



RULE-MAKING ORDER

CR-103 (12/31/00)

(RCW 34.05.360)

Agency: Department of Agriculture

- Permanent Rule
- Emergency Rule
- Expedited Repeal

(1) Date of adoption: May 30, 2002

Purpose: Amend WAC 16-303-200 Seed program testing fees; WAC 16-303-210 Fees for special seed tests; WAC 16-303-230 Official seed sampling or similar service; WAC 16-303-250 Miscellaneous charges for seed services; WAC 16-303-300 Phytosanitary certification of seed—Fees; WAC 16-303-310 Organization for Economic Cooperation and Development scheme for varietal certification (OCED) fees; WAC 16-303-317 Annual and rough bluegrass quarantine fees; WAC 16-303-320 Certification fees for seed certified by the department except grasses; WAC 16-303-330 Certification fees for grass seed. These amendments increase by the amount allowed by the Office of Financial Management (OFM) fiscal growth rate factor for fiscal year 2002 (2.79%) and are necessary to ensure that fees charged for Seed Program services are sufficient to recover operating costs.

(3) Citation of existing rules affected by this order

Repealed:

Amended: WAC 16-303-200, 16-303-210, 16-303-230, 16-303-250, 16-303-300, 16-303-310

Suspended:

(4) Statutory authority for adoption: Chapters 15.49 and 34.05 RCW

Other authority:

PERMANENT RULE ONLY

Adopted under notice filed as WSR 002-09-060 on April 15, 2002 (date).

Describe any changes other than editing from proposed to adopted version: None

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

EXPEDITED REPEAL ONLY

Under Preproposal Statement of Inquiry filed as WSR ___ on ___ (date)

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
- No

If Yes, explain:

(6) Effective date of rule:

Permanent Rules

- 31 days after filing
- Other (specify) ___*

Emergency Rules

- Immediately
- Later (specify) ___

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

NAME (TYPE OR PRINT)

WILLIAM E. BROOKRESON

SIGNATURE

TITLE

ACTING DIRECTOR

DATE

5/28/02

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON

MAY 30 2002

TIME

1131

AM
PM

WSR

02-12-061

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted in the agency's own initiative:

New	___	Amended	<u>6</u>	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	___	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	<u>6</u>	Repealed	___

AMENDATORY SECTION (Amending WSR 01-01-015, filed 12/6/00, effective 1/6/01)

WAC 16-303-200 Seed program testing fees. Seed testing fees are as follows:

(1) **FIELD CROPS:**

	((MINIMUM SAMPLE SIZE	PURITY	GERMINATION	FZ
alfalfa	4-oz	14.00	12.00	22.00
alkaligrass	4-oz	18.00	11.00	22.00
barley	1.25-lb	14.00	12.00	22.00
beets, sugar	1.25-lb	19.00	21.00	22.00
bentgrass	2-oz	32.00	17.00	22.00
bermudagrass	4-oz	18.00	11.00	22.00
black-medic	4-oz	14.00	12.00	22.00
bluegrass	4-oz	22.00	15.00	22.00
brassica sp.	6-oz	34.00	17.00	22.00
brome-mountain	6-oz	23.00	12.00	22.00
brome-smooth; meadow	6-oz	23.00	12.00	22.00
buckwheat	1.25-lb	14.00	12.00	22.00
canarygrass	8-oz	18.00	11.00	22.00
clover	4-oz	14.00	12.00	22.00
fescue	4-oz	22.00	12.00	22.00
flax-lewis	4-oz	14.00	12.00	22.00
foxtail	4-oz	14.00	11.00	22.00
garbanzo-bean	1.25-lb	13.00	12.00	N/A
indian-ricegrass	6-oz	18.00	11.00	22.00
juncgrass	6-oz	18.00	11.00	22.00
lentil	1.25-lb	14.00	12.00	N/A
little-bluestem	4-oz	21.00/hr	11.00	22.00
lupine	1.25-lb	14.00	12.00	N/A
milkvetch	1.25-lb	14.00	12.00	22.00
millet	1.25-lb	14.00	12.00	N/A
needle-&-thread	6-oz	18.00	11.00	22.00
needlegrass; green	6-oz	18.00	11.00	22.00
oatgrass	6-oz	18.00	11.00	N/A
oats	1.25-lb	14.00	12.00	22.00
orchardgrass	4-oz	25.00	13.00	22.00
peas	1.25-lb	13.00	12.00	N/A
prairie-sandreed	6-oz	18.00	11.00	22.00
primrose	4-oz	14.00	12.00	N/A
redtop	2-oz	32.00	17.00	22.00
rice	1.25-lb	14.00	12.00	N/A
rye	1.25-lb	14.00	12.00	22.00
ryegrass; perennial	4-oz	22.00	11.00	22.00

