

**RULE-MAKING ORDER**  
(RCW 34.05.360)

**CR-103** (10/1/89)



Agency: Department of Agriculture

- Permanent Rule
- Emergency Rule

(1) Date of adoption: The date of adoption, 11/21/90/ was decided upon and placed on the original Notice, CR-102

(2) Purpose: Changes are being made in the mandatory points for the brand inspection of cattle, in the Transportation Permit/Bill of Sale form, and in the actual costs that may be charged for inspection services.

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

Repealed: WAC 16-620-040, 050, 060, 070, 090, 110, 115, 200, 220, 320, 330, 370

Amended: WAC 16-620-010, 020, 100, 230, 270, 280, 340

Suspended:

(4) Authority for adoption: RCW 16.57.350

Statute: Chapter 16.57 RCW

Other Authority:

(5.1) **PERMANENT RULE ONLY**

Pursuant to notice filed as WSR 90-20-137 on October 3, 1990 (date).

Describe any changes other than editing from proposed to adopted version:

None

(5.2) **EMERGENCY RULE ONLY**

Pursuant to 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:

(6) Effective date of rule:

**Permanent Rules**                      **Emergency Rules**

31 days after filing                       Immediately

Other (specify) \_\_\_\_\_ \*                       Later (specify) \_\_\_\_\_

\*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

**CODE REVISER USE ONLY**

**CODE REVISER'S OFFICE**  
**STATE OF WASHINGTON**  
**FILED**

**NOV 21 1990**

TIME: 11:36 AM

WSR: 90-23-087

NAME (TYPE OR PRINT) C. Alan Pettibone

SIGNATURE

TITLE Director                      DATE 11/21/90

AMENDATORY SECTION (Amending Order 1160, filed 8/10/70, effective 9/10/70)

WAC 16-620-010 DEFINITIONS. For the purpose of these regulations (:

(1) "Department" means the department of agriculture of the state of Washington;

(2) "Director" means the director of the department;

(3) "Commercial feed lot" means any facility, place or establishment commonly known as a commercial feed lot, operated for the purpose of fattening or finishing cattle for the slaughter market consisting of pens and the necessary appurtenances for the operation of such a commercial feed lot), the definitions provided in RCW 16.57.010 shall apply.

AMENDATORY SECTION (Amending Order 1180, filed 3/2/71)

WAC 16-620-020 POINT OF INSPECTION. ((Except as otherwise set forth in the following regulation;)) All cattle shall be ((brand)) inspected ((:)) for brands or other proof of ownership at the following points:

(1) Prior to ((moving)) being moved out of state, except to those public livestock markets designated by the director as livestock inspection sites for the state of Washington.

(2) Prior to sale at ((a)) any public livestock market.

(3) Prior to slaughter at ((a--state--or--federally--inspected slaughterhouse)) any slaughter plant where the United States Department of Agriculture maintains meat inspection.

(4) Upon entry or reentry and prior to commingling with other cattle at ((a--commercial)) any certified feed lot ((approved--as--a brand--inspection--point--by--the--director)) licensed under chapter 16.58 RCW, unless the cattle are accompanied by a brand inspection certificate issued by the director or any other agency authorized in any other state or any Canadian province by law to issue such a certificate.

(5) At any point of sale or the taking of possession by an intended purchaser or ((his)) private agent subject to title passing ((upon--the--meeting--or--satisfaction--of--certain--conditions:--PROVIDED, that the provisions of this subsection shall not apply to dairy--breed cows--and--heifer--calves--being--sold--or--purchased--for--milk--production purposes--only--and--unbranded--registered--livestock)), except that inspection shall not be required for any individual private sale of any unbranded dairy breed milk production cattle involving fifteen head or less, provided the seller gives two copies of the completed transportation permit/bill of sale to the buyer. The buyer is then required to send one copy of the transportation permit/bill of sale to the department. The buyer may also pay any assessments collected under the National Beef Promotion and Research Act to the department at the same time as the buyer sends the completed transportation permit/bill of sale to the department and the department shall remit any assessments collected to the Washington state beef commission as provided under the National Beef Promotion and Research Act.

