



# RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/22/01)

Agency: Department of Agriculture	<input checked="" type="checkbox"/> Permanent Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Expedited Rule Making
(1) Date of adoption: August 29, 2003	

(2) Purpose: The adopted rule amendments restructure the Seed Program's fee schedule and increase fees charged for services to a sufficient level to recover current operating costs, finance two additional seed analysts and enhance the program's ability to address future testing requirements of new technology and crops being raised in Washington State. Seed certification fees, laboratory analysis fees and miscellaneous fees for alfalfa, grasses, vegetables and other minor seed crops will be increased in excess of the Office of Financial Management fiscal growth rate factor as authorized in House Bill 1126 (Relating to seed testing and certification fees), which was passed by the 2003 Legislature and signed by the Governor on May 14, 2003. See attachment (2) for a brief explanation of the changes to chapter 16-303 WAC adopted by the department.

(3) Citation of existing rules affected by this order:

Repealed: WAC 16-303-220 and WAC 16-303-330  
 Amended: WAC 16-303-200, WAC 16-303-210, WAC 16-303-230, WAC 16-303-240, WAC 16-303-250, WAC 16-303-300, WAC 16-303-310  
 Suspended: None

(4) Statutory authority for adoption: 15.49 RCW, Chapter 308, Laws of 2003 (HB 1126) and Chapter 34.05 RCW  
 Other Authority:

**PERMANENT RULE ONLY (Including Expedited Rule Making)**  
 Adopted under notice filed as WSR 03-15-144 on July 23, 2003 (date).  
 Describe any changes other than editing from proposed to adopted version:

**EMERGENCY RULE ONLY**  
 Under RCW 34.05.350 the agency for good cause finds:

(a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

(b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?:  
 Yes  No If Yes, explain:

<b>(6) Effective date of rule:</b> <b>Permanent Rules</b> <input checked="" type="checkbox"/> 31 days after filing <input type="checkbox"/> Other (specify) _____*	<b>Emergency Rules</b> <input type="checkbox"/> Immediately <input type="checkbox"/> Later (specify) _____
*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)	

Name (Type or Print) Valoria Loveland	Date August 29, 2003
Signature <i>Valoria Loveland</i>	
Title Director	

CODE REVISER USE ONLY

DATE TO BE REPEALED  
STATE OF WASHINGTON

TIME \_\_\_\_\_

03-18-071

PRF

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
<b>Federal rules or standards:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
<b>Recently enacted state statutes:</b>	New	<u>0</u>	Amended	<u>10</u>	Repealed	<u>0</u>

**The number of sections adopted at the request of a nongovernmental entity:**

	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
--	-----	----------	---------	----------	----------	----------

**The number of sections adopted in the agency's own initiative:**

	New	<u>0</u>	Amended	<u>10</u>	Repealed	<u>2</u>
--	-----	----------	---------	-----------	----------	----------

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

	New	<u>0</u>	Amended	<u>10</u>	Repealed	<u>2</u>
--	-----	----------	---------	-----------	----------	----------

**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	<u>0</u>	Amended	<u>10</u>	Repealed	<u>2</u>

# Washington State Department of Agriculture

## Adopted amendments to Chapter 16-303 WAC, Seed Assessment, Fees for Seed Services and Seed Certification

### CR-103 Form-Attachment (2) Purpose:

The adopted rule amendments restructure the Seed Program's fee schedule and increase fees charged for services to a sufficient level so the program can recover current operating costs, finance two additional seed analysts and enhance the program's ability to address future testing requirements resulting from new testing technology and new crops raised in Washington State. Seed certification fees, laboratory analysis fees and miscellaneous fees for alfalfa, grasses, vegetables and other minor seed crops will be increased in excess of the Office of Financial Management fiscal growth rate factor as authorized in House Bill 1126 (Relating to seed testing and certification fees), which was passed by the 2003 Legislature and signed by the Governor on May 14, 2003. In addition to being written according to clear rule writing principles, the adopted rule amendments:

