

STATE OF WEST VIRGINIA  
DEPARTMENT OF AGRICULTURE  
CHARLESTON 25305

GUS R. DOUGLASS  
COMMISSIONER

April 1, 1986

FILED  
1986 APR -1 AM 11: 17  
OFFICE OF THE SECRETARY OF AGRICULTURE  
STATE OF WEST VIRGINIA

NOTICE OF FINAL FILING - LEGISLATIVE RULE

LEGISLATIVE RULE: Licensing and Other Fees

The attached legislative rule is hereby final filed with the Secretary of State by the West Virginia Department of Agriculture as authorized by Senate Bill #434, Section 64-2-19(1) (4b).

Gus R. Douglass  
Agriculture Commissioner



KEN HECHLER  
Secretary of State

MARY P. RATLIFF  
Deputy Secretary of State

BARBARA STARCHER  
Deputy Secretary of State

RICHARD S. STEPHENSON  
Deputy Secretary of State

Telephone: (304) 345-4000  
Corporations: 342-8000

WILLIAM H. HARRINGTON  
Chief of Staff

RICH O. HARTMAN  
Director, Administrative Law

DONALD R. WILKES  
Director, Corporations

VIRGINIA SKEEN  
Special Assistant

(Plus all the volunteer  
help we can get)

# STATE OF WEST VIRGINIA

## SECRETARY OF STATE

Charleston 25305

March 11, 1986

### IMPORTANT NOTICE \*\*\*\*\*

TO: Bill Gillespie, Dept of Agriculture

FROM: RICH O. HARTMAN, DIRECTOR

RE: LEGISLATIVE RULE Licensing and Other Fees

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THE 1986 LEGISLATURE HAS AUTHORIZED YOUR AGENCY TO FINAL FILE AND ADOPT THE ABOVE LEGISLATIVE RULE. THIS AUTHORIZATION IS IN S.B.434 SECTION 64-2-19(1)(4b) PASSED ON March 8, 1986, EFFECTIVE FROM PASSAGE. YOU HAVE 60 DAYS FROM THAT DATE TO FINAL FILE THE ABOVE RULE WITH THIS OFFICE. NO RULE WILL BE ACCEPTED AFTER THAT DATE. YOU MAY ESTABLISH ANY EFFECTIVE DATE FOR YOUR RULE RANGING FROM THE SAME DATE YOU FINAL FILE TO 90 DAYS FROM THE DATE YOU FINAL FILE. REMEMBER TO RE-TYPE YOUR RULE IN ITS ENTIRETY FOLLOWING THE PROPER FORMAT. PLEASE CALL IF YOU HAVE ANY QUESTIONS.



STATE OF WEST VIRGINIA  
DEPARTMENT OF AGRICULTURE  
CHARLESTON  
25305

Gus R. Douglass  
Commissioner

NOTICE OF AGENCY APPROVAL

LEGISLATIVE RULE: Licensing and Other Fees

The above titled legislative rule constitutes the official rule approved by the West Virginia Department of Agriculture on the 8th day of March, 1985, and filed pursuant to law in the Office of the Secretary of State, State of West Virginia.

The above titled legislative rule is hereby submitted to the Legislative Rule-Making Review Committee.

Gus R. Douglass  
Agriculture Commissioner

(Entered)

FILED  
1985 MAR -8 AM 9:59  
OFFICE OF THE SECRETARY OF STATE  
STATE OF WEST VIRGINIA



KEN HECHLER  
Secretary of State

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Deputy Secretary of State

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# STATE OF WEST VIRGINIA SECRETARY OF STATE

Charleston 25305

## PROPOSED RULES

## STATE REGISTER FILING

=====

AGENCY West Virginia Department of Agriculture

CONTACT PERSON William H. Gillespie PHONE 348-2203 or 348-3550

TYPE OF RULE Legislative

TITLE OF RULE Licensing and Other Fees

CHAPTER 19 ARTICLE 1 SERIES 0

AUTHORITY 19-1-4b

+++++

CHECK APPLICABLE ITEMS BELOW TO SHOW KIND OF ACTION BEING TAKEN

NEW RULE

NOTICE OF HEARING

AMENDMENTS TO EXISTING RULE

NOTICE OF AGENCY APPROVAL  
(legislative rules only)

REPEAL OF EXISTING RULE

NOTICE OF AGENCY ADOPTION  
(interpretive & procedural  
rules only)

NOTE: ALL FILINGS REQUIRE ONLY  
ONE COPY, EXCEPT FINAL  
FILING OF RULES WHICH  
REQUIRES AN ORIGINAL AND  
A COPY.

