

State of Washington

Department of Agriculture

(agency name)

Administrative Order No. 1786

(1) I, M. Keith Ellis, director of the Department of Agriculture

do promulgate and adopt at General Administration Building, Olympia, Washington (place)

the annexed rules relating to:

16-400 regarding Horticultural Inspection Fees

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 83-03-058 filed with the code reviser on 1/19/83. These rules shall take effect: [X] thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2). [] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is:

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026¹ that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b), or (c) as appropriate:

[X] (a) This rule is promulgated pursuant to RCW 15.17 and is intended to administratively implement that statute.

[] (b) This rule is promulgated pursuant to RCW which directs that the

(agency) has authority to implement the provisions of

(name of act or RCW citation)

[] (c) This rule is promulgated under the general rule-making authority of the

(agency)

as authorized in RCW

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this agency, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON FILED

APPROVED AND ADOPTED March 1 19 83

MAR 1 1983

By M. Keith Ellis

Director, Department of Agriculture

Title

CODE REVISER'S OFFICE WSR 83-06-048

AMENDATORY SECTION (Amending Order 1578, filed 5/17/78)

WAC 16-400-150 SHIPPING PERMITS. By law, each shipment of apples, apricots, Italian prunes, peaches, pears, ((and)) certified seed potatoes, and asparagus must be covered by a shipping permit for grade; and cherries for freedom from cherry fruit fly larvae, whether certified or not. Shipments to processors of apricots, cherries, peaches, ((and)) prunes, and asparagus do not require a shipping permit. If the lot has been certified for each shipment by car or truck, a permit will be issued without additional charge. If the lot has not been certified, the basis of charges shall be as follows:

(1) Apples, pears, and soft fruits (carlots and trucklots).

(a) ~~((80--or--less--containers--of--28--lbs--to--65--lbs,--5¢--per--container,--84--and--over,--the--shipping--permit--shall--be--2/3--the--fee--for--grade--and--condition--certificate--with--a--minimum--fee--of--\$4.00.~~

~~((i)--47--to--27--lbs---two--containers---5¢--up--to--the--\$4.00--minimum;--46--lbs--and--under---three--containers---5¢--up--to--the--\$4.00--minimum;))~~

Shipping permit fees:

(i) Containers of twenty-eight pounds to sixty-five pounds, eighty or less per container..... \$0.05

(ii) Containers of twenty-eight pounds to sixty-five pounds, eighty-one and over two-thirds the fee for grade and condition certificate. (Minimum fee..... \$4.00)

(iii) Seventeen to twenty-seven pounds--two containers up to minimum..... \$0.05
(Minimum fee..... \$4.00)

(iv) Sixteen pounds and under--three containers up to minimum..... \$0.05
(Minimum fee..... \$4.00)

(b) Permit to ship apples and/or pears to a by-product plant outside the district ((-)) \$2.00 ((=))

(Permits to by-product plants are for transportation only in accordance with state law.)

(2) Vegetables.

(a) Potatoes - ((minimum--charge)) per permit ((2/3)), two-thirds of certificate charge ((or--\$4.00--minimum)). (Minimum fee..... \$4.00)

(b) Processing plant or livestock feed shipments - for transportation only, in accordance with state law per load..... \$2.00 ((per-load)) OR where point of origin or out-of-district inspection required per ton..... \$((=50-per-ton))
0.50

(c) Certified seed potatoes per cwt..... ((4¢))
\$0.04

((PROVIDED, That)) No charge shall be made for shipping permits when seed potatoes are grown, graded and shipped in full compliance with the provisions of the rules for the certification of seed potatoes, and the grades and standards for certified seed potatoes. ((Shipments not in compliance with the--above--shall--be--charged--in--accordance--with--WAC--16--400--150(2)(c)-))

(d) Asparagus

(i) Containers of twenty-six to thirty-five pounds, eighty or less per container..... \$0.05

(ii) Containers of twenty-six to thirty-five pounds, eighty-one and over two-thirds the fee for grade and condition certificate. (Minimum fee..... \$4.00)

(iii) Twelve to twenty-five pounds--two containers up to minimum..... \$0.05
(Minimum fee..... \$4.00)

(3) Container weight, or checkloading certificates ((shall-be-4 cent)) per container (~~7--except--that--the--minimum--charge shall-be~~) \$0.01 (Minimum fee..... \$12.00 ((~~7~~)))

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 16-400-001 PROMULGATION.
- (2) WAC 16-400-003 PROMULGATION.
- (3) WAC 16-400-004 PROMULGATION.
- (4) WAC 16-400-005 PROMULGATION.
- (5) WAC 16-400-006 PROMULGATION.
- (6) WAC 16-400-00601 PROMULGATION.