- Increase the fees in WAC 16-303-200, WAC 16-303-210, WAC 16-303-230, WAC 16-303-250, WAC 16-303-300, WAC 16-303-310, WAC 16-303-315, WAC 16-303-317 and WAC 16-303-320 beyond the OFM fiscal growth rate factor as authorized by Chapter 308, Laws of 2003 (HB 1126);
- Condense the fee schedule in WAC 16-303-200 so it is easier to use;
- Amend the fee schedule in WAC 16-303-210 to:
  - ✓ Combine some fees; and
  - ✓ Repeal other fees related to services no longer requested by industry or for services the Seed Program is no longer able to provide;
- Repeal WAC 16-303-220 in its entirety;
- Repeal WAC 16-303-230(2) because its content is addressed in WAC 16-303-250;
- Amend WAC 16-303-240 to:
  - ✓ Add blending fees for "Grass Option A" and "Grass Option B"; and
  - ✓ Delete the reference to "plus cost of a purity and germination test which is required on the official sample of each blend" because the Seed Program no longer does official sampling on any blend;
- Amend WAC 16-303-250 to:
  - ✓ Add a "High Priority Sample" fee;
  - ✓ Incorporate the "Standby" fee currently located in WAC 16-303-230(2);
  - ✓ Delete the "Phone Report only" under "Preliminary report on germination" because it is redundant; and
  - ✓ Delete subsection (2) by incorporating its content into the section's fee schedule;
- Amend WAC 16-303-300 to:
  - ✓ Delete the "Sampling" fees because they are covered in WAC 16-303-230; and
  - ✓ Delete the references to "Serology test" and "Laboratory analysis of plant material to verify disease" because the Seed Program does not establish these fees. The Seed Program may be required, by rule, to have these tests conducted but fees for these tests are established by the WSDA Plant Protection Division.
- Amend WAC 16-303-310 by adding language that clearly identifies the O.E.C.D. assessment charges;
- Amend WAC 16-303-320 to:
  - ✓ Include a schedule of certification fees for grass seed with related footnotes; and
  - ✓ Delete "except grasses" from the section title because the section now includes grasses;
- Repeal WAC 16-303-330 in its entirety because the fees in this section is incorporated into WAC 16-303-320; and

AMENDATORY SECTION (Amending WSR 03-08-005, filed 3/20/03, effective 4/20/03)

WAC 16-303-200 Seed program testing fees. Seed testing fees are as follows:

(1) (~~FIELD CROPS:~~

	MINIMUM SAMPLE SIZE	PURITY	GERMINATION	FE
alfalfa	4 oz	14.86	12.73	23.35
alkaligrass	4 oz	19.10	11.67	23.35
barley	1.25 lb	14.86	12.73	23.35
beets, sugar	1.25 lb	20.17	22.29	23.35
bentgrass	2 oz	33.97	18.04	23.35
bermudagrass	4 oz	19.10	11.67	23.35
black medic	4 oz	14.86	12.73	23.35
bluegrass	4 oz	23.35	15.91	23.35
brassica sp.	6 oz	36.08	18.04	23.35
bromc-mountain	6 oz	24.41	12.73	23.35
bromc-smooth; meadow	6 oz	24.41	12.73	23.35
buckwheat	1.25 lb	14.86	12.73	23.35
canarygrass	8 oz	19.10	11.67	23.35
clover	4 oz	14.86	12.73	23.35
fescue	4 oz	23.35	12.73	23.35
flax-lewis	4 oz	14.86	12.73	23.35
foxtail	4 oz	14.86	11.67	23.35
garbanzo bean	1.25 lb	13.79	12.73	N/A
indian ricegrass	6 oz	19.10	11.67	23.35
juncgrass	6 oz	19.10	11.67	23.35
lentil	1.25 lb	14.86	12.73	N/A
little bluestem	4 oz	22.29/hr	11.67	23.35
lupine	1.25 lb	14.86	12.73	N/A
milkvetch	1.25 lb	14.86	12.73	23.35
millet	1.25 lb	14.86	12.73	N/A
needle & thread	6 oz	19.10	11.67	23.35
needlegrass, green	6 oz	19.10	11.67	23.35
oatgrass	6 oz	19.10	11.67	N/A
oats	1.25 lb	14.86	12.73	23.35
orchardgrass	4 oz	26.53	13.79	23.35
peas	1.25 lb	13.79	12.73	N/A
prairie sandreed	6 oz	19.10	11.67	23.35
primrose	4 oz	14.86	12.73	N/A
redtop	2 oz	33.97	18.04	23.35
rice	1.25 lb	14.86	12.73	N/A
rye	1.25 lb	14.86	12.73	23.35
ryegrass, perennial	4 oz	23.35	11.67	23.35
ryegrass, annual	4 oz	23.35	11.67	23.35
safflower	1.25 lb	14.86	12.73	N/A

