

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Agriculture

(agency name)

Administrative Order No. 1590

(1) I, Bob J. Mickelson, director of

do promulgate and adopt at Olympia, Washington

the annexed rules relating to: Use of custom farm slaughter tags in lieu of brand inspection and actual costs for providing tags and enforcement of program (canceling and superseding WSR 78-12-072, filed 12/4/78), actual costs for brand inspection of horses, use of certificate of permit forms in sales of livestock, and actual costs for brand inspection of cattle, amending WAC 16-620-100, WAC 16-620-240, WAC 16-620-260, WAC 16-620-270, adding two new sections, WAC 16-620-265 and WAC 16-620-370, and repealing WAC 16-620-007.

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

5/2/79

This action is taken pursuant to Notice No. filed with the code reviser on 6-7-79. Such rules shall take effect: WSR 79-05-105, WSR 79-07-007 and WSR 79-07-017 6/13/79.

[X] 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, find that an emergency exists and that the foregoing 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 such emergency is:

Such 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. (1977 c 19 § 2) 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 16.57 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 he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

(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.

June 29, 1979

APPROVED AND ADOPTED STATE OF WASHINGTON FILED

By Bob J. Mickelson Director

Title

JUN 29 1979

[Form CR-7: Effective 12/1/77]

CODE REVISER'S OFFICE WSR 79-07-098



STATE OF  
WASHINGTON

Dixy Lee Ray  
Governor

DEPARTMENT OF AGRICULTURE

400 General Administration Building, Olympia, Washington 98504

June 29, 1979

For the purpose of legislative review of agency rules, the following statement is submitted:

(a) These rules concern the brand inspection of livestock by the Department of Agriculture and the use of custom farm slaughter tags, under the authority of Chapter 16.57.RCW.

(b) WAC 16-620-100 sets forth a certificate of permit and bill of sale form as the official form for branded cattle.

WAC 16-620-210, WAC 16-620-260, and WAC 16-620-265 set forth the use of identifying paper tags in lieu of mandatory brand inspection for custom farm slaughtered cattle, the actual costs to the Department of Agriculture of producing the tags and the actual costs of enforcement and surveillance to assure compliance with the tag program.

WAC 16-620-270 and WAC 16-620-370 establish the actual costs to the Department of Agriculture for brand inspections of livestock performed at other than designated points of inspection.

(c) L.R. Armstrong  
Department of Agriculture  
Regulatory Services Division  
Union Avenue Building  
Olympia, Washington  
753-5065

(d) 3 opponents\*  
8 proponents\*\*

(e) Agency recommends continuation of the slaughter tag program as a reasonable method of discharging the Department's responsibility for brand inspection of cattle, and the adoption of actual costs for producing the tags and for the enforcement of program.

\*Irene Morgan, Chester Royce, Frank Morris, Attorney

\*\*Dale Shelton, Darrell Thompson, Bob Fish, Washington Cattlemen's Association, Washington Beef Commission, Ralph Giesy, National Farmers Organization, Neil Wheeler

AMENDATORY SECTION (Amending Order 1167, filed 11/16/70)

WAC 16-620-100 PRESCRIBED BILL OF SALE FORM. The certificate of permit and bill of sale form incorporated herein shall constitute the official form for branded cattle prescribed by the director under the provisions of RCW ((16.57.250, provided, that)) 16.57.240: PROVIDED, That such certificate of permit and bill of sale has been presented to a brand inspector for validation and has been validated within seven days of the sale of the cattle subject to brand inspection under the provisions of WAC 16-620-020.

WASHINGTON DEPARTMENT OF AGRICULTURE

CERTIFICATE OR PERMIT  
OR  
BILL OF SALE

Note: A copy of this certificate must accompany all cattle transported within this state. If no Brand Inspection is made, the Original shall accompany a 10¢ Assessment per Head to be paid to the Washington State Beef Commission, P.O.Box 799, Ellensburg, Washington, as required by chapter 133, Laws of 1969.\*

OWNER \_\_\_\_\_ DATE \_\_\_\_\_  
(Print Name Plainly)

ANIMALS BEING  
MOVED FROM \_\_\_\_\_ COUNTY \_\_\_\_\_  
(Nearest Post Office)

SOLD TO \_\_\_\_\_ CITY \_\_\_\_\_

OR  
CONSIGNEE TO \_\_\_\_\_ CITY \_\_\_\_\_

HAULED BY \_\_\_\_\_  
(Signature)

VEHICLE  
LICENSE NO. \_\_\_\_\_ STATE \_\_\_\_\_

\*THIS PAYMENT NOT REQUIRED FOR DAIRY COWS  
SOLD FOR MILK PRODUCTION

\*\*THIS CERTIFICATE NOT VALID AS A BILL OF SALE  
FOR BRANDED CATTLE UNLESS VALIDATED BY A  
STATE BRAND INSPECTOR WITHIN SEVEN DAYS OF  
SALE.

