



RULE MAKING ORDER (RCW 34.05.360)

CR-103 (4/25/96)

Agency: Agriculture	<input checked="" type="checkbox"/> Permanent Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Expedited Repeal
(1) Date of adoption: December 6, 2000	

(2) Purpose: This rule provides general regulations for the Seed Program at the Department of Agriculture. As required by the Governor's Executive Order on Regulatory Improvement and agency policy, the proposed rule is updated and rewritten in a clear and usable format. Existing chapters of rules will be repealed and the significant language in those chapters is revised into three new proposed chapters of rules for the Seed Program (WAC 16-301, 16-302, and 16-303). (CHAPTER 16-303 WAS NOT FILED WITH WSR 00-24-077 FILED ON 12/4/00.)

(3) Citation of existing rules affected by this order:
 Repealed: WAC 16-300, 16-304, 16-313, 16-316, 16-317, 16-318, 16-493, 16-494 & 16-494
 Amended:
 Suspended:

(4) Statutory authority for adoption: RCW 15.49.005; RCW 15.49.081; RCW 15.49.310; RCW 15.49.370(3)
 Other Authority: RCW 17.24

PERMANENT RULE ONLY
 Adopted under notice filed as WSR 00-20-075 & 00-20-076 on 10/3/00 (date).
 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
 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)
 Jim Jesernig

Signature

Title
 Director

Date
 12/6/00

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

DEC 6 2000

344

TIME _____ AM/PM

AM/PM

Jim Jesernig 01-01-015

**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	_____	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>3</u>	Amended	_____	Repealed	<u>9</u>
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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	<u>3</u>	Amended	_____	Repealed	<u>9</u>

Chapter 16-303 WAC

SEED ASSESSMENT, FEES FOR SEED SERVICES AND SEED CERTIFICATION

NEW SECTION

WAC 16-303-005 Purpose--Seed program fees for services and labeling of seed. The department certifies, inspects, samples, tests and analyzes agricultural, vegetable or flower seed sold or offered for sale in Washington state. As provided for in this chapter under the authority of chapter 15.49 RCW, the department hereby establishes labeling requirements, germination standards, and fees for funding of the Washington state seed program.

NEW SECTION

WAC 16-303-010 Definitions. Definitions for terms used in this chapter may be found in chapters 15.49 RCW and 16-301 WAC unless otherwise provided for in this chapter.

NEW SECTION

WAC 16-303-020 Schedule of charges--Billing policies and procedures. (1) Accounts.

(a) All billable services provided for under chapter 15.49 RCW are due and payable upon billing by the department. For the convenience of established accounts and in accord with good business practices, the department provides a monthly billing service. Accounts not paid in full within thirty days of billing are considered delinquent.

(b) On all debts due and payable after July 28, 1991, all delinquent accounts are assessed a late charge equal to one percent per month, or portion of a month, on the unpaid balance.

(c) Except for established accounts where there is a reasonable expectation of additional charges during a calendar

month, the minimum billable amount through the monthly billing system is twenty dollars. All billable services of less than twenty dollars are due and payable on the date that service is rendered.

(d) No person with an account ninety days or more in arrears may receive service except on the basis of payment in full at the time service is rendered. Accounts in arrears may be subject to legal action for collection and are not restored to monthly billing status until all past due amounts are paid-in-full.

(e) Accounts that become ninety or more days in arrears twice within a five-year period may be subject to a permanent requirement for payment in full at the time service is provided.

(2) Unless otherwise provided for in rule, requests for refund fees or assessments must be submitted to the department by June 30 of the year following payment of the fee or assessment.

(3) Fees for services not listed in rule are set on the basis of the actual cost to the department of agriculture, or the most appropriate fee established by rule.

ANNUAL SEED ASSESSMENT

NEW SECTION

WAC 16-303-105 Annual seed inspection charge. (1) Each person required to obtain a seed labeling permit, pursuant to RCW 15.49.400, of the Washington State Seed Act, must also, pursuant to RCW 15.49.310 and 15.49.370, pay a general seed inspection charge annually to the department in the amount of ten cents per one hundred dollars gross annual dollar sales in excess of ten thousand dollars of agricultural and/or vegetable seed distributed in this state during the preceding fiscal year, except that no assessment shall be collected on:

(a) Seed for which the assessment has been previously collected, except when such seed is relabeled;

(b) Agricultural or vegetable seed distributed out-of-state;

(c) Seed distributed in containers of four ounces or less;

(d) Stock seed; and

(e) Seed distributed by governmental agencies, such as, but not limited to, the United States Department of Agriculture national foundation seed project. Agricultural and/or vegetable seeds distributed under bailment contract are valued at the producer-conditioner agreement rate in lieu of sale.

