

TRANSMITTAL OF RULES ADOPTED

FROM: Department of Agriculture  
(Name of Agency)

TO: CODE REVISER  
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)  
Olympia 98501

The enclosed Permanent rules  , being order No. 1120  
Emergency rules   
relating to (Name of rules or description of subject matter)

Horticultural Inspection Fees

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. \_\_\_\_\_<sup>①</sup> filed with the code reviser  
on \_\_\_\_\_<sup>②</sup> were regularly adopted as permanent rules of this  
(date)  
agency at \_\_\_\_\_ on \_\_\_\_\_ and are herewith  
(place) (date)  
filed in the office of the code reviser pursuant to chapter 34.04  
RCW. The effective date of such rules shall be \_\_\_\_\_<sup>③</sup>

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of  
these rules 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 the public interest,  
were regularly adopted as emergency rules of this agency at  
Olympia on 6-30-69 and are herewith filed in  
(place) (date)  
the office of the code reviser pursuant to chapter 34.04 RCW.

Dated this 30th day of June 1969.

STATE OF WASHINGTON  
FILED  
JUN 30 1969  
CODE REVISER'S OFFICE  
KET # 2484 FILE # 20

Department of Agriculture  
(AGENCY)  
By Donald W. Moos  
Director of Agriculture  
Title

- ① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
- ② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
- ③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING: RCW 34.04.040. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.

Chapter 16-400  
Horticultural Inspection Fees

STATE OF WASHINGTON  
DEPARTMENT OF AGRICULTURE  
OLYMPIA  
EMERGENCY ORDER NO. 1120  
(Superseding Order No. 1065)  
Effective July 1, 1969

NEW

WAC 16-400-003 PROMULGATION. (This promulgation relates only to WAC 16-400-010 through WAC 16-400-150 and WAC 16-400-210 through WAC 16-400-235 and WAC 16-400-250 through WAC 16-400-280).

I, Donald W. Moos, director of agriculture of the state of Washington by virtue of the authority vested in me under Chapter 15.17 RCW and after due notice as provided under Chapters 34.04 and 42.32 RCW and a public hearing held in Okanogan, Washington on June 23, 1969, Wenatchee, Washington on June 24, 1969, Yakima, Washington on June 25, 1969 and Olympia, Washington on June 27, 1969, do hereby promulgate the following regulations relating to horticulture inspection fees; and amending Order No. 1066 and WAC 16-400-010 through WAC 16-400-020, and WAC 16-400-040 through WAC 16-400-150, and WAC 16-400-210 through WAC 16-400-235 and WAC 16-400-250 through WAC 16-400-280, and repealing WAC 16-400-030:

The adoption of this Emergency Order establishing horticultural inspection fees is necessary for the immediate preservation of the public health, safety and general welfare. It is necessary that this order become effective immediately in order that the Director may provide adequate fees for inspection of such fruits and vegetables.

AMD

WAC 16-400-010 GRADE AND CONDITION CERTIFICATES - ALL DISTRICTS. (1) The minimum charge for a certificate shall be \$6.00 on all fruits and vegetables.

(2) All fresh fruits. (Apples, pears and soft fruits). Fruit in containers. (Wrapped, place pack, face & fill, or loose in boxes, cartons, crates, or bags).

Under 12 lbs net - - - - -	1¢ each container
12 to 19 lbs net - - - - -	1-1/8¢ each container
20 to 29 lbs net - - - - -	2¢ each container
30 to 50 lbs net - - - - -	2-3/4¢ each container

(Incl. 1/2 bu. container for prunes)

AMD

WAC 16-400-020 LOOSE APPLES AND/OR PEARS. (In bulk, bulk bins). (1) \$1.25 per ton net weight or major fraction thereof.

(2) The charge for a mixture of packed and loose apples and pears, shall be based on the total of packed and loose apples and pears under WAC 16-400-010 and 16-400-020.

AMD

WAC 16-400-040 VEGETABLES.

Asparagus in 12 lb containers . . . . .	1-1/2¢ each
Asparagus in 26 - 35 lb containers . . . . .	2-3/4¢ each
Corn - crates . . . . .	3¢ each
Cantaloupe (60 lb container unit) . . . . .	4¢ each
Tomatoes - L.A. Lugs or loose in containers . . . . .	2-1/2¢ each
Tomatoes - In flats . . . . .	1-7/8¢ each
Onions . . . . .	4¢ cwt.

