

---

SENATE BILL 6278

---

State of Washington

65th Legislature

2018 Regular Session

By Senators Warnick, Schoesler, and Chase

Read first time 01/11/18. Referred to Committee on Agriculture,  
Water, Natural Resources & Parks.

1 AN ACT Relating to the use of seed certification fees; and  
2 amending RCW 15.49.370.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 15.49.370 and 1981 c 297 s 14 are each amended to  
5 read as follows:

6 The department shall have the authority to:

7 (1) Sample, inspect, make analysis of, and test seeds distributed  
8 within this state at such time and place and to such extent as it may  
9 deem necessary to determine whether such seeds are in compliance with  
10 the provisions of this chapter. The methods of sampling and analysis  
11 shall be those adopted by the department from officially recognized  
12 sources. The department, in determining for administrative purposes  
13 whether seeds are in violation of this chapter, shall be guided by  
14 records, and by the official sample obtained and analyzed as provided  
15 for in this section. Analysis of an official sample, by the  
16 department, shall be accepted as prima facie evidence by any court of  
17 competent jurisdiction.

18 (2) Enter any dealer's or seed labeling registrant's premises at  
19 all reasonable times in order to have access to seeds and to records.  
20 This includes the determination of the weight of packages and bulk  
21 shipments.

1 (3) Adopt and enforce regulations for certifying seeds, and shall  
2 fix and collect fees for such service. Fees authorized under this  
3 subsection may be used for services involving breeder seed,  
4 foundation seed, registered seed, and certified seed. The director of  
5 the department may appoint persons as agents for the purpose of  
6 assisting in the certification of seeds.

7 (4) Adopt and enforce regulations for inspecting, grading, and  
8 certifying growing crops of seeds; inspect, grade, and issue  
9 certificates upon request; and fix and collect fees for such  
10 services.

11 (5) Make purity, germination and other tests of seed on request,  
12 and fix and collect charges for the tests made.

13 (6) Establish and maintain seed testing facilities, employ  
14 qualified persons, establish by rule special assessments as needed,  
15 and incur such expenses as may be necessary to carry out the  
16 provisions of this chapter.

17 (7) Adopt a list of the prohibited and restricted noxious weed  
18 seeds.

19 (8) Publish reports of official seed inspections, seed  
20 certifications, laboratory statistics, verified violations of this  
21 chapter, and other seed branch activities which do not reveal  
22 confidential information regarding individual company operations or  
23 production.

24 (9) Deny, suspend, or revoke licenses, permits and certificates  
25 provided for in this chapter subsequent to a hearing, subject to the  
26 provisions of chapter 34.05 RCW (Administrative Procedure Act) as  
27 enacted or hereafter amended, in any case in which the department  
28 finds that there has been a failure or refusal to comply with the  
29 provisions of this chapter or regulations adopted hereunder.

--- END ---