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HOUSE BILL 1688

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State of Washington                      60th Legislature                      2007 Regular Session

By Representatives Newhouse, Grant and Morrell

Read first time 01/25/2007.                      Referred to Committee on State Government & Tribal Affairs.

1            AN ACT Relating to the fair and orderly marketing of fruits and  
2 vegetables by the state of Washington; and reenacting and amending RCW  
3 42.56.380.

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

5            **Sec. 1.** RCW 42.56.380 and 2006 c 330 s 26 and 2006 c 75 s 3 are  
6 each reenacted and amended to read as follows:

7            The following information relating to agriculture and livestock is  
8 exempt from disclosure under this chapter:

9            (1) Business-related information under RCW 15.86.110;

10            (2) Information provided under RCW 15.54.362;

11            (3) Production or sales records required to determine assessment  
12 levels and actual assessment payments to commodity boards and  
13 commissions formed under chapters 15.24, 15.26, 15.28, 15.44, 15.65,  
14 15.66, 15.74, 15.88, 15.100, 15.89, and 16.67 RCW or required by the  
15 department of agriculture to administer these chapters or the  
16 department's programs;

17            (4) Consignment information contained on phytosanitary certificates  
18 issued by the department of agriculture under chapters 15.13, 15.49,  
19 and 15.17 RCW or federal phytosanitary certificates issued under 7

1 C.F.R. 353 through cooperative agreements with the animal and plant  
2 health inspection service, United States department of agriculture, or  
3 on applications for phytosanitary certification required by the  
4 department of agriculture;

5 (5) Financial and commercial information and records supplied by  
6 persons (a) to the department of agriculture for the purpose of  
7 conducting a referendum for the potential establishment of a commodity  
8 board or commission; or (b) to the department of agriculture or  
9 commodity boards or commissions formed under chapter 15.24, 15.28,  
10 15.44, 15.65, 15.66, 15.74, 15.88, 15.100, 15.89, or 16.67 RCW with  
11 respect to domestic or export marketing activities or individual  
12 producer's production information;

13 (6) Except under RCW 15.19.080, information obtained regarding the  
14 purchases, sales, or production of an individual American ginseng  
15 grower or dealer;

16 (7) Information that can be identified to a particular business and  
17 that is collected under section 3(1), chapter 235, Laws of 2002 or  
18 chapter 15.17 RCW;

19 (8) Financial statements provided under RCW 16.65.030(1)(d);

20 (9) Information submitted by an individual or business for the  
21 purpose of participating in a state or national animal identification  
22 system. Disclosure to local, state, and federal officials is not  
23 public disclosure. This exemption does not affect the disclosure of  
24 information used in reportable animal health investigations under  
25 chapter 16.36 RCW once they are complete; and

26 (10) Results of testing for animal diseases not required to be  
27 reported under chapter 16.36 RCW that is done at the request of the  
28 animal owner or his or her designee that can be identified to a  
29 particular business or individual.

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