WSR 26-19-009
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
[Filed September 3, 2026, 11:56 a.m., effective October 4, 2026]

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

Purpose: This rule-making order amends WAC 16-390-240 USDA audit verification and terminal market inspection fees, by adopting fees identical to, and not less than, fees adopted by the United States Department of Agriculture, Agricultural Marketing Service (USDA-AMS) as published in the Federal Register (Vol. 91, No. 83) on April 30, 2026, under the "Fresh Fruits, Vegetables, and Other Products (Inspection, Certification, and Standards)" table with an effective date of October 1, 2026. These changes are necessary to comply with the Washington state department of agriculture's cooperative agreement with USDA-AMS for services the department provides as a "Federal-State Inspection Agency."

Citation of Rules Affected by this Order: Amending WAC 16-390-240.

Statutory Authority for Adoption: RCW 15.17.030, [15.17].140(2), [15.17].150, and [15.17].270.

Adopted under notice filed as WSR 26-14-041 on June 24, 2026.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 1, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: September 3, 2026.

Derek I. Sandison
Director

RDS-7231.1

AMENDATORY SECTION (Amending WSR 25-23-024, filed 11/10/25, effective 12/11/25)

WAC 16-390-240 USDA audit verification and terminal market inspection fees. WSDA performs audit and inspection services requested by customers under a "cooperative agreement" with the United States Department of Agriculture's Agricultural Marketing Service (USDA/AMS). Under USDA/AMS rules, WSDA provides these services as a "federal-state inspection agency." Under USDA/AMS regulations and the cooperative agreement, the fees that WSDA charges for these services must be no less than the current USDA/AMS fees for these services. The applicable current USDA/AMS fees were published in the Federal Register in Vol.

((~~90, No. 81 on April 29, 2025~~)) 91, No. 83 on April 30, 2026, under the "Fresh Fruits, Vegetables, and Other Products (Inspection, Certification, and Standards)" table and, for the mileage fee related to terminal market inspection, for incorporation in the USDA/AMS "General Market Manual" at Appendix II, "Schedule of User Fees." In conformity with the cooperative agreement, WSDA adopts the same applicable fees for these services as set forth in this section.

(1) Mileage related to audit verification services is charged at the rate established by the Washington state office of financial management at the time the service was performed.

(2) Specialty crop fees/audit and terminal market fees:

Quality and Condition Inspections for Whole Lots	$267.00 per lot		
Quality and Condition Half Lot or Condition-Only Inspections for Whole Lots	$220.00 per lot		
Condition Half Lot	$204.00 per lot		
Quality and Condition or Condition-Only Inspections for Additional Lots of the Same Product	$122.00 per lot		
Dockside Inspections - Each Package Weighing <30 lbs.	$0.044 per pkg.		
Dockside Inspections - Each Package Weighing >30 lbs.	$0.068 per pkg.		
Charge per Individual Product for Dockside Inspection	$254.00 per lot		
Charge per Each Additional Lot of the Same Product	$122.00 per lot		
Inspections for All Hourly Work	Regular	Overtime	Holiday
	$129.00	$169.00	$209.00
Audit Services - Federal	((~~$171.00~~)) $175.00 per audit		
Audit Services - State	((~~$171.00~~)) $175.00 per audit		
GFSI Certification Fee[2]	$250.00 per audit		

2 Global Food Safety Initiative (GFSI) Certification Fee—$250 per GFSI audit to recoup the costs associated with attaining technical equivalency to the GFSI benchmarking requirements.

(3) The mileage fee related to terminal market inspection services is $1.96 per mile. Round trip mileage will be charged from an inspector's assigned location to the inspection site.