	MINIMUM SAMPLE SIZE	PURITY	GERMINATION	FZ
sainfoin	1.25-lb	14.86	12.73	N/A
sand-dropsced	4-oz	19.10	11.67	23.35
sand-lovegrass	4-oz	19.10	11.67	23.35
sidecoats-grama	4-oz	22.29/hr	11.67	23.35
small-burnett	8-oz	14.86	12.73	N/A
sorghum	1.25-lb	14.86	12.73	N/A
sudangrass	8-oz	14.86	12.73	23.35
sunflower	1.25-lb	14.86	12.73	N/A
swiss-chard	1.25-lb	36.08	19.10	N/A
switchgrass	4-oz	19.10	11.67	23.35
timothy	4-oz	19.10	11.67	23.35
trefoil	4-oz	14.86	12.73	N/A
triticale	1.25-lb	14.86	12.73	23.35
vetch	1.25-lb	19.10	12.73	23.35
wheat	1.25-lb	14.86	12.73	23.35
wheatgrass; beardless slender				
thickspike	6-oz	40.34	15.91	23.35
wheatgrass; bluebunch	6-oz	40.34	15.91	23.35
wheatgrass; crested	4-oz	27.59	15.91	23.35
wheatgrass; tall intermediate				
pubescent	6-oz	40.34	15.91	23.35
wheatgrass; western	6-oz	40.34	15.91	23.35
wildrye	6-oz	19.10	11.67	23.35
zoysia	4-oz	19.10	11.67	23.35

(2) VEGETABLES:

	MINIMUM SAMPLE SIZE	PURITY	GERMINATION	FZ
asparagus	1.25-lb	14.86	12.73	N/A
beans	1.25-lb	13.79	12.73	N/A
beets	1.25-lb	20.17	19.10	N/A
cantaloupe	1.25-lb	14.86	12.73	N/A
carrot	4-oz	14.86	12.73	40.34
celery	4-oz	14.86	12.73	N/A
chard	4-oz	14.86	22.29	22.29
corn	1.25-lb	14.86	12.73	N/A
cucumber	1.25-lb	14.86	12.73	N/A
dill	4-oz	14.86	12.73	N/A
eggplant	4-oz	14.86	12.73	N/A
endive	4-oz	14.86	12.73	N/A
leek	8-oz	14.86	12.73	N/A
lettuce	4-oz	14.86	12.73	N/A
okra	4-oz	14.86	12.73	N/A
onion	8-oz	14.86	12.73	N/A
parsley	4-oz	14.86	12.73	N/A
parsnip	4-oz	14.86	12.73	N/A

	MINIMUM			
	SAMPLE SIZE	PURITY	GERMINATION	TZ
pepper	8 oz	14.86	12.73	N/A
pumpkin	1.25 lb	14.86	12.73	N/A
radish	1.00 lb	14.86	12.73	N/A
spinach;				
New Zealand	8 oz	14.86	22.29	N/A
spinach	8 oz	14.86	22.29	N/A
squash	1.25 lb	14.86	12.73	N/A
tomato	4 oz	14.86	12.73	N/A
turnip	6 oz	14.86	12.73	23.35
watermelon	1.25 lb	14.86	12.73	N/A))

