

Idaho State Seed Lab				Idaho State Seed Lab with 51% Increase in Fees				April Seed Testing - Private Lab - Oregon (AOQA Testing)				Washington State Seed Lab				Oregon State University Seed Lab				Montana State University Seed Lab <small>(Montana State "Rates will increase on July 1, 2023" but posted fees are from July 1, 2022)</small>				Wyoming State Seed Lab											
Seed Kinds	Purity	Germination**	Tetrazolium	Seed Kinds	Purity	Germination**	Tetrazolium	Seed Kinds	Purity	Germination	Tetrazolium	Seed Kinds	Purity	Germination	Tetrazolium	Seed Kinds	Purity	Germination	Tetrazolium	Seed Kinds	Purity*	Germination	Tetrazolium	Seed Kinds	Purity*	Germination	Tetrazolium								
<b>AGRICULTURAL GRASS SEED</b>				<b>AGRICULTURAL GRASS SEED</b>				<b>AGRICULTURAL GRASS SEED</b>				<b>AGRICULTURAL GRASS SEED</b>				<b>AGRICULTURAL GRASS SEED</b>				<b>AGRICULTURAL GRASS SEED</b>				<b>AGRICULTURAL GRASS SEED</b>											
Bluegrasses	45	25	40	Bluegrasses	67.95	37.75	60.40	Bluegrasses	95	50	90	Bluegrasses	118	70	101	Bluegrasses	95	58	83	Bluegrasses	39	31	45	Bluegrasses	39.50	29	42	Bluegrasses	34	32	42				
Brome-grasses	38	24	40	Brome-grasses	57.38	36.24	60.40	Brome-grasses	95	50	90	Brome-grasses	106	70	101	Brome-grasses	85	58	83	Brome-grasses	32	24	45	Brome-grasses	32	24	45	Brome-grasses	38	33	42	Brome-grasses	33	27	42
Fescues	35	22	40	Fescues	52.85	33.22	60.40	Fescues	85	50	90	Fescues	106	76	101	Fescues	86	58	84	Fescues	32	24	45	Fescues	38	33	42	Fescues	38	33	42				
Orchard-grasses	38	25	40	Orchard-grasses	57.38	37.75	60.40	Orchard-grasses	70	50	90	Orchard-grasses	76	70	101	Orchard-grasses	85	58	83	Orchard-grasses	32	24	45	Orchard-grasses	32	24	45	Orchard-grasses	33	27	42				
Ryegrasses	38	23	40	Ryegrasses	57.38	34.73	60.40	Ryegrasses	90	55	90	Ryegrasses	117	60	101	Ryegrasses	96(annual)	64	84	Ryegrasses	32	24	45	Ryegrasses	33	27	42	Ryegrasses	33	27	42				
Timothy	28	23	40	Timothy	42.28	34.73	60.40	Timothy	90	55	90	Timothy	76	70	101	Timothy	96(Perennial)	64	84	Timothy	32	24	45	Timothy	34	33	42	Timothy	34	33	42				
<b>FIELD SEED</b>				<b>FIELD SEED</b>				<b>FIELD SEED</b>				<b>FIELD SEED</b>				<b>FIELD SEED</b>				<b>FIELD SEED</b>				<b>FIELD SEED</b>											
Alfalfa, clovers and trefolis	20	17	40	Alfalfa, clovers and trefolis	30.20	25.67	60.40	Alfalfa, clovers and trefolis	60	50	90	Alfalfa, clovers and trefolis	76	60	101	Alfalfa, clovers and trefolis	56	50	83	Alfalfa, clovers and trefolis	22	15	45	Alfalfa, clovers and trefolis	23, 26, 27	20, 24, 27	46	Alfalfa, clovers and trefolis	23	15	45	Alfalfa, clovers and trefolis	21	21	46
Cereals (Barley, Oats, Wheat, etc.)	25	17	40	Cereals (Barley, Oats, Wheat, etc.)	37.75	25.67	60.40	Cereals (Barley, Oats, Wheat, etc.)	66	50	90	Cereals (Barley, Oats, Wheat, etc.)	68(500g)	60	101	Cereals (Barley, Oats, Wheat, etc.)	56	50	83	Cereals (Barley, Oats, Wheat, etc.)	23	15	45	Cereals (Barley, Oats, Wheat, etc.)	18	19	42	Cereals (Barley, Oats, Wheat, etc.)	18	19	42				
Beans	18	16	40	Beans	27.18	24.16	60.40	Beans	56	50	90	Beans	68	60	101	Beans	56	50	83	Beans	23	20	45	Beans	23	20	45	Beans	21	27	42	Beans	21	27	42
Corn (all types)	20	17	40	Corn (all types)	30.20	25.67	60.40	Corn (all types)	56	50	90	Corn (all types)	68	60	101	Corn (all types)	56	50	83	Corn (all types)	23	20	45	Corn (all types)	21	27	42	Corn (all types)	21	27	42				
