

State of Washington
Department of Agriculture

(agency name)

Administrative Order No. 1688

(1) I, Bob J. Mickelson, director of
Washington State Department of Agriculture

do promulgate and adopt at Olympia, Washington
(place)

the annexed rules relating to:

Schedule of fees in WAC 16-304-040 and WAC 16-304-050.

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

This action is taken pursuant to Notice No. WSR 80-04-136 filed with the code reviser
on April 2, 1980. Such rules shall take effect:

- 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)¹ 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):

- (a) This rule is promulgated pursuant to RCW 15.49
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.

STATE OF WASHINGTON
APPROVED AND ADOPTED
FILED

May 30 1980

MAY 30 1980

By Bob J. Mickelson
Director of Agriculture

Title

CODE REVISER'S OFFICE
WSR 80-06-103



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

DEPARTMENT OF AGRICULTURE

406 General Administration Building, Olympia, Washington 98504

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

1. Rules pertaining to production, certification and distribution of seed in Washington state (Statutory Authority RCW 15.49).
2. Amendments of the seed regulations included a forty percent increase in laboratory seed testing fees; amendments to regulations on seed quarantine, small grain seed labeling requirements, treated seed labeling requirements; and amendments to seed certification for clover, alfalfa, grass, bean, pea, lentil, soybean, small grain, tree seed, sod quality seed certification. New regulations were adopted for sod and sod seed certification standards.

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753-5062
Robert Eschbach
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Yakima, WA 98903
SCAN 558-2750

4. Proponents:

Department of Agriculture
Duward Massie
Les Clemons
Bob Prentice
A. Sumida
W. Eldridge
Ted Dionne

Opponents: None

5. No agency comments.

AMENDATORY SECTION - (Amending Order No. 1616, filed 4/30/79)

WAC 16-304-040 SCHEDULE OF ((LABORATORY)) CHARGES. (1) Testing fees shall be as follows:

	SAMPLE MIN. SIZE	PURITY (a)	NOXIOUS ONLY	GERM (b)	PURITY & GERM (c)	TETRA-ZOLIUM 200 Seeds
Bentgrass*	2 oz.	(\$14.00) \$19.50	-\$8.50 \$12.00	-\$7.50 \$10.50	-\$21.50 \$30.00	-\$11.50 \$16.00
Bluegrass*	4 oz.	(\$11.50) 16.00	-\$7.00 10.00	-\$8.00 11.00	-\$19.50 27.00	-\$11.50 16.00
Bromegrass	6 oz.	(\$12.50) 17.50	-\$7.00 10.00	-\$6.50 9.00	-\$19.00 26.50	-\$11.50 16.00
Fescue	4 oz.	(\$11.50) 16.00	-\$7.00 10.00	-\$6.50 9.00	-\$18.00 25.00	-\$11.50 16.00
Orchardgrass	4 oz.	(\$14.00) 19.50	-\$8.50 12.00	-\$7.00 10.00	-\$21.00 29.50	-\$11.50 16.00
Ryegrass	4 oz.	(\$11.50) 16.00	-\$7.00 10.00	-\$6.00 8.50	-\$17.50 24.50	-\$11.50 16.00
Crested Wheatgrass	4 oz.	(\$14.00) 19.50	-\$8.50 12.00	-\$7.00 10.00	-\$21.00 29.50	-\$11.50 16.00
Other Wheatgrasses	6 oz.	(\$20.00) 28.00	-\$12.00 17.00	-\$7.00 10.00	-\$27.00 38.00	-\$11.50 16.00
Other grasses	4 oz.	(\$10.00) 14.00	-\$6.00 8.50	-\$6.00 8.50	-\$16.00 22.50	-\$11.50 16.00
Beans & Peas	1 1/4 lb.	(\$7.00) 10.00	-\$4.00 5.50	-\$6.50 9.00	-\$13.50 19.00	-\$11.50 16.00
Cereals	1 1/4 lb.	(\$7.50) 10.50	-\$5.00 7.00	-\$6.50 9.00	-\$14.00 19.50	-\$11.50 16.00
Other crops	4 oz.	(\$7.50) 10.50	-\$5.00 7.00	-\$6.50 9.00	-\$14.00 19.50	-\$11.50 16.00
Mixture (for each additional kind)		(\$6.00) 8.50		-\$7.00 10.00		-\$11.50 16.00
*Separation of other varieties		(\$4.50) 6.50	(Required when labeling bentgrass or bluegrass by variety name).			
Beets		11.00	6.50	14.00	25.00	16.00

(a) Purity - analysis to determine percent pure, other crop, inert, and weeds based on working sample as prescribed by Federal Seed Act (example: 1 gram - bluegrass; 5 grams - alfalfa; and 100 grams - wheat) and examined for Washington state noxious weeds based on minimum sample size as prescribed by Federal Seed Act (example: 10 grams - bluegrass; 50 grams - alfalfa; 100 grams - wheat).