FINAL FILING

FIRST EMERGENCY FILING

SECOND EMERGENCY FILING

LEGISLATIVE

WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-1-4b

SERIES 0

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LICENSING AND OTHER FEES

Section 1. General

- 1.01. Scope..... Page 1
- 1.02. Authority..... Page 1
- 1.03. Effective Date..... Page 1
- 1.04. Filing Date..... Page 1
- 1.05. General Purpose..... Page 1

Section 2. Definitions..... Page 1

Section 3. Fee Schedule

- 3.01. Fee Schedule (a through r)..... Page 1  
through  
Page 6

FILED  
1989 MAR -8 AM 10:00  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-1-4b

SERIES 0

SUBJECT: LICENSING AND OTHER FEES

-----

Section 1. General

1.01. Scope - These regulations establish the fee structure for licenses, permits, certificates, registrations and laboratory tests for laws administered by the Department. These are Legislative Regulations

1.02. Authority - These regulations are issued under authority of Chapter 19, Article 1, Section 4b, Code of West Virginia, as amended.

1.03. Effective Date - These regulations are promulgated and become effective on the \_\_\_\_\_ day of \_\_\_\_\_.

1.04. Filing Date - These regulations were filed in the Office of the Secretary of State on the 8th day of March, 1985.

1.05. General Purpose - To revise fee schedules relative to inflation and industry changes in order to more adequately cover the cost of providing the services or issuing the various documents.

Section 2. Definitions. (Reserved for future use.)

Section 3. Fee Schedule.

3.01. The following fees, which differ from the fees proscribed in the enacting articles of Chapter 19 of the Code

of West Virginia, shall, unless additionally changed in accordance with Legislative directives, be immediately applicable.

- (a) Section six, article two-a: Permits for public markets, twenty dollars.
- (b) Section ten, article two-a: Licensing of weighmen, five dollars.
- (c) Section eleven, article two-a: Grading, Classifying or standardizing licenses, five dollars.
- (d) Section fourteen, article two-a: Testing and inspection of livestock for other than slaughter for Bangs disease, one dollar.
- (e) Section four, article two-b: Licenses for commercial slaughterer, etc.
  - (1) Commercial slaughterer license:
    - (A) 1-500 animals per year, fifteen dollars.
    - (B) 501-1000 animals per year, fifty dollars.
    - (C) 1001-5000 animals per year, one hundred dollars.
    - (D) Over 5000 animals per year, one hundred fifty dollars.
  - (2) Commercial processors license:
    - (A) 1-25,000 pounds finished product per year, fifteen dollars.
    - (B) 25,001-250,000 pounds finished product per year, fifty dollars.

- (C) 250,001-1,000,000 pounds finished product per year, one hundred dollars.
- (D) Over 1,000,000 pounds finished product per year, one hundred fifty dollars.
- (3) Distributors license, ten dollars.
- (4) Custom slaughter/processor license, twenty dollars.
- (5) Custom processor license, ten dollars.
- (f) Section six, article two-c: Auctioneer license.
  - (1) Application fee, fifty dollars
  - (2) Annual license fee, auctioneers and apprentices, fifty dollars.
  - (3) Examination fee, fifty dollars.
  - (4) Auctioneer apprentice license transfer, fifteen dollars.
- (g) Section one, article three: Commission merchant license, twenty dollars.
- (h) Section four, article five-a: Controlled atmosphere storage warehouse operation license, twenty-five dollars.
- (i) Section two, article nine-a: Permit to feed garbage to swine, ten dollars.
- (j) Section three, article ten-a: Certificate to sell eggs, ten dollars.
- (k) Section five, article eleven: Permits to manufacture or purchase milk and cream:

- (1) Dairy products permit, ten dollars.
  - (2) Testers certificate of proficiency, six dollars.
  - (3) Testers license, four dollars.
  - (4) Weighers/Samplers certificate of proficiency, three dollars.
  - (5) Weighers/Samplers license, four dollars.
- (1) Section nine, article twelve: Certificate of nursery men, etc.:
- (1) Registration of nurseries, twenty dollars.
  - (2) Registration of nursery dealers, forty dollars.
  - (3) Registration of nursery agents, one dollar.
- (m) Section six, article fourteen: Fees for feed inspection:
- (1) Small package registration fee, thirty dollars.
  - (2) Tonnage fee, thirty cents.
- (n) Section two, article fifteen: Registration fee for commercial fertilizers:
- (1) Registration for large packages and bulk, two dollars.
  - (2) Registration fee for small package brand and grade, fifteen dollars.
- (o) Section four, article fifteen: Inspection fees for commercial fertilizer:
- (1) Tonnage inspection fee, thirty cents.

- (2) Inspection fee for small packages, fifteen dollars.
- (p) Section two, article fifteen-a: Registration of agricultural liming material:
  - (1) Brand and grade registration fee, twenty-five dollars.
- (q) Section four, article fifteen-a: Inspection fee for agricultural liming material:
  - (1) Tonnage inspection fee, five cents.
- (r) Section three, article sixteen: Fees for sale of seeds:
  - (1) Registration of seedsmen, two dollars.
  - (2) Packet display stamps, two dollars.
  - (3) Poundage fee for forest and forage seeds, twenty cents per one hundred pounds.
  - (4) Poundage fee for agricultural crop seeds, ten cents per one hundred pounds.
  - (5) Seed potatoes, four cents per hundred pounds.
  - (6) Germination fees of grasses, five dollars.
  - (7) Germination fees for alfalfa, clover, grain, etc., three dollars.
  - (8) Germination fees per ingredient for mixtures, three dollars.
  - (9) Germination fees for woody plants, three dollars.

- (10) Germination fees for flower seeds, three dollars.
- (11) Fee for purity determination for chaffy grasses, six dollars.
- (12) Fee for purity determination for alfalfa, clover, cereals, non-chaffy grasses, etc., three dollars.
- (13) Fee for purity determination for seed mixtures, ten dollars.

1 Bill 1

2 H. B. 1746

3 (By Delegate Casey

4 (Introduced February 5, 1986

5 Committee on Agriculture and Natural Resources

6 with the direction that it later be referred to  
7 the Judiciary)

8  
9  
10 A BILL to amend article two, chapter sixty-four of the code of  
11 West Virginia, one thousand nine hundred thirty-one, as  
12 amended, by adding thereto a new section designated section  
13 nineteen(one)(four-b), relating to authorizing the  
14 commissioner of agriculture to increase certain fees by rules  
15 or regulations.

16 Be it enacted by the Legislature of West Virginia:

17 That article two, chapter sixty-four of the code of West  
18 Virginia, one thousand nine hundred thirty-one, as amended, be  
19 amended by adding thereto a new section, designated section  
20 nineteen(one)(four-b), to read as follows:

21 ARTICLE 2. EXECUTIVE AGENCY AUTHORIZATION TO PROMULGATE  
22 LEGISLATIVE RULES.

23 §64-2-19(1)(4b). Commissioner of agriculture.

1746

1           The legislative rule filed in the state register on the  
2 eighth day of March, one thousand nine hundred eighty-five,  
3 relating to the commissioner of agriculture (increasing certain  
4 fees by rules and regulations) are authorized.

5  
6  
7  
8  
9           NOTE:     The purpose of this bill is to authorize the  
10 commissioner of agriculture to promulgate legislative rules  
11 relating to increasing certain fees by rules and regulations.  
12

13           This section is new; therefore, strike-throughs and  
14 underscoring have been omitted.  
15

SENATE BILL NO. 429

1 Bill 1

(By Senator R. Williams

2  
3 [Introduced February 3, 1986

4 referred to the Committee on Agriculture; then to the  
5 Committee on the Judiciary  
6  
7  
8  
9

10 A BILL to amend article two, chapter sixty-four of the code of  
11 West Virginia, one thousand nine hundred thirty-one, as  
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13 nineteen(one)(four-b), relating to authorizing the  
14 commissioner of agriculture to increase certain fees by rules  
15 or regulations.

