



**RULE-MAKING ORDER**  
**(RCW 34.05.360)**

**CR-103** (4/25/96)

**Agency:** Department of Agriculture

- Permanent Rule
- Emergency Rule
- Expedited Repeal

**(1) Date of adoption:** February 5, 1997

**(2) Purpose:**

To establish a fee for sampling a spectrophotometric analysis of hops without determination of moisture content.

**(3) Citation of existing rules affected by this order:**

- Repealed:
- Amended: WAC 16-218-2001
- Suspended:

**(4) Statutory authority for adoption:** RCW 22.09.790

Other Authority:

**PERMANENT RULE ONLY**

Adopted under notice filed as WSR **96-23-067** on **November 20, 1996**.  
Describe any changes other than editing from proposed to adopted version:

**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  
or Expedited Repeal**

**Emergency Rules**

- 31 days after filing
- Other (specify) \*
- 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)  
James M. Jesernig

Signature

Title  
Director

Date  
February 5, 1997

**CODE REVISER USE ONLY**

CODE REVISER'S OFFICE  
STATE OF WASHINGTON  
FILED

FEB - 5 1997

TIME 3:03 AM  
WSR 97-05-003 PM

**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:**

<b>Federal statute:</b>	New	Amended	Repealed
<b>Federal rules or standards:</b>	New	Amended	Repealed
<b>Recently enacted state statutes:</b>	New	Amended	Repealed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	1	Repealed
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	Amended	1	Repealed
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	Amended	Repealed	
<b>Pilot rule making:</b>	New	Amended	Repealed	
<b>Other alternative rule making:</b>	New	Amended	1	Repealed

AMENDATORY SECTION (Amending WSR 93-15-069, filed 7/16/93, effective 8/16/93)

**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 with moisture, thirty cents per bale, with a minimum charge of thirty dollars for the ASBC spectrophotometric without moisture, 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 . . . . .	\$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) . . . . .	\$60.00
(e) Spectro of tannins, Wollmer, etc. . . . .	\$55.00
(f) Methylene chloride . . . . .	\$80.00
(g) Tannin . . . . .	\$55.00
(h) Ash . . . . .	\$20.00
(i) SO <sub>2</sub> . . . . .	\$25.00
(j) H <sub>2</sub> 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 isoconversion products from alpha and beta resins and possible adulterants such as residues. Fees shall be based on labor costs, laboratory equipment costs, chemical and material costs, administrative and overhead costs.