(b) Germination - test prescribed by Federal Seed Act to determine percent germination of seed sample based on 400 seeds.

(c) Purity and Germination - includes both (a) and (b). This combination of tests provides information needed to label seed under state and federal acts.

(d) Tetrazolium Test - a chemical test that measures viability and germination potential. (A germination test should also be obtained).

(2) Special Tests: (Standard noxious exam size unless otherwise specified).

(a) Crop and/or Weed Exam.....Noxious only fee plus ((2.50)) \$3.50 (or hourly rate when applicable).

All crop seeds and/or all weed seeds are listed as number per pound.

(b) Poa annua check for bentgrass and bluegrass - each 5 grams.....((\$6.00)) \$8.50
Poa annua check for other grasses - each 10 grams.....((\$5.00)) \$7.00

(c) Sod Seed Analysis -
Bluegrass.....((\$35.00)) \$49.00
Fescue.....((\$25.00)) \$35.00
Ryegrass.....((\$20.00)) \$28.00

(A special test of turf grasses - for those who need a detailed examination of seed before purchase and/or use).

Bluegrass test includes purity, variety separation, 25 gram all weed/all crop, except 10 gram Poa annua exam. Ryegrass and Fescue test includes purity, 100 gram all weed/all crop. (Fluorescent required on Ryegrass;

- germ and fluorescent test additional fee).
- (d) Fluorescent Test - (400 seed test).....(~~(\$8-00)~~) \$11.00
 - (e) Pest & Disease, Soil Exam or similar.....(~~(\$10-00)~~) \$14.00
(Reported on Seed Analysis Certificate). A visual examination of a representative sample. Phyto requested in addition to analysis certificate, additional fee of.....(~~(\$5-00)~~) \$7.00
 - (f) Sod Analysis Check - 50 gram exam to evaluate if a lot appears to be Sod Quality (phone report only).....(~~(\$9-00)~~) \$13.00
 - (3) Inventory Testing for Germination: A service to provide opportunity to have carry-over seed stocks tested at lowest possible charge. Not an official germination test.
 - (a) Reports will not be mailed until all tests are completed.
 - (b) Samples must be plainly labeled "Inventory Samples".
 - (c) Samples will be reported according to the sender's designation. The laboratory will assume no responsibility for correct identification. These samples and tests will not become a part of our permanent record.
 - (d) The fee for this service will be one-half the regular germination fee except for mixtures where the primary ingredient will be tested at half price - balance to be tested at regular germination fee.
 - (e) Inventory testing for germination will be run as germination space is available, with the understanding that regular service samples have priority.
 - (4) Miscellaneous Laboratory Fees:
 - (a) Rush Samples (including phone report if requested at time sample is submitted).....(~~(\$5-00)~~) \$7.00
 - (b) Phone reports on test result, per call...(~~(\$2-00)~~) \$2.50
 - (c) Preliminary report on germination (phone report only). (~~(\$5-00)~~) \$7.00
 - (d) Morphological Test.....(~~(\$5-00)~~) \$7.00
(Alfalfa or clover examined under magnification for combine damage).
 - (e) Additional mailing of report (each destination). (~~(\$1-00)~~) \$1.50
 - (f) Recopies of reports (minimum fee)..... (~~(\$2-00)~~) \$2.50
(or hourly fee when applicable)
 - (g) ISTA Test -- Purity and germination fee plus (50%) 50 percent
 - (h) Extra charge for samples requiring special preparation for germination, i.e. Beets, pelleted seeds, etc...(~~(\$4-00)~~) \$5.50
 - (i) Hourly fee for miscellaneous services....(~~(\$10-00)~~) \$11.00

AMENDATORY SECTION - (Amending Order No. 1477, filed 6/18/76)

- WAC 16-304-050 MISCELLANEOUS CHARGES. (1) Sanitary Certificate.....\$10.00
- (2) Service Sampling or similar service: The fee for each service requested shall be:
 - (a) Peas, beans, small grains or seeds of similar size - per cwt.....\$ 0.03
 - (b) For all other kinds - per cwt.....\$ 0.15
 - (c) Minimum charge.....\$15.00
 - (3) Tagging and Sealing or similar service: The fee for each service requested shall be:
 - (a) For all kinds of seed - per cwt.....\$ 0.15
 - (b) Minimum fee.....\$15.00
 - (4) Checkweighing, checkloading, or similar service shall be - per hour.....\$12.50
(~~(a)~~) Minimum fee.....\$15.00
 - (5) If requested to make a special trip to provide a service, the person requesting said service may be charged at the rate of (~~(\$8-25)~~) \$16.00 per hour travel time plus mileage fee set by statute plus the specific fee for said service. All standby time shall be charged at the rate of (~~(\$8-25)~~) \$16.00 per man hour.
 - (6) Test plot examinations or consultant work in plots, fields, processing plants, etc. shall be at the rate of (~~(\$12-50)~~) \$16.00 per hour plus mileage and travel time.
 - (7) Requests for services not listed - most appropriate fee.