- Potatoes and seed potatoes . . . . . 3-1/2¢ cwt.
- Potatoes where percentage grade needed . . . . . 30¢ per ton  
or major fraction thereof (diversion  
program or similar program)
- Processing potatoes . . . . . 2-3/4¢ cwt. Com-  
plete inspection (Rate reduced for  
service required)

Inspection fees for cabbage, celery, lettuce, cauliflower, grapes, rhubarb, rutabagas, watermelons, squash, carrots, etc., shall be at the regular hourly rate of \$7.25 per hour, or \$14.00 for a carload, with a maximum of 2 hours time.

AMD

WAC 16-400-050 DEFENSE SUBSISTENCE SUPPLY CENTER OR OTHER FEDERAL AGENCIES. Fees as established by USDA.

- (1) Canadian inspections . . . . . \$7.25 hour  
Terminal wholesale markets, Tacoma,  
Seattle and Spokane. Minimum chg. 1 hour.
- (2) State institution inspections . . . . . \$7.25 hour  
Minimum fee shall be \$4.00.

AMD

WAC 16-400-060 BEANS, PEAS, LENTILS.

- (1) Lot inspection . . . . . 2¢ cwt.  
Minimum charge for a certificate shall  
be \$4.00.
- (2) Sample inspection . . . . . \$4.00 sample

AMD

WAC 16-400-070 HAY AND STRAW.

- (1) Complete inspection . . . . . 50¢ per ton or  
fraction thereof, but not less than  
\$5.00. Provided, that in the case  
of submitted samples the fee shall  
be \$1.00 per sample.
- (2) Partial inspection . . . . . 50¢ per ton or  
fraction thereof, calculated on the  
amount to which the inspection is  
restricted, but shall not be less than  
\$5.00.

AMD

WAC 16-400-090 SHORT FORM OR LOT INSPECTION CERTIFICATES.  
Same as WAC 16-400-010 Grade and Condition Certificates.

AMD

WAC 16-400-100 CONSOLIDATION CERTIFICATES. Shall have an additional charge of \$2.00 for each additional local lot.

AMD

WAC 16-400-110 CONDITION CERTIFICATES. (1) When the lot has been previously certified, the charge shall be 2/3 of the charge schedule of grade and condition certificates, except that the minimum charge shall be \$6.00.

(2) When the lot has no prior inspection for quality or grade, and it is not requested that the certificate carry identification of car, truck, or state lot number, same schedule as above.

(3) On certified lots unloaded for "storage in transit" or for commercial storage, same as above.

(4) When the lot has had no prior inspection for quality or grade and it is requested that certificate carry identifying out-bound car, truck, or state lot number, use same schedule as grade and condition certificates.

(5) Condition certificates on out-of-state products reported on state certificates shall be charged on the applicable grade and condition certificate schedule, except that a minimum charge shall be \$6.00 or \$7.25 per hour.

AMD

WAC 16-400-120 CAR HOOK-UP, LOADING OR UNLOADING CERTIFICATE. The minimum fee shall be \$5.00.

AMD

WAC 16-400-140 SANITARY CERTIFICATES - FRUITS AND VEGETABLES. (1) When shipment is not covered by federal-state certificates:

(a) \$2.00 for the first 200 containers or fraction thereof, plus \$7.25 per hour for necessary inspection.

(2) When shipment is covered by federal-state certificates, all sanitary certificates will be at the rate of \$2.00 per set.

WAC 16-400-150 SHIPPING PERMITS. By law, each shipment of apples, apricots, cantaloupes, Italian prunes, peaches, pears, potatoes and tomatoes 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, prunes, cantaloupes and tomatoes 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).
  - ( ) 80 or less containers of 28 lbs and over, 5¢ per container. 81 and over, the shipping permit shall be 2/3 the fee for grade and condition certificate with a minimum fee of \$4.00.
    - (i) 17 to 27 lbs - two containers - 5¢ up to the \$4.00 minimum.
      - 16 lbs and under - three containers - 5¢ up to the \$4.00 minimum.
    - (b) Permit to ship apples and/or pears to be by-product plant outside the district - \$1.50.  
(Permits to by-product plants are for transportation only in accordance with state law.)
  - (2) Vegetables.

