

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. 1118  
Emergency rules

relating to (Name of rules or description of subject matter)

AMD: WAC 16-212-001 through WAC 16-212-120 relating  
to GRAIN, HAY, BEANS AND PEAS--INSPECTION FEES

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

pursuant to Notice No. 2309<sup>①</sup> filed with the code reviser  
on 5/6/69<sup>②</sup> were regularly adopted as permanent rules of this  
(date)  
agency at Olympia, Washington on 5/29/69 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 7/1/69.<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  
\_\_\_\_\_ on \_\_\_\_\_ and are herewith filed in  
(place) (date)  
the office of the code reviser pursuant to chapter 34.04 RCW.

Dated this 29th day of May 1969.

STATE OF WASHINGTON  
**FILED**  
MAY 29 1969  
CODE REVISER'S OFFICE  
KET 2444 FILE # 20

\_\_\_\_\_  
AGRICULTURE  
(AGENCY)  
By *Donald W. Moos*  
DONALD W. MOOS  
\_\_\_\_\_  
DIRECTOR  
\_\_\_\_\_  
Title

① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY RE-  
VISER'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 REVIS-  
ER'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.

STATE OF WASHINGTON  
DEPARTMENT OF AGRICULTURE  
ORDER NO. 1118  
(Supersedes Order 1031)  
Effective July 1, 1969

AMD            WAC 16-212-001 PROMULGATION. (This promulgation relates to WAC 16-212-010 through 120).

I, Donald W. Moos, director of agriculture of the state of Washington, by virtue of the authority vested in me under Chapter 22.09 RCW, after due notice as provided under Chapters 42.32 and 34.04 RCW and a public hearing held in Olympia, Washington on May 26, 1969, do hereby promulgate the following regulations relating to schedule of fees for agriculture commodity inspection and weighing, agricultural commodity grades and standards, and warehouse bonding requirements.

AMD            WAC 16-212-010 DEFINITIONS. (1) "Department" means the Washington State Department of Agriculture.

(2) "Ton" means 2,000 pounds avoirdupois.

(3) "Overtime" means any time worked on Saturdays, Sundays, or Holidays and all time worked before 8:00 A.M. or after 5:00 P.M. on Monday through Friday. Where industries operate regular, sustained shifts other than specified herein, exceptions may be made at the discretion of the Department.

(4) "Fees" means any charge made by the Department for inspection and handling of any commodity.

AMD            WAC 16-212-020 COMMODITY INSPECTION POINTS. (1) The following cities in the state of Washington are hereby designated as inspection points for the purpose of inspecting and weighing grain, hay, beans, peas, lentils and other commodities: Kalama, Longview, Pasco, Seattle, Spokane, Tacoma, and Vancouver.

AMD            WAC 16-212-030 GENERAL PROVISIONS FOR HOURLY CHARGES.

(1) Straight Time, rate per hour.....\$6.00  
This hourly rate may be applied on any job where the fee is not sufficient to provide revenue of \$6.00 per hour, per man.

(2) Overtime, rate per hour.....\$4.50

Whenever overtime is required for the performance of any service for which the fee is charged on a tonnage, car, or sample basis or for the inspection of ships as to condition for cargo, this overtime rate will be charged in addition to the regular fee.

Whenever overtime is required Saturdays, Sundays, or Holidays, or an employee is called from his home after regular working hours, a minimum of four (4) hours may be charged.

(3) Standby, Overtime, rate per hour.....\$7.50

Whenever a service is requested (before or after working hours Monday through Friday and on Saturdays, Sundays, or Holidays) and service cannot be performed through no fault of the Department, the Standby, Overtime rate shall be applied. Before or after regular working hours, Monday through Friday, minimum charge will be 2 hours. On Saturdays, Sundays, or Holidays minimum charge will be 4 hours.

AMD

WAC 16-212-040 PHYSICAL ANALYSES. (1) Requested Additional Factors (that do not affect the grade).....\$0.75

AMD

WAC 16-212-050 CERTIFICATES. (1) Copies of Certificates, after original issuance, each run.....\$0.75  
(The above shall apply to "Divided Original Export Certificate". Each numbered set of certificates shall constitute a "run".)

AMD

WAC 16-212-060 INSPECTION AND/OR WEIGHING FEES. (1) Combination Inspection and Weighing Fees.

Ships, Barges, and Transfers of Bulk Grain  
(a) From vessel to elevator...per ton.....\$0.09  
(b) Bin transfers.....per ton.....\$0.09  
(c) From elevator to vessel...per ton.....\$0.09  
(Inspection \$0.03 per ton)  
(Weighing \$0.06 per ton)

(2) Inspection (only)  
(Sample, Inspect, Grade, and Certificate)

(a) Railroad boxcars or open hopper-type cars at designated hold tracks or at plants for original and all subsequent original inspections.....\$3.00

(b) Covered hopper-type cars which are sampled by USDA approved mechanical belt, spout, or leg-type samplers at plants.....\$3.00

(c) Covered hopper-type cars sampled by other methods than by (b) above for original and all subsequent original inspections.....\$6.00

(d) Reinspection of rail boxcars and covered hopper-type cars on the basis of file sample.....\$3.00  
(If grade is not sustained.....\$1.50)

(In case of a material error in grade, a corrected certificate will be issued without fee.)

