

WSR 26-06-029

PERMANENT RULES

DEPARTMENT OF AGRICULTURE

[Filed February 23, 2026, 2:05 p.m., effective March 26, 2026]

Effective Date of Rule: Thirty-one days after filing.

Purpose: This rule-making order amends chapter 16-303 WAC, Seed assessment, fees for seed services and seed certification by:

- Increasing the following fees under WAC 16-303-340:
 - o Field inspection fee per acre except millet and hybrid sorghum from \$3.15 to \$5.30; and
 - o Minimum reinspection fee for each field that did not pass field inspection, plus \$0.46 for each acre over 25 from \$0.46 to \$0.75.
- Reorganizing the ordering of fees under subsections (1)(b) through (f) for clarity.

Citation of Rules Affected by this Order: Amending WAC 16-303-340.

Statutory Authority for Adoption: RCW 15.49.005, [15.49].310, and [15.49].370.

Other Authority: Chapter 15.49 RCW.

Adopted under notice filed as WSR 26-01-168 on December 22, 2025.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 1, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: February 23, 2026.

Derek I. Sandison
Director

RDS-6841.1

AMENDATORY SECTION (Amending WSR 25-15-041, filed 7/9/25, effective 8/9/25)

WAC 16-303-340 Seed certification fees for buckwheat, chickpea, field pea, lentil, millet, quinoa, soybean, sorghum and small grains.

(1) Seed certification fees for buckwheat, chickpea, field pea, lentil, millet, quinoa, soybean, sorghum and small grains are as follows:

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|-----|--|----------|
| (a) | Application fee per variety per grower | \$100.00 |
| (b) | Late application fee | \$200.00 |

| | | |
|-------------------------|---|-------------------------------|
| (c) | Field inspection fee per acre except millet and hybrid sorghum | (\$3.15) \$5.30 |
| ((e)) (d) | Millet - First acre | \$32.55 |
| | - Each additional acre | \$6.50 |
| ((d)) (e) | Hybrid sorghum - First acre | \$32.55 |
| | - Each additional acre | \$13.00 |
| ((e)) (f) | Special field inspection fee per acre | \$4.15 |
| ((f)) | Late application fee | \$200.00) |
| (g) | Minimum reinspection fee for each field which did not pass field inspection plus (\$0.46) \$0.75 for each acre over 25 | \$100.00 |
| (h) | Final certification fee per cwt. of clean seed sampled | \$0.25 |
| (i) | Production fee per cwt. of production from fields inspected which is utilized for seed | \$0.105 |
| (j) | Sampling fee per cwt. of clean seed sampled, with minimum charge of \$10.30 per sample, which is charged to conditioning plant in lieu of mechanical sampling | \$0.105 |

(2) 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 is refunded upon request until June 30 of the year following harvest.

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

(4) Final certification or production fees shall be determined by the audit process described in subsection (5) of this section.

(5) The WSCIA audit process is as follows:

(a) Audits are conducted semiannually.

(b) Certified seed growers, distributors, and conditioning plants shall report all previously unreported retail and wholesale transactions of certified or certified-eligible seed by completing and returning the WSCIA audit form to WSCIA.

(c) WSCIA invoices each grower, distributor, conditioning plant, or final seller as follows:

(i) For seed certified by WSCIA and utilized as seed, the conditioning plant is charged the final certification fee in subsection (1) (h) of this section;

(ii) For certified-eligible seed not certified by WSCIA but utilized as seed, the grower or final seller is charged the production fee in subsection (1) (i) of this section. "Final seller" means a seller who sells seed prior to brokerage or retail sale, sells seed to a plant not approved for conditioning certified seed, or transships seed out-of-state.