AMENDATORY SECTION (Amending Order 1748, filed 9/9/81)

WAC 16-620-100 PRESCRIBED ((CERTIFICATE-OF)) TRANSPORTATION PERMIT AND BILL OF SALE FORM. The ((certificate-of)) transportation permit and bill of sale form incorporated herein shall constitute the official form prescribed by the director under the provisions of RCW

16.57.240. ((Such form shall represent a bill of sale only--after it has been presented to a brand inspector for validation and has been validated within seven days of the sale of cattle subject to brand inspection under the provisions of RCW 16.57.160 and WAC 16.620-020.)

STATE OF WASHINGTON-----No.  
DEPARTMENT OF  
AGRICULTURE

CERTIFICATE OF PERMIT OR BILL OF SALE

Required for transportation-----May be used for change of  
of cattle, hides, or carcasses-----ownership of cattle or horses  
within Washington state.-----inspected by a Washington  
-----state brand inspector.

Validation by brand inspector  
required for bill of sale only

Owner-----Date

Sold to-----City

Point of Origin  
{Nearest Post Office}-----County

Destination {Consigned to}-----City

Hauled by {Signature}

Vehicle license No.-----State

No. of Livestock Breed Sex Brand Brand Location

Are the above cattle subject to a lien or mortgage?  
Yes  No

Failure to disclose the existence of a lien or mortgage to a public  
livestock market constitutes a gross misdemeanor {RCW 16.65.150}

I certify that I am  
the owner of the  
described livestock\*

Address of Owner-----City

\*If submitted by an authorized  
agent on behalf of the owner  
agent must sign here

When presented as proof of ownership at a public livestock market or  
slaughterhouse, the document becomes a record of the Washington state  
department of agriculture. Any person who falsifies or forges such a  
public document is guilty of a felony. {RCW 40.16.630} [RCW  
40.16.030].

PLEASE-PRINT-CLEARLY)

State of Washington  
Department of Agriculture  
408 General Admin. Bldg., AX-41  
Olympia, WA 98504-0641

No.

**TRANSPORTATION PERMIT**

*Required to transport cattle within Washington State.*

( or )

**BILL OF SALE**

*Inspection to clear ownership by W.S.D.A. is required upon any sale of cattle, except for private sales of unbranded dairy breed milk production cattle of 15 head or less, provided the buyer and seller comply with WAC 16-620-020 (5). (see back side of this form)*

OWNER		DATE		
SOLD TO		CITY		
POINT OF ORIGIN (NEAREST POST OFFICE)		COUNTY		
DESTINATION (CONSIGNEE TO)		CITY		
HAULED BY (SIGNATURE)				
VEHICLE LICENSE NO.		STATE		
NO. OF LIVESTOCK	BREED	SEX	BRAND	BRAND LOCATION
Are the above livestock subject to a lien or mortgage? <input type="checkbox"/> YES <input type="checkbox"/> NO Failure to disclose a lien or mortgage may be punishable as a gross misdemeanor (RCW 16.65.150). If applicable enter name of any lienholder: .....				
* I CERTIFY THAT I AM THE OWNER OF THE DESCRIBED LIVESTOCK:				
ADDRESS OF OWNER		CITY		
* IF YOU ARE NOT THE OWNER, BUT ARE AUTHORIZED TO SELL ON THE OWNER'S BEHALF, SIGN HERE:				

**VOID IF ALTERED**

NOTE: Any falsification or forgery of this document may be punishable as a felony (RCW 40.16.630).

## PRIVATE SALES OF CATTLE

Private sales of unbranded dairy breed milk production cattle of 15 head or less are exempt from mandatory ownership inspection by the Livestock Identification Section of the State Department of Agriculture only if:

- **The Seller** gives two copies of a completed Transportation Permit / Bill of Sale to the buyer.
- **The Buyer** mails one copy of the completed Transportation Permit / Bill of Sale to the State Department of Agriculture.

**The Seller** is also required to pay \$1.00 per head under the National Beef Promotion and Research Act and **the Buyer** is required to collect that assessment and to remit it to the Washington State Beef Commission or the State Department of Agriculture.

