



# The National Agricultural Law Center

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## USDA's United States Grain Standards Act: *Nevada*



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# A National Agricultural Law Center Research Publication

## USDA's United States Grain Standards Act: Nevada

[Nev. Rev. Stat. Ann. § 587.079](#)

[Nev. Rev. Stat. Ann. §§ 587.360; 587.380; 587.388; 587.390; 587.400; 587.410; 587.420; 587.440](#)

### § 587.079. Service grain grading; schedule of fees.

The Director may do service grain grading, including testing for dockage and moisture, and may establish a schedule of fees for that grading and testing.

### § 587.360. State inspectors: Designation; fees for services.

1. The State Quarantine Officer may designate any competent employee or agent of the Department to inspect or classify agricultural products in accordance with such regulations as the State Quarantine Officer may prescribe at such places as the volume of business may be found to warrant the furnishing of the inspection service, at the request of persons having an interest in those products, and to ascertain and to certify to those persons the grade, classification, quality or condition thereof, and such other pertinent facts as the State Quarantine Officer may require.

2. The State Quarantine Officer may fix, assess and collect, or cause to be collected, fees for those services if they are performed by employees or agents of the department.

### § 587.380. License to inspect or classify agricultural products; regulations; compensation of licensees; suspension and revocation of licenses.

1. Upon satisfactory evidence of competency, submission of the statement required pursuant to NRS 587.382 and the payment of a reasonable fee for a license, the State Quarantine Officer may license a person to inspect or classify agricultural products in accordance with such regulations as the State Quarantine Officer may prescribe at such places as the volume of business may be found to warrant the furnishing of such inspection service, at the request of persons having an interest in such products, and to ascertain and to certify to such persons the grade, classification, quality or condition thereof, and such other pertinent facts as the State Quarantine Officer may require.

2. Licensed inspectors may charge and collect as compensation for such services only such fees as may be approved by the State Quarantine Officer.

3. Except as otherwise required in subsection 4, the State Quarantine Officer may suspend or revoke any license if, after an opportunity for hearing has been



afforded the licensee, the State Quarantine Officer determines that the licensee is incompetent or has knowingly or carelessly failed to certify correctly the grade, classification, quality or condition of any agricultural product, or has violated any provisions of NRS 587.290 to 587.450, inclusive, or of the regulations adopted pursuant thereto.

4. Pending investigation, the State Quarantine Officer may suspend a license temporarily without a hearing.

**§ 587.388.** Application for renewal of license to inspect or classify agricultural products required to include information relating to state business license; renewal of license prohibited in certain circumstances.

1. In addition to any other requirements set forth in this chapter, an applicant for the renewal of a license to inspect or classify agricultural products must indicate in the application submitted to the State Quarantine Officer whether the applicant has a state business license. If the applicant has a state business license, the applicant must include in the application the business identification number assigned by the Secretary of State upon compliance with the provisions of chapter 76 of NRS.

2. A license to inspect or classify agricultural products may not be renewed by the State Quarantine Officer if:

(a) The applicant fails to submit the information required by subsection 1; or

(b) The State Controller has informed the State Quarantine Officer pursuant to subsection 5 of NRS 353C.1965 that the applicant owes a debt to an agency that has been assigned to the State Controller for collection and the applicant has not:

(1) Satisfied the debt;

(2) Entered into an agreement for the payment of the debt pursuant to NRS 353C.130; or

(3) Demonstrated that the debt is not valid.

3. As used in this section:

(a) "Agency" has the meaning ascribed to it in NRS 353C.020.

(b) "Debt" has the meaning ascribed to it in NRS 353C.040.



**§ 587.390.** Official standards for grading and classifying agricultural products and farm product containers: Adoption by State Quarantine Officer; changes.

In order to promote, protect, further and develop the agricultural interests of this state, the State Quarantine Officer is hereby authorized and empowered, after investigation and public hearing:

1. To fix and promulgate:

(a) Official standards for grading and classifying any or all agricultural products offered for sale in this state; and

(b) Official standards for containers of farm products.

2. To change any of them from time to time.

**§ 587.400.** Notice of effective date of standard or of alterations or modifications; dissemination of information concerning standards.

1. In promulgating the standards or any alterations or modification of such standards, the State Quarantine Officer shall specify the date or dates when the same shall become effective and shall give public notice not less than 30 days in advance of such date or dates by such means as the State Quarantine Officer deems proper.

2. The State Quarantine Officer is authorized and empowered to employ reasonable methods for diffusing information concerning the standard that may be fixed by the State Quarantine Officer for any agricultural product or container.

**§ 587.410.** Adoption of federal standards; cooperation with United States.

1. The State Quarantine Officer is authorized to fix and promulgate as the official standard for this state for any agricultural product or container the standard for such product or container which may have been promulgated or announced therefor under the authority of the Congress of the United States.

2. In carrying out the provisions of NRS 587.290 to 587.450, inclusive, the State Quarantine Officer is authorized to cooperate with the United States or any department thereof in accomplishing the matters and things provided for therein.

**§ 587.420.** Appeals to State Quarantine Officer from findings of inspectors; fees.

1. Whenever any quantity of any agricultural product shall have been inspected under NRS 587.290 to 587.450, inclusive, and a question arises as to whether the certificate issued therefor shows the true grade, classification, quality or conditions of such product, any interested person, subject to such regulations as the State Quarantine Officer may prescribe, may appeal the question to the State Quarantine Officer who is authorized to cause such investigation to be made and



such tests to be applied as he or she may deem necessary and to determine and issue a finding of the true grade or classification of the product or of the quality or condition thereof.

2. Whenever an appeal shall be taken to the State Quarantine Officer under NRS 587.290 to 587.450, inclusive, the State Quarantine Officer shall charge, assess and collect, or cause to be collected, a reasonable fee which shall be refunded if the appeal is sustained. The State Quarantine Officer shall fix the amount of the fee.

**§ 587.440. Unlawful acts; penalty.**

Any employee or agent employed under NRS 587.290 to 587.450, inclusive, or any inspector licensed thereunder, who shall knowingly inspect, grade or classify improperly any agricultural product or shall knowingly give any incorrect certificate of grade, classification, quality or condition or shall accept money or other consideration directly or indirectly for any incorrect or improper performance of duty, and any person who shall improperly influence or attempt to improperly influence any such agent, employee or licensed inspector in the performance of his or her duty, shall be guilty of a misdemeanor.

