Chapter 16-390 WAC
WSDA FRUIT AND VEGETABLE INSPECTION DISTRICTS, INSPECTION FEES AND OTHER CHARGES

WAC
16-390-005 Definitions. "Certification" means the issuance of an official document confirming the inspection results for grade, classification, condition, and the absence or presence of plant pests or diseases and/or other defects.

"Customer assisted inspection program (CAIP)" means a quality and/or condition inspection performed by industry with verification and oversight by WSDA.

"Department" means the Washington state department of agriculture (WSDA).

"Director" means the director of the department or the director's designated representative.

"Grade and condition certificate" means a document issued by the director of a certification confirming the results of an inspection.

"Inspection" means a review or examination of fruits and vegetables in order to determine quality, condition, and/or presence or absence of pests or diseases and/or other defects.

"Platform inspection" means any inspection and/or certification performed on a lot that has no defined per unit charges for the service.

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WAC 16-390-010 Fruit and vegetable inspection districts. The department has two fruit and vegetable inspection districts, which are:

(1) Fruit and vegetable inspection district two, which consists of Kittitas, Klickitat, Skamania, Yakima, Pacific, Lewis, Wahkiakum, Cowlitz, Clark, Benton, Franklin, Walla Walla, Columbia, Asotin, Whitman and Garfield counties; and

(2) Fruit and vegetable inspection district four, which consists of Grays Harbor, Jefferson, Clallam, Island, Mason, Kitsap, Pierce, Thurston, King, Snohomish, Skagit, Grant, Adams, Ferry, Pend Oreille, Stevens, Spokane, Lincoln, San Juan, Whatcom, Chelan, Douglas and Okanogan counties.

WAC 16-390-020 Grade and condition certificates—Fruits. WSDA fees for grade and condition certificates for all fruits are:

(1) A minimum charge of twenty-five dollars.

(2) The fees for federal-state or state grade and condition certificates of all fresh market apples, pears, and soft fruits in containers (wrapped, place pack, face and fill), bags, master containers, consumer packages, or loose in bulk cartons, boxes, crates, bins, or bags are listed in the following table:

<table>
<thead>
<tr>
<th>Type of Fruit</th>
<th>Fees per CWT or Fraction Thereof</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apples online for domestic shipping, CA, etc.</td>
<td>$0.17</td>
</tr>
<tr>
<td>Apples for export</td>
<td>$0.17</td>
</tr>
<tr>
<td>Apricots, cherries, nectarines, peaches, plums, prunes, other soft fruits, grapes and berries</td>
<td>$0.23</td>
</tr>
<tr>
<td>Pears</td>
<td>$0.17</td>
</tr>
<tr>
<td>Pears for export</td>
<td>$0.17</td>
</tr>
</tbody>
</table>

(3) The department will give a volume discount for apples and pears that are inspected and certified online for domestic shipment, controlled atmosphere certification, etc. Packing of up to 4800 cwt per eight-hour shift, the normal inspection fee will be assessed, and every cwt of product above 4800 cwt for that same shift will be charged at $0.12 cwt. Platform inspection fees will still apply (WAC 16-390-200).

(4) The department charges a fee of three dollars per ton net weight (or fraction thereof) for all apples, pears, stone fruits, berries, and grapes in bulk or in containers that are inspected for processing.

(5) The department charges a fee of fifty dollars per hour, with a minimum certificate charge of twenty-five dollars, when an inspection is requested only to verify the product, conveyance, markings, or other factors not related to quality.

[Statutory Authority: RCW 15.17.050, 2012 2nd sp.s. c 7, and chapter 34.05 RCW. 12-19-040, § 16-390-020, filed 9/12/12, effective 10/13/12. Statutory Authority: Chapters 15.17, 34.05 RCW, and 2003 1st sp.s. c 25. 04-11-078, § 16-390-010, filed 5/18/04, effective 6/18/04.]
Type of Fruit or Vegetable | Fees per CWT or Fraction Thereof
--- | ---
Fresh potatoes | Three and one-half cents per cwt., with a minimum charge of fifty dollars per hour for each staff hour worked.

