

FINAL BILL REPORT

EHB 2773

C 235 L 02

Synopsis as Enacted

Brief Description: Revising standards for apple grades and packs and modifying provisions concerning consignment sale information.

Sponsors: By Representatives Clements, Linville, Chandler and Grant.

House Committee on Agriculture & Ecology

Senate Committee on Agriculture & International Trade

Background:

State laws require the director of the Department of Agriculture to establish standards and grades for apples, apricots, Italian prunes, peaches, sweet cherries, pears, potatoes, and asparagus and allow the director to establish them for other fruits and vegetables.

With certain exceptions, no person may act as a commission merchant, dealer, broker, or cash buyer for agricultural commodities, or as the agent of any of them, without being licensed under the state's commission merchant laws. A "commission merchant" is a person who receives an agricultural product on consignment for sale on commission on behalf of the consignor, or for processing and such a sale. It is also a person who accepts a farm product in trust from a consignor for the purpose of resale, who sells on commission an agricultural product, or who in any way handles an agricultural product for a consignor.

Summary:

Studies. The director of the Department of Agriculture must convene an existing industry committee on apple grades and packs to recommend, by consensus, revisions to the standards for grades and packs of apples. The objective is to identify a desired level of uniformity that will ensure that the apples of a particular variety, grade, and pack sold from one warehouse will be equivalent to the apples of the same variety, grade, and pack sold from other warehouses. If the industry committee recommends the revision by consensus by December 15, 2003, the director must give great weight to the recommendations in proposing the adoption of rules that reflect the consensus recommendations. If it does not make recommendations by consensus, the committee must report its findings and conclusions to the Department of Agriculture and the Legislature.

The Legislature invites various industry associations to conduct a thorough analysis of the

marketing information needs of the industry and report to the department and the Legislature. On issues for which consensus has not been reached, each industry organization is requested to provide a brief statement containing the perspective of that industry segment. The reports are requested to be submitted by December 15, 2003.

Imported Apples. Each commission merchant who received apples imported into the U. S. between January 1, 2002, and November 30, 2002, must report to the department of Agriculture on the volume of each variety of imported apples that was received by and packed and sold by the commission merchant. The information must be reported by December 15, 2002. The department must compile the information and report it, in the aggregate, to the Legislature by December 31, 2002. Such information that can be attributed to a particular business is not subject to disclosure under the state's public disclosure laws.

Votes on Final Passage:

House 98 0
Senate 48 0 (Senate amended)
House 96 0 (House concurred)

Effective: June 13, 2002