
SENATE BILL 5963

State of Washington

58th Legislature

2003 Regular Session

By Senator Honeyford

Read first time 02/25/2003. Referred to Committee on Agriculture.

1 AN ACT Relating to the fair announcement of cash prices offered for
2 concord grapes grown in Washington; adding a new section to chapter
3 20.01 RCW; and providing an effective date.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 20.01 RCW
6 to read as follows:

7 (1) It shall be a violation of this chapter for any agent, broker,
8 cash buyer, commission merchant, dealer, or processor to purchase or
9 receive, or attempt to purchase or receive, concord grapes grown in
10 Washington for use by a processor in the commercial production of
11 juice, jam, or jelly unless (a) the processor sets forth a stated price
12 in dollars and cents of all amounts paid or to be paid per unit
13 thereof, and makes the stated price available to any selling or
14 delivering party not later than the fifteenth day of August in the year
15 in which such grapes are to be delivered; (b) where a selling or
16 delivering party has a contract for delivery of such grapes to a
17 processor, the processor has, not later than the fifteenth day of
18 August in the year in which such grapes are to be delivered, mailed to
19 the delivering or selling party written notice of the stated grape

1 price and opportunity to refuse to deliver with respect thereto; and
2 (c) the processor has mailed to the director not later than the
3 fifteenth day of August of each year in which such grapes are to be
4 delivered, a written statement of the stated price to be paid for such
5 grape or grapes.

6 (2) Any notice required under subsection (1) of this section shall
7 be mailed using the United States postal service. The cancellation
8 mark stamped by the United States postal service employee upon the
9 envelope or other appropriate wrapper containing any such notice
10 required by this subsection shall be prima facie evidence of the date
11 of such mailing.

12 (3) Subsection (1) of this section shall not apply to any contract
13 or other arrangement for the purchase or sale of concord grapes (a)
14 entered into prior to the effective date of this act; or (b) for
15 delivery to a cooperative marketing association or federation
16 incorporated under, or whose articles of incorporation and bylaws are
17 equivalent to, the requirements of chapter 23.86 RCW by a member patron
18 or nonmember patron of such cooperative corporation.

19 NEW SECTION. **Sec. 2.** This act takes effect September 1, 2003.

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