	Minimum Charge	Unit Rate
(a) Cantaloupes (60 lb container unit) . . .	\$ 2.00	3¢
(b) Tomatoes . . . . .	2.00	
In L.A. Lugs or loose in container . . .		1-2/3¢
In Flats . . . . .		1-1/4¢
(c) Potatoes - minimum charge - per permit	2/3 of certificate charge or \$4.00 minimum.	
(d) Processing plant or livestock feed shipments - for transportation only, in accordance with state law . . . . .	\$1.50 per load OR where point of origin or out-of-district inspection required . . . \$ .40 per ton.	
(e) Certified seed potatoes . . . . .	3-1/2¢ cwt.	

WAC 16-400-210 PLATFORM INSPECTION. (1) Platform inspections, time taking samples, extra time, FV-294 inspections, and all other services, will be charged at the rate of \$7.25 per hour. (2) Time allowance - Where platform inspector working full-time at one house also does certification inspection, he will allow credit for the time according to limits outlined in the schedule for such certification at the rate of \$7.25 per hour and should the certificate charges divided by \$7.25 equal or exceed the number of hours worked, no platform charge will be made, or if it is less than the number of hours worked, the platform charge will be made to bring the total for the day to the proper charge.

AMD

WAC 16-400-230 FUMIGATION CHARGES. The rate for supervision of fumigation shall be \$15.00 per fumigation allowing 2 hours; additional time or unnecessary stand-by time will be charged for at the rate of \$7.25 per hour. No fumigations will be started after 3:00 p.m. from October 1 to May 31, nor after 10:00 p.m. from June 1 to September 30.

AMD

WAC 16-400-235 FIELD OR ORCHARD INSPECTIONS. Inspections made at applicants' request for determination of presence or absence of disease or insect infestation, or for other reason, shall be at the rate of \$1.25 per acre or fraction thereof.

AMD

WAC 16-400-250 EXTRA CHARGES (on all above services)

(1) The minimum inspection charge for each commodity and requested form shall be at the rate of \$7.25 per hour. Example: An 840 container lot of apples at 2-3/4¢ per container is \$23.10, requiring 2 hours work, no extra charge. If 4 hours is required, add \$14.50 for a total of \$37.60.

(2) If, through no fault of the inspection service, time over the maximum allowance for each commodity and requested form is required, such excess time shall be at the rate of \$7.25 per hour.

(3) For all inspection services performed after 5:00 p.m. or on Saturdays, Sundays or State legal holidays, an overtime charge of \$10.88 per hour will be made, over and above the normal inspection charges.

(4) When the per unit charge for inspection in any one day equals or exceeds the basic hourly and/or overtime charge, no additional hourly or overtime charges will be made. Example:

8 hours @ \$7.25 . . . . .	\$58.00
2 hours overtime @ \$10.88 . . . . .	<u>21.76</u>
	\$79.76

Unit inspection fees \$85.00 - no extra charges.

Unit inspection fees \$70.00 - add \$10.88

(1-1/2 hours excess time) for a total of. . \$80.88

(5) The following State legal holidays will be observed: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Veteran's Day, Christmas Day, Lincoln's Birthday, Washington's Birthday, Columbus Day and General Election Day. NO SERVICE will be performed on Thanksgiving, Christmas Day or New Year's Day, beginning at 5:00 p.m. on the previous day.

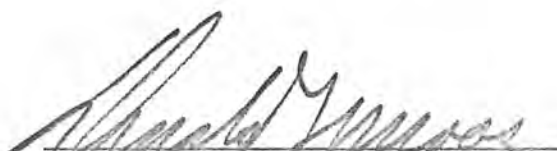
(6) Mileage - Whenever necessary mileage will be charged at the rate of 10¢ per mile.

AMD            WAC 16-400-270 EXTRA COPIES. After original typing of a certificate a charge of \$2.00 per set will be made for extra copies when requested by the original applicant of the certificate or other financially interested party.

AMD            WAC 16-400-280 RETYPING. When, through no fault of the inspection service, retyping is necessary, such service will be rendered for \$2.00 per set.

REP            Order No. 1065, WAC 16-400-030 is hereby repealed.

I hereby certify that the foregoing is a true and correct copy of the regulations promulgated.

  
DONALD W. MOOS  
Director of Agriculture  
State of Washington

Signed at Olympia, Washington

Date: June 30, 1969