	<u>((MINIMUM</u>			
	<u>SAMPLE SIZE</u>	<u>PURITY</u>	<u>GERMINATION</u>	<u>TZ</u>
ryegrass, annual	4 oz	22.00	11.00	22.00
safflower	1.25 lb	14.00	12.00	N/A
sainfoin	1.25 lb	14.00	12.00	N/A
sand dropseed	4 oz	18.00	11.00	22.00
sand lovegrass	4 oz	18.00	11.00	22.00
sidecoats grama	4 oz	21.00/hr	11.00	22.00
small burnett	8 oz	14.00	12.00	N/A
sorghum	1.25 lb	14.00	12.00	N/A
sudangrass	8 oz	14.00	12.00	22.00
sunflower	1.25 lb	14.00	12.00	N/A
swiss chard	1.25 lb	34.00	18.00	N/A
switchgrass	4 oz	18.00	11.00	22.00
timothy	4 oz	18.00	11.00	22.00
trcfoin	4 oz	14.00	12.00	N/A
triticale	1.25 lb	14.00	12.00	22.00
vetch	1.25 lb	18.00	12.00	22.00
wheat	1.25 lb	14.00	12.00	22.00
wheatgrass, beardless slender				
thickspike	6 oz	38.00	15.00	22.00
wheatgrass, blucbunch	6 oz	38.00	15.00	22.00
wheatgrass, crested	4 oz	26.00	15.00	22.00
wheatgrass, tall intermediate pubescent	6 oz	38.00	15.00	22.00
wheatgrass, western	6 oz	38.00	15.00	22.00
wildrye	6 oz	18.00	11.00	22.00
zoysia	4 oz	18.00	11.00	22.00))

	<u>MINIMUM</u>			
	<u>SAMPLE SIZE</u>	<u>PURITY</u>	<u>GERMINATION</u>	<u>TZ</u>
<u>alfalfa</u>	<u>4 oz</u>	<u>14.39</u>	<u>12.33</u>	<u>22.61</u>
<u>alkaligrass</u>	<u>4 oz</u>	<u>18.50</u>	<u>11.30</u>	<u>22.61</u>
<u>barley</u>	<u>1.25 lb</u>	<u>14.39</u>	<u>12.33</u>	<u>22.61</u>
<u>beets, sugar</u>	<u>1.25 lb</u>	<u>19.53</u>	<u>21.58</u>	<u>22.61</u>
<u>bentgrass</u>	<u>2 oz</u>	<u>32.89</u>	<u>17.47</u>	<u>22.61</u>
<u>bermudagrass</u>	<u>4 oz</u>	<u>18.50</u>	<u>11.30</u>	<u>22.61</u>
<u>black medie</u>	<u>4 oz</u>	<u>14.39</u>	<u>12.33</u>	<u>22.61</u>
<u>bluegrass</u>	<u>4 oz</u>	<u>22.61</u>	<u>15.41</u>	<u>22.61</u>
<u>brassica sp.</u>	<u>6 oz</u>	<u>34.94</u>	<u>17.47</u>	<u>22.61</u>
<u>brome-mountain</u>	<u>6 oz</u>	<u>23.64</u>	<u>12.33</u>	<u>22.61</u>
<u>brome-smooth, meadow</u>	<u>6 oz</u>	<u>23.64</u>	<u>12.33</u>	<u>22.61</u>
<u>buckwheat</u>	<u>1.25 lb</u>	<u>14.39</u>	<u>12.33</u>	<u>22.61</u>
<u>canarygrass</u>	<u>8 oz</u>	<u>18.50</u>	<u>11.30</u>	<u>22.61</u>
<u>clover</u>	<u>4 oz</u>	<u>14.39</u>	<u>12.33</u>	<u>22.61</u>

