

LAW OFFICES OF
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605 DONEEN BUILDING
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TELEPHONE
663-8153
AREA CODE 509

June 26, 1972

Code Reviser's Office
Legislative Building
OLYMPIA, WASHINGTON 98501

Attention: Mrs. Barmore

Re: Washington State Apple Advertising
Commission Rules

Dear Mrs. Barmore:

Thank you for your phone call of June 23, 1972.

As instructed, we enclose herewith duplicate copies, as follows:

1. Four copies of Form CR-2, to which are attached emergency rules.
2. Four copies of CR-1, to which are attached copies of the same rules for permanent adoption.

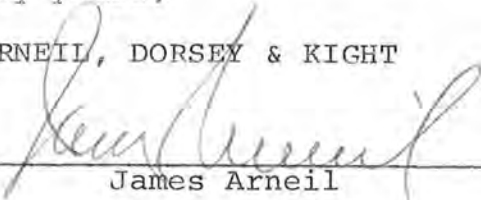
The above enclosures have now been typed on current forms of the Code Reviser's Office and are to replace the forms received and filed by your office on June 23, 1972.

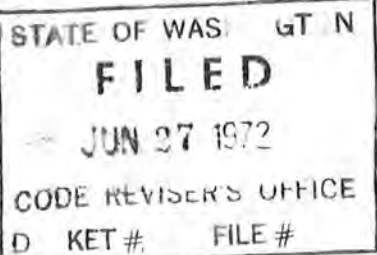
Your assistance has been appreciated.

Very truly yours,

DAVIS, ARNEIL, DORSEY & KIGHT

By


James Arneil



JA:rc
Encls.

FROM: WASHINGTON STATE APPLE ADVERTISING COMMISSION
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98501

The enclosed Permanent rules , being order No. 2
Emergency rules
relating to (Name of rules or description of subject matter)

Amendment to WAC 24-12-020, WAC 24-12-030 and
WAC 24-12-060

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. _____ ① filed with the code reviser
on _____ ② were regularly adopted as permanent rules of this
(date)
agency at _____ on _____ and are herewith
(place) (date)
filed in the office of the code reviser pursuant to chapter 34.04
RCW. The effective date of such rules shall be _____ ③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of
these rules is necessary for the preservation of the public
health, safety, or general welfare and that observance of the
requirements of notice and opportunity to present views on
the proposed action would be contrary to the public interest,
were regularly adopted as emergency rules of this agency at
Yakima, Washington on June 20 1972 and are herewith filed in
(place) (date)
the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter
34.04 RCW and of the Open Public Meetings Act of 1971, chapter
42.30 RCW (1971 ex.s. c 250) have been fulfilled.

Dated this 20th day of June 19 72

STATE OF WASH. GTON
FILED
JUN 23 1972
CODE REVISER'S OFFICE
D. KET. #4157 FILE # II

WASHINGTON STATE APPLE ADVERTISING
(AGENCY) COMMISSION
Ronald J. Hughes
By _____
Assistant Secretary-Manager
Title _____

- ① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
- ② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
- ③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING: RCW 34.04.040. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.

WASHINGTON STATE APPLE ADVERTISING COMMISSION

RESOLUTION NO. _____

Administrative Order No. 2
WSAAC Order Register

A RESOLUTION amending WAC 24-12-020, WAC 24-12-030 and
WAC 24-12-060, and finding an emergency.


BE IT RESOLVED BY WASHINGTON STATE APPLE ADVERTISING COMMISSION
OF THE STATE OF WASHINGTON:

Section 1. That Washington State Apple Advertising Commission finds that the immediate adoption of the annexed emergency amendment of WAC 24-12-020, WAC 24-12-030, and WAC 24-12-060 is necessary for the preservation of the public health and general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest; that said amendment is essential to the timely completion of audit and collection of assessments on apples by the Washington State Apple Advertising Commission.


Section 2. That the annexed emergency amendment to WAC 24-12-020, WAC 24-12-030 and WAC 24-12-060 is hereby approved and adopted as an emergency rule amendment of Washington State Apple Advertising Commission.

Section 3. This resolution and the annexed emergency amendment to WAC 24-12-020, WAC 24-12-030 and WAC 24-12-060 after first being recorded as an emergency administrative order in the Order Register of the Washington State Apple Advertising Commission, shall be forwarded to the Code Reviser for filing, pursuant to RCW 34.04 and WAC 1-12-040.

APPROVED AND ADOPTED June 20, 1972.



Chairman



Secretary-Manager

WAC 24-12-020 APPLE ADVERTISING STAMPS.