(2) The seed assessment fees for the fiscal period beginning July 1 through June 30 are payable on February 1 of the following

calendar year.

(3) The seed assessment may accompany the annual application for the seed labeling permit. A penalty of ten percent of the assessment fee or a minimum of ten dollars, whichever is greater, is added to all assessments not paid by February 1.

(4) The annual seed-labeling permit may not be issued until all seed assessments and penalties are satisfied.

NEW SECTION

WAC 16-303-115 Seed labeling registrant records. Each seed labeling registrant must maintain reasonable and necessary records accurately reflecting the gross annual dollar value of agricultural and/or vegetable seed distributed in this state.

SEED TESTING AND ANALYSIS FEES

NEW SECTION

WAC 16-303-200 Seed program testing fees. Seed testing fees are as follows:

(1) **FIELD CROPS:**

	MINIMUM SAMPLE SIZE	PURITY	GERMINATION	TZ
alfalfa	4 oz	14.00	12.00	22.00
alkaligrass	4 oz	18.00	11.00	22.00
barley	1.25 lb	14.00	12.00	22.00
beets, sugar	1.25 lb	19.00	21.00	22.00
bentgrass	2 oz	32.00	17.00	22.00
bermudagrass	4 oz	18.00	11.00	22.00
black medic	4 oz	14.00	12.00	22.00
bluegrass	4 oz	22.00	15.00	22.00
brassica sp.	6 oz	34.00	17.00	22.00
brome-mountain	6 oz	23.00	12.00	22.00
brome-smooth, meadow	6 oz	23.00	12.00	22.00
buckwheat	1.25 lb	14.00	12.00	22.00
canarygrass	8 oz	18.00	11.00	22.00
clover	4 oz	14.00	12.00	22.00
fescue	4 oz	22.00	12.00	22.00

MINIMUM				
	SAMPLE SIZE	PURITY	GERMINATION	TZ
flax-lewis	4 oz	14.00	12.00	22.00
foxtail	4 oz	14.00	11.00	22.00
garbanzo bean	1.25 lb	13.00	12.00	N/A
indian ricegrass	6 oz	18.00	11.00	22.00
junegrass	6 oz	18.00	11.00	22.00
lentil	1.25 lb	14.00	12.00	N/A
little bluestem	4 oz	21.00/hr	11.00	22.00
lupine	1.25 lb	14.00	12.00	N/A
milkvetch	1.25 lb	14.00	12.00	22.00
millet	1.25 lb	14.00	12.00	N/A
needle & thread	6 oz	18.00	11.00	22.00
needlegrass, green	6 oz	18.00	11.00	22.00
oatgrass	6 oz	18.00	11.00	N/A
oats	1.25 lb	14.00	12.00	22.00
orchardgrass	4 oz	25.00	13.00	22.00
peas	1.25 lb	13.00	12.00	N/A
prairie sandreed	6 oz	18.00	11.00	22.00
primrose	4 oz	14.00	12.00	N/A
redtop	2 oz	32.00	17.00	22.00
rice	1.25 lb	14.00	12.00	N/A
rye	1.25 lb	14.00	12.00	22.00
ryegrass, perennial	4 oz	22.00	11.00	22.00
ryegrass, annual	4 oz	22.00	11.00	22.00
safflower	1.25 lb	14.00	12.00	N/A
sainfoin	1.25 lb	14.00	12.00	N/A
sand dropseed	4 oz	18.00	11.00	22.00
sand lovegrass	4 oz	18.00	11.00	22.00
sideoats grama	4 oz	21.00/hr	11.00	22.00
small burnett	8 oz	14.00	12.00	N/A
sorghum	1.25 lb	14.00	12.00	N/A
sudangrass	8 oz	14.00	12.00	22.00
sunflower	1.25 lb	14.00	12.00	N/A
swiss chard	1.25 lb	34.00	18.00	N/A
switchgrass	4 oz	18.00	11.00	22.00
timothy	4 oz	18.00	11.00	22.00
trefoil	4 oz	14.00	12.00	N/A
triticale	1.25 lb	14.00	12.00	22.00
vetch	1.25 lb	18.00	12.00	22.00
wheat	1.25 lb	14.00	12.00	22.00
wheatgrass, beardless slender				
thickspike	6 oz	38.00	15.00	22.00
wheatgrass, bluebunch	6 oz	38.00	15.00	22.00
wheatgrass, crested	4 oz	26.00	15.00	22.00
wheatgrass, tall intermediate				