Peas and lentils	18	17.5	40	Peas and lentils	27.18	26.43	60.40	Peas and lentils	56	50	90	Peas and lentils	68	60	101	Peas and lentils	56	50	83	Peas and lentils	23	20	45	Peas and lentils	21	21	46	Peas and lentils	21	21	46				
<b>VEGETABLES, FLOWERS, &amp; HERB SEED</b>				<b>VEGETABLES, FLOWERS, &amp; HERB SEED</b>				<b>VEGETABLES, FLOWERS, &amp; HERB SEED</b>				<b>VEGETABLES, FLOWERS, &amp; HERB SEED</b>				<b>VEGETABLES, FLOWERS, &amp; HERB SEED</b>				<b>VEGETABLES, FLOWERS, &amp; HERB SEED</b>				<b>VEGETABLES, FLOWERS, &amp; HERB SEED</b>											
Brassica (canola, radish, broccoli, etc.)	40	17	50	Brassica (canola, radish, broccoli, etc.)	60.40	25.67	75.50	Brassica (canola, radish, broccoli, etc.)	95	50	90	Brassica (canola, radish, broccoli, etc.)	117	60	101	Brassica (canola, radish, broccoli, etc.)	95	50	83	Brassica (canola, radish, broccoli, etc.)	26	20	45	Brassica (canola, radish, broccoli, etc.)	27-34	34-36	42-46	Brassica (canola, radish, broccoli, etc.)	27-34	34-36	42-46				
Beets and Swiss chard	29	32	40	Beets and Swiss chard	43.79	48.32	60.40	Beets and Swiss chard	60	50	90	Beets and Swiss chard	70	60	101	Beets and Swiss chard	56	68	83	Beets and Swiss chard	16	20	45	Beets and Swiss chard	36	36	46	Beets and Swiss chard	36	36	46				
Carrots, celery, dill, and parsley	27	20	40	Carrots, celery, dill, and parsley	40.77	30.20	60.40	Carrots, celery, dill, and parsley	56	50	90	Carrots, celery, dill, and parsley	68	60	101	Carrots, celery, dill, and parsley	56	50	83	Carrots, celery, dill, and parsley	20	15	45	Carrots, celery, dill, and parsley	35	34	46	Carrots, celery, dill, and parsley	35	34	46				
Cucurbits (squash, melons, etc.)	25	20	40	Cucurbits (squash, melons, etc.)	37.75	30.20	60.40	Cucurbits (squash, melons, etc.)	56	50	90	Cucurbits (squash, melons, etc.)	68	60	101	Cucurbits (squash, melons, etc.)	56	50	83	Cucurbits (squash, melons, etc.)	20	15	45	Cucurbits (squash, melons, etc.)	34	34	48	Cucurbits (squash, melons, etc.)	34	34	48				
Flowers (bachelor button, poppy, etc.)	40	25	50	Flowers (bachelor button, poppy, etc.)	60.40	37.75	75.50	Flowers (bachelor button, poppy, etc.)	65	50	90	Flowers (bachelor button, poppy, etc.)	68	60	101	Flowers (bachelor button, poppy, etc.)	Hourly	68	83	Flowers (bachelor button, poppy, etc.)	32	32	45	Flowers (bachelor button, poppy, etc.)	34	34	48	Flowers (bachelor button, poppy, etc.)	34	34	48				
Lettuce, tomato, and pepper	25	20	40	Lettuce, tomato, and pepper	37.75	30.20	60.40	Lettuce, tomato, and pepper	56	50	90	Lettuce, tomato, and pepper	68	60	101	Lettuce, tomato, and pepper	56	50	83	Lettuce, tomato, and pepper	20	15	45	Lettuce, tomato, and pepper	34	34	46	Lettuce, tomato, and pepper	34	34	46				
Onion and chives	25	20	40	Onion and chives	37.75	30.20	60.40	Onion and chives	56	50	90	Onion and chives	68	60	101	Onion and chives	56	50	83	Onion and chives	20	15	45	Onion and chives	34	34	46	Onion and chives	34	34	46				
<b>TREE &amp; SHRUB SEED</b>				<b>TREE &amp; SHRUB SEED</b>				<b>TREE &amp; SHRUB SEED</b>				<b>TREE &amp; SHRUB SEED</b>				<b>TREE &amp; SHRUB SEED</b>				<b>TREE &amp; SHRUB SEED</b>				<b>TREE &amp; SHRUB SEED</b>											
