

Arizona Administrative Register
Notices of Proposed Rulemaking

7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

A. The Arizona Department of Agriculture.

The Department will inspect grapefruit under the standards for serious defects established in this rulemaking. Staff training is planned to cover the new standards and proper inspection methods.

B. Political Subdivision.

It is not anticipated that the adoption of this rule will have any impact on political subdivisions.

C. Businesses Directly Affected By the Rulemaking.

Businesses shipping grapefruit into Arizona will be required to meet the same standards for serious defects for their product that apply to grapefruit grown in-state by Arizona growers.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Sherry D. Blatner
Address: Arizona Department of Agriculture
1688 West Adams, Room 235
Phoenix, AZ 85007
Telephone: (602) 542-0962
Fax: (602) 542-5420
E-mail: sherry.blatner@agric.state.az.us

10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

No oral proceeding is scheduled for this rulemaking. The Department of Agriculture will schedule an oral proceeding if a written request is made by contacting the person listed in item #4. If no oral proceeding is requested, the public comment period shall continue for 30 days from this notice's publication date. This rulemaking's public record will close at 4:30 p.m. on August 27, 2001.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

None

12. Incorporations by reference and their location in the rules:

None

13. The full text of the rules follows:

TITLE 3. AGRICULTURE

**CHAPTER 4. DEPARTMENT OF AGRICULTURE
PLANT SERVICES DIVISION**

ARTICLE 8. CITRUS FRUIT STANDARDIZATION

Section

R3-4-805. Serious Defects in Citrus Fruit

ARTICLE 8. CITRUS FRUIT STANDARDIZATION

R3-4-805. Serious Defects in Citrus Fruit

A. A defect is serious in citrus fruit, other than grapefruit, when the following conditions occur:

1. Any part of the fruit is affected with decay⁵.

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2. Damage by freezing or drying, from any cause, if 20% or more of the pulp or edible portion of the fruit shows evidence of drying or a mushy condition or, in a lemon, of staining (except membranous stain). Evidence of damage shall be determined by making as many cuts on each fruit as may be necessary;.
 3. Injury from any cause if the skin (rind) is broken and the injury is not healed;.
 4. Scars, including those caused by insects, if they are dark, rough, or deep, if an aggregate area of 25% or more of the fruit surface is affected;.
 5. Scale, if 50% or more of the fruit surface shows scale infestation in excess of 50 scales per square inch;.
 6. Dirt, smudge stain, sooty mold, rot residues, or other foreign material if an aggregate area of 25% or more of the fruit surface is affected;.
 7. Staining, if 50% or more of the fruit surface is affected with a pronounced discoloration.
 8. Greenish or brownish rind oil spots, if an aggregate area of 25% or more of the fruit surface is affected;.
 9. Spotting or pitting, if the spots or pits are sunken and an aggregate area of 10% or more of the fruit surface is affected;.
 10. Sunburn in oranges ~~or grapefruit~~, if it causes decided flattening of the fruit with drying and discoloration of the skin (rind) affecting more than 1/3 of the fruit surface;.
 11. Sunburn in lemons, if 25% or more of the pulp or edible portion shows evidence of drying, staining (except membranous stain), or a mushy condition. Evidence of damage shall be determined by as many cuts of each lemon as may be necessary;.
 12. Aging, if 1/3 or more of the fruit surface is dried and hard;.
 13. Roughness in oranges ~~or grapefruit~~, if 90% or more of the fruit surface is rough, ~~course~~ coarse, or lumpy;.
 14. Softness in oranges ~~or grapefruit~~, if the fruit is flabby or, ~~in the case of oranges,~~ if the orange is spongy and puffy over 90% or more of the fruit surface;.
 15. Water spot in oranges, if the affected skin (rind) is soft or not healed;.
 16. Protruding or enlarged navel end in oranges, if the navel end protrudes beyond the general contour of the orange to such extent, or the navel opening is so wide considering the size of the orange, or the navel growth is so folded or ridged that it detracts from the appearance of the orange;.
 17. Damage to a lemon by internal decline from any cause, if 20% or more of the pulp or edible portion shows evidence of drying, staining (except membranous stain), or a mushy condition, or if the core shows gumming for its entire length. Evidence of damage shall be determined by as many cuts of each lemon as may be necessary;.
 18. Peteca in lemons, if the spots or pits are sunken and cover an aggregate area of 10% or more of the fruit surface;.
 19. Deformities in lemons, if 50% or more of the individual fruit is excessively misshapen, ridgy, or lumpy;.
- Red blotch in lemons, if the affected areas affect 10% or more of the fruit surface.

B. Grapefruit consists of similar varietal characteristics which are mature, slightly colored, fairly firm, fairly well formed, and not decidedly rough, free from decay, broken skins which are not healed, hard or dry skins, and from serious defect caused by bruises, dryness or mushy condition, sprayburn, fumigation, exanthem, scars, green spots, scale, sunburn, oil spots, skin breakdown, sprouting, dirt or other foreign materials, disease, insects or other means. A defect is serious in grapefruit when the conditions for serious damage for U.S. No. 2, as referenced in the United States Standards for Grades of Grapefruit (California and Arizona), effective December 27, 1999, occur:

1. Dryness or mushy condition, when affecting all segments more than half of an inch at the stem end, or the equivalent of this amount by volume, when occurring in other portions of the fruit.
2. Sprayburn which changes the color to such an extent that the appearance of the fruit is seriously injured, or which causes scarring that aggregates more than 10% of the fruit surface.
3. Fumigation injury which occurs as small, thinly scattered spots over more than half of the fruit surface, or solid scarring or depressions which aggregate more than 5% of the fruit surface.
4. Exanthema which occurs as small, thinly scattered spots over more than half of the fruit surface, or solid scarring that is not cracked, which aggregates more than 5% of the fruit surface.
5. Scars which are very deep, or scars which are very rough or very hard and aggregate more than 1 inch in diameter.
6. Scars which are dark, rough, or deep, and aggregate more than 5% of the fruit surface.
7. Scars which are fairly light in color, slightly rough, or of slight depth and aggregate more than 15% of the fruit surface.
8. Scars which are light colored, fairly smooth, with no depth, and aggregate more than 25% of the fruit surface.
9. Green spots, oil spots (oleocellosis), or other similar injuries which are soft, or which have an aggregate area of more than 10% of the fruit surface.
10. Scale, when California red or purple scale is concentrated in a ring or blotch, or which is more than thinly scattered over the fruit surface, or any scale which affects the appearance of the fruit to a greater extent.
11. Sunburn which causes decided flattening of the fruit, drying or dark discoloration of the skin, or which affects more than 1/3 of the fruit surface.
12. Skin breakdown when exceeding that of a circle 5/8 of an inch in diameter.
13. Bruising when segment walls are collapsed, or albedo is ruptured and juice sacs are ruptured.
14. Any injury which seriously affects the appearance, or the edible or shipping quality of the fruit.

NOTICE OF PROPOSED RULEMAKING

TITLE 20. COMMERCE, BANKING, AND INSURANCE

CHAPTER 4. BANKING DEPARTMENT

PREAMBLE

- 1. Sections Affected** **Rulemaking Action**
R20-4-209 Amend
- 2. The specific statutory authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
Authorizing statute: A.R.S. § 6-123(2)
Implementing statute: A.R.S. § 6-190(D)
- 3. A list of all previous notices appearing in the Register addressing the proposed rule:**
Notice of Rulemaking Docket Opening: 6 A.A.R. 1811, May 19, 2000
Notice of Proposed Rulemaking: 6 A.A.R. 4312, November 17, 2000
- 4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

Name:	John P. Hudock
Address:	2910 North 44th Street, Suite 310 Phoenix, AZ 85018
Telephone:	(602) 255-4421, ext. 167
Fax:	(602) 381-1225
E-mail:	jhudock@azbanking.com
- 5. An explanation of the rule, including the agency's reasons for initiating the rule:**
These rules govern the organization and regulation of state-chartered banks. Specifically, R20-4-209 requires licensees to give notice of the intention to permanently close a banking office.

The Department proposes to amend R20-4-209 to more particularly describe the type and timing of the notice required.
- 6. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study, and other supporting material:**
The Department does not propose to rely on any study as an evaluator or justification for the proposed rule.
- 7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable
- 8. The preliminary summary of the economic, small business, and consumer impact:**

 - A. The Banking Department**
The amendment of R20-4-209 will have a marginally beneficial effect on the Department because it will standardize the timing of notice paper work submitted to comply with this Section.
 - B. Other Public Agencies**
The State will incur normal publishing costs incident to rulemaking including the cost of a detailed review by G.R.R.C. Staff.
 - C. Private Persons and Businesses Directly Affected**
Costs of services will not increase to any measurable degree. Nor should these revisions increase any licensee's cost of doing business in compliance with these rules.
 - D. Consumers**

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No measurable effect on consumers is expected.

E. Private and Public Employment

The Department expects no measurable effect on private and public employment.

F. State Revenues

This rulemaking will not change state revenues.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: John P. Hudock
Address: 2910 North 44th Street, Suite 310
Phoenix, AZ 85018
Telephone: 602-255-4421, ext. 167
Fax: 602-381-1225
E-mail: jhudock@azbanking.com

10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rule or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

No oral proceedings are scheduled. The Department will schedule an oral proceeding on the proposed rule if it receives a written request for a proceeding within 30 days after the publication date of this notice, under the provisions of A.R.S. § 41-1023(C). Send requests to the Department personnel listed in this preamble's items #4 and #9. The Department invites and will accept written comments on the proposed rule or the preliminary economic, small business, and consumer impact statement. Submit comments during regular business hours, at the address listed in this preamble's item #9, until the close of the record for this proposed rulemaking. The record will close on the 31st day following publication of this notice, unless the Department schedules an oral proceeding.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

12. Incorporations by reference and their location in the rules:

There is no material incorporated by reference in these rules.

13. The full text of the rules follows:

TITLE 20. COMMERCE, BANKING, AND INSURANCE

CHAPTER 4. BANKING DEPARTMENT

ARTICLE 2. BANK ORGANIZATION AND REGULATION

Section

R20-4-209. Notice of Permanent Closing of Banking Office —A.R.S. § 6-190 (D)

ARTICLE 2. BANK ORGANIZATION AND REGULATION

R20-4-209. Notice of Permanent Closing of Banking Office —A.R.S. § 6-190 (D)

~~A bank may permanently close less than all of its banking offices on giving notice of such closing by giving written notice of such closing to the superintendent, and such closing shall terminate the authority to maintain any office which is closed.~~

A bank may close fewer than all of its banking offices. Before closing any office, a bank shall deliver a letter to the Superintendent specifying which banking office it plans to close and the closing date. The bank shall ensure that the letter is received at the Superintendent's office 10 days before the closing date. Closing the banking office shall terminate the bank's authority to maintain that banking office on the date of the actual closure.