**TITLE 61**

**LEGISLATIVE RULE**

**STATE DEPARTMENT OF AGRICULTURE**

**SERIES 8B**

**SCHEDULE OF CHARGES FOR INSPECTION SERVICES: FRUIT**

**§61-8B-1. General.**

1.1. Scope. -- This legislative Rule establishes charges for Federal-State Inspection

Service for Fruit.

1.2. Authority. -- W. Va. Code §19-2-5.

1.3. Filing Date. -- April 21, 2014

1.4. Effective Date. -- May 21, 2014

**§61-8B-2. Declaration of Policy.**

2.1. Fees for Inspection Services. -- W. Va. Code §19-2-5, provides that the Commissioner of Agriculture may, upon request, inspect and issue Federal-State Inspection Certificates, certify the quality, or condition for fruit produced, sold traded, exchanged, transported through the trade channels of West Virginia.

2.2. Schedule of Fees -- For the purpose of defraying the cost of inspection, the following schedule of fees apply:

2.2.1. Fruit Inspection For Processors:

Contract - Weekly Rate 40 hours per week

Monday through Friday $640.00

Hourly Rate (1 hour minimum) $25.00

Overtime per hour $37.50

2.2.2. GAP.GHP/Audits:

Hourly rate (1 hour minimum) $92.00

2.2.3. Fruit Inspection For Quality:

Contract - Weekly Rate 40 hours per week

Monday through Friday $500.00

Hourly rate (1 hour minimum) $25.00

Overtime per hour $37.50

Plus Current Mileage Rate

2.2.4. Fruit Inspection Package Rate:

Per box, basket, carton 25 lbs or less $ 0.08

Per box, basket, carton 26 lbs or more $ 0.10

Hourly rate (1 hour minimum) $25.00

Overtime per hour $37.50

2.2.5. FVQ Form 294 (State Sanitary Inspection)

No charge if performed in conjunction with other inspections

otherwise $ 0.05 per carton

Hourly rate (1 hour minimum) $25.00

Overtime per hour $37.50

Plus Current Mileage Rate

2.2.6. Expenses:

The Department may bill all necessary expenses and mileage at the WV Department of Agriculture standard rate.

2.2.7. Overtime:

The Department shall charge at the overtime rate per hour for any time in excess of eight (8) hours any single day (Monday through Friday,) or forty (40) hours any single week, or for Saturday, Sunday and holidays.

2.2.8. Special Work:

The Department shall assess fees for irregular size container or special work on the basis of the fee schedule set forth in this rule as closely as practical.