Bitterbrush	40	30	50	Bitterbrush	60.40	45.30	75.50	Bitterbrush	60	50	90	Bitterbrush	90	82	101	Bitterbrush	39	32	45	Bitterbrush	34	50	50	Bitterbrush	34	50	50								
Saltbrush	60	30	50	Saltbrush	90.60	45.30	75.50	Saltbrush	60	50	90	Saltbrush	90	82	101	Saltbrush	26	32	45	Saltbrush	34	43	54	Saltbrush	34	43	54								
Chokecherry and woods' rose	25	60	60	Chokecherry and woods' rose	37.75	90.60	90.60	Chokecherry and woods' rose	60	50	90	Chokecherry and woods' rose	60	50	90	Chokecherry and woods' rose	39	32	45	Chokecherry and woods' rose	34	88	88	Chokecherry and woods' rose	34	88	88								
Serviceberry, cliff-rose, and mahogany	30	30	40	Serviceberry, cliff-rose, and mahogany	45.30	45.30	60.40	Serviceberry, cliff-rose, and mahogany	60	50	90	Serviceberry, cliff-rose, and mahogany	60	50	90	Serviceberry, cliff-rose, and mahogany	39	32	45	Serviceberry, cliff-rose, and mahogany	34	50, 58, 64	50, 58, 64	Serviceberry, cliff-rose, and mahogany	34	50, 58, 64	50, 58, 64								
Trees (fir, pine, spruce, etc.)	25	30	40	Trees (fir, pine, spruce, etc.)	37.75	45.30	60.40	Trees (fir, pine, spruce, etc.)	60	50	90	Trees (fir, pine, spruce, etc.)	60	50	90	Trees (fir, pine, spruce, etc.)	54	66	45	Trees (fir, pine, spruce, etc.)	54	66	45	Trees (fir, pine, spruce, etc.)	54	66	45								
<b>RANGE &amp; NATIVE SEED</b>				<b>RANGE &amp; NATIVE SEED</b>				<b>RANGE &amp; NATIVE SEED</b>				<b>RANGE &amp; NATIVE SEED</b>				<b>RANGE &amp; NATIVE SEED</b>				<b>RANGE &amp; NATIVE SEED</b>				<b>RANGE &amp; NATIVE SEED</b>											
Bluestems and grammas	Hourly Rate	30	50	Bluestems and grammas	Hourly Rate	45.30	75.50	Bluestems and grammas	56	50	90	Bluestems and grammas	90	70	101	Bluestems and grammas	Hourly	68	86	Bluestems and grammas	91	32	58	Bluestems and grammas	110, 86	34, 37	42, 46	Bluestems and grammas	110, 86	34, 37	42, 46				
Globemallow and penstemons	40	30	50	Globemallow and penstemons	60.40	45.30	75.50	Globemallow and penstemons	56	50	90	Globemallow and penstemons	90	82	101	Globemallow and penstemons	Hourly	68	86	Globemallow and penstemons	41, 34	54, 37	54, 59	Globemallow and penstemons	41, 34	54, 37	54, 59								
Kochia and forage Kochia	30	30	40	Kochia and forage Kochia	45.30	45.30	60.40	Kochia and forage Kochia	60	50	90	Kochia and forage Kochia	90	82	101	Kochia and forage Kochia	Hourly	68	86	Kochia and forage Kochia	39	32	58	Kochia and forage Kochia	34	34	64	Kochia and forage Kochia	34	34	64				
Rushes and sedges	Hourly Rate	30	50	Rushes and sedges	Hourly Rate	45.30	75.50	Rushes and sedges	60	50	90	Rushes and sedges	90	82	101	Rushes and sedges	Hourly	68	86	Rushes and sedges	57	31	58	Rushes and sedges	66, 47	64, 54	64, 54	Rushes and sedges	66, 47	64, 54	64, 54				
Sagebrush and rabbitbrush	Hourly Rate	30	40	Sagebrush and rabbitbrush	Hourly Rate	45.30	60.40	Sagebrush and rabbitbrush	60	50	90	Sagebrush and rabbitbrush	90	82	101	Sagebrush and rabbitbrush	Hourly	68	86	Sagebrush and rabbitbrush	56	32	58	Sagebrush and rabbitbrush	54, 84	33	50, 46	Sagebrush and rabbitbrush	54, 84	33	50, 46				
