

ANALYSIS OF HB 2062

House Agriculture & Ecology Committee

March 3, 1997

BACKGROUND:

Agricultural commodity commissions may be created under marketing orders or agreements adopted under the Agricultural Enabling Acts of 1955 or 1961. Under the 1955 Act, the Director of Agriculture preliminarily approves a proposed marketing order and submits it by referendum to affected parties. If the affected parties approve the referendum, the Director adopts the marketing order. (RCW 15.66.080 and 15.66.090.) Such a marketing order may be for: conducting programs for advertising and sales promotion; carrying-out research studies to find more efficient methods of production, processing, handling and marketing of agricultural commodity; establishing labeling requirements; and/or investigating and taking action to prevent unfair trade practices. (RCW 15.66.030.)

Legislation enacted in 1986 gave the Director of Agriculture regulatory authority over the production of rapeseed (canola) by variety and geographical location. This authority is granted until such time as a rapeseed commodity commission is created to assume that regulatory authority. (RCW 15.65.055 and 15.66.025.)

SUMMARY:

The purposes for which a marketing order may be adopted under the Agricultural Enabling Act of 1955 are expanded. Such an order may be for maintaining the purity and availability of agricultural seeds by establishing appropriate standards for sanitation and geographic isolation. (Sections 1(14) and 2(5).) A commodity commission created under such a marketing order may adopt and enforce implementing rules providing isolation between seed crops and other crops susceptible to cross-pollination or infection with diseases known to infect the seed crop. The rules may provide for the creation of a specific geographical area where the production of such other crops are restricted. (Section 3(11).)