Category	Crop kind	PURITY	GERM/1	TZ	Additional Crops in each Category/2
1	<u>Agricultural Grasses</u>	<u>37.00</u>	<u>22.60</u>	<u>41.83</u>	<u>Alkaligrass, Bermudagrass, Canarygrass, Foxtail, Switchgrass, Timothy, Zoysia</u>
2	<u>Alfalfa &amp; Clover</u>	<u>28.78</u>	<u>24.66</u>	<u>41.83</u>	<u>Alfalfa, Black Medic, Clover, Lupine, Milkvetch, Sainfoin, Trefoil</u>
3	<u>Beans</u>	<u>26.72</u>	<u>24.66</u>	<u>41.83</u>	<u>Beans</u>
4	<u>Beets</u>	<u>39.06</u>	<u>43.16</u>	<u>41.83</u>	<u>Beets, Swiss chard, spinach</u>
5	<u>Bentgrass, redtop</u>	<u>65.78</u>	<u>34.94</u>	<u>41.83</u>	<u>Bentgrass, redtop</u>
6	<u>Bluegrass</u>	<u>45.22</u>	<u>30.82</u>	<u>41.83</u>	<u>Bluegrass, all types</u>
7	<u>Brassica sp.</u>	<u>69.88</u>	<u>34.94</u>	<u>41.83</u>	<u>Brassica Species</u>
8	<u>Brome</u>	<u>47.28</u>	<u>24.66</u>	<u>41.83</u>	<u><b>Brome:</b> Mountain, Smooth, Meadow</u>
9	<u>Fescue</u>	<u>37.00</u>	<u>24.66</u>	<u>41.83</u>	<u><b>Fescue:</b> Tall and Meadow</u>
10	<u>Fescue, all others</u>	<u>45.22</u>	<u>24.66</u>	<u>41.83</u>	<u><b>Fescue:</b> Arizona, Blue, Blue Hard, chewings, creeping, Hard, Idaho, Red, Sheep</u>
11	<u>Flax</u>	<u>28.78</u>	<u>24.66</u>	<u>41.83</u>	<u>Lewis flax</u>
12	<u>Orchardgrass</u>	<u>51.38</u>	<u>26.72</u>	<u>41.83</u>	<u>Orchardgrass</u>
13	<u>Peas</u>	<u>28.78</u>	<u>24.66</u>	<u>41.83</u>	<u>Peas, other large seeded legumes</u>
14	<u>Primrose</u>	<u>28.78</u>	<u>24.66</u>	<u>41.83</u>	<u>Primrose</u>
15	<u>Ryegrass</u>	<u>45.22</u>	<u>22.60</u>	<u>41.83</u>	<u>Ryegrass, (Perennial or Annual)</u>
16	<u>Small burnet</u>	<u>28.78</u>	<u>24.66</u>	<u>41.83</u>	<u>Small burnet</u>
17	<u>Sudangrass</u>	<u>28.78</u>	<u>24.66</u>	<u>41.83</u>	<u>Sudangrass</u>
18	<u>Vegetables</u>	<u>28.78</u>	<u>24.66</u>	<u>45.00</u>	<u><b>Vegetables:</b> Asparagus, Cabbage, Cantaloupe, Carrot, Celery, Chard, Corn, Coriander, Cucumber, Dill, Eggplant, Endive, Kale, Leek, Lettuce, Okra, Onion, Parsley, Parsnip, Pepper, Pumpkin, Radish, Squash, Tomato, Turnip, Watermelon</u>

<u>Category</u>	<u>Crop kind</u>	<u>PURITY</u>	<u>GERM/I</u>	<u>TZ</u>	<u>Additional Crops in each Category/2</u>
<u>19</u>	<u>Grains and Pulses</u>	<u>28.78</u>	<u>24.66</u>	<u>41.83</u>	<u>Wheat, Triticale, Sunflower, Sorghum, Safflower, Rye, Rice, Millet, Lentils, Buckwheat, Barley, Oats, Chickpeas, Vetch</u>
<u>20</u>	<u>Wheatgrass, Wildrye, other native sp.</u>	<u>78.12</u>	<u>30.82</u>	<u>41.83</u>	<b><u>Wheatgrass:</u></b> <u>Beardless, Bluebunch, Crested, Intermediate, Pubescent, R/S, Slender, Siberian, Tall, Thickspike, Western Wildrye</u> <b><u>Other Native Species:</u></b> <u>Echinacea, Green needlegrass, Indian ricegrass, Junegrass, Little bluestem, Needle and Thread, Squirreltail, Kochia, Penstemon, Oatgrass, Prairie sandreed, Sand dropseed, Sand Lovegrass, Sideoats grama</u>

/1 Standard 400 seed germination test.

(2) Crops not listed in the above table will be charged by the category that they fit into.

AMENDATORY SECTION (Amending WSR 03-08-005, filed 3/20/03, effective 4/20/03)

WAC 16-303-210 Fees for special seed tests. ((Fees for special seed tests are as follows: (Standard noxious exam size unless otherwise specified.))

<u>Test</u>	<u>Fee</u>	<u>((Other Considerations)) Additional Information</u>
<u>(1) All states noxious weed examination</u>	<u>\$ ((+0.60)) 33.38</u>	
<u>((2) Analysis of partially cleaned, uncleaned or field run seed with excessive inert, or crop or weed seeds</u>	<u>\$ 22.29 hourly rate))</u>	
<u>(2) Dormant Seed Test</u>	<u>\$ 41.83</u>	
<u>(3) (a) For crops requiring a 400 seed TZ as required in the AOSA rules. This fee also applies to paired tests when required by AOSA rules</u>	<u>\$ 83.66</u>	
<u>((3)) (4) Brassica seed chemical identification</u>	<u>\$ ((+0.60)) 20.94</u>	
<u>((4)) (5) Cold (vigor) test for wheat</u>	<u>\$ ((53.08)) 65.00</u>	