Wheatgrasses, wildryes, and squirreltail	40	25	40	Wheatgrasses, wildryes, and squirreltail	60.40	37.75	60.40	Wheatgrasses, wildryes, and squirreltail	85	50	90	Wheatgrasses, wildryes, and squirreltail	90	70	101	Wheatgrasses, wildryes, and squirreltail	Hourly	68	86	Wheatgrasses, wildryes, and squirreltail	Hourly	26	45	Wheatgrasses, wildryes, and squirreltail	37, 38, 42	34	42, 42, 46	Wheatgrasses, wildryes, and squirreltail	37, 38, 42	34	42, 42, 46				
Winterfat	Hourly Rate	30	Hourly Rate	Winterfat	Hourly Rate	45.30	Hourly Rate	Winterfat	85	50	90	Winterfat	90	70	101	Winterfat	Hourly	68	86	Winterfat, with hair	Hourly	26	45	Winterfat, delinted	26	26	45	Winterfat, delinted	34	38	54	Winterfat, delinted	34	38	54
<b>SPECIAL TESTING FEES</b>				<b>SPECIAL TESTING FEES</b>				<b>SPECIAL TESTING FEES</b>				<b>SPECIAL TESTING FEES</b>				<b>SPECIAL TESTING FEES</b>				<b>SPECIAL TESTING FEES</b>				<b>SPECIAL TESTING FEES</b>											
<b>Test Procedure</b>	<b>Fees (\$/Unit)</b>			<b>Test Procedure</b>	<b>Fees (\$/Unit)</b>			<b>Test Procedure</b>	<b>Fees (\$/Unit)</b>			<b>Test Procedure</b>	<b>Fees (\$/Unit)</b>			<b>Test Procedure</b>	<b>Fees (\$/Unit)</b>			<b>Test Procedure</b>	<b>Fees (\$/Unit)</b>			<b>Test Procedure</b>	<b>Fees (\$/Unit)</b>			<b>Test Procedure</b>	<b>Fees (\$/Unit)</b>						
All States Noxious	25			All States Noxious	37.75			All States Noxious	*All States Noxious included with Purity			All States Noxious	78			All States Noxious	9 additional			All States Noxious	9 additional			All States Noxious	9 additional			All States Noxious	9 additional						
Ammonia Test	33			Ammonia Test	49.83			Ammonia Test	49.83			Ammonia Test	45			Ammonia Test	38 additional			Ammonia Test	38 additional			Ammonia Test	38 additional			Ammonia Test	38 additional						
Canada-Purity	13.00 added to standard purity fee			Canada-Purity	19.63 added to purity fee			Canada-Purity	53 - \$152 DEPENDING ON SEED KIND			Canada-Purity	54			Canada-Purity	77 plus hourly			Canada-Purity	77 plus hourly			Canada-Purity	77 plus hourly			Canada-Purity	77 plus hourly						
Canada-Germination	2.50 added to standard germination fee			Canada-Germination	3.78 added to germination fee			Canada-Germination	40			Canada-Germination	57			Canada-Germination	97-271			Canada-Germination	97-271			Canada-Germination	97-271			Canada-Germination	97-271						
Cold Test	23.5			Cold Test	35.49			Cold Test	35.49			Cold Test	57			Cold Test	57			Cold Test	57			Cold Test	57			Cold Test	57						
Crop & Weed Check	24.5			Crop & Weed Check	37.00			Crop & Weed Check	37.00			Crop & Weed Check	57			Crop & Weed Check	97-271			Crop & Weed Check	97-271			Crop & Weed Check	97-271			Crop & Weed Check	97-271						
Cut Test	22			Cut Test	33.22			Cut Test	33.22			Cut Test	57			Cut Test	97-271			Cut Test	97-271			Cut Test	97-271			Cut Test	97-271						
Dormancy Percentage	10.00 minimum or %Dormant x germination fee			Dormancy Percentage	10.51 minimum or %Dormant x germination fee			Dormancy Percentage	10.51 minimum or %Dormant x germination fee			Dormancy Percentage	57			Dormancy Percentage	24			Dormancy Percentage	24			Dormancy Percentage	24			Dormancy Percentage	24						
E.C. Norms	20			E.C. Norms	30.20			E.C. Norms	30.20			E.C. Norms	57			E.C. Norms	24			E.C. Norms	24			E.C. Norms	24			E.C. Norms	24						
Foreign Material	12			Foreign Material	18																														