16 Be it enacted by the Legislature of West Virginia:

17 That article two, chapter sixty-four of the code of West  
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21 ARTICLE 2. EXECUTIVE AGENCY AUTHORIZATION TO PROMULGATE  
22 LEGISLATIVE RULES.

23 §64-2-19(1)(4b). Commissioner of agriculture.

AG/10

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The legislative rule filed in the state register on the eighth day of March, one thousand nine hundred eighty-five, relating to the commissioner of agriculture (increasing certain fees by rules and regulations) are authorized.

NOTE: The purpose of this bill is to authorize the commissioner of agriculture to promulgate legislative rules relating to increasing certain fees by rules and regulations.

This section is new; therefore, strike-throughs and underscoring have been omitted.

WEST VIRGINIA DEPARTMENT OF AGRICULTURE PUBLIC HEARING FOR Fee Increases

Feb 13, 1985  
Date

Page \_\_\_\_\_ of \_\_\_\_\_

NAME	ADDRESS	AFFILIATION	DO YOU WISH TO SPEAK?
Robert E. Frame	Southern Center	W. Va. Dept. of Agriculture	
E. Eugene Walker	Killsbuck, W. Va.	MESA	
Lew THOMAS	Arthur's Oak	Quinn Youth	
Joseph Thomas	DUFFS - Cow Bay	WVDA	
Margie McVicker	Byline - Lab Sec	WVDA - LAB SEC	
Taylor Hill	Gustine - Lab Services	WVDA	
Paul R. Keller	Quinn's Circle	WVDA	

West Virginia  
Press Services, Inc.  
033 Quarryier St.  
Suite 203  
Martleston, WV

TELEPHONE  
CLARKSBURG, WV

### WVMDA Plans Fee Hearing

CHARLESTON — The West Virginia Department of Agriculture will hold a public hearing beginning at 11 a.m. on Wednesday, Feb. 13, to revise the fee schedules for licenses, permits, certificates, registrations, laboratory tests, etc., so as to more adequately cover the cost of providing the services to the state's consumers.

A NEWS CLIP FROM  
WEST VIRGINIA  
PRESS SERVICES, INC.  
LEWEL B. HOYER BLDG.  
CHARLESTON, WV  
JAN 23 1985

### Fee Hearing CHARLESTON

The West Virginia Department of Agriculture will hold a public hearing beginning at 11 a.m. on Wednesday, February 13, 1985, to revise the fee permits, certificates, registrations, laboratory tests, etc., so as to more adequately cover the cost of providing the services to the state's consumers. The hearing will be held in the Conference Room at the Guthrie Agricultural Center.

West Virginia  
Press Services, Inc.  
1033 Quarryier St.  
Suite 203  
Charleston, WV  
JAN 10 1985

### Public Hearing For Dept. Of Agriculture

CHARLESTON, W. VA. — The West Virginia Department of Agriculture will hold a public hearing beginning at 11 a.m. on Wednesday, February 13, 1985, to revise the fee schedules for licenses, permits, certificates, registrations, laboratory tests, etc., so as to more adequately cover the cost of providing the services to the state's consumers. The hearing will be held in the Conference Room at the Guthrie Agricultural Center in Charleston.

A NEWS CLIP FROM  
WEST VIRGINIA  
PRESS SERVICES, INC.  
LEWEL B. HOYER BLDG.  
CHARLESTON, WV  
JAN 12 1985

### WV Dept. Of Agri To Hold Meeting

The West Virginia Department of Agriculture will hold a public hearing beginning at 11 a.m. on Wednesday, February 13, 1985, to revise the fee schedules for licenses, permits, certificates, registrations, laboratory tests, etc., so as to more adequately cover the cost of providing the services to the state's consumers. The hearing will be held in the Conference Room at the Guthrie Agricultural Center.

