

Title 142 WAC

DAIRY PRODUCTS COMMISSION

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Chapter 142-12 WAC

DAIRY PRODUCTS--MILK ASSESSMENT REGULATIONS

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 142-12-001 Promulgation. [Promulgation, filed 1/2/68, effective 7/1/68, referendum approved 2/12/68; Promulgation, filed 3/16/60.] Repealed by Order 3-73, filed 10/29/73.
- 142-12-010 Assessment rates. [Regulation X, filed 1/2/68, effective 7/1/68, referendum approved 2/12/68; Regulation X, filed 3/16/60.] Repealed by Order 3-73, filed 10/29/73.
- 142-12-020 Assessment reports. [Regulation XI, filed 1/2/68, effective 7/1/68, referendum approved 2/12/68; Regulation XI, filed 3/16/60.] Repealed by Order 3-73, filed 10/29/73.

WAC 142-12-01001 Declaration of purpose. To effectuate the purposes of RCW 15.44.080 as last amended by chapter 41, Laws of 1973, 1st ex. sess., the Washington State Dairy Products Commission hereby adopts certain definitions and prescribes the rate of assessment on milk and collection forms pursuant to the provisions of chapter 15.44 RCW effective August 1, 1973. [Order 1-73, § 142-12-01001, filed 6/15/73.]

WAC 142-12-015 Definitions.

- (1) **Class I Milk:** Class I milk shall be all skim milk and butterfat disposed of in the form of fluid milk product as defined by the standards of the federal government heretofore adopted in the order regulating handling of milk in the Puget Sound, Washington, Marketing Area, (ORDER 125, as amended).
- (2) **Fluid Milk Product:** Fluid milk product is fluid milk product as defined by the standards of the federal government heretofore

adopted in the said order regulating handling of milk in Puget Sound, Washington, Marketing Area. (ORDER 125 as amended).

- (3) **Market Order:** Market order is an order regulating the handling of milk in a marketing area promulgated pursuant to Public Act No. 10, 73rd Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 as amended (48 Stat 31, as amended, 7 U.S.C. 601, et seq.).
- (4) **Class I Price:** Class I price is that price per hundred weight defined as the class I price per hundred weight by the standards of the federal government heretofore adopted by the order regulating the handling of milk in the Puget Sound, Washington, marketing area. (ORDER 125 as amended).
- (5) **3.5% Butterfat Milk:** 3.5% butterfat milk is 3.5 percent milk as defined by the standards of the federal government heretofore adopted by the said Order regulating the handling of milk in the Puget Sound, Washington Marketing area. (ORDER 125 as amended).

[Order 1-73, § 142-12-015, filed 6/15/73.]

WAC 142-12-02001 Change in definitions. In the event that the standards and definitions of the federal government as adopted in the said Order No. 125 Regulating the Handling of Milk in the Puget Sound, Washington Marketing Area as amended are subsequently changed by the federal government with a resulting change in the foregoing definitions, the changed standards or definitions are incorporated herewith and made a part of this regulation unless and until such time as the Washington State Dairy Products Commission changes the definition or definitions by formal amendment to this regulation. [Order 1-73, § 142-12-02001, filed 6/15/73.]

WAC 142-12-025 Rate of assessment. The assessment per hundred weight upon all milk produced in the state of Washington effective July 16, 1973 shall be six tenths of one percent (0.6%) of the class I price for 3.5% butterfat milk as established in the Puget Sound marketing area pursuant to a market order regulating the handling of milk in that area. [Order 1-73, § 142-12-025, filed 6/15/73.]

WAC 142-12-026 Assessment rate on Class I and Class II milk. The assessment as set forth in RCW 15.44.085 which is levied on every hundredweight of Class I or Class II milk sold by a dealer, including any milk sold by a producer who acts as a dealer, is hereby increased from five-eighths of one cent per hundredweight to three-fourths of one cent per hundredweight. [Statutory Authority: RCW 15.44.085. 78-11-025 (Order 78-1), § 142-12-026, filed 10/16/78, effective 1/1/79.]

WAC 142-12-030 Monthly assessment report described. The printed form on which returns are to be made under oath to the commission, as required by RCW 15.44.110, shall be known as "Monthly Assessment Report", shall be prepared, signed, and submitted to the commission by each dealer, shipper, handler, producer handler, processor, manufacturer, and distributor not later than the 20th day of the succeeding month for the previous month's volume of milk handled, and shall contain the following information:

- (1) Name and address of dealer, shipper, handler, producer handler, processor, manufacturer or distributor.
- (2) Assessment rate applicable to fluid milk as provided in WAC 16-145-025. Total amount of producer milk purchased, handled or distributed.
- (3) Period for which report is submitted.
- (4) Total amount of assessment collected and forwarded to the commission.
- (5) Certification by dealer, handler, producer handler, distributor or other person preparing the form.

