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HOUSE BILL 2892

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State of Washington

57th Legislature

2002 Regular Session

By Representatives Clements, Linville, Grant, Lisk, Armstrong, Mulliken, Chandler, Holmquist, Schoesler, Hatfield and Ogden

Read first time 02/01/2002. Referred to Committee on Agriculture & Ecology.

1 AN ACT Relating to selling apples for fresh consumption; and  
2 amending RCW 15.17.210.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 15.17.210 and 1998 c 154 s 14 are each amended to read  
5 as follows:

6 It is unlawful:

7 (1) To sell any fruits or vegetables:

8 (a) As meeting the standards for any fruit or vegetable as  
9 prescribed by the director unless they in fact do so;

10 (b) For which no standards have been established under this chapter  
11 unless ninety percent or more by weight or count, as determined by the  
12 director, are free from plant pest injury that has penetrated or  
13 damaged the edible portions and from worms, mold, slime, or decay;

14 (c) In containers other than the size and dimensions prescribed by  
15 the director by rule;

16 (d) Unless the containers in which the fruits or vegetables are  
17 placed or packed are marked with the proper grade and additional  
18 information as may be prescribed by rule. The additional information  
19 may include:

1 (i) The name and address of the grower, or packer, or distributor;  
2 (ii) The varieties of the fruits or vegetables;  
3 (iii) The size, weight, and either volume or count, or both, of the  
4 fruits or vegetables;  
5 (e) Which are in containers marked or advertised for sale or sold  
6 as being either graded or classified, or both, according to the  
7 standards prescribed by the director by rule unless the fruits or  
8 vegetables conform with the standards;  
9 (f) Which are deceptively packed;  
10 (g) Which are deceptively arranged or displayed;  
11 (h) Which are mislabeled; or  
12 (i) Which do not conform to this chapter or rules adopted under  
13 this chapter;  
14 (2) For any person to ship or transport or any carrier to accept  
15 any lot of fruits or vegetables without an inspection certificate,  
16 permit, or certificate of compliance when the director has prescribed  
17 by rule that such products be accompanied by an inspection certificate,  
18 permit, or certificate of compliance. The inspection certificate,  
19 permit, or certificate of compliance shall be on a form prescribed by  
20 the director and may include methods of denoting that all assessments  
21 provided for by law have been paid before the fruits or vegetables may  
22 lawfully be delivered or accepted for shipment;  
23 (3) For any person to refuse to submit any container, load, or  
24 display of fruits or vegetables for inspection by the director, or  
25 refuse to stop any vehicle or equipment containing such products for  
26 the purpose of inspection by the director; ((or))  
27 (4) For any person to move any fruits or vegetables or their  
28 containers to which any tag has been affixed, except as provided in RCW  
29 15.17.200; or  
30 (5) After October 1st of any calendar year, for any person to sell  
31 containers of apples, containing apples harvested in a prior calendar  
32 year, to any retailer or wholesaler for the purpose of resale to the  
33 public for fresh consumption.

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