The West Virginia Department of Agriculture will hold a public hearing beginning Feb. 13 at 11 a.m. in the Conference Room at the Guthrie Agricultural Center. Purpose of the hearing is to revise the fee schedules for licenses, permits, certificates, registrations, laboratory tests, etc., so as to more adequately cover the cost of providing the services to the state's consumers.

### License fee hearing Feb. 13

CHARLESTON — A public hearing to revise the fee schedules for licenses, permits, certificates, registrations, laboratory tests, etc., so as to more adequately cover the cost of providing the services to the state's consumers. The hearing will be held at 11 a.m. Wednesday, Feb. 13, by the state Department of Agriculture in the conference room at the Guthrie Agricultural Center.

REGISTRY/HERALD  
BECKLEY, WV  
JAN 13 1985

### Hearing set on fee schedules

CHARLESTON, WV  
DOMINION POST  
JAN 13 1985

Suite 203  
Charleston, WV  
JAN 13 1985

### Fee Hearing Scheduled

West Virginia Department of Agriculture will hold a public hearing beginning at 11 a.m. on Wednesday, February 13, 1985, to revise the fee schedules for licenses, permits, certificates, registrations, laboratory tests, etc., so as to more adequately cover the cost of providing the services to the state's consumers. The hearing will be held in the Conference Room at the Guthrie Agricultural Center.

WEST VIRGINIA  
PRESS SERVICES, INC.  
LEWEL B. HOYER BLDG.  
CHARLESTON, WV  
JAN 13 1985

### Fee Hearing Scheduled

West Virginia Department of Agriculture will hold a public hearing beginning at 11 a.m. on Wednesday, February 13, 1985, to revise the fee schedules for licenses, permits, certificates, registrations, laboratory tests, etc., so as to more adequately cover the cost of providing the services to the state's consumers. The hearing will be held in the Conference Room at the Guthrie Agricultural Center.

NEWS LEADER  
MARTINSDALE, WV  
JAN 17 1985

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NEWS CLIP FROM  
WEST VIRGINIA  
PRESS SERVICES, INC.  
407 HOYER BLDG.  
CHARLESTON, WV

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The West Virginia Department of Agriculture will hold a public hearing beginning at 11 a.m. on Wednesday, February 13, 1985, to revise the fee schedules for licenses, permits, certificates, registrations, laboratory tests, etc., so as to more adequately cover the cost of providing the State's consumers. The hearing will be held in the Conference Room at the Guthrie Agricultural Center.

A NEWS CLIP FROM  
West Virginia  
Press Services, Inc.  
407 Hoyer Building  
Charleston, WV

**Fee Hearing Scheduled**

The W. Va. Dept. of Agriculture will hold a public hearing beginning at 11 a.m. on Wednesday, Feb. 13, 1985, to revise the fee schedules for licenses, permits, certificates, registrations, laboratory tests, etc., so as to more adequately cover the cost of providing the services to the State's consumers. The hearing will be held in the Conference Room at the Guthrie Agricultural Center.

NEWS LEADER  
RICHMOND, WV  
JAN 15 1985  
WEST VIRGINIA  
PRESS SERVICES, INC.  
407 HOYER BLDG.  
CHARLESTON, WV

**Fee Hearing Scheduled**

The West Virginia Department of Agriculture will hold a public hearing, beginning at 11 a.m. on Wednesday, February 13, 1985, to revise the fee schedules for licenses, permits, certificates, registrations, laboratory tests, etc., so as to more adequately cover the cost of providing the services to the State's consumers. The hearing will be held in the Conference Room at the Guthrie Agricultural Center.

