

State of Washington
Department of Agriculture

(agency name)

Administrative Order No. 1580

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

do promulgate and adopt at Olympia, WA (place)

the annexed rules relating to: Schedule of fees for the chemical analysis and physical grading of hops, WAC 16-218-010, WAC 16-218-020, WAC 16-218-002, WAC 16-216-001, WAC 16-216-010

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

This action is taken pursuant to Notice No. WSR 78-05-081 filed with the code reviser on May 1, 1978. Such rules shall take effect:

- 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):

(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 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 June 30 1978 FILED

JUN 30 1978

By Bob J. Mickelson Director of Agriculture

Title

CODE REVISER'S OFFICE WSR 78-07-074

AMENDATORY SECTION (Order 1372, filed 7-5-74)

WAC 16-218-010 ((FEES)) SCHEDULE OF FEES FOR PHYSICAL GRADING. The schedule of fees, payable to the department for certification of hops pursuant to the standards established by the ((grain-division, consumer-and-marketing service)) Federal Grain Inspection Service of the United States department of agriculture as authorized by the Agricultural Marketing Act of 1946, as amended, shall be as follows:

(1) Lot inspection. ((Fifty)) Sixty cents per bale in each lot, minimum charge shall be ((ten)) fifteen dollars.

(2) Sample inspection. ((Ten)) Fifteen dollars per unofficial sample submitted.

(3) Supplemental certificates. Two dollars per certificate.

(4) ((Review-inspection,--Twenty-cents-per-bale-in-each-lot,--minimum-charge five-dollars-

(5) --Review-inspection-of-submitted-sample,--Five-dollars-per-unofficial sample-

(6)) Appeal inspection. Charges for appeal inspections will be made by the ((grain-division, consumer-and-marketing-service, United States department of agriculture)) Federal Grain Inspection Service, Portland, Oregon, and payment for appeal inspection shall be made to them.

((7)) (5) Extra copies. A charge of fifty cents per set will be made for typing extra copies of a certificate when requested by the original applicant or other financially interested party.

((8)) (6) Extra time and mileage charges. If through no fault of the inspection service, lots of hops cannot be sampled at the time such sampling has been requested by the applicant ((and)) or there is an undue delay in making a lot of hops available for sampling, ((a-charge-of-three-dollars-fifty-cents-per hour-will-be-made,--time-to-be-computed-from-departure-of-sampler-or-inspector from-his-base-of-operation-until-time-of-his-return-to-said-base-

(9) --Mileage,--If-trips-are-made-on-calls-for-sampling-hops-and-hops-are-not available-for-sampling,--a-charge-of-ten-cents-per-mile-in-addition-to-extra-time charges-will-be-made-

(10) --Accessibility-for-sampling-) extra time and mileage charges shall be assessed. Fees for hourly wages and mileage rates will be in accordance with current applicable fees charged by the department.

To be considered available for sampling and certification, it is necessary that each and every bale in the lot of hops be readily accessible so that each bale may be properly stenciled and samples drawn from those bales selected by the ((sampler-or)) inspector.

NEW SECTION

WAC 16-218-020 SCHEDULE OF CHARGES FOR CHEMICAL ANALYSES OF HOPS, HOP EXTRACT, HOP PELLETS OR HOP POWDER.

(1) When samples are submitted to the Yakima Chemical and Hop Laboratory, the charges will be: twenty-five dollars per certificate for the Wollmer Hop Analysis Method; fifteen dollars per certificate for the ASBC Spectrophotometric or Conductometric Methods; and fifteen dollars per certificate for the EBC Conductometric Method. A Submitted Sample Certificate will be issued.

(2) Official samples of hops drawn by department personnel are composited either from the cores drawn for grade analysis, or from cores specially drawn on federal sampling schedule for brewing value only. Charges for analysis are: ten cents per bale, with a minimum of twenty-five dollars for the Wollmer Hop Analysis Method; ten cents per bale, with a minimum of fifteen dollars for the ASBC Spectrophotometric or Conductometric Methods; and ten cents per bale, with a minimum of fifteen dollars for the EBC Conductometric Method. An official Brewing Value Certificate will be issued.

(3) Extra time and mileage charges. If through no fault of the inspection service, lots of hops cannot be sampled at the time such sampling has been requested by the applicant or there is an undue delay in making a lot of hops available for sampling, extra time and mileage charges shall be assessed. Fees for hourly wages and mileage rates will be in accordance with current applicable fees charge by the department.

To be considered available for sampling and certification, it is necessary that each and every bale in the lot of hops be readily accessible so that each bale may be properly stenciled and samples drawn from these bales selected by the inspector.

(4) The fee to be charged by the department for analyses for tannin, iso-conversion products from alpha and beta resins, oil analysis and other components, and possible adulterants such as residues, when requested, shall be the actual cost to the department. Such fee shall be based on and include man hour costs, necessary material costs, laboratory equipment use and depreciation costs, and administrative and overhead costs of such tests.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-218-002 PROMULGATION

WAC 16-216-001 PROMULGATION

WAC 16-216-010 SCHEDULE OF CHARGES FOR CHEMICAL ANALYSES OF HOPS



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

DEPARTMENT OF AGRICULTURE

406 General Administration Building, Olympia, Washington 98504

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

1. Regulations pertaining to schedule of fees for the chemical analysis and physical grading of hops. (Statutory authority 22.09 RCW)
2. Amending fees, repealing WAC 16-216-001 and WAC 16-216-010.
3. Art Losey
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753-5062
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Yakima Chemical and Hop Laboratory
2017 So. 1st St.
Yakima, WA 98903
575-2759
4. Proponents: Department of Agriculture
Bob Mondor
Paul Lenseigne
Opponents: None
5. No agency comments