennis Hannapel

**SIGNATURE**

**TITLE**

Assistant Director, Commodity Inspection Division

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