Test	Fee	<del>((Other Considerations))</del> <u>Additional Information</u>
<del>((5))</del> Crop and weed exam (Required for all foundation and registered class grass seeds)	Purity fee minus \$ 5.30	Hourly rate will be assessed when applicable; hourly rate applies when a larger amount is requested))
<u>(6) Crop or weed exam</u>		Standard noxious amount from AOSA rules
<u>Turf-type and other small seeded grasses</u>	\$ <u>38.00</u>	<u>Kentucky bluegrass, timothy, alkaligrass, fine-leaved fescues</u>
<u>Small seeded legumes and medium seeded crops</u>	\$ <u>44.00</u>	<u>Brassicas, ryegrass, tall fescue</u>
<u>Wheatgrass and native species</u>	\$ <u>50.00</u>	
<u>Grains and pulses</u>	\$ <u>22.00</u>	
<del>((6))</del> <u>(7) Fescue seed ((fluorescence)) ammonia test</u>	\$ <del>((15.91))</del> <u>30.82</u>	<del>((Test required on certified samples))</del>
<del>((7))</del> <u>(8) Fluorescence test (400 seed test)</u>	\$ <del>((13.79))</del> <u>26.72</u>	
<del>((8))</del> <u>(9) Miscellaneous services, samples requiring extra time, field run samples, etc.</u>	\$ <del>((22.29 hourly rate))</del> <u>30.00/hour</u>	
<del>((9))</del> <u>(10) Pest and disease (phyto exam) or soil exam</u>	\$ <del>((18.04))</del> <u>34.94</u>	
<del>((10) Poa annua check))</del> <u>(11) Quarantine tests on seed</u>		
<u>Bluegrass and Bentgrass ((5 grams)</u>		
<u>Bluegrass (5 grams)</u>	<del>\$ 18.04))</del> \$ <u>18.04/5 grams</u>	
Other grasses <del>((10 grams))</del>	\$ <u>18.04/10 grams</u>	
<del>((11))</del> <u>(12) Rules test--Canadian</u>	PURITY	GERMINATION
<u>Alfalfa, clover, peas, lentils</u>	\$ <del>((22.59))</del> <u>32.37</u>	\$ <del>((12.73))</del> <u>24.66</u>
<u>Kentucky bluegrass</u>	\$ <del>((33.97))</del> <u>49.34</u>	\$ <del>((15.91))</del> <u>30.82</u>
<u>((Peas, lentils</u>	\$ <u>22.59</u>	\$ <u>12.73))</u>
<u>Bentgrass</u>	\$ <del>((49.89))</del> <u>72.47</u>	\$ <del>((18.04))</del> <u>34.94</u>
<del>((12))</del> <u>(13) Rules test--I.S.T.A.</u>	PURITY	GERMINATION
<u>Alfalfa, clover, peas, lentils</u>	\$ <del>((22.59))</del> <u>32.37</u>	\$ <del>((15.91))</del> <u>30.82</u>
<u>Kentucky bluegrass</u>	\$ <del>((33.97))</del> <u>49.34</u>	\$ <del>((15.91))</del> <u>30.82</u>
<u>((Peas, lentils</u>	\$ <u>22.59</u>	\$ <u>15.91))</u>
<del>((13) Samples requiring special preparation for germination, for example pelleted seeds))</del> <u>(14) Moisture test</u>	\$ <del>((22.59))</del> <u>30.00</u>	<del>((Additional Charge))</del>
<del>((14))</del> <u>(15) Seed Count</u>	\$ <del>((18.04))</del> <u>21.84</u>	
<del>((15) Sod analysis check (25 gram exam to evaluate if a lot appears to be sod quality))</del> <u>(16) Outstanding charge</u>	\$ <del>((20.17))</del> <u>15.00</u>	<del>((Phone report only))</del>
<del>((16) Sod seed analysis (A special test of turf grasses for those who need a detailed examination of seed before purchase and/or use))</del> <u>(17) Sod seed analysis</u>	Bluegrass \$ <del>((63.69))</del> Fescue <u>75.00</u> Ryegrass \$ <del>((44.59))</del> <u>52.00</u> \$ <del>((36.08))</del> <u>42.00</u>	<del>((Bluegrass test includes purity, 25 gram crop and weed exam, and 10 gram Poa annua check; Ryegrass and Fescue test include purity and 50 gram crop and weed exam.))</del>



