

WSR 23-14-061

AGENDA

DEPARTMENT OF AGRICULTURE

[Filed June 28, 2023, 11:31 a.m.]

Following is the department of agriculture's (department) semi-annual rules development agenda for the period July 1 and [through] December 31, 2023. This document is being sent in compliance with RCW 34.05.314.

The department may undertake additional rule-making activity as conditions warrant. If you have questions regarding the department's rule-making agenda, please contact Gloriann Robinson at 360-902-1802 or grobinson@agr.wa.gov.

SEMI-ANNUAL RULES DEVELOPMENT AGENDA
July 1 - December 31, 2023

WAC Chapter	Rule Title or Subject	Agency Contact	Tentative Timeline			
			CR-101	CR-102 CR-105	CR-103	Subject of Rule Making
TBD	Cannabis testing laboratory quality standards	Trecia Ehrlich Hemp Program phone 360-584-3711 tehrlich@agr.wa.gov	January 2023	TBD	TBD	Establishes cannabis testing laboratory quality standards in rule as required by HB 1859 (chapter 135, Laws of 2022).
16-54	Animal importation	Dr. Ben Smith Animal Services Division phone 509-350-0081 bsmith@agr.wa.gov	TBD	TBD	TBD	Update definitions and references to C.F.R. citations, update and/or remove requirements, processes, and forms to align with neighboring states and federal regulations.
16-131	Marijuana-infused edibles	Will Satak Food Safety Program phone 360-951-5086 wsatak@agr.wa.gov	N/A	July 2023	September 2023	Replaces the term "marijuana" with the term "cannabis" to align with HB [2SHB] 1210 (chapter 16, Laws of 2022). <i>Expedited rule making.</i>
16-149	Cottage food	Will Satak Food Safety Program phone 360-951-5086 wsatak@agr.wa.gov	N/A	July 2023	September 2023	Increases the annual sales cap to \$35,000 and changes the renewal cycle from annually to every two years in alignment with HB [SHB] 1500 (chapter 352, Laws of 2023). <i>Expedited rule making.</i>
16-157	Organic food standards and certification	Brenda Book Organic Program phone 360-902-2090 bbook@agr.wa.gov	October 2022	TBD	TBD	Updates the organic certification fee schedule.
16-160	Registration of materials for organic food production	Brenda Book Organic Program phone 360-902-2090 bbook@agr.wa.gov	October 2019 May 2021 June 2023	TBD	TBD	Increases registration fees and restructures the fee schedule. Updates the registered material logo.
16-161	Organic cannabis certification	Brenda Book Organic Program phone 360-902-2090 bbook@agr.wa.gov	October 2017 August 2022	TBD	TBD	Establishes standards for the certification of organic cannabis and cannabis products in compliance with the National Organic Program.

WAC Chapter	Rule Title or Subject	Agency Contact	Tentative Timeline			
16-228	General pesticide rules	Christina Zimmerman Licensing and Registration Program phone 360-902-2150 czimmerman@agr.wa.gov	September 2023	TBD	TBD	Amends the chapter to align with SB 5330 (chapter 186, Laws [of 2023]), including stating that any reciprocal license or certification may be suspended or revoked upon notification that the original license or certification was terminated, removing the provision that allows certain licensees [to] operate at 16 years old, and incorporates changes to federal regulations.
16-253	New; cottage food production of pet treats	Ashlee-Rose Ferguson Animal Feed Program phone 360-902-1905 aferguson@agr.wa.gov	July 2023	TBD	TBD	Creates a new chapter of WAC with regulations specific to pet food treats manufactured in personal residences.
16-302	General rules for seed certification	Paula Moore Seed Program phone 509-249-6950 Paula.moore@agr.wa.gov	November 2022	TBD	TBD	Aligns standards for applicable crops with the Association of Official Seed Certifying Agencies newly adopted seed and field standards, creates a Pacific Northwest sod quality standard and tagging process, makes clerical changes to address inconsistencies between crop standards, removes references to repealed WAC, adds an application deadline for dryland seed production, and other clarifying changes.
16-325	Seed potato isolation district	Scott Brooks Plant Services Program phone 360-485-1235 sbrooks@agr.wa.gov	July 2021	June 2023	August 2023	Adds requirements for all lots entering the isolation district to be test[ed] free of bacterial ring rot. Provides 48-hour notification to the department of all shipments entering the isolation district. Adds a new violation section regarding the disposition of material shipped into the isolation district violation. <i>Rule making initiated as a result of a petition.</i>

WAC Chapter	Rule Title or Subject	Agency Contact	Tentative Timeline			
16-390	Fruit and vegetable inspection fees and other charges	Jessica Allenton Commodity Inspection Division phone 360-902-1828 jallenton@agr.wa.gov	N/A	July 2023	September 2023	Amends WAC 16-390-240, United States Department of Agriculture (USDA) audit verification and terminal market inspection fees, to match the fees most recently adopted by the USDA-Agricultural Marketing Service (AMS) to comply with the department's cooperative agreement with USDA-AMS for services the department provides. <i>Expedited rule making.</i>
16-470	Apple maggot quarantine	Greg Haubrich Pest Program phone 360-902-2071 ghaubrich@agr.wa.gov	July 2023	TBD	TBD	Expands the apple maggot quarantine further into Okanogan County.
16-470	Japanese beetle quarantine	Greg Haubrich Pest Program phone 360-902-2071 ghaubrich@agr.wa.gov	August 2021	June 2022	August 2022	Expands the internal quarantine and amends the regulated articles that have restricted movement out of the quarantine area.
16-482	Seed potato quarantine	Scott Brooks Plant Services Program phone 360-485-1235 sbrooks@agr.wa.gov	July 2021	June 2023	August 2023	Adds a section stating that potatoes entering the seed potato isolation district are subject to additional requirements under chapter 16-325 WAC. <i>Rule making initiated as a result of a petition.</i>
16-610	Livestock identification	Brennan Kimbel Livestock Identification Program phone 360-688-0893 bkimbel@agr.wa.gov	N/A	May 2023	July 2023	Aligns the rule with SSB 5439 by adding a statement that the \$20.00 call out fee is not charged by certified veterinarians and private field inspectors and adding a requirement that the livestock identification advisory committee must review the costs and operations of the livestock identification program. Also amends the rule by clarifying the definition of "call out fee" by stating that it is a fee charged by department inspectors. <i>Expedited rule making.</i>
16-611	Nutrient management	Kyrre Flege Dairy Nutrient Management Program phone 360-746-1249 kflege@agr.wa.gov	TBD	TBD	TBD	Updates the recordkeeping requirements for dairy producers.

Gloriann Robinson
Rules Coordinator