

FORM OF ORDER AND TRANSMITTAL BY BOARD, COMMISSION, OR COUNCIL

State of Washington

WASHINGTON STATE APPLE ADVERTISING COMMISSION
(name of governing body)

WASHINGTON STATE APPLE ADVERTISING COMMISSION
(agency name, if applicable)

Resolution No. _____

Administrative Order No. 16

(1) Be it resolved by the WASHINGTON STATE APPLE ADVERTISING COMMISSION,
acting at Convention Center, Wenatchee, Washington
(place)

that it does adopt the annexed rules relating to:

Collection procedures for delinquent assessments

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 84-16-003
filed with the code reviser on July 19, 1984. These rules shall take effect:
 thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).
 at a later date, such date being _____

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

We, _____, find that
an emergency exists and that this order 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 public interest. A statement of the facts constituting the emergency is:

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026¹ that "every agency shall incorporate the most specific, but
in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b),
or (c) as appropriate:

(a) This rule is promulgated pursuant to RCW _____
and is intended to administratively implement that statute.

(b) This rule is promulgated pursuant to RCW _____
which directs that the

(agency)

has authority to implement the provisions of

(name of act or RCW citation)

(c) This rule is promulgated under the general rule making authority of the
WASHINGTON STATE APPLE ADVERTISING COMMISSION
(agency)

as authorized in RCW 15.24.070 (1)

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public
Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register
Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this governing body, is herewith transmitted to
the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED September 13, 19 84

STATE OF WASHINGTON
FILED

By [Signature]

SEP 20 1984

Chairman

Title

CODE REVISER'S OFFICE

WSR 84-20-002

TEXT OF RULE

AMENDATORY SECTION (Amending Order No. 13, filed 10-06-82)

WAC 24-12-010 AMOUNT OF ASSESSMENTS. There is hereby levied upon all fresh apples grown annually in this state, and upon all apples packed as Washington apples, an assessment of 32.6 cents on each one hundred pounds (100 lbs.) gross billing weight. Assessments shall be payable (~~when-shipped~~) as provided in WAC 24-12-012, whether in bulk or loose in boxes or any other container, or packed in any style package. The gross billing weights for the following containers shall apply for the purpose of computing said assessments:

DESCRIPTION OF CONTAINER	GROSS BILLING WEIGHTS
1/3 Bushel Box (packed or loose)	15 lbs.
1/2 Bushel Box (loose)	23 lbs.
Bulk Bushel Container (loose) Net weight plus	3 lbs. tare
9/4 and 12/3 Bag Containers	41 lbs.
13/3 Bag Container	44 lbs.
10/4 and 8/5 Bag Containers	45 lbs.
12/4 Bag Container	53 lbs.
Standard Tray Pack Container	46 lbs.
Pocket Cell Tray Pack Container	46 lbs.
Cell Pack Containers, all counts	46 lbs.
2-Layer Tray Pack Container	23 lbs.
Single-Layer Tray Pack Container	12 lbs.

NEW SECTION

WAC 24-12-012 COLLECTION OF ACCOUNTS.

(1) The Commission shall obtain from the Department of Agriculture a record of all shipments of fresh apples and shall from this record periodically invoice all apple dealers and handlers shown thereon for assessments on apples levied pursuant to WAC 24-12-010. The date of the invoice shall be known as the billing date.

(2) Assessments not paid within twenty (20) days from the billing date shall be delinquent, and the Commission shall thereupon send a notice of delinquency to the dealer or handler involved. A copy of the notice of delinquency shall be sent at the same time to the district inspection office of the Department of Agriculture. If the delinquent assessments are not paid within thirty-five (35) days from the billing date, a second notice of delinquency shall be sent to the dealer or handler involved with

a copy to the district inspection office of the Department of Agriculture stating that if the delinquent assessments are not paid within forty-five (45) days from the billing date the dealer or handler involved will thereafter be put on a cash basis until the delinquent assessments are paid, and that if the delinquent assessments are not paid within sixty (60) days from the billing date, the Compliance Book of Compliance Certificates will be removed by the Department of Agriculture and inspection service will be withdrawn. Inspection service will be reinstated only upon mutual agreement of the Department of Agriculture and the Commission and after all delinquent assessments have been paid. Delinquent assessments not paid within thirty-five (35) days of the billing date shall bear interest at the maximum legal rate, not to exceed 1-1/2% per month, and in case of suit to collect said delinquent assessments, the Commission shall be allowed, in addition to any other relief granted, reasonable attorney fees and its costs of suit.

(3) The foregoing procedure for collection of assessments shall apply to all shipments of apples disclosed by Department of Agriculture records on or after September 7, 1984.

REPEALER

The following section of the Washington Administrative Code is repealed:

- (1) WAC 24-12-090 COLLECTION OF ASSESSMENTS.