Test	Fee	<del>((Other Considerations))</del> <u>Additional Information</u>
<del>((17))</del> (18) Sodium Hydroxide test for presence of red and/or white wheat	\$ <del>((10.60))</del> <u>20.54</u>	
<del>((18))</del> Soil exam or similar (A visual examination of a representative sample))	\$ 18.04	Reported on seed analysis certificate
(19) Undesirable grass species <u>test (includes an all states noxious test)</u> examination (UGS test)	\$ <del>((12.73))</del> <u>70.37</u>	
<del>((20))</del> Variety separation of Kentucky bluegrass	\$ 20.17	
If separated at time of purity analysis	\$ 9.55))	

AMENDATORY SECTION (Amending WSR 03-08-005, filed 3/20/03, effective 4/20/03)

**WAC 16-303-230 Official seed sampling or similar service.**

~~((1) The fee for official seed sampling or similar service is as follows:))~~ Fees for official sampling are in addition to travel time and mileage.

Crop	Fee	Minimum charge
Peas, beans, small grains or seeds of similar size	\$ 0.05 Per cwt.	\$ <del>((22.29))</del> <u>30.00</u>
For all other kinds	\$ 0.15 Per cwt.	\$ <del>((22.29))</del> <u>30.00</u>

~~((2) If a special trip is required to provide a service, the person requesting the service may be charged at the rate of \$ 18.04 per hour travel time plus a mileage fee set by the Washington State Office of Financial Management in addition to the specific fee for service. All standby time is charged at the rate of \$ 22.29 per man-hour.))~~

AMENDATORY SECTION (Amending WSR 01-01-015, filed 12/6/00, effective 1/6/01)

**WAC 16-303-240 Fees for blending seed.** ~~((Fees for blending seed are five cents per one hundred pounds based on the pounds of seed bagged plus cost of a purity and germination test which is required on the official sample of each blend. All fees are~~

payable by persons or firm requesting permission for said blend.)  
Blending fee is not applicable to salvage blends.

<u>Grass option B*</u>	<u>Washington origin seed</u>	<u>\$ 1.02 per cwt.</u>
<u>Grass option B*</u>	<u>Out-of-state origin</u>	<u>\$ 0.61 per cwt.</u>
<u>Grass option A and all other blends of other crops</u>		<u>\$ 0.05 per cwt.</u>

\*See WAC 16-303-320, footnote 6 for information on option A and option B.

AMENDATORY SECTION (Amending WSR 03-08-005, filed 3/20/03, effective 4/20/03)

**WAC 16-303-250 Miscellaneous charges for seed services.**  
 ((+1)) Fees for miscellaneous department seed services are as follows:

<b>Service</b>	<b>Fee</b>
Rush samples (including phone or FAX report if requested at time sample is submitted)	\$ ((12.73)) <u>15.00</u>
<u>High priority sample - purity result completed before the end of the next business day. (Special circumstances only. Call ahead for availability.)</u>	<u>\$ 150.00</u>
Phone reports on test result, per call	\$ ((3.70 per call)) <u>7.18</u>
Preliminary report on germination ((Phone report only	\$ ((8.49)) <u>20.00</u> <u>\$ 1.59))</u>
Additional mailing of report	\$ ((2.64)) <u>5.12</u> each destination
Additional copies of reports	\$ ((2.64)) <u>5.12</u> ((f))minimum fee((f))
Revised reports	\$ ((5.29)) <u>10.26</u> <u>minimum</u> <u>(hourly fee when applicable)</u> ((minimum fee- or hourly fee when applicable))

<b>Service</b>	<b>Fee</b>
Fee for special <u>shipping and handling</u> service, for example Federal Express, Air Parcel or air freight	\$ 3.70 <u>plus exact shipping cost</u>
Fee for facsimile transmission of documents ((Travel time - additional or special requested trips	\$ ((3.70)) <u>5.39</u> per document \$ 18.04))
Mileage - additional or special requested trips	As established by the Washington State Office of Financial Management

~~((2) Test plot examinations or consultant work in seed plots, seed fields, seed conditioning plants, etc., shall be at the rate of \$ 22.29 per hour plus mileage and travel time at the rate of \$ 18.04 per hour traveled.))~~

<u>Stand-by time - or travel time</u>	<u>\$ 30.00/hour</u>	<u>Travel time to be charged when special trip is requested.</u>
<u>Sample envelopes</u>		<u>Customer will be charged the exact cost of the envelopes.</u>

~~((FEES FOR SEED CERTIFICATION OR OTHER SERVICES))~~

AMENDATORY SECTION (Amending WSR 03-08-005, filed 3/20/03, effective 4/20/03)

WAC 16-303-300 Phyto-sanitary certification of seed--Fees.