	MINIMUM			
	SAMPLE SIZE	PURITY	GERMINATION	TZ
pubescent wheatgrass,	6 oz	38.00	15.00	22.00
western	6 oz	38.00	15.00	22.00
wildrye	6 oz	18.00	11.00	22.00
zoysia	4 oz	18.00	11.00	22.00

(2) VEGETABLES :

	MINIMUM			
	SAMPLE SIZE	PURITY	GERMINATION	TZ
asparagus	1.25 lb	14.00	12.00	N/A
beans	1.25 lb	13.00	12.00	N/A
beets	1.25 lb	19.00	18.00	N/A
cantaloupe	1.25 lb	14.00	12.00	N/A
carrot	4 oz	14.00	12.00	38.00
celery	4 oz	14.00	12.00	N/A
chard	4 oz	14.00	21.00	21.00
corn	1.25 lb	14.00	12.00	N/A
cucumber	1.25 lb	14.00	12.00	N/A
dill	4 oz	14.00	12.00	N/A
eggplant	4 oz	14.00	12.00	N/A
endive	4 oz	14.00	12.00	N/A
leek	8 oz	14.00	12.00	N/A
lettuce	4 oz	14.00	12.00	N/A
okra	4 oz	14.00	12.00	N/A
onion	8 oz	14.00	12.00	N/A
parsley	4 oz	14.00	12.00	N/A
parsnip	4 oz	14.00	12.00	N/A
pepper	8 oz	14.00	12.00	N/A
pumpkin	1.25 lb	14.00	12.00	N/A
radish	1.00 lb	14.00	12.00	N/A
spinach,				
New Zealand	8 oz	14.00	21.00	N/A
spinach	8 oz	14.00	21.00	N/A
squash	1.25 lb	14.00	12.00	N/A
tomato	4 oz	14.00	12.00	N/A
turnip	6 oz	14.00	12.00	22.00
watermelon	1.25 lb	14.00	12.00	N/A

NEW SECTION

WAC 16-303-210 Fees for special seed tests. Fees for special seed tests are as follows: (Standard noxious exam size unless otherwise specified.)

Test	Fee	Other Considerations
(1) All states noxious weed examination	\$10.00	
(2) Analysis of partially cleaned, uncleaned or field run seed with excessive inert, or crop or weed seeds	\$21.00 hourly rate	
(3) Brassica seed chemical identification	\$10.00	
(4) Cold (vigor) test for wheat	\$50.00	
(5) Crop and weed exam (Required for all foundation and registered class grass seeds)	Purity fee minus \$5.00	Hourly rate will be assessed when applicable; hourly rate applies when a larger amount is requested
(6) Fescue seed fluorescence test	\$15.00	Test required on certified samples
(7) Fluorescence test (400 seed test)	\$13.00	
(8) Miscellaneous services	\$21.00 hourly rate	
(9) Pest and disease	\$17.00	
(10) Poa annua check		
Bentgrass (5 grams)	\$17.00	
Bluegrass (5 grams)	\$17.00	
Other grasses (10 grams)	\$17.00	
(11) Rules test--Canadian	PURITY	GERMINATION
Alfalfa, clover	\$21.00	\$12.00
Kentucky bluegrass	\$32.00	\$15.00
Peas, lentils	\$21.00	\$12.00
Bentgrass	\$47.00	\$17.00
(12) Rules test--I.S.T.A.	PURITY	GERMINATION
Alfalfa, clover	\$21.00	\$15.00
Kentucky bluegrass	\$32.00	\$15.00
Peas, lentils	\$21.00	\$15.00
(13) Samples requiring special preparation for germination, for example pelleted seeds	\$21.00	Additional Charge
(14) Seed Count	\$17.00	
(15) Sod analysis check (25 gram exam to evaluate if a lot appears to be sod quality)	\$19.00	Phone report only

