



STATE OF WASHINGTON

DEPARTMENT OF AGRICULTURE

P.O. Box 42560 • Olympia, Washington 98504-2560 • (360) 902-1800

February 19, 2010

TO: Affected Producers and Interested Parties

FROM: Kelly Frost, Commodity Commission Coordinator *Kelly Frost*

SUBJECT: PETITION TO TERMINATE THE WASHINGTON FRYER COMMISSION
MARKETING ORDER (chapter 16-512 WAC)

PUBLIC HEARING SCHEDULED

The Washington State Department of Agriculture (WSDA) received a petition from the Washington Fryer Commission requesting termination of the Fryers, Broilers, and Roasters Marketing Order (chapter 16-512 WAC), thereby eliminating the Washington Fryer Commission. Growers will have the opportunity to approve or reject the proposed decrease through referendum.

The fryer industry has experienced many challenges and changes over the past several years. In the 1990's, Washington State University cut the poultry program which negated the opportunity for research unique to the poultry industry in Washington. A few years ago the two remaining processors of Washington-grown chicken opted to combine the state of origin information with Oregon's which eliminated the "Grown in Washington" brand. In 2009 the growers voted to reduce the rate they are assessed in recognition of economic struggles as well as the scaled-back functions of the commission (primarily focused on assisting growers with maintaining their businesses, consumer outreach, regulatory services and legislative activities). Although the board of the Fryer Commission has continued to meet since assessments were reduced, no meaningful mission has been crafted to move the Commission forward and it is believed most growers feel the Commission has outlived its usefulness to the industry.

A copy of the proposed rule making notice and amendments are enclosed.

OVER

PUBLIC HEARING NOTICE

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A public hearing has been scheduled for:

March 12, 2010, beginning at 1:30 p.m.
Washington State Department of Agriculture
Natural Resource Building
1111 Washington Street SE, Conf. Room 205
Olympia, WA 98504-2560

Under RCW 15.66.070 through 15.66.090 and chapter 34.05 RCW, Administrative Procedure Act, the Department will collect testimony to determine whether affected producers or interested parties support the proposal. Testimony may be presented at the hearing or submitted in writing. Written submissions must be received by WSDA no later than March 15, 2010, 5:00 p.m., and may be mailed, faxed or emailed to:

Kelly Frost, Commodity Commission Coordinator
WSDA, Administrative Regulations Program
PO Box 42560
Olympia, WA 98504-2560
Fax: 360-902-2092
Email: kfrost@agr.wa.gov

Based on the testimony taken at the hearing and written comments received by the Department in response to this notice and the attached notice issued pursuant to chapter 34.05 RCW, the Director will make findings and issue a Recommended Decision, which will be distributed for comment. Subsequently, a Final Decision will be entered.

The Final Decision may result in a referendum on the proposal (repeal of the marketing order) pursuant to RCW 15.66.090 or a decision to deny the proposal in its entirety under RCW 15.66.080. If the proposal is denied in its entirety, the Director will take no further action and a referendum will not be held.

This notice and the proposal are posted on our website at:
<http://agr.wa.gov/LawsRules/Rulemaking/AO/FryerMarketingOrder.aspx>

If you have any questions regarding the proposed amendment, please feel free to contact Kelly Frost, WSDA, at (360) 902-1802 or Sue Broderick, WA Fryer Commission, at (425) 226-6125.

Attachments