BRAND \_\_\_\_\_ INSPECTOR \_\_\_\_\_

(Signature)  
BRAND RECORDED IN \_\_\_\_\_  
(STATE)

	NO. HEAD	BREED	KIND	BRAND	LOCATION	✓NO BRAND
CATTLE						
CATTLE						
CATTLE						
VEAL						
HIDES OR CAR- CASSES						

ARE THE ABOVE CATTLE SUBJECT TO A LIEN OR MORT-  
GAGE? YES  NO

I hereby certify under the penalty of perjury that I am the  
owner or the duly authorized agent of the owner of the above  
described animals.

-----  
(Signature)-----

ADDRESS OF  
OWNER -----

Note: FAILURE TO NOTIFY A LIVESTOCK MARKET THAT  
CATTLE ARE SUBJECT TO AN UNSATISFIED LIEN  
OR MORTGAGE CONSTITUTES A GROSS MISDE-  
MEANOR. (RCW 16.65.150)

AMENDATORY SECTION (Amending Order 1373, filed 7/15/74)

WAC 16-620-240 SLAUGHTER TAG. (~~(In addition to such identification, any licensed slaughterer shall attach the official Washington State department paper slaughter tag set to each of the four quarters. These tags must remain on the quarters, for identification, until processing. Any person buying hides from custom farm slaughterers or persons slaughtering livestock for their own use shall record the type of hide and make such record available to the department upon request. In lieu of such recording, such hide buyer shall notify the department that he has purchased a hide and make the records or hide available for the department's inspection.)~~) Any person licensed as a custom farm slaughterer shall, in lieu of mandatory brand inspection, complete and attach an official department of agriculture paper slaughter tag to each of the four quarters of all slaughtered cattle handled by that slaughterer. These tags must remain on the quarters until the quarters are cut and wrapped. The department will maintain a surveillance and enforcement program to assure compliance with these regulations.

AMENDATORY SECTION (Amending Order 1373, filed 7/15/74)

WAC 16-620-260 FEE. (~~(Only the department of agriculture will provide such identifying paper tags to any licensed custom slaughterer or custom cutting and wrapping facility upon request and the fee for each such set of paper tags shall be thirty-five cents.)~~) Only the department of agriculture will provide the identifying paper tags, referred to in WAC 16-620-240 and WAC 16-620-250, to licensed custom farm slaughterers or custom cutting and wrapping facilities. The fee for each set of four paper tags will not exceed the actual cost to the department of producing and supplying the tags and enforcing these regulations. For the purposes of these regulations, the actual cost of producing and supplying the tags is twenty cents per set. The department will provide identifying paper tags, to licensed custom farm slaughterers or custom cutting and wrapping facilities, to identify slaughtered hogs at the actual cost of producing and supplying the tags, which is established at twenty cents per set.

NEW SECTION

WAC 16-620-265 ACTUAL COSTS FOR ENFORCEMENT AND SURVEILLANCE ESTABLISHED. The actual cost of enforcement and surveillance for the purpose of assuring compliance with the slaughter tag program, in lieu of mandatory brand inspection, is sixty four thousand, seven hundred and fifty dollars to the department per year. Prorated per animal, the cost to the custom farm slaughterer or custom cutting and wrapping facility is eighty cents. This amount is due and owing at the time the slaughter tags are purchased.

AMENDATORY SECTION (Amending Order 1379, filed 11/6/74)

WAC 16-620-270 ACTUAL COSTS ESTABLISHED. For the purpose of these regulations actual costs to the department shall be (~~ten dollars~~) twelve dollars and fifty cents an hour, plus thirteen cents per mile traveled by the inspector from his official station and return thereto.

NEW SECTION

WAC 16-620-370 ACTUAL COSTS ESTABLISHED. For the purpose of performing brand inspections of cattle at points other than those designated by the director or not in accord with schedules established by the director, actual costs to the department shall be twelve dollars and fifty cents an hour, plus thirteen cents per mile traveled by the inspector from his official station and return thereto.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-620-007 PROMULGATION.