	<u>MINIMUM</u> <u>SAMPLE SIZE</u>	<u>PURITY</u>	<u>GERMINATION</u>	<u>TZ</u>
fescue	4 oz	22.61	12.33	22.61
flax-lewis	4 oz	14.39	12.33	22.61
foxtail	4 oz	14.39	11.30	22.61
garbanzo bean	1.25 lb	13.36	12.33	N/A
indian ricegrass	6 oz	18.50	11.30	22.61
junegrass	6 oz	18.50	11.30	22.61
lentil	1.25 lb	14.39	12.33	N/A
little bluestem	4 oz	21.58/hr	11.30	22.61
lupine	1.25 lb	14.39	12.33	N/A
milkvetch	1.25 lb	14.39	12.33	22.61
millet	1.25 lb	14.39	12.33	N/A
needle & thread	6 oz	18.50	11.30	22.61
needlegrass, green	6 oz	18.50	11.30	22.61
oatgrass	6 oz	18.50	11.30	N/A
oats	1.25 lb	14.39	12.33	22.61
orchardgrass	4 oz	25.69	13.36	22.61
peas	1.25 lb	13.36	12.33	N/A
prairie sandreed	6 oz	18.50	11.30	22.61
primrose	4 oz	14.39	12.33	N/A
redtop	2 oz	32.89	17.47	22.61
rice	1.25 lb	14.39	12.33	N/A
rve	1.25 lb	14.39	12.33	22.61
ryegrass, perennial	4 oz	22.61	11.30	22.61
ryegrass, annual	4 oz	22.61	11.30	22.61
safflower	1.25 lb	14.39	12.33	N/A
sainfoin	1.25 lb	14.39	12.33	N/A
sand dropseed	4 oz	18.50	11.30	22.61
sand lovegrass	4 oz	18.50	11.30	22.61
sideoats grama	4 oz	21.58/hr	11.30	22.61
small burnett	8 oz	14.39	12.33	N/A
sorghum	1.25 lb	14.39	12.33	N/A
sudangrass	8 oz	14.39	12.33	22.61
sunflower	1.25 lb	14.39	12.33	N/A
swiss chard	1.25 lb	34.94	18.50	N/A
switchgrass	4 oz	18.50	11.30	22.61
timothy	4 oz	18.50	11.30	22.61
trefoil	4 oz	14.39	12.33	N/A
triticale	1.25 lb	14.39	12.33	22.61
vetch	1.25 lb	18.50	12.33	22.61
wheat	1.25 lb	14.39	12.33	22.61
wheatgrass, beardless slender				
thickspike	6 oz	39.06	15.41	22.61
wheatgrass, bluebunch	6 oz	39.06	15.41	22.61
wheatgrass, crested	4 oz	26.72	15.41	22.61
wheatgrass, tall				

	<u>MINIMUM</u> <u>SAMPLE SIZE</u>	<u>PURITY</u>	<u>GERMINATION</u>	<u>TZ</u>
<u>intermediate</u>				
<u>pubescent</u>	<u>6 oz</u>	<u>39.06</u>	<u>15.41</u>	<u>22.61</u>
<u>wheatgrass,</u>				
<u>western</u>	<u>6 oz</u>	<u>39.06</u>	<u>15.41</u>	<u>22.61</u>
<u>wildrye</u>	<u>6 oz</u>	<u>18.50</u>	<u>11.30</u>	<u>22.61</u>
<u>zoysia</u>	<u>4 oz</u>	<u>18.50</u>	<u>11.30</u>	<u>22.61</u>

