

State of Washington  
DEPARTMENT OF AGRICULTURE

(agency name)

Administrative Order No. 1739

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

Washington State Department of Agriculture

do promulgate and adopt at Olympia, WA

(place)

the annexed rules relating to:

Application and Fees in WAC 16-316-474; 16-316-530;  
16-316-700 and 16-316-910.

(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 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:

The Washington State Crop Improvement Association's costs have increased to such an extent that they are not able to fully complete seed certification inspections without raising fees for such inspections. Emergency regulations are necessary to implement this increase for the current season which begins in June. This fee increase has been agreed to by the Washington State Crop Improvement Association.

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)<sup>1</sup> 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 May 14 1981  
FILED

MAY 14 1981

By M. Keith Ellis  
Director of Agriculture

Title

[Form CR-7: Effective 12/1/77]

CODE REVISER'S OFFICE  
WSR 81-11-015



STATE OF WASHINGTON  
DEPARTMENT OF AGRICULTURE

400 Central Administration Bldg., 5th Fl. • Olympia, Washington 98504 • (206) 753-5063

May 14, 1981

RULE PURPOSE STATEMENT

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

1. This rule pertains to Application and Fees (Statutory Authority RCW 15.49).
2. Amends regulations to increase certification fees for small grains, peas, lentils, and soybean seeds.
3. Art Losey  
406 Gen. Admin. Bldg.  
Olympia, WA 98504  
753-5062  
Max Long  
2015 So. 1st Street  
Yakima, WA 98903  
575-2750
4. Proponents: Washington State Crop Improvement Association  
Opponents: Unknown
5. No agency comments.

WAC 16-316-474 APPLICATION AND FEES. (1) An application for seed certification with application fee, field inspection fee, and late application fee (if due) for each field must be filed by or for each grower with Washington State Crop Improvement Association, Inc., the certifying agency for field pea seed.

(2) DUE DATE: June 1; however, ~~((acceptable-for-service-after due-date-with-late-application-fee))~~ after due date, an application with late application fee may be accepted for service.

(3) FEES:

- (a) Application fee per variety per grower.....\$10.00
- (b) Field inspection fee per acre.....(~~(\$-0-70)~~)  
\$ 1.10

- (c) Late application fee.....\$10.00
- (d) Reinspection fee.....\$20.00

minimum for each field which did not pass field inspection plus \$ 0.20 each acre over 25. The reinspection fee for isolation requirements only for a field of any size is \$20.00.

- (e) Final certification fee.....(~~(\$-0-10)~~)  
\$ 0.13

per cwt. of clean seed sampled, which shall be charged to ~~((processing))~~ conditioning plant,

or production fee..... \$ 0.13

per cwt. of production from fields inspected which is utilized for seed, which shall be charged to conditioning plant or, if none, to applicant.

- (f) Sampling fee.....\$ 0.10  
per cwt. of clean seed sampled, with minimum charge of \$10.00 per sample, which shall be charged to ~~((processing))~~ conditioning plant in lieu of mechanical sampling.

(4) A field may be withdrawn upon notification by the applicant to the certifying agency's office before field inspection. In such case, the field inspection fee shall be refunded upon request until June 30 of the year following harvest.

(5) Harvest before field inspection causes forfeiture of both the application and field inspection fees, and completion of certification.

AMENDATORY SECTION (Amending Order No. 1622, filed 4-30-79)

WAC 16-316-530 APPLICATION AND FEES. (1) An application for seed certification with application fee, field inspection fee, and late application fee (if due) for each field must be filed by or for each grower with Washington State Crop Improvement Association, Inc., the certifying agency for small grain seed.

(2) DUE DATES:

(a) June 1 for winter varieties; however, ~~((acceptable-for service-after-due-date-with-late-application-fee))~~ after due date, an application with late application fee may be accepted for service.

(b) July 1 for spring varieties; however, ~~((acceptable-for service-after-due-date-with-late-application-fee))~~ after due date, an application with late application fee may be accepted for service.

(3) FEES:

- (a) Application fee per variety per grower.....\$10.00
- (b) Field inspection fee per acre.....(~~(\$-0-70)~~)  
\$ 1.10
- (c) Late application fee.....\$10.00
- (d) Reinspection fee.....\$20.00  
minimum for each field which did not pass field inspection plus \$ 0.20 each acre over 25. The reinspection fee for isolation requirements only for a field of any size is \$20.00.
- (e) Final certification fee.....(~~(\$-0-10)~~)  
\$ 0.13

per cwt. of clean seed sampled, which shall be charged to ~~((processing))~~ conditioning plant, or production fee.....(~~(\$-9-10)~~) \$ 0.13 per cwt. of production from fields inspected which is utilized for seed, which shall be charged to ~~((processing))~~ conditioning plant or, if ~~((name))~~ none, to applicant.