## MINUTES

### **Negotiated Rulemaking – IDAPA 02.06.01 – Rules Governing the Production and Distribution of Seed**

**Tuesday, July 25, 2023**

**Held via Teams**

#### **ISDA Attendees**

Lloyd Knight

Dan Salmi

Caroline Melle

Stacy LaMastra

#### **Stakeholder Attendees**

Elizabeth Criner

Roger Batt

Cassidey Plum

Rick Winn

Braden Jensen

Stacey Wolfe

Pat Brownfield

Gina Lohnes

Will Johnson

Richard Fillmore

Lloyd Knight called the meeting to order at 9:00am. This negotiated rulemaking is the result of a petition for rulemaking submitted by the Idaho Eastern Oregon Seed Association. Knight asked Roger Batt to provide any opening comments or discussion on behalf of the petitioner.

Batt: The Idaho State Seed Lab (ISSL) fees are very low and offer unfair competition to other labs. During the November 2022 Idaho Eastern Oregon Seed Association (IEOSA) meeting, Director Tewalt and other ISDA employees presented some ISSL fee comparison information during their meeting.

An IEOSA vote was taken after the presentation, and it was unanimously decided that ISSL fees should be raised.

An increase in fees might allow the ISSL to use less General Funds.

Lloyd mentioned, an increase in ISSL revenue does not necessarily mean that less General Funds will be used. Promises on revenue use cannot be made before the revenue is generated. The ISSL funding General Funding sources and Dedicated Funds have been established many years ago.

Roger also stated that Industry recently discussed the current ISSL fees and thought the easiest and most logical way to adjust the pricing is based on inflation. According to Rick Winn, a 2006 dollar is now a \$1.51 in 2023. This translates to an inflation rate of 51% over the past 17 years.