WAC 16-390-030 Grade and condition certificates—Vegetables. WSDA fees for grade and condition certificates for all vegetables are:

(1) A minimum charge of twenty-five dollars.

(2) The fees for federal-state or state grade and condition certificates for all fresh market vegetables in containers (wrapped, place pack, face and fill), bags, master containers, consumer packages, or loose in bulk cartons, boxes, crates, bins, or bags are listed in the following table:

<table>
<thead>
<tr>
<th>Type of Vegetables</th>
<th>Fees per CWT or Fraction Thereof</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asparagus</td>
<td>$0.23</td>
</tr>
<tr>
<td>Cantaloupes and corn</td>
<td>$0.14</td>
</tr>
<tr>
<td>Onions</td>
<td>$0.09</td>
</tr>
<tr>
<td>Potatoes</td>
<td>$0.07</td>
</tr>
<tr>
<td>In-state processing potatoes</td>
<td>Rate shall be reduced for the level of service required</td>
</tr>
<tr>
<td>Complete inspection</td>
<td></td>
</tr>
<tr>
<td>Tomatoes</td>
<td>$0.21</td>
</tr>
</tbody>
</table>

(3) For the inspection of vegetables not listed, the department charges a fee of fifty dollars per hour.

(4) The department charges a fee of three dollars per ton net weight (or fraction thereof) for the inspection of vegetables to be processed, whether in bulk or in containers.

(5) When an inspection is requested only to verify the product, conveyance, markings, or other factors not related to quality, the department charges the rate of fifty dollars per hour, with a minimum certificate charge of twenty-five dollars.

WAC 16-390-040 Customer assisted inspection program (CAIP) certification charges—Fruits and vegetables. WSDA fees for grade and condition certificates for all fruits and vegetables issued under the customer assisted inspection program (CAIP) are:

(1) A minimum charge of twenty-five dollars.

(2) The fees for federal-state grade and condition certificates for all fresh market fruits and vegetables in containers (wrapped, place pack, face and fill), bags, master containers, consumer packages, or loose in bulk cartons, boxes, crates, bins, or bags are:

<table>
<thead>
<tr>
<th>Type of Fruit or Vegetable</th>
<th>Fees per CWT or Fraction Thereof</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fresh potatoes</td>
<td>Three and one-half cents per cwt., with a minimum charge of fifty dollars per hour for each staff hour worked.</td>
</tr>
</tbody>
</table>
### WAC 16-390-100 Fruit and vegetable certificate fees.

As shown in the following table, WSDA certificate fees vary with the type of certificate requested:

<table>
<thead>
<tr>
<th>Type of Certificate Requested</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consolidation certificates</td>
<td>Fees are specified in WAC 16-390-020 and 16-390-030 with an added charge of three dollars for each additional lot.</td>
</tr>
<tr>
<td>Condition certificates for previously inspected lots</td>
<td>Fee is two-thirds of the fee charged for grade and condition certificates, with a minimum charge of twenty-five dollars.</td>
</tr>
<tr>
<td>Condition certificates for lots not previously inspected for quality or grade with a request that the certificate carry out-bound car, truck, or state lot number</td>
<td>Fees are based upon the applicable grade and condition certificate schedules.</td>
</tr>
<tr>
<td>Out-of-state products reported on state certificates</td>
<td>Fees are based either upon the applicable grade and condition certificate schedule or a charge of fifty dollars per hour whichever is greater.</td>
</tr>
<tr>
<td>A state condition certificate or quality control inspection for previously certified controlled atmosphere storage apple lots</td>
<td>A state condition certificate or quality control inspection may be issued without additional charge.</td>
</tr>
<tr>
<td>Sanitary and quarantine certificates for fruits and vegetables</td>
<td>Twenty-five dollars for issuing a certificate, plus the hourly rates specified in WAC 16-390-200(1) when the shipment is not covered by federal-state or state certificates.</td>
</tr>
<tr>
<td>Container weight, or check loading certificates</td>
<td>Fee is charged at the rates specified in WAC 16-390-200(1).</td>
</tr>
</tbody>
</table>

### WAC 16-390-150 Shipping permits and certificate of compliance—Fruits and vegetables.

1. Each shipment of apples, apricots, Italian prunes, peaches, pears, dark sweet cherries, Rainier cherries and asparagus must be covered by a shipping permit. All other sweet cherries, whether certified or not, must have a shipping permit indicating freedom from cherry fruit fly larvae.

