



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

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

Agency: Washington State Department of Agriculture

Permanent Rule  
 Emergency Rule

(1) Date of adoption: May 3, 1995

(2) Purpose: To remove the requirement that Beef Commission Assessments be collected by the Department Brand Inspector when a brand inspection is required in conjunction with a change of livestock ownership.

(3) Citation of existing rules affected by this order:  
Repealed:  
Amended: WAC 60-12-010(3) WA Beef Commission Act Rules  
Suspended:

(4) Authority for adoption:  
Statute: RCW 16.67.090(4)  
Other Authority: RCW 16.67.122

(5.1) **PERMANENT RULE ONLY**  
Pursuant to notice filed as WSR 95.06.085 on March 1, 1995(date).  
Describe any changes other than editing from proposed to adopted version:  
None

(5.2) **EMERGENCY RULE ONLY**  
Pursuant to RCW 34.05 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  
 31 days after filing  
 Other (specify) \*  
Emergency Rules  
 Immediately  
 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

MAY 03 1995

TIME: 11:20  
WSR: 95-10-011

NAME (TYPE OR PRINT)  
Jim Jesernig  
SIGNATURE  
*Jim Jesernig*  
TITLE  
Director  
DATE  
May 3, 1995

AMENDATORY SECTION (Amending Order 1912, filed 12/9/86)

**WAC 60-12-010 Levy of assessment.** (1) Pursuant to the National Beef Promotion and Research Program, 7 USC S 2901, et seq., RCW 16.67.120 and 16.67.122, the Washington state beef commission levies an assessment of one dollar per head on all Washington cattle sold in this state or elsewhere, provided that no assessment shall be collected with reference to the following:

(a) Sales by a person who purchased cattle solely for resale when such resale occurs within ten days from such person's purchase of the cattle and when any assessment due in connection with that original purchase has been paid. In order to qualify for this exception, such persons additionally must present a certification of their status under this section, a brand inspection certificate, a bill of sale or other documentation establishing the date of their purchase of the cattle. Such documentation must be presented at the time of sale to the person responsible for collecting the assessment.

(2) Assessments shall be paid by and shall be collected from the seller of the cattle. The term seller shall not include an agent or representative who is compensated in connection with the sale solely on a commission, handling fee or other service fee basis.

(3) Where a brand inspection is conducted in conjunction with a sale, brand inspectors employed by the state department of agriculture (~~shall~~) may collect the assessment from the seller of the cattle. Where no brand inspection is conducted in connection with the sale, the buyer of the cattle shall collect the assessment from the cattle seller at the time of the sale. All assessments so collected shall be transmitted directly to the Washington state beef commission by the fifteenth of the month after the month of collection.

(4) That portion of each assessment remitted to the Washington state beef commission for purposes of providing funds for a National Beef Promotion and Research Program under 7 USC S 2901, et seq., and RCW 16.67.122 shall be remitted to the cattlemen's beef promotion and research board by the Washington state beef commission.