(2) VEGETABLES :

	<u>(MINIMUM</u> <u>SAMPLE SIZE</u>	<u>PURITY</u>	<u>GERMINATION</u>	<u>TZ</u>
asparagus	1.25 lb	14.00	12.00	N/A
beans	1.25 lb	13.00	12.00	N/A
beets	1.25 lb	19.00	18.00	N/A
cantaloupe	1.25 lb	14.00	12.00	N/A
carrot	4 oz	14.00	12.00	38.00
celery	4 oz	14.00	12.00	N/A
chard	4 oz	14.00	21.00	21.00
corn	1.25 lb	14.00	12.00	N/A
cucumber	1.25 lb	14.00	12.00	N/A
dill	4 oz	14.00	12.00	N/A
eggplant	4 oz	14.00	12.00	N/A
endive	4 oz	14.00	12.00	N/A
leek	8 oz	14.00	12.00	N/A
lettuce	4 oz	14.00	12.00	N/A
okra	4 oz	14.00	12.00	N/A
onion	8 oz	14.00	12.00	N/A
parsley	4 oz	14.00	12.00	N/A
parsnip	4 oz	14.00	12.00	N/A
pepper	8 oz	14.00	12.00	N/A
pumpkin	1.25 lb	14.00	12.00	N/A
radish	1.00 lb	14.00	12.00	N/A
spinach;				
New Zealand	8 oz	14.00	21.00	N/A
spinach	8 oz	14.00	21.00	N/A
squash	1.25 lb	14.00	12.00	N/A
tomato	4 oz	14.00	12.00	N/A
turnip	6 oz	14.00	12.00	22.00
watermelon	1.25 lb	14.00	12.00	N/A))

	<u>MINIMUM</u> <u>SAMPLE SIZE</u>	<u>PURITY</u>	<u>GERMINATION</u>	<u>TZ</u>
asparagus	1.25 lb	14.39	12.33	N/A
beans	1.25 lb	13.36	12.33	N/A
beets	1.25 lb	19.53	18.50	N/A
cantaloupe	1.25 lb	14.39	12.33	N/A
carrot	4 oz	14.39	12.33	39.06
celery	4 oz	14.39	12.33	N/A
chard	4 oz	14.39	21.58	21.58
corn	1.25 lb	14.39	12.33	N/A
cucumber	1.25 lb	14.39	12.33	N/A

<u>MINIMUM</u>				
	<u>SAMPLE SIZE</u>	<u>PURITY</u>	<u>GERMINATION</u>	<u>TZ</u>
dill	4 oz	14.39	12.33	N/A
eggplant	4 oz	14.39	12.33	N/A
endive	4 oz	14.39	12.33	N/A
leek	8 oz	14.39	12.33	N/A
lettuce	4 oz	14.39	12.33	N/A
okra	4 oz	14.39	12.33	N/A
onion	8 oz	14.39	12.33	N/A
parsley	4 oz	14.39	12.33	N/A
parsnip	4 oz	14.39	12.33	N/A
pepper	8 oz	14.39	12.33	N/A
pumpkin	1.25 lb	14.39	12.33	N/A
radish	1.00 lb	14.39	12.33	N/A
spinach,				
New Zealand	8 oz	14.39	21.58	N/A
spinach	8 oz	14.39	21.58	N/A
squash	1.25 lb	14.39	12.33	N/A
tomato	4 oz	14.39	12.33	N/A
turnip	6 oz	14.39	12.33	22.61
watermelon	1.25 lb	14.39	12.33	N/A

AMENDATORY SECTION (Amending WSR 01-01-015, filed 12/6/00, effective 1/6/01)

WAC 16-303-210 Fees for special seed tests. Fees for special seed tests are as follows: (Standard noxious exam size unless otherwise specified.)

