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GUS R. DOUGLASS  
COMMISSIONER

STATE OF WEST VIRGINIA  
DEPARTMENT OF AGRICULTURE  
CHARLESTON 25305

STATE OF WEST VIRGINIA  
DEPARTMENT OF AGRICULTURE  
CHARLESTON, WV

NOTICE OF PUBLIC HEARING AND COMMENT PERIOD

AGENCY: West Virginia Department of Agriculture

RULE TYPE: Legislative

RULE TITLE: Schedule of Charges for Inspection Services: Fruit  
SERIES VIIIb

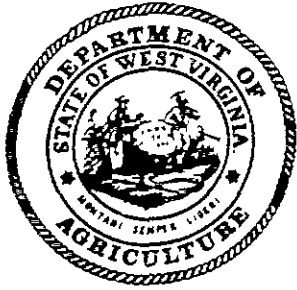
A public hearing on the above proposed rule will be held at 1:00 P.M., Wednesday, March 25, 1987, at the Federal-State Fruit & Vegetable Inspection Service Office, Inwood, West Virginia.

Comments at the hearing may be oral or written. Written comments may also be mailed to: Rural Resources Division, West Virginia Department of Agriculture, Capitol Building, Charleston, WV 25305. and will be accepted for 10 days after the hearing.

The Department requests that persons wishing to make comments at the hearing make an effort to submit written comments in order to facilitate a review of these comments.

The issues to be heard shall be limited to the proposed rule.

Gus R. Douglass, Agriculture Commissioner



Gus R. Douglass  
Commissioner

# NEWS RELEASE

West Virginia Department of Agriculture  
Information Division  
Charleston, WV 25305  
Phone: 348-3708

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For Immediate Release

January 30, 1987

## PUBLIC HEARING SET ON REGULATIONS GOVERNING INSPECTION SERVICE CHARGES

CHARLESTON, W.VA. -- A public hearing on the proposed rule, Schedule of Charges for Inspection Services: Fruit, SERIES VIIIB, will be held at 1 p.m., Wednesday, March 25, 1987, at the Federal-State Fruit and Vegetable Inspection Service Office, Inwood, West Virginia.

Comments at the hearing may be oral or written. Written comments may also be mailed to: Rural Resources Division, West Virginia Department of Agriculture, Capitol Building, Charleston, WV 25305, and will be accepted for 10 days after the hearing.

The Department requests that persons wishing to make comments at the hearing make an effort to submit written comments in order to facilitate a review of these comments.

The issues to be heard shall be limited to the proposed rule.

For information, contact the Rural Resources Division, West Virginia Department of Agriculture, Charleston, WV 25305, telephone (304) 348-2210.

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Schedule of charges for Inspection Service: Fruit

Type of Rule: Legislative regulations to establish charges for federal-state inspection services for fruit

Agency: West Virginia Department of Agriculture

Address: State Capitol Building

Charleston, WV 25305

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Personal Services					
Current Expense					
Repairs & Alterations					
Equipment					
Other					

2. Explanation of above estimates:

None

3. Objectives of these rules:

The objective of these rules is to increase charges by providing federal-state inspection, grading and certification services for fruit produced in West Virginia. The increase will bring these charges more in line with the cost of providing such services and with those being charged by the providers of similar services in adjoining states in the Appalachian fruit region (Virginia, Maryland, Pennsylvania).

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

These rules are expected to increase the receipts for providing such services from a level of \$45,776.32 in FY 85-86 to approximately \$52,000 for a similar amount of fruit inspected in succeeding years.

B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of Citizens.

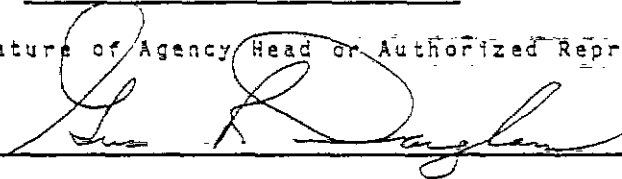
These rules will not impact upon political subdivisions. They will be paid by individual orchardists/fruit producers and/or fruit processors.

C. Economic Impact on Citizens/Public At Large.

The fees collected for this service are only a very small, perhaps less than 1%, of the retail price of the products. The minimal charges proposed in the fees charged will have only a small impact on the public at large.

Date: \_\_\_\_\_

Signature of Agency Head or Authorized Representative

  
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WEST VIRGINIA LEGISLATIVE REGULATIONS  
STATE DEPARTMENT OF AGRICULTURE  
Chapter 19-2  
SERIES VIIIb

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STATE DEPARTMENT OF AGRICULTURE

TITLE: Schedule of Charges for Inspection Services: Fruit

Section 1 - General

1.1 Scope - These Legislative Regulations establish charges for Federal-State Inspection Service for Fruit.

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

1.3 Filing Date -

1.4 Effective Date -

1.5 Repeal of Former Rule - This legislative rule repeals West Virginia Legislative Regulation, State Department of Agriculture, Chapter 19-2, SERIES VIIIb, Schedule of Charges for Inspection Services: Fruit; Sections 2.2.1; 2.2.3; 2.2.4; and 2.2.6.

Section 2 - Declaration of Policy

2.1 Charges for Inspection Services - Chapter 19, Article 2, Section 5 of the Official Code of West Virginia, 1931, as amended, provides that the Commissioner of Agriculture may, upon request, render inspection service and issue Federal-State Inspection Certificates certifying the quality and/or condition for fruit produced, sole, traded, exchanged, transported or otherwise moved in the trade channels of West Virginia.

2.2 Schedule of Charges - For the purpose of defraying the cost of inspection, the following schedule of charges shall prevail:

2.2.1 Fruit Inspection For Processors:

=	Weekly Rate (5-8 hour days).....	<del>\$300.00</del>	<u>\$340.00</u>
	Overtime per hour.....	\$ 10.00	
=	Hourly Rate.....	<del>\$ 10.00</del>	<u>\$ 12.00</u>

2.2.2 Fruit Inspection or Bruising:

=	Weekly Rate (5-8 hour days).....	\$200.00	
	Overtime per hour.....	\$ 8.00	
	Per Day.....	\$ 40.00	
=	Mileage (per mile).....	<del>\$ 0.22</del>	<u>\$ 0.20</u>

2.2.3 Fruit Inspection For Quality and Control:

Weekly Rate (5-8 hour days).....	\$200.00	
Overtime per hour.....	<del>\$ 8.00</del>	\$ 10.00
Minimum Certificate Fee.....	<del>\$ 3.00</del>	\$ 5.00
Mileage (per mile).....	<del>\$ 0.22</del>	\$ 0.20

2.2.4 Fruit Inspection Package Rate:

Per box, basket, carton [approximately one (1) bushel equivalent].....	<del>\$ 0.04</del>	\$ 0.05
Per three-fourth (3/4) bushel container (Peaches).....	<del>\$ 0.04</del>	\$ 0.05
Minimum Certificate Fee.....	<del>\$ 3.00</del>	\$ 5.00

2.2.5 Form FJ-294 (Sanitary Inspection)

Per container approximately one (1) bushel equivalent.....	\$ 0.01
Hourly rate [One (1) hour minimum].....	\$ 9.00

2.2.6 Expenses:

All necessary expenses and ~~twenty two (22) cents~~ twenty (20) cents per mile.

2.2.7 Overtime:

Time in excess of eight (8) hours any single day or forty (40) hours any single week.

2.2.8 Special Work:

Fees for singular size container or special work will be assessed on the basis of the above schedule as closely as practical.