

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 2773

57th Legislature
2002 Regular Session

Passed by the House March 11, 2002
Yeas 96 Nays 0

Speaker of the House of Representatives

Passed by the Senate March 7, 2002
Yeas 48 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 2773** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 2773

AS AMENDED BY THE SENATE

Passed Legislature - 2002 Regular Session

State of Washington **57th Legislature** **2002 Regular Session**

By Representatives Clements, Linville, Chandler and Grant

Read first time 01/28/2002. Referred to Committee on Agriculture & Ecology.

1 AN ACT Relating to sales of fruit; adding a new section to chapter
2 42.17 RCW; creating new sections; and providing an expiration date.

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

4 NEW SECTION. **Sec. 1.** To provide uniformity in the marketplace and
5 to protect consignors of apples, the existing state standards for
6 grades and packs of apples shall be evaluated. Revision of the
7 standards for grades and packs of apples that will clarify the
8 standards in such a way that they will be applied consistently among
9 warehouses and commission merchants shall be evaluated. The evaluation
10 must consider the appropriate level of uniformity that will ensure that
11 the apples of a particular variety, grade, and pack sold from one
12 warehouse will be equivalent to the apples of the same variety, grade,
13 and pack sold from other warehouses.

14 For this purpose, the director shall convene an apple grades and
15 packs committee that is widely recognized within the horticultural
16 industry as representing the interests of the industry to recommend by
17 consensus revisions to the standards that it believes will provide the
18 desired level of uniformity that best serves the interest of apple
19 producers, packers, and consumers.

1 If the industry committee recommends such revisions by consensus by
2 December 15, 2003, the director shall give great weight to the
3 recommendations in proposing the adoption of rules that reflect the
4 consensus recommendations.

5 If the apple grades and packs committee does not make
6 recommendations by consensus by December 15, 2003, the committee shall
7 report its findings and conclusions to the department of agriculture,
8 and to appropriate legislative committees that have jurisdiction over
9 agricultural issues at meetings scheduled during the next ensuing
10 regular session of the legislature. The appropriate legislative
11 committees may monitor the activities of the apple grades and packs
12 committee and may schedule interim committee meetings to obtain
13 progress reports by the apple grades and packs committee.

14 This section expires April 30, 2004.

15 NEW SECTION. **Sec. 2.** The legislature finds that consignors of
16 fruit, whether the sale is conducted as individual sales or in a
17 pooling arrangement, need timely and more complete marketing
18 information regarding terms of sale for various varieties of fruit so
19 that producers can make informed business decisions. The legislature
20 finds that the affected industry needs to review the type of
21 information that is currently available, the type of information that
22 would be useful, and how best to make available the additional
23 information.

24 The legislature requests that the Washington state horticultural
25 association, the Wenatchee valley traffic association, the Yakima
26 valley growers and shippers association, and the Washington growers
27 clearinghouse association meet with each other to conduct a thorough
28 analysis of the marketing information needs of the industry and provide
29 recommendations to the legislature on how the market information needs
30 can best be addressed. The legislature requests that these groups
31 develop a joint report containing those items to improve the
32 availability of market information for which agreement has been
33 attained. On issues for which consensus has not been reached, each
34 organization is requested to provide a brief statement containing the
35 perspective of that industry segment. The legislature requests that
36 these reports shall be completed by December 15, 2003, with a copy to
37 be delivered to the director of the department of agriculture and to
38 the appropriate standing committees of the senate and the house of

1 representatives with jurisdiction over agricultural issues. These
2 legislative committees may schedule interim committee meetings to
3 obtain progress reports for activities being conducted under this
4 section.

5 NEW SECTION. **Sec. 3.** (1) Each commission merchant that received
6 apples imported into the United States between January 1, 2002, and
7 November 30, 2002, shall report to the department of agriculture by
8 December 15, 2002. The report shall include the volume of each variety
9 of imported apples that was received by and packed and sold by the
10 commission merchant.

11 (2) The department of agriculture shall compile the information, in
12 the aggregate, and provide a report to the secretary of the senate and
13 the chief clerk of the house of representatives by December 31, 2002.

14 NEW SECTION. **Sec. 4.** A new section is added to chapter 42.17 RCW
15 to read as follows:

16 The disclosure requirements of this chapter do not apply to
17 information that can be identified to a particular business and that is
18 collected under section 3(1), chapter . . ., Laws of 2002 (section 3(1)
19 of this act).

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