Test	Fee	Other Considerations
(16) Sod seed analysis (A special test of turf grasses for those who need a detailed examination of seed before purchase and/or use)	Bluegrass \$60.00 Fescue \$42.00 Ryegrass \$34.00	Bluegrass test includes purity, 25 gram crop and weed exam, and 10 gram Poa annua check. Ryegrass and Fescue test include purity and 50 gram crop and weed exam.
(17) Sodium Hydroxide test for presence of red and/or white wheat	\$10.00	
(18) Soil exam or similar (A visual examination of a representative sample)	\$17.00	Reported on seed analysis certificate
(19) Undesirable grass species examination (UGS test)	\$12.00	
(20) Variety separation of Kentucky bluegrass	\$19.00	
If separated at time of purity analysis	\$9.00	

NEW SECTION

WAC 16-303-220 Inventory testing for seed germination.

Inventory testing for seed germination is as follows:

(1) Inventory testing is a service to provide opportunity to have carry-over seed stocks, except mixtures, tested at the lowest possible charge. This is not an official germination test. Regular service samples have priority and the Seed Branch Laboratory will run samples, as germination space is available.

(2) Samples must be plainly labeled "inventory samples" according to the sender's designation. The laboratory assumes no responsibility for correct identification.

(3) Reports on inventory testing are mailed after all tests are completed. Samples and test reports do not become a part of the seed program's permanent record.

(4) The fee for inventory testing is one-half the regular germination fee.

NEW SECTION

WAC 16-303-230 Official seed sampling or similar service.

(1) The fee for official seed sampling or similar service is as follows:

Crop	Fee	Minimum charge
Peas, beans, small grains or seeds of similar size	\$ 0.05 Per cwt.	\$21.00
For all other kinds	\$ 0.15 Per cwt.	\$21.00

(2) If a special trip is required to provide a service, the person requesting the service may be charged at the rate of \$17.00 per hour travel time plus a mileage fee set by the Washington State Office of Financial Management in addition to the specific fee for service. All standby time is charged at the rate of \$21.00 per man-hour.

NEW SECTION

WAC 16-303-240 Fees for blending seed. Fees for blending seed are five cents per one hundred pounds based on the pounds of seed bagged plus cost of a purity and germination test which is required on the official sample of each blend. All fees are payable by persons or firm requesting permission for said blend.

NEW SECTION

WAC 16-303-250 Miscellaneous charges for seed services. (1)

Fees for miscellaneous department seed services are as follows:

Service	Fee
Rush samples (including phone or FAX report if requested at time sample is submitted)	\$12.00
Phone reports on test result, per call	\$ 3.50 per call
Preliminary report on germination	\$ 8.00
Phone report only	\$ 1.50
Additional mailing of report	\$ 2.50 each destination

Service	Fee
Recopies of reports	\$ 2.50 (minimum fee)
Revised reports	\$ 5.00 (minimum fee - or hourly fee when applicable)
Fee for special handling service, for example Federal Express, Air Parcel or air freight	\$ 3.50
Fee for facsimile transmission of documents	\$ 3.50 per document
Travel time - additional or special requested trips	\$17.00
Mileage - additional or special requested trips	As established by the Washington State Office of Financial Management

(2) Test plot examinations or consultant work in seed plots, seed fields, seed conditioning plants, etc., shall be at the rate of \$21.00 per hour plus mileage and travel time.

FEES FOR SEED CERTIFICATION OR OTHER SERVICES

NEW SECTION

WAC 16-303-300 Phyto-sanitary certification of seed--Fees.

(1) Fees for phyto-sanitary certification of seed are as follows:

Service	Fee	Other Considerations
Phyto-sanitary certificate	\$21.00 each	
Field inspection--All seed except wheat seed (for each required inspection)	\$5.00 per acre	\$20.00 minimum fee payable with application
Field inspection-- Wheat seed only (for each required inspection)	\$2.00 per acre or fraction thereof	Payable with application
Area inspection	\$.05 per cwt.	\$ 20.00 minimum fee per certificate \$150.00 maximum fee per certificate Billed at time certificate is issued

