

WAC 16-139-001 Promulgation and purpose. This chapter is promulgated by the director of agriculture for the purpose of establishing fair, uniform and equitable means for assessing civil penalties and licensing actions authorized under RCW 16.49.444, 19.32.060, 69.04.880, 69.07.060, 69.07.110, 69.07.150(2), 69.10.030 and 69.10.050. The rules adopted in WAC 16-139-005 through 16-139-060 apply to violations of chapters 16.49 RCW (Custom slaughtering), 19.32 RCW (Food lockers), 69.04 RCW (Intrastate commerce in food, drugs, and cosmetics), 69.07 RCW, (Washington Food Processing Act) and 69.10 RCW (Food storage warehouses). The director also declares:

(1) Education and technical assistance play an important role in the prevention, correction or abatement of food safety violations and are the department's preferable alternative to regulatory action. However, at times regulatory action is necessary to deter violations of food safety laws and rules, to educate persons about the consequences of such violations, and to compel compliance with food safety laws for the protection of consumers. The department initiates such actions when educational measures, technical assistance, warning letters, compliance agreements or other remedial measures fail to achieve compliance; and

(2) Any regulatory action taken by the department against any person who violates the provisions of chapters 16.49, 19.32, 69.04, 69.07 and 69.10 RCW, and rules adopted thereunder shall be commensurate with the seriousness of the violation under the circumstances; and

(3) Each person shall be treated fairly in accordance with the rules set forth in this chapter.

[Statutory Authority: RCW 16.49.680, 19.32.030, 69.04.730, 69.07.020 and 69.10.055. WSR 98-02-023, § 16-139-001, filed 12/31/97, effective 1/31/98.]