(f) Sampling fee.....\$ 0.10 per cwt. of clean seed sampled, with minimum charge of \$10.00 per sample, which shall be charged to ~~((processing))~~ conditioning plant in lieu of mechanical sampling.

(4) A field may be withdrawn upon notification by the applicant to the certifying agency's office before field inspection. In such case, the field inspection fee shall be refunded upon request until June 30 of the year following harvest.

(5) Harvest before field inspection causes forfeiture of both the application and field inspection fees, and completion of certification.

AMENDATORY SECTION (Amending Order No. 1564, filed 3-1-78)

WAC 16-316-700 APPLICATION AND FEES. (1) An application for seed certification with application fee, field inspection fee, and late application fee (if due) for each field must be filed by or for each grower with Washington State Crop Improvement Association, Inc., the certifying agency for lentil seed.

(2) DUE DATE: June 1; however, ~~((acceptable-for-service after-due-date-with-late-application-fee))~~ after due date, an application with late application fee may be accepted for service.

(3) FEES:

- (a) Application fee per variety per grower.....\$10.00
- (b) Field inspection fee per acre.....(~~(\$-0-70)~~)  
\$ 1.10
- (c) Late application fee.....\$10.00
- (d) Reinspection fee.....\$20.00  
minimum for each field which did not pass field inspection plus \$ 0.20 each acre over 25. The reinspection fee for isolation requirements only for a field of any size is \$20.00.
- (e) Final certification fee.....(~~(\$-0-10)~~)  
\$ 0.13

per cwt. of clean seed sampled, which shall be charged to ~~((processing))~~ conditioning plant, or production fee..... \$ 0.13 per cwt. of production from fields inspected which is utilized for seed, which shall be charged to conditioning plant or, if none, to applicant.

(f) Sampling fee.....\$ 0.10  
per cwt. of clean seed sampled, with minimum charge  
of \$10.00 per sample, which shall be charged to ((~~processing~~))  
conditioning plant in lieu of mechanical sampling.

(4) A field may be withdrawn upon notification by the  
applicant to the certifying agency's office before field inspection.  
In such case, the field inspection fee shall be refunded upon  
request until June 30 of the year following harvest.

(5) Harvest before field inspection causes forfeiture of both  
the application and field inspection fees, and completion of  
certification.

AMENDATORY SECTION (Amending Order No. 1569, filed 3-1-78)

WAC 16-316-910 APPLICATION AND FEES. (1) An application for  
seed certification with application fee, field inspection fee, and  
late application fee (if due) for each field must be filed by or  
for each grower with Washington State Crop Improvement Association,  
Inc., the certifying agency for soybean seed.

(2) DUE DATE: July 1; however, ((~~acceptable-for-service-after~~  
~~due-date-with-late-application-fee~~)) after due date, an application  
with late application fee may be accepted for service.

(3) FEES:

(a) Application fee per variety per grower.....\$10.00  
(b) Field inspection fee per acre.....((~~\$-0-70~~))  
\$ 1.10

(c) Late application fee.....\$10.00

(d) Reinspection fee.....\$20.00

minimum for each field which did not pass field  
inspection plus \$ 0.20 each acre over 25. The  
reinspection fee for isolation requirements only  
for a field of any size is \$20.00.

(e) Final certification fee.....((~~\$-0-10~~))  
\$ 0.13

per cwt. of clean seed sampled, which shall be  
charged to ((~~processing~~)) conditioning plant,  
or production fee..... \$ 0.13

per cwt. of production from fields inspected which is  
utilized for seed, which shall be charged to conditioning  
plant or, if none, to applicant.

(f) Sampling fee..... \$ 0.10  
per cwt. of clean seed sampled, with minimum charge  
of \$10.00 per sample, which shall be charged to ((~~processing~~))  
conditioning plant in lieu of mechanical sampling.

(4) A field may be withdrawn upon notification by the  
applicant to the certifying agency's office before field inspection.  
In such case, the field inspection fee shall be refunded upon  
request until June 30 of the year following harvest.

(5) Harvest before field inspection causes forfeiture of  
both the application and field inspection fees, and completion of  
certification.