NEWS CLIP FROM  
West Virginia  
Press Services, Inc.  
407 Hoyer Building  
Charleston, WV

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West Virginia  
Press Services, Inc.  
407 Hoyer Bldg.  
Charleston, WV

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407 Hoyer Bldg.  
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Charleston, WV

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NEWS CLIP FROM  
West Virginia  
Press Services, Inc.  
407 Hoyer Bldg.  
Charleston, WV

**Free hearing to be held**

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West Virginia  
Press Services, Inc.  
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Charleston, WV

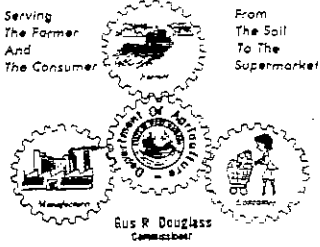
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West Virginia  
Press Services, Inc.  
407 Hoyer Bldg.  
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**W  
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# NEWS RELEASE

**WEST VIRGINIA DEPARTMENT OF AGRICULTURE**

Information Division

Charleston, WV 25305

Phone: 348-3708

For Immediate Release

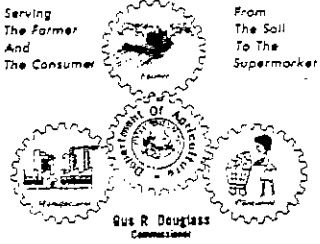
January 7, 1985

## FEE HEARING SCHEDULED

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-#-

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE  
1985 MAR -8 AM 10:01  
FILED



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# NEWS RELEASE

WEST VIRGINIA DEPARTMENT OF AGRICULTURE

Information Division  
Charleston, WV 25305  
Phone: 348-3708

For Immediate Release

January 7, 1985

## FEE HEARING SCHEDULED

CHARLESTON, W.VA.--The West Virginia Department of Agriculture will hold a public hearing, beginning at 11 a.m. on Wednesday, February 13, 1985, to revise the fee schedules for licenses, permits, certificates, registrations, laboratory tests, etc., so as to more adequately cover the cost of providing the services to the State's consumers. The hearing will be held in the Conference Room at the Guthrie Agricultural Center.

-#-

FILED  
1985 MAR - 8 AM 10:01  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-1-4b  
SERIES 0

SUBJECT: LICENSING AND OTHER FEES

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Section 1. General

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  - (4) Auctioneer apprentice license transfer, fifteen dollars.
- (g) Section one, article three: Commission merchant license, twenty dollars.
- (h) Section four, article five-a: Controlled atmosphere storage warehouse operation license, fifty dollars.
- (i) Section two, article nine-a: Permit to feed garbage to swine, ten dollars.
- (j) Section three, article ten-a: Certificate to sell eggs, ten dollars.
- (k) Section five, article eleven: Permits to manufacture or purchase milk and cream:

- (1) Dairy products permit, ten dollars.
- (2) Testers certificate of proficiency, six dollars.
- (3) Testers license, four dollars.
- (4) Weighers/Samplers certificate of proficiency, three dollars.
- (5) Weighers/Samplers license, four dollars.
- (l) Section nine, article twelve: Certificate of nursery men, etc.:
  - (1) Registration of nurseries, twenty dollars.
  - (2) Registration of nursery dealers, forty dollars.
  - (3) Registration of nursery agents, one dollar.
- (m) Section six, article fourteen: Fees for feed inspection:
  - (1) Small package registration fee, thirty dollars.
  - (2) Tonnage fee, thirty cents.
- (n) Section two, article fifteen: Registration fee for commercial fertilizers:
  - (1) Registration for large packages and bulk, two dollars.
  - (2) Registration fee for small package brand and grade, fifteen dollars.
- (o) Section four, article fifteen: Inspection fees for commercial fertilizer:
  - (1) Tonnage inspection fee, thirty cents.

- (2) Inspection fee for small packages, fifteen dollars.
- (p) Section two, article fifteen-a: Registration of agricultural liming material:
  - (1) Brand and grade registration fee, twenty-five dollars.
- (q) Section four, article fifteen-a: Inspection fee for agricultural liming material:
  - (1) Tonnage inspection fee, five cents.
- (r) Section three, article sixteen: Fees for sale of seeds:
  - (1) Registration of seedsmen, two dollars.
  - (2) Packet display stamps, two dollars.
  - (3) Poundage fee for forest and forage seeds, twenty cents per one hundred pounds.
  - (4) Poundage fee for agricultural crop seeds, ten cents per one hundred pounds.
  - (5) Seed potatoes, four cents per hundred pounds.
  - (6) Germination fees of grasses, five dollars.
  - (7) Germination fees for alfalfa, clover, grain, etc., three dollars.
  - (8) Germination fees per ingredient for mixtures, three dollars.
  - (9) Germination fees for woody plants, three dollars.

