

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Agriculture
(agency name)

Administrative Order No. 1904

(1) I, C. Alan Pettibone, director of
the department of agriculture

do promulgate and adopt at Olympia, Washington (place)

the annexed rules relating to:

16-218 WAC, Hop grading and chemical analysis fees.

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

This action is taken pursuant to Notice No. filed with the code reviser on . These rules shall take effect:

- [] 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, C. Alan Pettibone, 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:

Hop production has dropped dramatically since 1981, and, in turn, the fees the department receives for grading and analyzing hops have dropped. By drawing on reserves in the hop fund, the department has managed to maintain fees at the 1980 level; however, for the 1986 season now beginning, it is necessary to increase these fees.

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

(3) Pursuant to the requirements of RCW 34.04.026 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 22.09 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.

APPROVED AND ADOPTED August 15, 1986

By [Signature]

Deputy Director

Title

STATE OF WASHINGTON

AUG 15 1986

CODE REVISER'S OFFICE

WSR 86-17-033

AMENDATORY SECTION (Amending Order 1710, filed 6/30/80)

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 (~~(as authorized by the Agricultural Marketing Act of 1946, as amended)~~) shall be as follows:

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

(2) Sample inspection. (~~Fifteen~~) Thirty dollars per unofficial sample submitted.

(3) Supplemental certificates. (~~Two~~) Five dollars per certificate.

(4) Appeal inspection. Charges for appeal inspections (~~will~~) 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 (~~two~~) five dollars (~~will~~) 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 (~~fifty-cents~~) two dollars per set (~~will~~) shall be made for typing extra copies of a certificate when requested by the original applicant or other financially interested party.

(7) 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 (~~rates will be in accordance with current applicable fees charged by the department~~) shall be charged at the rate established by the state office of financial management.

To be considered available for sampling and certification, (~~it is necessary that~~) 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.

AMENDATORY SECTION (Amending Order 1596, filed 3/30/79)

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) (~~When samples are submitted to the Yakima Chemical and Hop Laboratory, the charges will be: Twenty-five dollars per certificate for the Wollmer hop analysis method; fifteen dollars per certificate for the ASBC spectrophotometric or conductometric methods; and fifteen dollars per certificate for the EBC conductometric method. A submitted sample certificate will be issued.~~

(~~2~~) Official samples of hops drawn by department personnel (~~are~~) shall be composited either from the cores drawn for grade analysis, or from cores (~~specially~~) specifically drawn on (~~federal sampling~~) a schedule for brewing value only. Charges for analysis are: (~~Fifteen cents per bale, with a minimum of twenty-five dollars for the Wollmer hop analysis method; fifteen~~) Thirty cents per bale, with a minimum charge of (~~fifteen~~) thirty dollars for the ASBC spectrophotometric (~~or~~), and ASBC or EBC conductometric methods (~~and fifteen cents per bale, with a minimum of fifteen dollars for the EBC conductometric method~~). An official brewing value certificate (~~will~~) shall be used.

~~((3))~~ (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 ~~(rates will be in accordance with current applicable fees charged by the department)~~ shall be charged at the rate established by the state office of financial management.

To be considered available for sampling and certification, ~~(it is necessary that)~~ 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 ~~(these)~~ those bales selected by the inspector.

~~((4) The fee to be charged by the department for analyses for tannin, isoconversion products from alpha and beta resins, oil analysis and other components, and possible adulterants such as residues, when requested, shall be the actual cost to the department. Such fee shall be based on and include man-hour costs, necessary material costs, laboratory equipment use and depreciation costs, and administrative and overhead costs of such tests.)~~

(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
(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
(e) Spectro of tannins, Wollmer, etc.....	\$45.00
(f) Methylene chloride.....	\$75.00
(g) Tannin.....	\$30.00
(h) Ash.....	\$15.00
(i) SO ₂	\$25.00
(j) H ₂ O.....	\$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, and possible adulterants such as residues. Fees shall be based on labor costs, laboratory equipment costs, chemical and material costs, administrative and overhead costs.