



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: August 30, 2001

(2) Purpose: With the development of the Customer Assisted Inspection Program, an additional fee schedule category is needed which allows for a reduction in inspection fees. This is due to the fact that the industry is providing personnel to perform inspections with oversight provided by the Washington State Department of Agriculture, Fruit and Vegetable Inspection Program.

(3) Citation of existing rules affected by this order: 16-400 FRUIT AND VEGETABLE INSPECTION FEES

- Repealed:
- Amended:
- Suspended:

(4) Statutory authority for adoption: RCW 15.17.140

Other authority:

PERMANENT RULE ONLY

Adopted under notice filed as WSR ^{1 dn}01-05-086 on July 18, 2001 (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

DEPUTY DIRECTOR

DATE

8/30/01

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON

AUG 30 2001

3:16

01-18-052

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:

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	1	___	Amended	___	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	1	___	Amended	___	Repealed	___

NEW SECTION

WAC 16-400-045 Grade and condition certificates--Customer assisted inspection program (CAIP) certification charges--Fruits and vegetables. Charges for grade and condition certificates for all fruits and vegetables issued under this section shall be:

(1) The minimum charge for grade and condition certificates for all fresh fruits and vegetables shall be nine dollars.

(2) Charges for grade and condition certificates for fresh market fruit and vegetables in containers - wrapped, place pack, face and fill, in bags, master containers, consumer packages, or loose in bulk cartons, boxes, crates, bins or in bags, per cwt. or fraction thereof:

(a) Federal-state grade certification shall be three-fourths of the cwt. rates specified in WAC 16-400-010 (2) (a) and 16-400-040 (2) (a), but not less than the hourly rate of thirty dollars.

(b) Should the cwt. rate charges total less than thirty dollars per staff hour worked, additional certification charges shall be assessed to equal thirty dollars per hour worked.