- (10) Germination fees for flower seeds, three dollars.
- (11) Fee for purity determination for chaffy grasses, six dollars.
- (12) Fee for purity determination for alfalfa, clover, cereals, non-chaffy grasses, etc., three dollars.
- (13) Fee for purity determination for seed mixtur ten dollars.

~~WEST VIRGINIA LEGISLATIVE REGULATIONS~~ *OPULET*  
STATE DEPARTMENT OF AGRICULTURE  
CHAPTER ~~19-1-4b~~ *e*  
SERIES *02/8*

OFFICE OF THE SECRETARY OF AGRICULTURE  
STATE DEPARTMENT OF AGRICULTURE

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FILED

Title: Licensing and Other Fees

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Section 1. General

1.1 Scope - These Legislative regulations establish the fee structure for licenses, permits, certificates, registrations and laboratory tests for laws administered by the Department.

1.2 Authority - W. Va. Code 19-1-4a

1.3 Filing Date - April 1, 1986

1.4 Effective Date - April 1, 1986

Section 2. Definitions (Reserved for future use.)

Section 3. Fee Schedule

3.1 The following fees, which differ from the fees proscribed in the enacting articles of Chapter 19 of the Code of West Virginia, shall, unless additionally changed in accordance with Legislative directives, be immediately applicable.

3.1.1 Section six, article two-a: Permits for public markets, twenty dollars.

3.1.2 Section ten, article two-a: Licensing of weighmen, five dollars.

3.1.3 Section eleven, article two-a: Grading, classifying or standardizing licenses, five dollars.

3.1.4 Section fourteen, article two-a: Testing and inspection of livestock for other than slaughter for Bangs disease, one dollar.

3.1.5 Section four, article two-b: Licenses for commercial slaughter, etc.

3.1.5.1 Commercial slaughter license:

3.1.5.1a 1-500 animals per year, fifteen dollars;

3.1.5.1b 501-1000 animals per year, fifty dollars;

3.1.5.1c 1001-5000 animals per year, one-hundred dollars;

3.1.5.1d Over 5000 animals per year, one-hundred fifty dollars.

- 3.1.5.2 Commercial processors license:
  - 3.1.5.2a 1-25,000 pounds finished product per year, fifteen dollars;
  - 3.1.5.2b 25,001-250,000 pounds finished product per year, fifty dollars;
  - 3.1.5.2c 250,001-1,000,000 pounds finished product per year, one-hundred dollars;
  - 3.1.5.2d Over 1,000,000 pounds finished product per year, one-hundred fifty dollars.
- 3.1.5.3 Distributors license, ten dollars.
- 3.1.5.4 Custom slaughter/processor license, twenty dollars.
- 3.1.5.5 Custom processor license, ten dollars.
- 3.1.6 Section six, article two-c: Auctioneer license:
  - 3.1.6.1 Application fee, fifty dollars;
  - 3.1.6.2 Annual license fee, auctioneers and apprentices, fifty dollars;
  - 3.1.6.3 Examination fee, fifty dollars.
  - 3.1.6.4 Auctioneer apprentice license transfer, fifteen dollars.
- 3.1.7 Section one, article three: Commission merchant license, twenty dollars.
- 3.1.8 Section four, article five-a: Controlled atmosphere storage warehouse operation license, twenty-five dollars.
- 3.1.9 Section two, article nine-a: Permit to feed garbage to swine, ten dollars.
- 3.1.10 Section three, article ten-a: Certificate to sell eggs, ten dollars.
- 3.1.11 Section five, article eleven: Permit to manufacture or purchase milk and cream:
  - 3.1.11.1 Dairy products permit, ten dollars;
  - 3.1.11.2 Testers certificate of proficiency, six dollars;
  - 3.1.11.3 Testers license, four dollars;
  - 3.1.11.4 Weighers/Samplers certificate of proficiency, three dollars;