Therefore, Industry proposed raising the ISSL fees by 51%.

It was also proposed that only the top 5 crops have their fees adjusted. With the understanding that these 5 crops represent approximately 90% of all the ISSL business.

The 5 crops include:

1. Beans
2. Grains
3. Natives, Rangeland, Revegetation
4. Vegetables, Herbs, Flowers
5. Peas

It was then agreed that it would make more sense to raise all fees by 51% rather than making increases crop specific.

Stacy and others mentioned that some tests may not require a 51% increase since they are very simple tests, and their current pricing might be close to being adequate.

It was stated that knowing what the actual costs are to perform a test would be useful. Lloyd stated this would be difficult and require much time to try to get real cost data.

It was agreed that another review of the proposed price list would be warranted, since some tests will not fit the 51% change formula.

Lloyd said that it is possible that some additional changes could be possible in the Fall.

There were questions of whether a fee increase would result in customers choosing to use other, cheaper labs. This is possible, but other factors influence the choice of lab. Lost revenue of customers using a different lab could be offset by increased revenue generated by higher test fees.

Pat stated that although the work at ISSL is very high quality, there can be public misperception that the quality of the work at ISSL is subpar due to the low cost of testing services. She also said most customers won't switch labs based on pricing alone. Many factors like location, trust and level of service go into a customer / lab relationship.

Roger requested that the ISDA put the ISDA and other state lab's fee schedules into an Excel file and send it to Roger and Cassidey. It was decided that it would be useful to look at ISSL current fee schedule, ISSL fee schedule including a 51% increase, and other labs' fee schedules. It was stated that further industry feedback when provided with this information would be useful.

Meeting adjourned at 10:00am.

**MINUTES**  
**Negotiated Rulemaking – IDAPA 02.06.01 – Rules Governing the Production and Distribution of Seed**  
**Tuesday, August 1, 2023**  
**Held via Teams**

**ISDA Attendees**

- Lloyd Knight
- Stevie Harris
- Dan Salmi
- Stacy LaMastra
- Caroline Melle

**Stakeholder Attendees**

- Rodger Batt
- Cassidey Plum
- Braden Jensen
- Darren Krzesnik
- Dohse Lanny
- Elizabeth Criner
- Josh Scholer
- Phil
- Rick Winn

Lloyd Knight called the meeting to order at 9:06am.

Dan shared the Seed Lab fee schedule showing what a 51% increase in testing fees would be. This 51% increase was proposed at the 1<sup>st</sup> rulemaking meeting as it is representative changes in the purchasing power of the US dollar due to inflation since the last time lab fees were updated in 2006.

Roger shared that he had received feedback about rounding the fees to whole dollars after the 51% increase is applied. Lloyd agreed we can round up to the next whole dollar.

Roger inquired about how the increased fees would change the lab funding amounts of general versus dedicated funds. Lloyd stated that regardless of changes to the dedicated funds, the amount of general funds provided to the lab would remain the same. If there were no changes to the lab business, the testing fee increases would equate to approximately \$110,000 more in revenue (dedicated funds) to the lab based on last year's numbers. However, there is no way to know if increased fees would translate into a change in business and sample numbers.

Dan asked to clarify that rounding of the proposed increased fees would round up or down to the nearest whole dollar following regular rounding rules and it was agreed that this would be how the proposed fee schedule would be rounded.

Elizabeth inquired if it is known how many Idaho seed samples are sent to the Montana or Wyoming seed labs currently. There is no way for ISDA to know this, but per Stacy these are smaller labs and would not have the capacity to take on as large of sample volumes as the Idaho lab.

Elizabeth also inquired if there was a competitive lab in Utah. Stacy said there is a Utah lab, but they are also smaller and would not be a realistic competitor for bean business. Stacy believes they perform more testing on native samples.