[Order 1-73, § 142-12-030, filed 6/15/73.]

WAC 142-12-035 Source of monthly assessment report. Supplies of the monthly assessment report form shall be furnished without charge by the commission. [Order 1-73, § 142-12-035, filed 6/15/73.]

Chapter 142-20 WAC COMMISSION DISTRICTS AND BOUNDARIES

WAC

142-20-01001	Declaration of purpose.
142-20-020	District I.
142-20-030	District II.
142-20-040	District III.
142-20-050	District IV.
142-20-060	District V.
142-20-070	District VI.
142-20-080	District VII.

WAC 142-20-01001 Declaration of purpose. To effectuate the purposes of RCW 15.44.027 as amended by chapter 44, Laws of 1975, 44th Legislature, Regular Session, the Washington State Dairy Products Commission hereby establishes commission districts and boundaries as follows: [Order 1-76, § 142-20-01001, filed 4/19/76.]

Reviser's note: In WAC 142-20-01001, RCW 15.44.027 is a new section enacted as section 7, chapter 136, Laws of 1975 1st ex. sess. and has not been amended.

WAC 142-20-020 District I. District I shall include the counties of Adams, Asotin, Columbia, Ferry, Garfield, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, and Whitman. [Order 1-76, § 142-20-020, filed 4/19/76.]

WAC 142-20-030 District II. District II shall include the counties of Benton, Chelan, Douglas, Franklin, Grant, Kittitas, Klickitat, Walla Walla, and Yakima. [Order 1-76, § 142-20-030, filed 4/19/76.]

WAC 142-20-040 District III. District III shall include the northern portion of Whatcom County lying north of the western terminus of the Birch Bay-Lynden Road continuing east on that road to its intersection with Kok Road to Front Street in the City of Lynden, then east northeast to the Hannegan Road, thence southeast on Hannegan Road to Polinder Road, continuing east on Polinder Road, due east across the Nooksack River to Timon Road, then due east to Tom Road and continuing east on the north city limit of the Town of Nooksack to Sorenson Road, and then due east along the section lines to the eastern border of Whatcom County. [Order 1-76, § 142-20-040, filed 4/19/76.]

WAC 142-20-050 District IV. District IV shall include that portion of Whatcom County lying south of the southern boundary of District III, and that portion of Skagit County north of a boundary established by the western terminus of State Highway 536 (Memorial Highway) continuing east on that road to its intersection with Freeway Drive in the City of Mount Vernon; then north approximately one mile on Freeway Drive to the intersection of State Highway 538 (College Way) then east to that point where College Way intersects State Highway 9, then north along State Highway 9 to the intersection of State Highway 20, and then in an easterly and northeasterly direction along Highway 20 to the Whatcom County border. [Order 1-76, § 142-20-050, filed 4/19/76.]

WAC 142-20-060 District V. District V shall include the counties of Clallam, Jefferson, King, Kitsap, Mason, Pierce, and Thurston. [Order 1-76, § 142-20-060, filed 4/19/76.]

WAC 142-20-070 District VI. District VI shall include the counties of Island, San Juan, Snohomish, and those portions of Skagit County south of the southern boundary of District IV. [Order 1-76, § 142-20-070, filed 4/19/76.]

WAC 142-20-080 District VII. District VII shall include the counties of Clark, Cowlitz, Grays Harbor, Lewis, Pacific, Skamania, and Wahkiakum. [Order 1-76, § 142-20-080, filed 4/19/76.]

**Chapter 142-30 WAC
ASSESSMENT ON MILK**

WAC

142-30-010 Declaration of purpose—Effective date—Subject to referendum.

WAC 142-30-010 Declaration of purpose—Effective date—Subject to referendum. (1) To effectuate the purposes of RCW 15.44.080 as amended by chapter 44, Laws of 1975, there is hereby levied upon all milk produced in this state an assessment of 0.8 percent of the Class I price for 3.5% butterfat milk as established in any market area by a market order in effect in that area or by the State Department of Agriculture in case there is no market order for that area effective January 1, 1977.

(2) The proposed assessment increase shall not become effective until approved by fifty-one percent of the producers voting in a referendum conducted by the Commission. [Order 2-76, § 142-30-10 (codified WAC 142-30-010), filed 11/15/76, effective 1/1/77.]

Reviser's note: In WAC 142-30-010, RCW 15.44.080 was not amended as indicated but was last amended by section 1, chapter 41, Laws of 1973 1st ex. sess.

Dairy products—Milk assessment regulations: See chapter 142-12 WAC.