<u>Test</u>	<u>Fee</u>	<u>Other Considerations</u>
(1) All states noxious weed examination	\$(10.00)) <u>10.27</u>	
(2) Analysis of partially cleaned, uncleaned or field run seed with excessive inert, or crop or weed seeds	\$(21.00)) <u>21.58</u> hourly rate	
(3) Brassica seed chemical identification	\$(10.00)) <u>10.27</u>	
(4) Cold (vigor) test for wheat	\$(50.00)) <u>51.39</u>	
(5) Crop and weed exam (Required for all foundation and registered class grass seeds)	Purity fee minus \$(5.00)) <u>5.13</u>	Hourly rate will be assessed when applicable; hourly rate applies when a larger amount is requested
(6) Fescue seed fluorescence test	\$(15.00)) <u>15.41</u>	Test required on certified samples

Test	Fee	Other Considerations
(7) Fluorescence test (400 seed test)	\$(13.00) <u>13.36</u>	
(8) Miscellaneous services	\$(21.00) <u>21.58</u> hourly rate	
(9) Pest and disease	\$(17.00) <u>17.47</u>	
(10) Poa annua check		
Bentgrass (5 grams)	\$(17.00) <u>17.47</u>	
Bluegrass (5 grams)	\$(17.00) <u>17.47</u>	
Other grasses (10 grams)	\$(17.00) <u>17.47</u>	
(11) Rules test--Canadian		
	PURITY	GERMINATION
Alfalfa, clover	\$(21.00) <u>21.58</u>	\$(12.00) <u>12.33</u>
Kentucky bluegrass	\$(32.00) <u>32.89</u>	\$(15.00) <u>15.41</u>
Peas, lentils	\$(21.00) <u>21.58</u>	\$(12.00) <u>12.33</u>
Bentgrass	\$(47.00) <u>48.31</u>	\$(17.00) <u>17.47</u>
(12) Rules test--I.S.T.A.		
	PURITY	GERMINATION
Alfalfa, clover	\$(21.00) <u>21.58</u>	\$(15.00) <u>15.41</u>
Kentucky bluegrass	\$(32.00) <u>32.89</u>	\$(15.00) <u>15.41</u>
Peas, lentils	\$(21.00) <u>21.58</u>	\$(15.00) <u>15.41</u>
(13) Samples requiring special preparation for germination, for example pelleted seeds	\$(21.00) <u>21.58</u>	Additional Charge
(14) Seed Count	\$(17.00) <u>17.47</u>	
(15) Sod analysis check (25 gram exam to evaluate if a lot appears to be sod quality)	\$(19.00) <u>19.53</u>	Phone report only
(16) Sod seed analysis (A special test of turf grasses for those who need a detailed examination of seed before purchase and/or use)	Bluegrass \$(60.00) Fescue <u>61.67</u> Ryegrass \$(42.00) <u>43.17</u> \$(34.00) <u>34.94</u>	Bluegrass test includes purity, 25 gram crop and weed exam, and 10 gram Poa annua check. Ryegrass and Fescue test include purity and 50 gram crop and weed exam.
(17) Sodium Hydroxide test for presence of red and/or white wheat	\$(10.00) <u>10.27</u>	
(18) Soil exam or similar (A visual examination of a representative sample)	\$(17.00) <u>17.47</u>	Reported on seed analysis certificate
(19) Undesirable grass species examination (UGS test)	\$(12.00) <u>12.33</u>	

Test	Fee	Other Considerations
(20) Variety separation of Kentucky bluegrass	\$(19.00) <u>19.53</u>	
If separated at time of purity analysis	\$(9.00) <u>9.25</u>	

AMENDATORY SECTION (Amending WSR 01-01-015, filed 12/6/00, effective 1/6/01)

WAC 16-303-230 Official seed sampling or similar service.