(e) If new sample is requested.....hourly charge for sampling plus (a) or (c) above.

(If grade is not sustained.....hourly charge for sampling plus \$1.50).  
(In case of a material error in grade, a corrected certificate will be issued without fee.)

(3) Weigh (only)

(a) From railroad boxcars, covered hopper-type cars, or vessels to elevator.....per ton.....\$0.06

(b) From elevator to railroad boxcars, covered hopper-type cars or vessels.....per ton.....\$0.06

(c) Bin transfers.....per ton.....\$0.06  
(4) Submitted samples, sample inspections, or factor information only.....\$1.50

(Example of factor information only---where the submitted sample is less than 1,000 grams in size, factor information may be provided on request for the above fee).

(5) Inspection of Ships as to Condition  
(a) Per hold and/or tank.....\$ 7.00

(b) Minimum charge.....\$35.00  
(c) Ships holds and/or tank condition inspections will be made on ships at anchor in midstream when requested.

(i) A minimum of two hours of regular time at \$6.00 per hour (one man) for general cargo vessels and a minimum of four hours of regular time at \$6.00 per hour (two men) will be charged for tankers in addition to the established fee.

(ii) These inspections can only be made at the convenience of the office during daylight hours, under safe working conditions, and when weather conditions permit.

(iii) These inspections can only be made within the area of the designated tidewater grain inspection office and within the legal boundaries of the state of Washington.

(iv) A ship's officer or company agent shall accompany the grain inspector/s.

(6) Trucks

(a) Inspect and/or weigh.....per truck.....\$4.00

AMD

WAC 16-212-065 SAMPLING, TESTING, AND CERTIFICATION OF WHEAT FOR SEDIMENTATION VALUES. (1) Sampling and Certification of identifiable lots.....\$5.00  
(2) Reinspection (file sample or lot).....\$5.00  
(3) Submitted sample certification.....\$5.00  
(4) For sampling service only, to provide a sedimentation sample (Minimum charge 1 hour) per hour.....\$6.00

AMD

WAC 16-212-070 INSPECTION OF MISCELLANEOUS COMMODITIES.  
(1) Hay Inspection  
(a) Complete inspection (minimum charge \$5.00)  
.....per ton.....\$0.50  
(b) Partial inspection (minimum charge \$5.00)  
.....per ton.....\$0.50  
(c) Submitted sample inspection.....each.....\$1.00  
(2) Inspection of beans, peas, lentils, and similar commodities (minimum charge).....\$5.00  
(a) Inspection of bags.....per cwt.....\$0.02  
(b) Commodity inspection point, bulk per ton.....\$0.12  
(c) Submitted sample inspection...per sample.....\$5.00

AMD

WAC 16-212-080 MISCELLANEOUS. (1) Weighing, checking and/or sampling commodities if not covered by WAC 16-212-060  
(3) (a), (b), and (c) minimum charge per hour.....\$6.00  
(2) Mailing samples (minimum charge).....\$0.50  
(3) Sampling only, bulk commodities  
(a) Minimum charge.....\$1.50  
(b) Covered hopper-type cars.....\$4.50  
(4) Fee for pickup samples on routes established by the department.....per sample.....\$0.25  
(5) Car mileage.....per mile.....\$0.10  
(6) In all cases where no fee has been established for services, the charge for such service shall be as provided in WAC 16-212-030.  
(7) Any charges made in addition to the basic fees provided for in WAC 16-212-040 through WAC 16-212-070 shall be classified as additional charges.

AMD

WAC 16-212-090 SERVICES RENDERED AWAY FROM INSPECTION POINTS. (1) The provisions of this regulation shall apply to the grading, weighing, sampling, and inspection of grain, hay, beans, peas, and lentils at places other than inspection points. In addition to the applicable fees for such services, the applicant shall pay the following costs:

(a) Time per hour, per man, including overtime, if any, from office and return.

(b) Mileage from office and return except where transportation is furnished by applicant.

(c) Subsistence allowance if employee is away from station, as defined, first day and all subsequent days.

(d) Incidental costs for postage, telephone, etc.

AMD

WAC 16-212-110 WAREHOUSE BONDING REQUIREMENTS. A bond of not less than \$10,000, nor more than \$200,000, is required for each warehouse licensed pursuant to Chapter 22.09 RCW, Laws of 1963, the Washington Warehouse Act and any amendments thereof, including Chapter 132, Laws of 1969 First Extraordinary Session. The amount of such bond shall be computed at the rate of \$0.12 per bushel of licensed storage capacity.

AMD

WAC 16-212-120 GRADES AND STANDARDS. The grades and standards established by the United States Department of Agriculture as of July 1, 1969, for all commodities included within the provisions of this chapter are hereby adopted as the grades and standards for such commodities in this state.

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: May 29, 1969