Lloyd and Dan also indicated that the Montana and Wyoming labs have different funding mixes and have different financials being associated with universities. This can allow them to keep fees low. Also, Montana has indicated that they are updating fees this year, but they are not posted yet. Dan suspects that these labs may be increasing fees to be more in line with the other labs in the future.

The Idaho seed lab examined what the fee schedule would look like incorporating the 51% fee increase and identified a few items that would support a different adjustment. ISSL suggests increasing bean fees for purity and germination by 75% to cover the higher actual costs of testing these types of samples. Also, increasing the "rush" fee to \$75 and adding a \$150 "super rush" fee would put ISSL more in line with other labs. Currently the lab's rush fee is so low, many samples come in as rush samples and there is not currently a separate super rush fee in the schedule.

Rick asked that the rush and super rush services would be defined for customers.

Dan and Stacy agreed that it would need to be defined what these services were for customers. Stacy stated that some labs state a super rush sample would have 24-hour turnaround times, but that ISSL would not guarantee that. A super rush would move the sample to the front of the rush queue.

Lloyd stated that currently with so many rush samples coming into ISSL, having a rush sample does not translate into getting results all that much faster. Sample loads can only be tested at a certain speed. If rush fees are increased, only truly needed rush samples will be designated rush.

With no other questions or comments, Lloyd asked everyone in attendance if there was a consensus that the proposed 51% fee increase, with the 75% bean increase and higher rush and super rush fees, should move forward. There was consensus that this is the fee schedule that should be proposed.

Dan asked if there would be a further action needed. Lloyd stated that ISDA will finalize the proposed updates to the fee schedule and draft the new rule language. This will be posted for any further public comment before proceeding to legislature for approval.

Final proposed fee schedule attached.

Idaho State Seed Lab Proposed Fees - Following Negotiated Rulemaking

Seed Kinds	Purity	Germination	Tetrazolium
<b>AGRICULTURAL GRASS SEED</b>			
Bluegrasses	\$68	\$38	\$60
Brome-grasses	\$57	\$36	\$60
Fescues	\$53	\$33	\$60
Orchard grasses	\$57	\$38	\$60
Ryegrasses	\$57	\$35	\$60
Timothy	\$42	\$35	\$60
<b>FIELD SEED</b>			
Alfalfa, clovers and trefoils	\$30	\$26	\$60
Cereals (Barley, Oats, Wheat, etc.)	\$38	\$26	\$60
Beans	\$32	\$28	\$60
Corn (all types)	\$30	\$26	\$60
Peas and lentils	\$27	\$26	\$60
<b>VEGETABLES, FLOWERS, &amp; HERB SEED</b>			
Brassica (canola, radish, broccoli, etc.)	\$60	\$26	\$76
Beets and Swiss chard	\$44	\$48	\$60
Carrots, celery, dill, and parsley	\$41	\$30	\$60
Cucurbits (squash, melons, etc.)	\$38	\$30	\$60
Flowers (bachelor button, poppy, etc.)	\$60	\$38	\$76
Lettuce, tomato, and pepper	\$38	\$30	\$60
Onion and chives	\$38	\$30	\$60
<b>TREE &amp; SHRUB SEED</b>			
Bitterbrush	\$60	\$45	\$76
Saltbush	\$91	\$45	\$76
Chokecherry and woods' rose	\$38	\$91	\$91
Serviceberry, cliff-rose, and mahogany	\$45	\$45	\$60
Trees (firs, pines, spruces, etc.)	\$38	\$45	\$60
<b>RANGE &amp; NATIVE SEED</b>			
Bluestems and grammas	Hourly Rate	\$45	\$76
Globemallow and penstemons	\$60	\$45	\$76
Kochia and forage Kochia	\$45	\$45	\$60
Rushes and sedges	Hourly Rate	\$45	\$76
Sagebrush and rabbitbrush	Hourly Rate	\$45	\$60
Wheatgrasses, wildryes, and squirreltail	\$60	\$38	\$60
winterfat	Hourly Rate	\$45	Hourly Rate

