

SENATE BILL REPORT

EHB 1688

As Reported By Senate Committee On:
Agriculture & Rural Economic Development, March 22, 2007

Title: An act relating to the fair and orderly marketing of fruits and vegetables by the state of Washington.

Brief Description: Concerning the marketing of fruits and vegetables.

Sponsors: Representatives Newhouse, Grant and Morrell.

Brief History: Passed House: 3/13/07, 96-0.

Committee Activity: Agriculture & Rural Economic Development: 3/22/07 [DP].

SENATE COMMITTEE ON AGRICULTURE & RURAL ECONOMIC DEVELOPMENT

Majority Report: Do pass.

Signed by Senators Rasmussen, Chair; Hatfield, Vice Chair; Schoesler, Ranking Minority Member; Morton and Shin.

Staff: Bob Lee (786-7404)

Background: Apples, apricots, Italian prunes, peaches, sweet cherries, pears, potatoes, asparagus, and any other fruit or vegetable designated by the Washington State Department of Agriculture (WSDA) packed in Washington is subject to inspection to ensure compliance with the grade and pack standards. Inspections are conducted by the Fruit and Vegetable Inspection Division of the WSDA. This inspection makes available to the WSDA individual shipper data, including produce shipment volume, shipment destination, and variety information. Under the Public Records Act (PRA), this information is subject to disclosure.

Summary of Engrossed Bill: The PRA exemption for information related to agriculture and livestock is expanded to include information that can be identified to a particular business by the certificate of compliance issued pursuant to a fruit and vegetable inspection.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The understanding has always been that fruit and vegetable inspection reports were proprietary information and thus exempt from

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disclosure under the Public Records Act. A recent opinion by the Attorney General said otherwise. The inspection reports contain individual shipment data including produce shipment volume, destination, and variety information. Growers have worked closely with the Allied Newspaper Association to narrowly focus the bill.

Persons Testifying: PRO: Representative Newhouse, prime sponsor; Miles Kohl, Yakima Growers and Shippers Association.