

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Department of Agriculture

(agency name)

Administrative Order No. 1859

(1) I, C. Alan Pettibone, director of Washington State Department of Agriculture

do promulgate and adopt at Olympia, WA (place)

the annexed rules relating to:

Chapter 16-316 Phytosanitary inspections

(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, C. Alan Pettibone, 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:

Saudi Arabia requires that all wheat seed being exported to their country shall have a phytosanitary certificate. Inspections of wheat fields will begin almost immediately. The fees will cover the department's costs. Fees already established are for the inspection of vegetable seed fields.

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 15.49 and is intended to administratively implement that statute.

[ ] (b) This rule is promulgated pursuant to RCW which directs that the

has authority to implement the provisions of (agency)

(name of act or RCW citation)

[ ] (c) This rule is promulgated under the general rule-making authority of the

as authorized in RCW (agency)

(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 13, 1985 FILED

JUN 13 1985

By [Signature] Deputy Director Title

CODE REVISER'S OFFICE

Title

WSR 85-13-035

AMENDATORY SECTION (Amending Order 1737, filed 5/15/81)

WAC 16-316-315 FEE AND CHARGES. (1) Fee for area and field inspection:

(a) Field inspection (payable with application):

(i) All seed except wheat seed. For each required inspection (per acre or fraction thereof) ..... \$ 4.00  
(with minimum fee of \$20.00 per field per inspection)

(ii) Wheat seed only. For each required inspection (per acre or fraction thereof) ..... \$ 0.50  
(with minimum fee of twenty dollars per field per inspection)

An additional charge of (~~(\$-0.50)~~) fifty cents per acre shall be charged for each disease requested in excess of two.

(b) Area inspection (~~(per-100-lbs)~~) (per one hundred pounds) ..... \$ 0.05

Billed at time certificate is issued with a minimum of (~~(\$20.00)~~) twenty dollars and a maximum of (~~(\$150.00)~~) one hundred fifty dollars per certificate.

(2) Late application penalty fee ..... \$10.00  
This additional fee shall be charged for each application received after due date.

(3) Sampling fee when sampling is required:

(a) Beans, peas, lentils, cereal grains

(~~(per-100-lbs)~~) (per one hundred pounds) ..... \$ 0.05

(b) Other crops (~~(per--100--lbs)~~) (per one hundred pounds) ..... \$ 0.15

(4) Serology test: ..... Fee to be established by the state of Idaho.

An official ((5)) five pound sample is required from each ((10,000)) ten thousand pounds or portion thereof. Officially drawn samples ((will)) shall be submitted to: State plant pathologist, Idaho department of agriculture, P.O. Box 410, Twin Falls, Idaho 83301.

(5) Fees for services not listed in this ((order)) rule shall be set on the basis of the actual cost to the department of agriculture or the most appropriate fee established ((will)) shall be used.

(6) Laboratory analysis of plant material: An additional fee of ((\$18.00)) eighteen dollars per field shall be charged when necessary to examine plant material in the laboratory to verify disease.