(1) The fee for official seed sampling or similar service is as follows:

Crop	Fee	Minimum charge
Peas, beans, small grains or seeds of similar size	\$ 0.05 Per cwt.	\$(21.00) <u>21.58</u>
For all other kinds	\$ 0.15 Per cwt.	\$(21.00) <u>21.58</u>

(2) If a special trip is required to provide a service, the person requesting the service may be charged at the rate of ~~\$(17.00)~~ 17.47 per hour travel time plus a mileage fee set by the Washington State Office of Financial Management in addition to the specific fee for service. All standby time is charged at the rate of ~~\$(21.00)~~ 21.58 per man-hour.

AMENDATORY SECTION (Amending WSR 01-01-015, filed 12/6/00, effective 1/6/01)

WAC 16-303-250 Miscellaneous charges for seed services. (1)

Fees for miscellaneous department seed services are as follows:

Service	Fee
Rush samples (including phone or FAX report if requested at time sample is submitted)	\$(12.00) <u>12.33</u>
Phone reports on test result, per call	\$(3.50) <u>3.59</u> per call
Preliminary report on germination	\$(8.00) <u>8.22</u>
Phone report only	\$(1.50) <u>1.54</u>
Additional mailing of report	\$(2.50) <u>2.56</u> each destination

Service	Fee
((Recopies)) <u>Additional copies of reports</u>	\$(2.50)) <u>2.56</u> (minimum fee)
Revised reports	\$(5.00)) <u>5.13</u> (minimum fee - or hourly fee when applicable)
Fee for special handling service, for example Federal Express, Air Parcel or air freight	\$(3.50)) <u>3.59</u>
Fee for facsimile transmission of documents	\$(3.50)) <u>3.59</u> per document
Travel time - additional or special requested trips	\$(17.00)) <u>17.47</u>
Mileage - additional or special requested trips	As established by the Washington State Office of Financial Management

(2) Test plot examinations or consultant work in seed plots, seed fields, seed conditioning plants, etc., shall be at the rate of ~~\$(21.00))~~ 21.58 per hour plus mileage and travel time at the rate of \$17.47 per hour traveled.

AMENDATORY SECTION (Amending WSR 01-01-015, filed 12/6/00, effective 1/6/01)

WAC 16-303-300 Phyto-sanitary certification of seed--Fees.

(1) Fees for phyto-sanitary certification of seed are as follows:

Service	Fee	Other Considerations
Phyto-sanitary certificate	\$(21.00)) <u>21.58</u> each	
Field inspection--All seed except wheat seed (for each required inspection)	\$(5.00)) <u>5.13</u> per acre	\$(20.00)) <u>20.55</u> minimum fee payable with application
Field inspection--Wheat seed only (for each required inspection)	\$(2.00)) <u>2.05</u> per acre or fraction thereof	Payable with application
Area inspection	\$.05 per cwt.	\$(20.00)) <u>20.55</u> minimum fee per certificate \$(150.00)) <u>154.18</u> maximum fee per certificate Billed at time certificate is issued
Late fee-- Application	\$(30.00)) <u>30.83</u> each	

Service	Fee	Other Considerations
Sampling (When Required)-- Beans, peas, lentils, and cereal grains	\$.05 per cwt.	
Other crops	\$.15 per cwt.	
Serology test	Fee as established by the testing laboratory.	
Laboratory analysis of plant material to verify disease	An additional fee of actual cost shall be charged when necessary to examine plant material and/or seed	

AMENDATORY SECTION (Amending WSR 01-01-015, filed 12/6/00, effective 1/6/01)

WAC 16-303-310 Organization for economic cooperation and development scheme for varietal certification (O.E.C.D.) fees. In addition to fees required by applicable Washington certification rules, the following fees shall apply to all seed tagged O.E.C.D. and is payable by the person requesting O.E.C.D. certificate. The certifying agency may require fees paid in advance:

Service	Fee	Other Considerations
O.E.C.D. certificate	\$(+0.00) <u>10.27</u> each	
O.E.C.D. grow out test	\$(+6.00) <u>47.28</u> each entry	No charge for control entry

AMENDATORY SECTION (Amending WSR 01-01-015, filed 12/6/00, effective 1/6/01)

WAC 16-303-317 Annual and rough bluegrass quarantine fees. Fees for sampling and analysis for the presence of annual or rough bluegrass are those fees established in this chapter and:

(1) Annual Bluegrass - inspection fee for nursery plantings for the presence of annual bluegrass is ~~\$(50.00)~~ 51.39 per acre or portion thereof. The tagging fee is ~~\$(0.50)~~ 0.51 cwt. with a minimum fee of ~~\$(10.00)~~ 10.27.

(2) Rough Bluegrass - inspection fee for nursery plantings is \$((50.00)) 51.39 per acre or portion thereof.

AMENDATORY SECTION (Amending WSR 01-01-015, filed 12/6/00, effective 1/6/01)

WAC 16-303-320 Certification fees for seed certified by the department except grasses. Fees for seed certification services for seed certified by the department other than grasses are as follows. Fees apply to both new and renewal applications:

Seed	Application Fee 1/	Seedling producing or field inspection Fee 2/	Late Application Penalty Fee	Reinspection Fee (other than isolation)	Production Fee (includes sampling and tagging)	Seed shipped Out-of-State (uncleaned)
Alfalfa, Red clover, White clover and Trefoil	\$((+5.00)) <u>15.41</u> per variety per grower	\$((+1.75)) <u>1.79</u> /acre	\$((30.00)) <u>30.83</u>	\$((40.00)) <u>41.11</u> ea. field	\$((0.50)) <u>0.51</u> /cwt. 5/	\$0.19/cwt.
Bean	\$((+5.00)) <u>15.41</u> per variety per grower	\$((+1.75)) <u>1.79</u> /acre 3/ (one inspection) \$((3.50)) <u>3.59</u> /acre 4/ (two inspections)	\$((30.00)) <u>30.83</u>	\$((40.00)) <u>41.11</u> ea. field	\$((0.50)) <u>0.51</u> /cwt.	\$0.19/cwt.
Corn	\$((+5.00)) <u>15.41</u> for each separate combination/or isolation	\$((25.00)) <u>25.69</u> first acre \$((+0.00)) <u>10.27</u> ea. additional acre except hybrid corn \$((3.50)) <u>3.59</u> ea. additional acre	-----	-----	-----	-----
Sudangrass	\$((+5.00)) <u>15.41</u> per field	\$((+1.75)) <u>1.79</u> /acre	\$((30.00)) <u>30.83</u> per field	-----	\$((0.40)) <u>0.41</u> /cwt.	-----
Rapeseed	\$((+5.00)) <u>15.41</u> per variety per grower	\$((+1.75)) <u>1.79</u> /acre (one inspection)	\$((+5.00)) <u>15.41</u> per grower	\$((20.00)) <u>20.55</u> ea. field	\$((0.50)) <u>0.51</u> /cwt.	-----

- 1/ Refer to WAC 16-302-050 for seed certification application due dates.
- 2/ Refundable if acreage is withdrawn before inspection. Except for bean seed, required of seedling fields to be harvested for certification the year of planting. Notification of seeding field to be harvested for certification and required fees are due July 31.
- 3/ One inspection is required for Great Northern Red Mexican, pinto, pink, and small white bean.
- 4/ Includes windrow inspection which is required for certification of snap beans, kidney beans, and eligibility for shipment into Idaho.
- 5/ Sampling and production fees are billed at completion of tests. If none of the seed is tagged, ten cents of the ((fifty)) fifty-one cents per cwt. production fee is refundable.

