

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. 1317  
Emergency rules   
relating to (Name of rules or description of subject matter)

Horticulture Inspection Fees

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

pursuant to Notice No. 4012 <sup>①</sup> filed with the code reviser  
on April 24, 73<sup>②</sup> were regularly adopted as permanent rules of this  
(date)  
agency at Olympia, Washington on May 30, 1973 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 7/1/73 <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  
(place) on (date) and are herewith filed in  
the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter  
34.04 RCW and of the Open Public Meetings Act of 1971, chapter  
42.30 RCW (1971 ex.s. c 250) have been fulfilled.

Dated this thirtieth day of May 19 73

STATE OF WASHINGTON  
**FILED**  
MAY 30 1973  
CODE REVISER'S OFFICE  
DOCKET # 4923 FILE # 26

Department of Agriculture  
(AGENCY)  
*Stewart Bledsoe*  
By Stewart Bledsoe  
Director of Agriculture  
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.

## Chapter 16-400

### Horticulture Inspection Fees

STATE OF WASHINGTON  
 DEPARTMENT OF AGRICULTURE  
 OLYMPIA  
 HORTICULTURE INSPECTION FEES  
 ORDER NO. 1317  
 (Superseding Order No. 1223)  
 Effective July 1, 1973

AMD WAC 16-400-006 PROMULGATION. This promulgation relates only to WAC 16-400-006, WAC 16-400-010, WAC 16-400-020, WAC 16-400-040, WAC 16-400-050, WAC 16-400-140, WAC 16-400-210, WAC 16-400-230, WAC 16-400-250, and WAC 16-400-290 of Order No. 1223, pertaining to horticulture inspection fees.

I, Stewart Bledsoe, director of agriculture of the state of Washington, by virtue of the authority vested in me under Chapter 15.17 RCW and Chapter 34.04 RCW, do hereby promulgate the following regulations relating to horticulture inspection fees, amending Order No. 1223.

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 and 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

Districts 1, 2, 3, 5 and 6

30 to 65 lbs net	-----	2-3/4¢ each container
		(Incl. 1/2 bu. container for prunes)

District 4 (Chelan, Douglas and Okanogan Counties)

30 to 65 lbs net	-----	3-1/4¢ 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 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 WAC 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 or major fraction thereof (diversion program or similar program)	30¢ per ton
Processing potatoes .....	2-3/4¢ cwt. Complete 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 \$8.25 per hour, or \$16.50 for a carload, with a maximum of 2 hours time, for domestic use only.

AMD

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

(1) For Canadian export inspections only where specific charges are not established by this regulation.

1 -	25 packages	\$ 5.25
26 -	50 packages	7.00
51 -	150 packages	10.00
151 -	400 packages	14.75
401 -	customary car lot	23.00 except where specific commodity charges are established.

(2) Terminal wholesale market inspections (domestic) in Tacoma, Seattle and Spokane. Minimum chg, 1 hour @ \$8.25 hour.

(3) State institution inspections .....\$ 8.25 hour. Minimum fee shall be \$4.00.

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

(1) Lot inspection . . . . . 3¢ cwt.  
Minimum charge for a certificate shall be \$5.00.

(2) Sample inspection . . . . . \$ 5.00 sample

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.

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

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 \$8.25 per hour.

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 \$8.25 per hour for necessary inspection.

(2) When shipment is covered by federal-state certificate 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)

(a) 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 a by-product plant outside the district - \$1.50.

(Permits to by-product plants are for transportation only in accordance with state law).

	Minimum Charge	Unit Rate
(2) <u>Vegetables.</u>		
(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	
PROVIDED, That no charge shall be made for shipping permits when seed potatoes are grown, graded and shipped in full compliance with the provisions of the rules for the certification of seed potatoes, and the grades and standards for certified seed potatoes. Shipments not in compliance with the above shall be charged in accordance with WAC 16-400-150, (2), (e).		

AMD            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 \$8.25/hr

(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 \$8.25 per hour and should the certificate charges divided by \$8.25 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 \$8.25 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.

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 \$8.25 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 \$16.50 for a total of \$39.60.

(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 \$8.25 per hour.

(3) For all inspection services performed after 5:00 p.m. or on Saturdays, or Sundays, or state legal holidays, an hourly charge equivalent of \$12.38 per hour for actual hours spent in performance of duties must be made. This shall include unit charges, plus, if necessary, overtime charges to equal \$12.38 per hour.

(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 @ \$8.25 .....	\$66.00
2 hours overtime @ \$12.38 .....	24.76
	<u>\$90.76</u>

Unit inspection fees \$95.00 - no extra charges	
Unit inspection fees (6 hrs allowed) \$70.00	
Job required 7-1/2 hrs - add \$12.38 (1-1/2 hours excess time) for a total of .....	\$82.38

(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 Day, 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.

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.

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.

AMD

WAC 16-400-290 EFFECTIVE DATE. This order shall become effective on and after July 1, 1973.

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

Signed at Olympia, Washington

Date: May 30, 1973

*Stewart Bledsoe*  
 STEWART BLEDSOE  
 Director of Agriculture  
 State of Washington