~~((1) Fees for phyto-sanitary certification of seed are as follows:))~~

<b>Service</b>	<b>Fee</b>	<b><u>((Other Considerations)) Additional Information</u></b>
Phyto-sanitary certificate	\$ ((22.29 each)) <u>30.00</u>	

Service	Fee	<del>(Other Considerations)</del> <u>Additional Information</u>
Field inspection--All seed except wheat seed (for each required inspection)	<del>\$(5-29)</del> <u>5.30</u> per acre, <u>per required inspection</u>	<del>\$(21-22)</del> <u>50.00</u> minimum fee <del>((payable with application)), per inspection</del>
Field inspection--Wheat seed only <del>((for each required inspection))</del>	<del>\$(2-11)</del> <u>2.12</u> per acre or fraction thereof	<del>((Payable with application))</del> <u>\$ 50.00</u> minimum fee, <u>per inspection</u>
Area inspection ( <u>billed at time certificate is issued</u> )	\$.05 per cwt.	<del>\$(21-22)</del> <u>50.00</u> minimum fee per certificate \$ 159.25 maximum fee per certificate <del>((Billed at time certificate is issued))</del>
<u>Late fee - per application</u>	<u>\$ 41.00</u>	
<del>((Late fee--</del>		
Application	\$ 31.84 each	
Sampling (When Required)--		
Beans, peas, lentils, and cereal grains	\$ .05 per cwt.	
Other crops	\$ .15 per cwt.	
Serology test	Fee as established by the testing laboratory.	
Laboratory analysis of plant material to verify disease	An additional fee of actual cost shall be charged when necessary to examine plant material and/or seed)	

AMENDATORY SECTION (Amending WSR 03-08-005, filed 3/20/03, effective 4/20/03)

**WAC 16-303-310 Organization for economic cooperation and development scheme for varietal certification (O.E.C.D.) fees.** In addition to fees required by applicable Washington certification rules, the following fees shall apply to all seed tagged O.E.C.D. and is payable by the person requesting O.E.C.D. certificate. The certifying agency may require fees paid in advance:

Service	Fee	<del>((Other Considerations))</del> <u>Additional Information</u>
O.E.C.D. certificate	\$ <del>((10.60))</del> <u>15.41</u> each	
O.E.C.D. grow out test	\$ <del>((48.83))</del> <u>65.72</u> each entry	No charge for control entry
<u>O.E.C.D. assessment</u>	<u>cost to program</u>	
<u>O.E.C.D. tagging fee</u>	<u>\$ 0.84/cwt.</u> <u>\$ 0.53/cwt.</u>	<u>grasses</u> <u>all other crops</u>

AMENDATORY SECTION (Amending WSR 01-01-015, filed 12/6/00, effective 1/6/01)

**WAC 16-303-315 Service fee for sod quality seed tags and tagging.** Service fee for sod quality seed tags and tagging shall be \$ ~~((0.10))~~ 0.12 per cwt. ~~((The official sampling fee is charged when resampling is required.))~~

AMENDATORY SECTION (Amending WSR 03-08-005, filed 3/20/03, effective 4/20/03)

**WAC 16-303-317 Annual and rough bluegrass quarantine fees.** Fees for sampling and analysis for the presence of annual or rough bluegrass are those fees established in this chapter and:

(1) Annual bluegrass and rough bluegrass - inspection fee for nursery plantings for the presence of annual bluegrass is \$ ~~((53.08))~~ 59.10 per acre or portion thereof. The tagging fee is \$ ~~((0.52))~~ 0.53 cwt. with a minimum fee of \$ ~~((10.60))~~ 23.12.

(2) ~~((Rough Bluegrass - inspection fee for nursery plantings is \$ 53.08 per acre or portion thereof.))~~ Quarantine inspection of grass seed fields found to be in violation of the quarantine requirements will be charged at the rate of \$ 150.00 per field inspection.

AMENDATORY SECTION (Amending WSR 03-08-005, filed 3/20/03, effective 4/20/03)

**WAC 16-303-320 Certification fees for seed certified by the department** ~~((except grasses))~~. ~~((Fees for seed certification~~

services for seed certified by the department other than grasses are as follows:)) (1) Fees apply to both new and renewal applications((-)).

The seed processor is responsible for seed certification fees including sampling, testing, production and final certification fees, and may accept responsibility for any other additional fees associated with certification. Fees for services such as O.E.C.D. and sod quality, etc., are in addition to the fees listed in this section.