Service	Fee	Other Considerations
Late fee--		
Application	\$30.00 each	
Sampling (When Required)--		
Beans, peas, lentils, and cereal grains	\$.05 per cwt.	
Other crops	\$.15 per cwt.	
Serology test	Fee as established by the testing laboratory.	
Laboratory analysis of plant material to verify disease	An additional fee of actual cost shall be charged when necessary to examine plant material and/or seed	

NEW SECTION

WAC 16-303-310 Organization for economic cooperation and development scheme for varietal certification (O.E.C.D.) fees. In addition to fees required by applicable Washington certification rules, the following fees shall apply to all seed tagged O.E.C.D. and is payable by the person requesting O.E.C.D. certificate. The certifying agency may require fees paid in advance:

Service	Fee	Other Considerations
O.E.C.D. certificate	\$10.00 each	
O.E.C.D. grow out test	\$46.00 each entry	No charge for control entry

NEW SECTION

WAC 16-303-315 Service fee for sod quality seed tags and tagging. Service fee for sod quality seed tags and tagging shall be \$0.10 per cwt. The official sampling fee is charged when resampling is required.

NEW SECTION

WAC 16-303-317 Annual and rough bluegrass quarantine fees.

Fees for sampling and analysis for the presence of annual or rough bluegrass are those fees established in this chapter and:

(1) Annual Bluegrass - inspection fee for nursery plantings for the presence of annual bluegrass is \$50.00 per acre or portion thereof. The tagging fee is \$0.50 cwt. with a minimum fee of \$10.00.

(2) Rough Bluegrass - inspection fee for nursery plantings is \$50.00 per acre or portion thereof.

NEW SECTION

WAC 16-303-320 Certification fees for seed certified by the

department except grasses. Fees for seed certification services for seed certified by the department other than grasses are as follows. Fees apply to both new and renewal applications:

Seed	Application Fee 1/	Seedling producing or field inspection Fee 2/	Late Application Penalty Fee	Reinspection Fee (other than isolation)	Production Fee (includes sampling and tagging)	Seed shipped Out-of-State (uncleaned)
Alfalfa, Red clover, White clover and Trefoil	\$15.00 per variety per grower	\$1.75/acre	\$30.00	\$40.00 ea. field	\$0.50/cwt. 5/	\$0.19/cwt.
Bean	\$15.00 per variety per grower	\$1.75/acre 3/ (one inspection) \$3.50/acre 4/ (two inspections)	\$30.00	\$40.00 ea. field	\$0.50/cwt.	\$0.19/cwt.
Corn	\$15.00 for each separate combination/or isolation	\$25.00 first acre \$10.00 ea. additional acre except hybrid corn \$3.50 ea. additional acre	----	----	----	----
Sudangrass	\$15.00 per field	\$1.75/acre	\$30.00 per field	-----	\$0.40/cwt.	----
Rapeseed	\$15.00 per variety per grower	\$1.75/acre (one inspection)	\$15.00 per grower	\$20.00 ea. field	\$0.50/cwt.	----

- 1/ Refer to WAC 16-302-050 for seed certification application due dates.
- 2/ Refundable if acreage is withdrawn before inspection. Except for bean seed, required of seedling fields to be harvested for certification the year of planting. Notification of seeding field to be harvested for certification and required fees are due July 31.
- 3/ One inspection is required for Great Northern Red Mexican, pinto, pink, and small white bean.
- 4/ Includes windrow inspection which is required for certification of snap beans, kidney beans, and

eligibility for shipment into Idaho.

5/

Sampling and production fees are billed at completion of tests. If none of the seed is tagged, ten cents of the fifty cents per cwt. production fee is refundable.

NEW SECTION

WAC 16-303-330 Certification fees for grass seed.

Certification fees for grass seed except Sudangrass are as follows:

(1) Application fees:

(a) Seedling application fee:

Per variety, per field \$15.00

(b) Late seedling penalty fee: (Per kind) \$30.00

(c) Seedling producing application fee:

Per field, per grower \$15.00

Required of seedling fields to be harvested for certification the year of planting. Notification of seedling field to be harvested for certification and required fees shall be due July 31:

(2) Renewal applications:

(a) Renewal application fee:

Per variety, per grower \$15.00

(b) Late renewal penalty fee: (Per variety) \$30.00

This additional fee shall be charged for renewal applications received after May 1.