## BUYERS

For your convenience, you may mail any assessments collected under the National Beef Promotion and Research Act to the State Department of Agriculture along with the required Transportation Permit / Bill of Sale to:

State Department of Agriculture  
Livestock Identification  
406 General Administration Bldg., AX-41  
Olympia, WA 98504-0641

### AMENDATORY SECTION (Amending Order 1328, filed 11/2/73)

WAC 16-620-230 CERTIFICATE OF PERMIT REQUIRED FOR CUSTOM SLAUGHTERED CATTLE. In lieu of ~~((the))~~ brand inspection ~~((required--under WAC-16-620-220))~~ any licensed custom farm slaughterer shall identify the cattle custom slaughtered on the certificate of permit obtained from the department by listing the brand, breed and sex if branded or the breed, sex, color and any other identifying feature if not branded. The number on the official Washington state department paper slaughter tag shall also be listed on the certificate of permit obtained from the department. Such certificate of permit shall be signed by the owner of the livestock and a copy mailed to the department in accordance with RCW 16.57.275.

### AMENDATORY SECTION (Amending Order 1590, filed 6/29/79)

WAC 16-620-270 ACTUAL COSTS ESTABLISHED. For the purpose of these regulations actual costs to the department shall be ~~((twelve))~~ ten dollars ~~((and-fifty-cents))~~ an hour, ~~((plus-thirteen))~~ and twenty cents per mile ~~((traveled-by-the-inspector-from-his--official--station and-return-thereto))~~.

AMENDATORY SECTION (Amending Order 1753, filed 1/21/82)

WAC 16-620-280 INSPECTION--ANNUAL AND LIFETIME CERTIFICATES. Pursuant to (~~the provisions of chapter 296, Laws of 1981~~) RCW 16.57-.400, the owner of any horse may apply for an annual or lifetime identification certificate. The fee for an annual certificate shall be three dollars for any horse bearing a brand readily visible and currently registered with the director under the provisions of chapter 16.57 RCW or five dollars for any other horse. The fee for a lifetime certificate shall be seven dollars and fifty cents for any horse bearing a brand readily visible and currently registered with the director under the provisions of chapter 16.57 RCW or twelve dollars and fifty cents for any other horse. In the event the fees collected do not cover the cost of the inspector in performing any such inspection, an additional charge may be added at actual costs.

AMENDATORY SECTION (Amending Order 1944, filed 7/29/87)

WAC 16-620-340 INSPECTION, SPECIAL SALES. Inspection shall be mandatory at all special horse sales wherein horses of more than one owner are offered for sale either by private treaty or auction. Inspection charges at any such sale shall be collected and paid to the department of agriculture by the person or business entity conducting the sale. The department of agriculture may require the prepayment of said inspection charges. The charge for inspection at special (~~horse~~) horse sales shall be two dollars per animal. If the inspection charges do not cover the total cost incurred by the department, the remainder shall be the responsibility of the person or business entity conducting the sale at actual cost.

NEW SECTION

WAC 16-620-380 INSPECTION FEE. The fee for inspecting cattle for brands and proof of ownership shall be fifty cents per head. In any case when the department determines that a request for inspection is unreasonable due to time or distance, the department shall charge its actual costs.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-620-040 APPROVAL AS INSPECTION POINT.  
 WAC 16-620-050 RECORDS.  
 WAC 16-620-060 CHARGE FOR BRAND INSPECTION.  
 WAC 16-620-070 INSPECTION EXEMPTION AT FEED LOT.  
 WAC 16-620-090 DOCUMENTS FOR EXEMPTION.  
 WAC 16-620-110 FEE FOR FILING.  
 WAC 16-620-115 LIEN LIST SUBSCRIPTION FEE.  
 WAC 16-620-200 BRAND INSPECTION.  
 WAC 16-620-220 REQUIRED BRAND INSPECTION ON CUSTOM SLAUGHTERED CATTLE.  
 WAC 16-620-320 INSPECTION PRIOR TO BRANDING.  
 WAC 16-620-330 INSPECTION PRIOR TO SALE.

WAC 16-620-370 ACTUAL COSTS ESTABLISHED.