

**WAC 16-540-010 Definitions.** Definitions for terms used in this chapter are also found in chapter 15.65 RCW, Washington State Agriculture Commodity Boards Act. For the purpose of this marketing order, the following additional definitions shall apply:

"Act" means the Washington State Agricultural Commodity Boards Act or chapter 15.65 RCW.

"Affected area" means the state of Washington.

"Affected handler" means any person who acts as principal or agent or otherwise in buying, selling, marketing or distributing mint oils produced from mint plants not grown by them. Affected handler does not include a common carrier used to transport an agricultural commodity. "To handle" means to act as a handler.

"Affected producer" or "producer" means any person who produces, or causes to be produced in commercial quantities, in the state of Washington, any variety of mint plant from which the essential oil is distilled or extracted. "To produce" means to act as a producer. For the purposes of the mint marketing order, "producer" shall include bailees who contract to produce or grow any agricultural product on behalf of a bailor who retains title to the essential oil and its resulting agricultural product or the agricultural product delivered for further production or increase.

"Affected unit" means one pound of mint oil as distilled from mint plants grown by an affected producer.

"Commercial quantity" means all of the mint plants produced in any calendar year by any producer, from which the essential oil is distilled or extracted.

"Department" means the department of agriculture of the state of Washington.

"Director" means the director of agriculture of the state of Washington or the director's duly appointed representative.

"Disclosure" means inspection or copying.

"Marketing season" or "fiscal year" means the 12-month period beginning with July 1st of any year and ending with the last day of June, both dates being inclusive.

"Mint commodity board" hereinafter referred to as "board" or "commission" means the commodity board formed under WAC 16-540-020.

"Mint oil" means essential oil that is distilled from any variety of mint plant.

"Person" means any individual, firm, corporation, limited liability company, trust, association, partnership, society or any other organization of individuals, or any unit or agency of local or state government.

"Producer-handler" means any person who acts both as a "producer" and as a "handler" with respect to mint oil. A producer-handler shall be deemed to be a producer with respect to the mint plants and/or oil which they produce, and a handler with respect to the mint oil which they handle, including those produced by themselves.

"Public records" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by the department regardless of physical form or characteristics.

"Sell" includes offer for sale, expose for sale, have in possession for sale, exchange, barter or trade.

[Statutory Authority: RCW 15.24.035, 15.26.060, 15.28.023, 15.44.021, 15.65.240, 15.66.113, 15.88.050, 15.89.050, 15.115.060, 16.67.060, 43.01.160, and 43.23.025. WSR 25-03-141, s 16-540-010, filed 1/22/25,

effective 2/22/25. Statutory Authority: RCW 15.65.047, 42.56.040, and chapter 34.05 RCW. WSR 17-05-034, § 16-540-010, filed 2/8/17, effective 3/11/17. Statutory Authority: RCW 15.65.047 and chapter 34.05 RCW. WSR 05-09-013, § 16-540-010, filed 4/8/05, effective 5/9/05. Article I, § A, filed 12/20/66, effective 2/1/67.]