

**REVISED PROPOSED REGULATION OF THE
STATE DEPARTMENT OF AGRICULTURE**

LCB File No. R033-05

August 24, 2005

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §1, NRS 587.077 and 587.083.

A REGULATION relating to seeds; revising the provisions governing the fees that the State Department of Agriculture will charge for analysis and testing of samples of seeds; and providing other matters properly relating thereto.

Section 1. NAC 587.220 is hereby amended to read as follows:

587.220 The following provisions establish the fees that the Department ~~[shall]~~ *will* charge for analysis and testing of samples of seed:

1. As used in this section, “mixture” means a seed sample which contains two or more kinds of seed, where each kind:

- (a) Constitutes more than 5 percent of the sample; or
- (b) Is declared on the label to be part of the mixture.

2. The fee for *testing* any kind of seed not listed will be ~~[based on the fee for the listed kind of seed that is most similar to the seed being tested.]~~ *determined by the Department.*

3. If special attention or a priority in examination is requested for a seed sample, the charge will be the fee listed plus 50 percent.

4. The charge for a sample requiring an unusual amount of time, such as an excessively dirty sample, a sample of a complicated mixture or a sample requiring special tests, is \$35 per hour.

5. *The charge for a mixture is \$35 per hour.*
6. *The charge for a tetrazolium test is \$40 per test.*
7. Service testing fees for purity and germination:

| Kind | Purity | Germination |
|----------------------|------------------------|------------------------|
| Alfalfa | [\$14] \$22 | [\$12] \$21 |
| Beans | [12] 23 | [12] 21 |
| Bluegrass | [22] 41 | [15] 25 |
| Bromegrass | 23 | [12] 21 |
| Cereal grains | [15] 23 | [12] 21 |
| Clover | [15] 22 | [12] 21 |
| Fescue | [22] 34 | [12] 23 |
| Flax | [21] 25 | [14] 25 |
| Flowers | [16] 25 | [16] 25 |
| Indian Ricegrass | [17] 37 | [16] 26 |
| <i>Kochia</i> | 22 | 21 |
| <i>Needlegrasses</i> | 34 | 23 |
| Onion | [14] 26 | [12] 21 |
| Orchardgrass | [25] 37 | [14] 24 |
| Peas | [14] 23 | [13] 21 |
| Ryegrass | [22] 27 | [12] 26 |
| Sainfoin | [14] 22 | [13] 21 |

| Kind | Purity | Germination |
|-----------------------|--------------------|--------------------|
| Saltbush | {16} 35 | {14} 26 |
| Small Brunet | {15} 22 | {14} 21 |
| Sudangrass | {17} 23 | {14} 21 |
| Sunflower | {21} 25 | {12} 23 |
| Timothy | {17} 33 | {12} 23 |
| Trees/Shrubs | {14} 23 | {15} 27 |
| Vegetables not listed | {14} 26 | {12} 21 |
| Vetches | {15} 23 | {12} 21 |
| Wheatgrasses | 34 | {15} 28 |
| Wildrye | {21} 37 | {12} 26 |
| <i>Winterfat</i> | 41 | 23 |

~~{6. The fees}~~

8. *The fee* for examination of a sample of seed for noxious weed seed ~~{are:~~

~~—(a) For weed seed} which is designated noxious in {Nevada, \$6.~~

~~—(b) For weed seed which is designated noxious in} any other state {,} is \$10.~~