Seed	Application Fee 1/	Seedling producing or field inspection Fee 2/	Late Application Penalty Fee	Reinspection Fee (other than isolation)	Production Fee (includes ((sampling and)) tagging) 7/	Seed shipped Out-of-State (uncleaned)
Alfalfa, Red clover, White clover and Trefoil	\$ ((+5-9+)) 23.12 per variety per grower	\$ ((+1-8+)) 1.85/acre	\$ ((31-84)) 41.00	\$ ((42-46)) 53.44 ea. field	\$ ((0-52)) 0.53/cwt. 5/	\$ ((0-19)) 0.20/cwt.
Bean	\$ ((+5-9+)) 23.12 per variety per grower	\$ ((+1-8+)) 1.85/acre 3/ (one inspection) \$ 3.70/acre 4/ (two inspections)	\$ ((31-84)) 41.00	\$ ((42-46)) 53.44 ea. field	\$ ((0-52)) 0.53/cwt.	\$ ((0-19)) 0.20/cwt.
Turnip, Rutabaga	\$ 23.12 per field	\$ 3.70/acre (two inspections)	\$ 41.00	\$ 53.44 each field	\$ 0.53/cwt.	\$ 0.20
Perennial Grasses 6/	\$ 23.12 per field	\$ 41.00 per field	\$ 41.00	\$ 53.44 each field	Option A \$ 0.84/cwt. Option B \$ 1.17/cwt. (min. \$ 11.66)	\$ 0.31
Corn	\$ ((+5-9+)) 23.12 for each separate combination/or isolation	\$ ((26-53)) 50.00 first acre \$ ((+0-60)) 10.99 ea. additional acre except hybrid corn \$ ((3-70)) 4.85 ea. additional acre	-----	-----	-----	-----
((Sudangrass)) Annual grasses	\$ ((+5-9+)) 23.12 per field	\$ ((+1-8+)) 1.85/acre	\$ ((31-84)) 41.00 per field	-----	\$ 0.42/cwt.	((-----)) \$ 0.20
Rapeseed	\$ ((+5-9+)) 23.12 per variety per grower	\$ ((+1-8+)) 1.85/acre (one inspection)	\$ ((+5-9+)) 41.00 per grower	\$ ((21-22)) 53.44 ea. field	\$ ((0-52)) 0.53/cwt.	((-----)) \$ 0.20

- 1/ ((Refer to WAC 16-302-050 for seed certification application due dates.)) Seed certification application due dates can be found in WAC 16-302-050.
- 2/ ((Refundable if acreage is withdrawn before inspection. Except for bean seed, required of seedling fields to be harvested for certification the year of planting. Notification of seeding field to be harvested for certification and required fees are due July 31.)) Seedling producing or field inspection fees are refundable if the acreage is withdrawn before the inspection is completed. In the case of bean seed, fees are required of seedling fields to be harvested for certification the year of planting.
- 3/ One inspection is required for Great Northern Red Mexican, pinto, pink, and small white bean.

- 4/ Included windrow inspection which is required for certification of snap beans, kidney beans, and eligibility for shipment into the state of Idaho.
- 5/ (~~Sampling and~~) Production fees are billed at completion of laboratory analysis tests. If (~~none of the~~) no seed is tagged, (~~ten cents~~) \$ 0.10 of the (~~fifty-two cents~~) \$ 0.53 per cwt. production fee is refundable.
- 6/ Option A: Inspection and final certification fees are based on pounds sampled and billed upon completion of required laboratory tests.  
Option B: Inspection and final certification fees are based on pounds tagged after required laboratory tests are completed. Those dealers requesting sampling and tagging privileges and/or participation in Option B must sign a memorandum of agreement that shall expire on June 30 of each year. The memorandum may be terminated by the director if the conditioner violates certification standards or requirements of memorandum.
- 7/ Does not include shipping and handling charge.  
(2) Other fees associated with grass seed certification:  
Out-of-state origin seed tagged with interagency certification tags.

<u>Grass Option A:</u>	<u>\$ 0.31 per cwt.</u>
<u>Grass Option B:</u>	<u>\$ 0.68 per cwt.</u>
<u>Reissuance of cert. tags:</u>	<u>\$ 0.11 per tag or minimum fee of \$ 11.66</u>

REPEALER

The following sections of the Washington Administrative Code are repealed:

- |                |   |
|----------------|---|
| WAC 16-303-220 | Inventory testing for seed germination. |
| WAC 16-303-330 | Certification fees for grass seed.      |