

State of Washington

DEPARTMENT OF AGRICULTURE

(agency name)

Administrative Order No. 1759

(1) I, M. Keith Ellis, director of agriculture

do promulgate and adopt at Olympia, Washington (place)

the annexed rules relating to:

Amending Chapter 16-400 WAC, horticulture inspection fees.

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

This action is taken pursuant to Notice No. filed with the code reviser on. 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, M. Keith Ellis, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare... These emergency rules are necessary in order to be in effect when this year's harvest of asparagus begins, approximately April 12, 1982.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 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 15.17 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.

APPROVED AND ADOPTED April 9 1982

STATE OF WASHINGTON FILED

By M. Keith Ellis Director Title

CODE REVISER'S OFFICE 89-09-006

AMENDATORY SECTION (Amending Order 1578, filed 5/17/78)

WAC 16-400-150 SHIPPING PERMITS. By law, each shipment of apples, apricots, Italian prunes, peaches, pears, asparagus, and certified seed potatoes 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, ~~((and))~~ prunes, and asparagus 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 to 65 lbs, 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 - \$2.00.

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

(2) Vegetables.

(a) Potatoes - minimum charge per permit 2/3 of certificate charge or \$4.00 minimum.

(b) Processing plant or livestock feed shipments - for transportation only, in accordance with state law..... \$2.00 per load OR where point of origin or out-of-district inspection required..... \$.50 per ton

(c) Certified seed potatoes..... 4¢
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)(c).

(d) Asparagus - 80 or less containers of 26 lbs to 35 lbs, 5¢ per container. 31 lbs and over, the charge for the shipping permit shall be 2/3 of the fee for grade and condition certificate with a minimum fee of \$4.00.

(i) 12 lbs to 25 lbs - two containers - 5¢ up to the \$4.00 minimum.

Container weight, or checkloading certificates shall be 1 cent per container, except that the minimum charge shall be \$12.00.



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DEPARTMENT OF AGRICULTURE

418 General Administration Bldg., AX-41 • Olympia, Washington 98504 • (206) 753-5063

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

- (a) Title: Horticulture Inspection Fees
Purpose is to amend this WAC to include inspection fees for asparagus.
Statutory Authority: RCW 15.17
- (b) This rule sets fees for inspection of fruit and vegetables.
This action amends the rule to include inspection fees for asparagus.
- (c) Department of Agriculture
Division of Plant Industry
Arthur R. Hurd
Acting Assistant Director and Supervisor
418 General Administration Bldg.
Olympia, WA 98504
753-5052
- (d) The Department of Agriculture is proposing this order at the request of the Washington asparagus industry.
- (e) This Department is in favor of this request.
- (f) This order is not made necessary as the result of federal law or federal or state court action.