(1) The apple assessment shall be collected from dealers and handlers and accounted for to the commission by means of apple advertising stamps. Said stamps shall be issued as open or variable denomination stamps without having any definite denomination or amount printed thereon.

(2) The stamps shall be issued and the blanks therein shall be filled in by the dealer or handler in quadruplicate. With reference to shipment by railroad, the original and one copy 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.

(3) With reference to shipments by truck or other conveyance, before shipment a release shall be obtained from the Washington State Department of Agriculture, Division of Plant Industry, as provided by law, and before such release is delivered there shall be attached to the department's copy of such release the original and one copy of the advertising stamps covering such shipment.

(4) The third sheet or copy shall be retained as the dealer's or handler's copy. Payment for said stamps shall be accompanied by the fourth sheet or copy. Payment for stamps not issued in advance shall be remitted at the time of shipment. Payment for stamps issued in advance shall be remitted to the commission office at Wenatchee bi-monthly on the first and sixteenth days of each month, and said remittance shall include payment for all stamps used during the immediately preceding bi-monthly period. If the first or sixteenth day of the month shall not be a business day, remittance shall be made on the next business day thereafter.

(5) Such stamps shall be in such form as shall be prescribed by the commission. When each stamp is used all blanks thereon shall be filled in by the dealer or handler with the appropriate required information shown thereon, including among other things the date, stamp number, dealer's or handler's name, location, 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 issued only by the commission or its authorized representatives or the Department of Agriculture.

(6) Assessments not paid as provided in WAC 24-12-020 (4) shall be delinquent. Delinquent assessments not paid within thirty (30) days of the due dates thereof shall bear interest at the maximum legal rate and in case of suit to collect said delinquent assessments the commission shall be allowed, in addition to any other relief granted, a reasonable attorney's fee and its costs of suit.

(7) The commission may refuse to issue apple advertising stamps to any dealer or handler in any case where said dealer or handler has failed to pay, or make provision for payment satisfactory to the commission, assessments for any prior shipment of fresh apples, and no such dealer or handler shall make any future shipment of fresh apples until all delinquent assessments are paid in full or provision made therefor satisfactory to the commission.

AMD WAC 24-12-030 STAMP BOOKS. Books of stamps may be issued in advance to responsible solvent apple dealers and handlers in the discretion of the commission manager. The manager may require execution of a written stamp agreement in the form prescribed by the commission. Other dealers and handlers who do not hold a stamp book may obtain single stamps as needed from an office or representative of the Department of Agriculture or from the commission office. All unused stamp books or unused portions thereof shall be returned to the commission on demand.

AMD WAC 24-12-060 RECORDS. Every dealer and handler shall keep a complete and accurate record of all apples handled and shipped. 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.

The Washington State Apple Advertising Commission finds that the immediate adoption of the foregoing emergency amendments of WAC 24-12-020, WAC 24-12-030 and WAC 24-12-060 is necessary for the preservation of the public health and general welfare and that observation of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest; that said amendments are essential to the timely completion of audit and collection of assessments on apples by the Washington State Apple Advertising Commission.

TRANSMITTAL OF RULES ADOPTED

FROM: WASHINGTON STATE APPLE ADVERTISING COMMISSION
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98501

The enclosed Permanent rules , being order No. 2
Emergency rules

relating to (Name of rules or description of subject matter)

Amendment to WAC 24-12-020, WAC 24-12-030 and
WAC 24-12-060

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. _____ ① filed with the code reviser
on _____ ② were regularly adopted as permanent rules of this
(date)
agency at _____ on _____ and are herewith
(place) (date)
filed in the office of the code reviser pursuant to chapter 34.04
RCW. The effective date of such rules shall be _____ ③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of
these rules is necessary for the preservation of the public
health, safety, or general welfare and that observance of the
requirements of notice and opportunity to present views on
the proposed action would be contrary to the public interest,
were regularly adopted as emergency rules of this agency at
Yakima, Washington on June 20 1972 and are herewith filed in
(place) (date)
the office of the code reviser pursuant to chapter 34.04 RCW.

Dated this 20th day of June 1972.

STATE OF WASHINGTON
FILED
JUN 23 1972
CODE REVISER'S OFFICE
D KET.# FILE #

WASHINGTON STATE APPLE ADVERTISING
(AGENCY) COMMISSION
By _____
Secretary-Manager
Title

- ① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
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WASHINGTON STATE APPLE ADVERTISING COMMISSION

RESOLUTION NO. _____

Administrative Order No. 2
WSAAC Order Register

A RESOLUTION amending WAC 24-12-020, WAC 24-12-030 and
WAC 24-12-060, and finding an emergency.


