

ELWOOD HUTCHESON

Law Office of
CHENEY AND HUTCHESON
Miller Building
YAKIMA, WASHINGTON

August 28, 1961

State Code Reviser
Legislative Building
Olympia, Washington

Dear Sir:

Pursuant to our recent correspondence, we enclose herewith certified copy of the revised and amended rules and regulations of the Washington State Apple Advertising Commission which supersede and repeal all of its previous regulations. The same are exactly the same as the proposed regulations we previously mailed you and the same were adopted without any change.

Yours very truly,

Elwood Hutcheson

ELWOOD HUTCHESON

*Special ass't
attorney general*

EH:vs
Enc.

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WASHINGTON STATE APPLE ADVERTISING COMMISSION

AMENDED RULES AND REGULATIONS

Under and by virtue of Chapter 15.24 of the Revised Code of Washington as amended and Chapter 11, Laws of 1961, the Washington State Apple Advertising Commission does hereby adopt and prescribe the following amended rules and regulations:

1. Effect of Law. These revised regulations, as provided in said Act, have the force and effect of law, and any person who shall violate or aid in the violation of any of these regulations is in violation of Washington State law and is guilty of a misdemeanor. As to apples grown in 1961 and subsequent years these regulations hereby repeal and supersede all previous regulations. Definitions of terms in said Act are applicable to these regulations.

2. Amount of Assessment. The amount of the apple assessment shall be ten cents (10¢) on each one hundred pounds (100 lbs.) gross billing weight of apples, payable when shipped, whether in bulk or loose in boxes or any other container, or packed in any style package.

3. Apple Advertising Stamps. (a) The apple assessment shall be collected by the purchase from the Commission or its authorized representative or the Department of Agriculture, Division of Horticulture, of apple advertising stamps, which shall be issued as open or variable denomination stamps without having any definite denomination or amount printed thereon.

(b) The stamps shall be issued and the blanks therein shall be filled in by the shipper or other user thereof in triplicate. With.

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reference to shipment by railroad, the original or first sheet thereof shall be fixed or attached to the carrier's copy of the bill of lading. Such carrier's record shall be subject to audit for a period of two years and shall be offered for examination at any reasonable time when official request is made by an authorized representative of the Commission.

(c) With reference to shipments by truck or other conveyance, before shipment a release shall be obtained from the Department of Agriculture, Division of Horticulture, as provided by law, and before such release is delivered there shall be attached to the Department's copy of such release the original or first sheet of the advertising stamps covering such shipments.

(d) The second sheet or copy shall be retained as the issuing agent's or shipper's copy. The third sheet or copy shall either be paid for at the time of shipment or shall be transmitted to the Commission office at Wenatchee at least twice a month not later than the first and fifteenth days of each month, or if not a business day, then on the next business day thereafter, together with payment to cover all such stamps previously used and not paid for.

(e) Such stamps shall be in such form as shall be prescribed by the Commission for each apple shipping season. When each stamp is used all blanks thereon shall be filled in by the shipper or other user with the appropriate required information shown thereon, including among other things the date, stamp number, shipper's name, the quantity of apples in such shipment covered by such stamps, and the amount of the assessment thereon. Stamps shall be made only by the Commission and purchased only from the Commission or its authorized representatives or the Division of Horticulture.

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4. Stamp Books. Books of stamps may be issued in advance to responsible solvent apple shippers in the discretion of the Commission manager, upon their execution of a written stamp agreement in the form prescribed by the Commission. Other shippers who do not hold a stamp book may obtain single stamps as needed from an office or representative of the Division of Horticulture or from the Commission office. All unused stamp books or unused portions thereof shall be returned to the Commission at or before the close of each apple shipping season.

5. Bills of Lading and Releases. No bill of lading shall be issued by a railroad, and no release shall be issued by any agent of the Department of Agriculture until apple advertising stamps on such shipments have been filled in and attached to the carrier's copy of the bill of lading or the Department's copy of the release, as the case may be.

6. Reports. Every dealer, handler and processor shall mail or deliver to the Commission at Wenatchee, at the times hereinabove stated and in any event not more than fifteen (15) days after shipment, a signed, written report or return of all apples shipped, handled or processed by him during such period, showing: (1) shipper's file number; (2) date of shipment; (3) variety; (4) quantity and style of package, or whether bulk or loose in boxes; (5) destination; (6) amounts of assessments thereon. The same shall be accompanied by remittance of the assessments payable thereon, unless previously paid.

7. Records. Every dealer, handler and processor shall keep a complete and accurate record of all apples handled, shipped or processed by him, containing the information mentioned in the next preceding paragraph hereof. Such records shall be preserved for a period of two years

and shall be subject to audit and offered for examination at any reasonable time when official request is made by an authorized representative of the Commission.

8. Seal. The seal of the Commission shall be circular in form and contain the following inscription: "WASHINGTON STATE APPLE ADVERTISING COMMISSION SEAL."

The foregoing amended regulations were duly adopted by the Washington State Apple Advertising Commission on the 23rd day of August, 1961, and were duly filed and published as provided by law.

WASHINGTON STATE APPLE ADVERTISING COMMISSION

By C. E. THAYER, Chairman

By ROBERT W. JOHNSTON, Secretary-Manager

(SEAL)

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CERTIFICATION OF RULES

IN ACCORDANCE with Section 4 (1), chapter 234, Laws of 1959, I, ROBERT W. JOHNSTON, Secretary-Manager, do hereby certify that the foregoing document is a full, true and correct copy of the revised and amended rules and regulations which have been duly adopted by the Washington State Apple Advertising Commission on August 23, 1961 and which are now in effect and which repeal and supersede all previous regulations of said commission.


Secretary-Manager

