



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)
 Permanent Rule
 Emergency Rule

Agency: Department of Agriculture

(1) Date of adoption: July 16, 1993

(2) Purpose: To amend WAC 16-218-001, 010, 02001 and add a new section 16-218-030 to increase fees for certification and analyses required for hops, hop extract, hop pellets and/or hop powder; and establish a schedule of fees for other certificates as requested/required by the industry.

(3) Citation of existing rules affected by this order:
Repealed:
Amended: Chapter 16-218 HOPS - CERTIFICATION ANALYSES - FEES
Suspended:

(4) Authority for adoption:
Statute: RCW 22.09.830 (2)
Other Authority:

(5.1) **PERMANENT RULE ONLY**
Pursuant to notice filed as WSR 93-12-134 on June 2, 1993 (date).
Describe any changes other than editing from proposed to adopted version:
None

(5.2) **EMERGENCY RULE ONLY**
Pursuant to 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:

(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 **Emergency Rules**
 31 days after filing Immediately
 Other (specify) _____ * Later (specify) _____
*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY
CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED
JUL 16 1993
TIME: 8:07 AM
WSR: 93-15-069

NAME (TYPE OR PRINT) John King
SIGNATURE *John M King*
TITLE Acting Director DATE 7/16/93

AMENDATORY SECTION (Amending Order 1156, filed 7/1/70)

WAC 16-218-001 Promulgation. I, (~~Donald W. Moos~~) Peter J. Goldmark, director of agriculture of the state of Washington, by virtue of the authority vested in me under chapter 22.09 RCW, (~~after due notice as provided under chapters 42.32 and 34.04 RCW and a public hearing held in Yakima, Washington on June 24, 1970, do hereby~~) promulgate the following regulations relating to schedule of fees for the certification analyses of hops.

AMENDATORY SECTION (Amending Order 1905, filed 8/15/86)

WAC 16-218-010 Schedule of fees for physical grading. The schedule of fees, payable to the department for certification of hops pursuant to the standards established by the Federal Grain Inspection Service of the United States Department of Agriculture shall be as follows:

(1) Lot inspection. One dollar and (~~thirteen~~) twenty-five cents per bale in each lot, minimum charge shall be thirty dollars.

(2) Sample inspection. Thirty-five dollars per unofficial sample submitted.

(3) Supplemental certificates. Five dollars per certificate.

(4) Appeal inspection. Charges for appeal inspections shall be made by the Federal Grain Inspection Service, Portland, Oregon, and payment for appeal inspections shall be made to them.

(5) (~~Retyping certificates. A charge of five dollars shall be made for retyping certificates if through no fault of the inspection service the information is submitted incorrectly.~~

~~(6))~~ Extra copies. A charge of two dollars per set shall be made for typing extra copies of a certificate when requested by the original applicant or other financially interested party.

(~~(7))~~ (6) Extra time and mileage charges. If through no fault of the inspection service, lots of hops cannot be sampled at the time such sampling has been requested by the applicant or there is an undue delay in making a lot of hops available for sampling, extra time and mileage charges shall be assessed. Fees for hourly wages shall be charged at the current established sampler hourly rate and mileage shall be charged at the rate established by the state office of financial management.

To be considered available for sampling and certification, each and every bale in the lot of hops shall be readily accessible so that each bale may be properly stenciled and samples drawn from those bales selected by the inspector.

WAC 16-218-02001 Schedule of charges for chemical analyses of hops, hop extract, hop pellets or hop powder. The following is the schedule of charges for chemical analyses of hops, hop extract, hop pellets or hop powder:

(1) Official samples of hops drawn by department personnel shall be composited either from the cores drawn for grade analysis, or from cores specifically drawn on a schedule for brewing value only. Charges for analysis are: Thirty-five cents per bale, with a minimum charge of thirty dollars for the ASBC spectrophotometric, and ASBC or EBC conductometric methods. An official brewing value certificate shall be used.

(2) Extra time and mileage charges. If through no fault of the inspection service, lots of hops cannot be sampled at the time such sampling has been requested by the applicant or there is an undue delay in making a lot of hops available for sampling, extra time and mileage charges shall be assessed. Fees for hourly wages shall be charged at the current established sampler hourly rate and mileage shall be charged at the rate established by the state office of financial management.

To be considered available for sampling and certification, each and every bale in the lot of hops shall be readily accessible so that each bale may be properly stenciled and samples drawn from those bales selected by the inspector.

(3) The following fees shall be charged by the department for samples submitted to the chemical and hop laboratory for analysis:

(a) ASBC spectro	((\$25.00))	\$30.00
(b) ASBC conducto		\$30.00
(c) EBC conducto		\$30.00
(d) EBC conducto (Wollmer, Zurich, Mebak, Verzele, Ganzlin and hard and/or soft resins)	((\$45.00))	\$60.00
(e) Spectro of tannins, Wollmer, etc.	((\$45.00))	\$55.00
(f) Methylene chloride	((\$75.00))	\$80.00
(g) Tannin	((\$30.00))	\$55.00
(h) Ash	((\$15.00))	\$20.00
(i) SO ₂		\$25.00
(j) H ₂ O		\$10.00
(k) HPLC		\$100.00
(l) Oil		\$25.00
(m) Wort test, particle size		\$10.00

(4) A fee shall be charged by the department for any other analysis not listed in this section such as ((~~oil analysis~~)) isoconversion products from alpha and beta resins((~~7~~)) and possible adulterants such as residues. Fees shall be based on labor costs, laboratory equipment costs, chemical and material costs, administrative and overhead costs.

NEW SECTION

WAC 16-218-030 Schedule of fees for certificates. The fees for issuance of certificates relating to hops or hop products shall be:

(1) State public sanitary certificates \$25.00

(2) Other certificates attesting to origin, compliance with standards of other states or nations or specifications of contracts, or conditions of production or processing . . \$20.00