2. Shipments of apricots, cherries, peaches, prunes, and asparagus to processors do not require a shipping permit.

3. A permit or certificate of compliance may be issued without additional charge if the lot is certified.

4. If the lot has not been certified, a permit or certificate of compliance may be issued based upon the following charges:
   - (a) The minimum charge for a permit or certificate of compliance is three dollars.
   - (b) Two-thirds of the rate for federal-state or state grade and condition certificates applies.
   - (c) A permit to ship apples and/or pears to a by-product plant outside the state is three dollars.

### WAC 16-390-200 Platform inspection fees.

1. Fees for platform inspections, taking samples, extra time, phytosanitary and/ or quarantine inspection, and all other platform services are charged at the rate of fifty dollars per hour.

2. When a platform inspector is working full time at one house and is also doing certification inspections, the inspector must allow credit, according to the limits outlined in the schedule for such inspections, for the time spent on the inspection at the rate of fifty dollars per hour.
   - (a) Platform fees will not be assessed if the certificate cwt. fee divided by the respective hourly rates is equal to or exceeds the number of hours worked.
   - (b) Platform fees will be assessed if the certificate cwt. fee divided by the respective hourly rates is less than the number of hours worked. The amount assessed will be sufficient to make the total fee equal to the number of hours worked multiplied by the fifty dollars per hour rate.

### WAC 16-390-210 Fumigation fees.

1. The minimum fee for supervising fumigation shall be equivalent to one and one-half hours specified in WAC 16-390-200(1) for the master fumigation certificate. Additional certificates issued from this master certificate will cost twenty-five dollars each.

2. The department will charge for any additional stand-by time at the rate specified in WAC 16-390-200(1).

3. In facilities that are either temporary or without adequate devices for maintaining acceptable treatment temperatures, fumigations must not start after:
   - (a) 3:00 p.m. from October 1 to May 31; or
   - (b) 10:00 p.m. from June 1 to September 30.
WAC 16-390-220  Field or orchard inspection fees. The fee for field or orchard inspections made at the applicant's request to determine the presence or absence of disease or insect infestation, or for some other reason is:

(1) Three dollars per acre or fraction thereof; or
(2) At the platform inspection rate specified in WAC 16-390-200(1).

WAC 16-390-230  Apple pest certification fees. The fee for apple pest certification, using the survey method, on all fresh apples produced in Washington state or marketed in Washington state is $0.015 per cwt. or fraction thereof.

WAC 16-390-240  Fresh produce audit verification program. The fresh produce audit verification program is a federal-state inspection service program that reviews and verifies a participating company's facility and agronomic practices, along with its documented procedures, to help determine if "good agricultural practices" and "good handling practices" are maintained.

WAC 16-390-242  Fresh produce audit verification program fees for fruit and vegetable audit verification certificates. Charges assessed by the department for good agricultural practices (GAP) and good handling practices (GHP) audit verification certificates issued under the fresh produce audit verification program are as follows:

(1) The hourly rate for audit time, administration time and applicable travel time is seventy-five dollars per audit hour.

(2) Mileage related to GAP and GHP audit services is charged at the rate established by the office of financial management (OFM) at the time the service was performed.


(2) The department may add an additional charge of ten percent if an inspector is required to be on-site when no other inspections are requested.

(3) The department responds to requests for positive lot identification services in the following order:

(a) First priority is given to those situations where positive lot identification is a mandatory condition of a sales transaction.

(b) All other requests will be honored based upon adequate notice to the inspection service and the availability of inspectors.

WAC 16-390-250  Miscellaneous and certification fees. (1) Department services provided to other agencies, commissions, and organizations are charged at the rate of fifty dollars per hour.

(2) The charge for mileage related to inspection and certification services is at the rate established by the office of financial management (OFM) at the time the service was performed.