(c) Inspection fee per field. \$30.00

(3) Annual grasses inspection fee per acre \$ 1.75

Applications are due within sixty days after planting.

(4) Reinspection: Other than isolation--
each field \$40.00

(5) Inspection and final certification fees:

Inspection and final certification fees are based on pounds sampled and billed upon completion of required tests (Option A). Those dealers requesting sampling and tagging privileges and/or participation in Option B must sign a memorandum of agreement that shall expire on June 30 of each year. The memorandum may be terminated by the director if the conditioner violates certification standards or requirements of memorandum.

(a) Option A: When based on pounds sampled, and billed at completion of required laboratory tests, the fees are:

(i) Final certification fee \$ 0.80
per one hundred pounds. (If no seed is tagged, twenty cents of the final certification fee is refundable upon request.)

(ii) Seed shipped out-of-state for conditioning per one hundred pounds (unclean weight). \$ 0.30

(iii) Service fee for out-of-state origin (per cwt.) \$ 0.30

(iv) Blend fee is as established by blend rule, and in addition to above fees. However, blend fee is not applicable to salvage blends.

(v) Payment of fees is the responsibility of the person signing the application. However, conditioner may assume this responsibility.

(b) Option B: When based on pounds tagged after required laboratory tests are completed, the fee is:

(i) Final certification fee \$ 1.10
per one hundred pounds. (Minimum fee per tagging) \$10.00

(ii) Service fee for out-of-state origin \$ 0.65
per one hundred pounds.

(iii) Blend fee (in addition to fee established by blend rule) is payable upon completion of blend on total weight of blend, and is as follows:

(A) Washington origin certified seed used in blend \$ 1.00
per one hundred pounds.

(B) Out-of-state origin certified seed used in blend \$ 0.60
per one hundred pounds except that those fees listed in (a) and (b) above are not applicable to certified seed that is tagged and sealed, and on which final fees have been paid.

(C) A refund or credit is issued for the percent of the blend lot not tagged. (For example, if forty percent of the blend is not tagged, forty percent of the fees charged under Option B above are refundable.)

(6) Payment of fees is the responsibility of the conditioner. A conditioner choosing this program must handle all certified grasses in his warehouse under this program for the entire crop year. Upon termination or nonrenewal of Option B memorandum of agreement, conditioner is responsible for Option A fees on all certified seed not tagged at termination date.

(7) Fees for services such as O.E.C.D. and sod quality, etc., are in addition to the fees listed in these standards.

(8) Fees for reissue of tags are ten cents per tag with a minimum fee of ten dollars.

(9) The seed processor is responsible for seed certification fees including sampling, testing, production and final certification fees, and may request the responsibility for additional fees.

NEW SECTION

WAC 16-303-340 Seed certification fees for buckwheat, chickpea, field pea, lentil, millet, soybean, sorghum and small grains. (1) Seed certification fees for buckwheat, chickpea, field pea, lentil, millet, soybean, sorghum and small grains are as follows:

(a) Application fee per variety per grower	\$18.87
(b) Field inspection fee per acre except millet and hybrid sorghum	\$ 2.63
(c) Millet - first acre	\$28.06
-each additional acre	\$ 5.61
(d) Hybrid sorghum - first acre	\$28.06
-each additional acre	\$11.22
(e) Special field inspection fee per acre	\$ 2.24
(f) Late application fee	\$17.68
(g) Reinspection fee	\$35.39
minimum for each field which did not pass field inspection plus \$ 0.40 for each acre over twenty-five. The reinspection fee for isolation requirements only for a field of any size is \$35.39.	
(h) Final certification fee	\$0.225
per cwt. of clean seed sampled, which is charged to conditioning plant, or production fee	\$0.105
per cwt. of production from fields inspected which is utilized for seed, which is charged to the grower or the final seller prior to brokerage, retail sale, sale to plant not approved for conditioning certified seed, or transshipment out-of-state.	
(i) Sampling fee	\$0.105

pc. cwt. of clean seed sampled, with minimum charge of ten dollars per sample, which is charged to conditioning plant in lieu of mechanical sampling.

(2) A field may be withdrawn upon notification by the applicant to the certifying agency's office before field inspection. In such case, the field inspection fee is refunded upon request until June 30 of the year following harvest.

(3) Harvest before field inspection causes forfeitures of both the application and field inspection fees, and completion of certification.