



**RULE-MAKING ORDER**  
(RCW 34.05.360)

**CR-103** (7/1/89)

Agency: Department of Agriculture

Permanent Rule  
 Emergency Rule

(1) Date of adoption: October 30, 1990

(2) Purpose: To establish rules for the collection of assessments for the Washington Wine Commission and penalties for non-compliance.

(3) Citation of existing rules affected by this order: None

Repealed:  
Amended:  
Suspended:

(4) Authority for adoption: RCW 15.88.130

Statute:  
Other Authority:

(5.1) **PERMANENT RULE ONLY**

Pursuant to notice filed as WSR 90-18-080 on September 5, 1990 (date).  
Describe any changes other than editing from proposed to adopted version:  
None

(5.2) **EMERGENCY RULE ONLY**

Pursuant to RCW 34.05.350 the agency for good cause finds:

(a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

(b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?  
 Yes  No If yes, explain:

(6) Effective date of rule:

**Permanent Rules**                      **Emergency Rules**

30 days after filing                       Immediately  
 Other (specify) \_\_\_\_\_ \*                       Later (specify) \_\_\_\_\_

\*(If less than 30 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

**CODE REVISER USE ONLY**  
CODE REVISER'S OFFICE  
STATE OF WASHINGTON  
FILED

NOV 15 1990

TIME: 3:34 PM  
WSR: 90-23-042

NAME (TYPE OR PRINT)  
C. Alan Pettibone

SIGNATURE  
*C. Alan Pettibone*

TITLE  
Director

DATE  
11/7/90

## Chapter 16-575 WAC

## WINE COMMISSION

NEW SECTION

WAC 16-575-010 TIME--PLACE--METHOD FOR PAYMENT AND COLLECTION OF ASSESSMENTS. Effective with the growing season of 1990, the following procedure is established for the reporting and paying of the assessment of three dollars per ton of vinifera grapes harvested, levied pursuant to RCW 15.88.130:

(1) All first handlers of vinifera grapes for resale or for processing shall withhold the amount of the assessment from their remittance to growers and transmit same to the commission. All such assessments accumulated will be due and payable to the commission on or before December 31 of each year. First handlers shall submit to the commission on or before December 31 of each year, a report listing the name, address, tons of vinifera grapes handled or purchased, and amount deducted or collected for each grower on forms provided by the commission.

(2) All growers selling vinifera grapes for export, shall pay the assessment directly to the commission, on or before December 31 of each year. Such growers shall submit to the commission on or before December 31 of each year, a report listing the name and address of the exporter, tons sold, and assessment due, on forms provided by the commission.

NEW SECTION

WAC 16-575-020 PENALTIES. Any due and payable assessment herein levied in such specified amount as may be determined by the commission pursuant to the provisions of the act and the order, shall constitute a personal debt of every person so assessed or who otherwise owes the same, and the same shall be due and payable to the commission on December 31 of each year.

In the event any person fails to pay the commission the full amount of such assessment or such other sum on or before the date due, the commission may, and is hereby authorized to, add to such unpaid assessment or sum an amount not exceeding ten percent of the same to defray the cost of enforcing the collection of the same.

In the event of failure of such person or persons to pay any such due and payable assessment or other such sum, the commission may bring a civil action against such person or persons in a state court of competent jurisdiction for the collection thereof, together with the above specified ten percent thereon, and such action shall be tried and judgment rendered as in any other cause of action for debt due and payable.