



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: Agriculture

Subject of possible rule making: Chapter 16-167 WAC Intrastate Commerce in Foods – The agency is considering amending the rule to adopt recent changes to federal regulations regarding food safety in order to better protect public health and promote uniformity with other states.

Statutes authorizing the agency to adopt rules on this subject: RCW 69.04.740, RCW 69.07.020, RCW 69.10.055, RCW 15.36.021, and RCW 69.22.020

Reasons why rules on this subject may be needed and what they might accomplish:

After Congress passed the Food Safety Modernization Act (FSMA) in 2011, the U. S. Food and Drug Administration (FDA) released a number of revised and new federal code of regulations necessary to implement FSMA in late 2015 and again in 2016. Revision to chapter 16-167 WAC Intrastate Commerce in Foods, is necessary to remain uniform with federal regulations so that food produced in Washington may be freely shipped in interstate and international commerce and to ultimately protect consumers from contaminated, adulterated, and or misbranded food.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:
Washington State Department of Health; local health jurisdictions; US Food & Drug Administration.

Food safety officials from these organizations will be notified about the rulemaking process through our Food Safety Taskforce Committee and outreach notifications. WSDA will ask members from these organizations to participate in our rulemaking process.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) The agency is developing the rule in coordination with stakeholders.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

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<div style="border: 1px solid black; padding: 10px;"> <p style="text-align: center;">OFFICE OF THE CODE REVISER STATE OF WASHINGTON FILED</p> <p>DATE: April 18, 2016 TIME: 4:25 PM WSR 16-09-078</p> </div>