BE IT RESOLVED BY WASHINGTON STATE APPLE ADVERTISING COMMISSION
OF THE STATE OF WASHINGTON:

Section 1. That Washington State Apple Advertising Com-
mission finds that the immediate adoption of the annexed emer-
gency amendment of WAC 24-12-020, WAC 24-12-030, and
WAC 24-12-060 is necessary for the preservation of the public
health and general welfare and that observance of the require-
ments of notice and opportunity to present views on the proposed
action would be contrary to the public interest; that said
amendment is essential to the timely completion of audit and
collection of assessments on apples by the Washington State
Apple Advertising Commission.


Section 2. That the annexed emergency amendment to
WAC 24-12-020, WAC 24-12-030 and WAC 24-12-060 is hereby
approved and adopted as an emergency rule amendment of Wash-
ington State Apple Advertising Commission.

Section 3. This resolution and the annexed emergency
amendment to WAC 24-12-020, WAC 24-12-030 and WAC 24-12-060
after first being recorded as an emergency administrative
order in the Order Register of the Washington State Apple
Advertising Commission, shall be forwarded to the Code Reviser
for filing, pursuant to RCW 34.04 and WAC 1-12-040.

APPROVED AND ADOPTED June 20, 1972.



Chairman



Secretary-Manager

WAC 24-12-020 APPLE ADVERTISING STAMPS.

(1) The apple assessment shall be collected from dealers and handlers and accounted for to the commission by means of apple advertising stamps. Said stamps shall be issued as open or variable denomination stamps without having any definite denomination or amount printed thereon.

(2) The stamps shall be issued and the blanks therein shall be filled in by the dealer or handler in quadruplicate. With reference to shipment by railroad, the original and one copy 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.

(3) With reference to shipments by truck or other conveyance, before shipment a release shall be obtained from the Washington State Department of Agriculture, Division of Plant Industry, as provided by law, and before such release is delivered there shall be attached to the department's copy of such release the original and one copy of the advertising stamps covering such shipment.

(4) The third sheet or copy shall be retained as the dealer's or handler's copy. Payment for said stamps shall be accompanied by the fourth sheet or copy. Payment for stamps not issued in advance shall be remitted at the time of shipment. Payment for stamps issued in advance shall be remitted to the commission office at Wenatchee bi-monthly on the first and sixteenth days of each month, and said remittance shall include payment for all stamps used during the immediately preceding bi-monthly period. If the first or sixteenth day of the month shall not be a business day, remittance shall be made on the next business day thereafter.

(5) Such stamps shall be in such form as shall be prescribed by the commission. When each stamp is used all blanks thereon shall be filled in by the dealer or handler with the appropriate required information shown thereon, including among other things the date, stamp number, dealer's or handler's name, location, 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 issued only by the commission or its authorized representatives or the Department of Agriculture.

(6) Assessments not paid as provided in WAC 24-12-020 (4) shall be delinquent. Delinquent assessments not paid within thirty (30) days of the due dates thereof shall bear interest at the maximum legal rate and in case of suit to collect said delinquent assessments the commission shall be allowed, in addition to any other relief granted, a reasonable attorney's fee and its costs of suit.

(7) The commission may refuse to issue apple advertising stamps to any dealer or handler in any case where said dealer or handler has failed to pay, or make provision for payment satisfactory to the commission, assessments for any prior shipment of fresh apples, and no such dealer or handler shall make any future shipment of fresh apples until all delinquent assessments are paid in full or provision made therefor satisfactory to the commission.

AMD

WAC 24-12-030 STAMP BOOKS. Books of stamps may be issued in advance to responsible solvent apple dealers and handlers in the discretion of the commission manager. The manager may require execution of a written stamp agreement in the form prescribed by the commission. Other dealers and handlers who do not hold a stamp book may obtain single stamps as needed from an office or representative of the Department of Agriculture or from the commission office. All unused stamp books or unused portions thereof shall be returned to the commission on demand.

AMD

WAC 24-12-060 RECORDS. Every dealer and handler shall keep a complete and accurate record of all apples handled and shipped. 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.

The Washington State Apple Advertising Commission finds that the immediate adoption of the foregoing emergency amendments of WAC 24-12-020, WAC 24-12-030 and WAC 24-12-060 is necessary for the preservation of the public health and general welfare and that observation of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest; that said amendments are essential to the timely completion of audit and collection of assessments on apples by the Washington State Apple Advertising Commission.