(3) The department may charge for telegrams, facsimile, or electronic transmission of inspection documents at the rate of four dollars per transmission in addition to any Western Union charges made directly to the applicant.

(4) The cost of extra copies of original documents is four dollars per set.

(5) The department may charge twenty-five cents per copy for Xerox copies of inspectors' notes, certificates or related documents.

(6) When, through no fault of the inspection service, it is necessary to retype or reissue a document, the cost of retyping or reissuing the document is four dollars per set.

WAC 16-390-260  Extra fees for inspection and certification services. The department does assess extra charges on services provided according to the following:

(1) The minimum inspection charge for each commodity and requested document is twenty-five dollars.

(2) If, through no fault of the inspection service, excess time is required over the maximum time allowed (as supported by unit rates for each commodity and requested document) the excess time is charged at the rate of fifty dollars per hour.

(3)(a) For all inspection services performed beyond a regularly scheduled eight-hour work day shift or on Saturdays, or Sundays, or state legal holidays, a rate equivalent to seventy-five dollars will be charged for actual hours spent in performance of duties. Such charges include unit charges,
plus, if necessary, overtime charges to equal the respective overtime hourly rates.

(b) The following are state legal holidays:

<table>
<thead>
<tr>
<th>Holiday</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Year's Day</td>
<td>January 1</td>
</tr>
<tr>
<td>Martin Luther King, Jr. Day</td>
<td>Third Monday in January</td>
</tr>
<tr>
<td>Presidents' Day</td>
<td>Third Monday in February</td>
</tr>
<tr>
<td>Memorial Day</td>
<td>Last Monday of May</td>
</tr>
<tr>
<td>Independence Day</td>
<td>July 4</td>
</tr>
<tr>
<td>Labor Day</td>
<td>First Monday in September</td>
</tr>
<tr>
<td>Veteran's Day</td>
<td>November 11</td>
</tr>
<tr>
<td>Thanksgiving Day</td>
<td>Fourth Thursday in November</td>
</tr>
<tr>
<td>Day following Thanksgiving</td>
<td>Fourth Friday in November</td>
</tr>
<tr>
<td>Christmas Day</td>
<td>December 25</td>
</tr>
</tbody>
</table>

(4) Additional hourly or overtime charges will not be assessed when the per unit inspection charge in any one day equals or exceeds the basic hourly and/or overtime charge.

Statutory Authority: RCW 15.17.050, 2012 2nd sp.s. c 7, and chapter 34.05 RCW. 12-19-040, § 16-390-260, filed 9/12/12, effective 10/13/12. Statutory Authority: Chapters 15.17, 34.05 RCW, and 2003 1st sp.s. c 25. 04-11-078, § 16-390-260, filed 5/18/04, effective 6/18/04.

WAC 16-390-270 Fruit and vegetable fees. The department may waive inspection fees for fruits and vegetables donated to bona fide nonprofit organizations if the shipping containers are conspicuously labeled or marked "not for resale."

Statutory Authority: RCW 15.17.050, 2012 2nd sp.s. c 7, and chapter 34.05 RCW. 12-19-040, § 16-390-270, filed 9/12/12, effective 10/13/12. Statutory Authority: Chapters 15.17, 34.05 RCW, and 2003 1st sp.s. c 25. 04-11-078, § 16-390-270, filed 5/18/04, effective 6/18/04.

WAC 16-390-280 Payment and collection of fruit and vegetable fees and charges. (1) All fees and charges for services rendered are due within thirty days after the date of the billing statement you receive from the department.

(2) If your payment is not received within thirty days, service may be withheld until your delinquent account is paid.

(3) If your account is delinquent, the department may require that you pay cash for subsequent services.

(4) The department assesses a penalty of eighteen percent per annum on all delinquent account balances.

Statutory Authority: RCW 15.17.050, 2012 2nd sp.s. c 7, and chapter 34.05 RCW. 12-19-040, § 16-390-280, filed 9/12/12, effective 10/13/12. Statutory Authority: Chapters 15.17, 34.05 RCW, and 2003 1st sp.s. c 25. 04-11-078, § 16-390-280, filed 5/18/04, effective 6/18/04.