## SPECIAL TESTING FEES

Test Procedure	
All States Noxious	\$38
Ammonia Test	\$50
Canada-Purity	\$20 added to purity fee
Canada-Germination	\$4 added to germination fee
Cold Test	\$35
Crop & Weed Check	\$37
Cut Test	\$33
Dormancy Percentage	\$11 minimum or %Dormant x germination fee
E.C. Norms	\$30
Foreign Material	\$18
Grading (beans)	\$27
Hay Pellet Germination	\$27
Hourly Rate	\$60
Identification	\$8 minimum or hourly if necessary
Inventory Germinations (for carryover seed only, when requested)	20% discount of listed fee, March through July only
ISTA-Purity	\$20 added to standard purity fee
ISTA-germination	\$4 added to germination fee
Mixtures-Purity	\$19 added per kind exceeding 5%
Mixtures-germination	\$19 added per kind exceeding 5%
Mixtures-tetrazolium	\$27 added per kind exceeding 5%
Moisture Test	\$21
Seed Count	\$20
Pest, Disease, Soil & Ergot Check	\$20
Sod quality-Bentgrass	\$100
Sod quality-Bermudagrass	\$97
Sod quality-Bluegrass	\$97
Soil Germination	\$35
Species Exam	\$37
Undesirable Grass Species	\$39
Rush Service	\$75
Super Rush Service	\$150

## IDAPA 02 – DEPARTMENT OF AGRICULTURE

### 02.06.01 – RULES GOVERNING THE PRODUCTION AND DISTRIBUTION OF SEED

DOCKET NO. 02-0601-2301

#### NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 22-2006, Idaho Code.

**MEETING SCHEDULE:** Public meetings on the negotiated rulemaking will be held as follows:

Tuesday, July 25, 2023 – 9 a.m. to 11 a.m (MT)	Tuesday, August 1, 2023 – 9 a.m. to 11 a.m. (MT)
<p><b>Idaho State Department of Agriculture</b> <b>2270 Old Penitentiary Road</b> <b>Boise, ID 83712</b></p> <p><b>(Virtual meeting links will be posted at: <a href="https://townhall.idaho.gov">townhall.idaho.gov</a>)</b></p>	

The meeting site(s) will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

**METHOD OF PARTICIPATION:** Persons wishing to participate in the negotiated rulemaking must do the following:

Meeting materials, including drafts, minutes, and submitted comments, will be posted at the agency website at <https://agri.idaho.gov/main/i-need-to/see-lawsrules/rulemaking/isda-rulemaking-2023-2024/>. Meeting details, including links to participate virtually, will be found at [townhall.idaho.gov](https://townhall.idaho.gov).

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons on the agency website at <https://agri.idaho.gov/main/i-need-to/see-lawsrules/rulemaking/isda-rulemaking-2023-2024/>.

**DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

The Idaho Eastern Oregon Seed Association (IEOSA) has petitioned the agency to open rulemaking regarding the service fee schedule for the State Seed Lab, which is operated by the agency. The petition expresses the concern that the current fee structure is “incompatible” with fee structures in surrounding state seed labs and private sector seed labs. The petition further states that the State Seed Lab fee structure is much lower than private sector and surrounding state seed labs.

The department will facilitate negotiated rulemaking to allow the petitioner to identify acceptable fee levels to address their concerns.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text if available, contact Lloyd Knight, Deputy Director. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho State Department of Agriculture web site at the following web address: <https://agri.idaho.gov/main/i-need-to/see-lawsrules/rulemaking/isda-rulemaking-2023-2024/>.



Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before Friday, August 4, 2023.

DATED this 5th day of July, 2023.

Lloyd B. Knight, Deputy Director  
Idaho State Department of Agriculture  
2270 Old Penitentiary Road  
P.O. Box 7249  
Boise, Idaho 83707  
Phone: (208)332-8615  
Email: [lloyd.knight@isda.idaho.gov](mailto:lloyd.knight@isda.idaho.gov)

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