AMENDATORY SECTION (Amending WSR 01-01-015, filed 12/6/00, effective 1/6/01)

WAC 16-303-330 Certification fees for grass seed.
Certification fees for grass seed except Sudangrass are as follows:

(1) Application fees:

(a) Seedling application fee:

Per variety, per field ~~\$((+15.00))~~
15.41

(b) Late seedling penalty fee: (Per ~~\$((30.00))~~
30.83
kind)

(c) Seedling producing application fee:

Per field, per grower ~~\$((+15.00))~~
15.41

Required of seedling fields to be harvested for certification the year of planting.
Notification of seedling field to be harvested for certification and required fees shall be due July 31:

(2) Renewal applications:

(a) Renewal application fee:

Per variety, per grower ~~\$((+15.00))~~
15.41

(b) Late renewal penalty fee: (Per ~~\$((30.00))~~
30.83
variety)

This additional fee shall be charged for renewal applications received after May 1.

(c) Inspection fee per field. ~~\$((30.00))~~
30.83

(3) Annual grasses inspection fee per ~~\$ ((+1.75))~~
1.79
acre

Applications are due within sixty days after planting.

(4) Reinspection: Other than isolation- ~~\$((40.00))~~
41.11
-each field

(5) Inspection and final certification fees: Inspection and final certification fees are based on pounds sampled and billed upon completion of required tests (Option A). Those dealers requesting sampling and tagging privileges and/or participation in Option B must sign a memorandum of agreement that shall expire on June 30 of each year. The memorandum may be terminated by the director if the conditioner violates certification standards or requirements of memorandum.

(a) Option A: When based on pounds sampled, and billed at completion of required laboratory tests, the fees are:

(i) Final certification fee \$ ~~((0.80))~~
0.82

per one hundred pounds. (If no seed is tagged, twenty cents of the final certification fee is refundable upon request.)

(ii) Seed shipped out-of-state for conditioning per one hundred pounds (unclean weight) \$ 0.30

(iii) Service fee for out-of-state origin (per cwt.) \$ 0.30

(iv) Blend fee is as established by blend rule, and in addition to above fees. However, blend fee is not applicable to salvage blends.

(v) Payment of fees is the responsibility of the person signing the application. However, conditioner may assume this responsibility.

(b) Option B: When based on pounds tagged after required laboratory tests are completed, the fee is:

(i) Final certification fee \$ ~~((1.10))~~
1.13

per one hundred pounds. (Minimum fee per tagging) \$ ~~((10.00))~~
10.27

(ii) Service fee for out-of-state origin \$ ~~((0.65))~~
0.66

per one hundred pounds.

(iii) Blend fee (in addition to fee established by blend rule) is payable upon completion of blend on total weight of blend, and is as follows:

(A) Washington origin certified seed used in blend \$ ~~((1.00))~~
1.02

per one hundred pounds.

(B) Out-of-state origin certified seed used in blend

\$ ~~(0.60)~~
0.61

per one hundred pounds except that those fees listed in (a) and (b) above are not applicable to certified seed that is tagged and sealed, and on which final fees have been paid.

(C) A refund or credit is issued for the percent of the blend lot not tagged. (For example, if forty percent of the blend is not tagged, forty percent of the fees charged under Option B above are refundable.)

(6) Payment of fees is the responsibility of the conditioner. A conditioner choosing this program must handle all certified grasses in his warehouse under this program for the entire crop year. Upon termination or nonrenewal of Option B memorandum of agreement, conditioner is responsible for Option A fees on all certified seed not tagged at termination date.

(7) Fees for services such as O.E.C.D. and sod quality, etc., are in addition to the fees listed in these standards.

(8) Fees for reissue of tags are ten cents per tag with a minimum fee of ten dollars and twenty-seven cents.

(9) The seed processor is responsible for seed certification fees including sampling, testing, production and final certification fees, and may request the responsibility for additional fees.