- 3.1.11.5 Weigher/Samplers licence, four dollars.
- 3.1.12 Section nine, article twelve: Certificate of nurserymen, etc.:
  - 3.1.12.1 Registration of nurseries, twenty dollars;
  - 3.1.12.2 Registration of nursery dealers, forty dollars;
  - 3.1.12.3 Registration of nursery agents, one dollar.
- 3.1.13 Section six, article fourteen: Fees for feed inspection:
  - 3.1.13.1 Small package registration fee, thirty dollars.
  - 3.1.13.2 Tonnage fee, thirty cents.
- 3.1.14 Section two, article fifteen: Registration fee for commercial fertilizers:
  - 3.1.14.1 Registration for large packages and bulk, two dollars;
  - 3.1.14.2 Registration fee for small package brand and grade, fifteen dollars.
- 3.1.15 Section four, article fifteen: Inspection fee for commercial fertilizers:
  - 3.1.15.1 Tonnage inspection fee, thirty cents;
  - 3.1.15.2 Inspection fee for small packages, fifteen dollars.
- 3.1.16 Section two, article fifteen-a: Registration of agricultural liming material:
  - 3.1.16.1 Brand and grade registration fee, twenty-five dollars.
- 3.1.17 Section four, article fifteen-a: Inspection fee for agricultural liming materials:
  - 3.1.17.1 Tonnage inspection fee, five cents.
- 3.1.18 Section three, article sixteen: Fees for sale of seed:
  - 3.1.18.1 Registration of seedsman, two dollars;
  - 3.1.18.2 Packet display stamps, two dollars.
  - 3.1.18.3 Poundage fee for forest and forage seeds, twenty cents per one hundred pounds;
  - 3.1.18.4 Poundage fee for agricultural crop seeds, ten cents per one hundred pounds;

- 3.1.18.5 Seed potatoes, four cents per hundred pounds;
- 3.1.18.6 Germination fees of grasses, five dollars;
- 3.1.18.7 Germination fees for alfalfa, clover, grain, etc., three dollars;
- 3.1.18.8 Germination fees per ingredient for mixtures, three dollars;
- 3.1.18.9 Germination fees for woody plants, three dollars;
- 3.1.18.10 Germination fees for flower seeds, three dollars;
- 3.1.18.11 Fee for purity determination for chaffy grasses, six dollars;
- 3.1.18.12 Fee for purity determinations for alfalfa, clover, cereals, non-chaffy grasses, etc., three dollars;
- 3.1.18.13 Fee for purity determination for seed mixtures, ten dollars.



STATE OF WEST VIRGINIA  
DEPARTMENT OF AGRICULTURE  
CHARLESTON  
25305

Gus R. Douglass  
Commissioner

PROMULGATION HISTORY ABSTRACT

RULE TITLE: Licensing and Other Fees

RULE TYPE: Legislative

FILED NOTICE FOR PUBLIC HEARING: January 4, 1985

PUBLIC HEARING HELD: February 13, 1985

FILED EMERGENCY REGULATIONS: March 8, 1985

FILED AGENCY APPROVED REGULATION: March 8, 1985

FILED AGENCY APPROVED REGULATION WITH LRMRD: Authorized to promulgate  
Legislative Rule, May 19, 1985

FILED SECOND EMERGENCY RULE: September 4, 1985

LEGISLATIVE ACTION: Authorized Agency to Final File and Adopt Rule,  
March 8, 1986. Senate Bill 434, Section 64-2-19(1) (4b).

FINAL FILED RULE WITH SECRETARY OF STATE: April 1, 1986

EFFECTIVE DATE: April 1, 1986

Gus R. Douglass  
Agriculture Commissioner

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ENTERED

OFFICE OF THE SECRETARY OF STATE  
SECRETARIAT

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WEST VIRGINIA LEGISLATIVE REGULATIONS  
STATE DEPARTMENT OF AGRICULTURE

CHAPTER 19-1-4b

GENERAL INDEX  
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OFFICE OF THE CLERK  
STATE DEPARTMENT OF AGRICULTURE

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- Section 1. General
- Section 2. Definitions
- Section 3. Fee Schedule