

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington
Department of Agriculture
(agency name)

Administrative Order No. 1835

(1) I, Michael V. Schwisow, deputy, director of the Department of Agriculture

do promulgate and adopt at Olympia, Washington (place)

the annexed rules relating to:

WAC 16-212-084 relating to miscellaneous services with regard to grain inspection, amending Emergency Order 1816.

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

This action is taken pursuant to Notice No. filed with the code reviser on. These rules shall take effect:
[] thirty days after they are filed with the code reviser 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, Michael V. Schwisow, find that an emergency exists and that this 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 the emergency is:

Grain inspection services are based on a fee for service. A public hearing has been held and a permanent order establishing fees dealing with those specific services will become effective August 1, 1984. This emergency order will continue to provide for fees for these services in that interim period.

These 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 22.09 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(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 June 28

19 84

JUN 28 1984

By

[Signature]

Deputy Director

Title

CODE REVISER'S OFFICE

WSR 84-14-033

AMENDATORY SECTION (Amending Emergency Order 1816, filed April 6, 1984)

WAC 16-212-084. MISCELLANEOUS SERVICES. The following fees are for services performed under the federal Agricultural Marketing Act:

(1) Processed commodity and defense personnel support center (DPSC) inspection fees.
(a) Per man hour, (~~four~~) two hour minimum, rate per hour.....\$20.80
(b) In addition to the charges, if any, for sampling and other requested service, a fee will be assessed for each laboratory analysis or test identical with the amount charged by the federal grain inspection service for laboratory tests performed under authority of the Agricultural Marketing Act and for any postage or other costs of mailing not included in these fees.

(2) Sanitation inspections.
(a) Initial inspections.....no charge
(b) Reinspections, four hour minimum, rate per hour.....\$20.80

(3) Stowage examinations. Fees and charges for stowage examinations for commodities inspected under the Agricultural Marketing Act are identical to fees and charges assessed for stowage examinations performed under the United States Grain Standards Act.

(a) Ships, barges or vessels.
(i) Per stowage space and/or tank.....\$21.00
(ii) Minimum charge.....\$108.00
(iii) Stowage space and/or tank condition inspections will be made on ships or vessels at anchor in midstream when requested.

(A) A minimum of two hours of regular time at \$18.00 per hour (one inspector) for general cargo vessels and a minimum of four hours of regular time at \$18.00 per hour (two inspectors) shall be charged for tankers in addition to the established inspection fee.

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

(C) These inspections can only be made within the area of the designated tidewater grain inspection office.

(b) Sea van-type containers (when checkloading not required), railcars, trucks, and other containers.....per container.....\$6.00

(4) Aflatoxin testing fees.
(a) Black light and/or minicolumn determinations...per hour, per inspector...\$20.80

(b) Minicolumn determination....per test.....\$15.60

(c) Thin layer chromatography fees will be assessed for each laboratory (~~analysis~~) analysis identical with the amount charged by the federal grain inspection service for that test.

(5) This emergency order will be in effect only until August 1, 1984.