



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Washington State Department of Agriculture

- Preproposal Statement of Inquiry was filed as WSR 14-13-076; or
 Expedited Rule Making--Proposed notice was filed as WSR _____; or
 Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
 Supplemental Notice to WSR _____
 Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject)

Title: "Direct Sellers"

The Washington State Department of Agriculture proposes establishing WAC 16.130. Legislation signed by the Governor on March 27, 2014 created an act related to "Direct Sellers" of food products. The act provided the authority for the agency to develop rules for the implementation and establishment of the legislation.

Hearing location(s):

Washington State Department of Agriculture
1111 Washington Street SE
Olympia, Washington
Natural Resources Building, Second Floor
Room 259

Date: 11/3/2014 Time: 10:30 AM

Submit written comments to:

Name: Allison Alderman
Address:
P.O. Box 42560
Olympia, WA 98504-2560
e-mail aalderman@agr.wa.gov
Phone (360) 902-1967 by (date) 11/3/2014

Assistance for persons with disabilities: Contact

Allison Alderman

e-mail aalderman@agr.wa.gov by 10/27/14

TTY (800) 833-6388 or 711

Date of intended adoption: 11/17/2014

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

ESSB 6388 enacted in 2014 established authority under RCW 69.04.345 to establish rules related to the issuance of licenses, fees, recordkeeping and sanitary requirements for businesses to operate as a Direct Seller of food products. This proposal would be the creation of a new rule to implement the legislation.

Reasons supporting proposal:

ESSB 6388 enacted in 2014 established authority under chapter 69.04 RCW to establish rules related to the implementation to the legislation. The proposed rule provides businesses operating as a Director Seller of food products clarity on requirements for sanitation, record keeping, record retention, fees and licensing requirements.

Statutory authority for adoption:

RCW 69.04.345 and Chapter 34.05 RCW

Statute being implemented:

RCW 69.04.345

Is rule necessary because of a:

- Federal Law? Yes No
 Federal Court Decision? Yes No
 State Court Decision? Yes No
 If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 17, 2014

TIME: 11:05 AM

WSR 14-19-124

DATE

September 17, 2014

NAME (type or print)

Kirk Robinson

SIGNATURE

TITLE

Assistant Director, Food Safety and Consumer Services

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None

Name of proponent: (person or organization)

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Kirk Robinson	Olympia, Washington	(360) 902-1800
Implementation.... Lucy Severs	Olympia, Washington	(360) 725-5761
Enforcement..... Claudia Coles	Olympia, Washington	(206) 321-1124

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

The Department has analyzed the costs associated with implementation of this proposed rule and determined the cost to be no more than minor.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain: The Washington State Department of Agriculture is not a listed agency under RCW 34.05.328(5)(a)(i)