Title 24 WAC
APPLE ADVERTISING COMMISSION

Chapters
24-04 Districts and voting.
24-12 Assessments.

Chapter 24-04 WAC
DISTRICTS AND VOTING

WAC
24-04-005 Addition to Okanogan County subdivision.
24-04-010 Subdivisions of District No. 1.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER
24-04-035 Voting for grower members of the commission in district No. 2. [Regulation 11, filed 6/24/63.] Repealed by 1/26/67 filing.

WAC 24-04-005 Addition to Okanogan County subdivision. The northerly portion of Douglas County lying north of the southern boundary line of Township 29 North is hereby added to the Okanogan County subdivision. At least one grower member of the commission shall at all times be a resident of the said Okanogan County subdivision as hereby enlarged.

[Regulation 9, filed 1/26/67; Regulation 9, filed 6/24/63.]

WAC 24-04-010 Subdivisions of District No. 1. Two subdivisions of District No. 1, to be known as the northern subdivision and the southern subdivision thereof, are hereby established, and the boundary line between them shall be as follows: Proceeding southeasterly along the summit of the Chelan Mountains (situated west and south of Lake Chelan) to the summit of Forest Mountain; thence south to the intersection of the north line of Section 26, Township 27 North, Range 21 E.W.M. extended westerly; thence east along the said extended line to the northeast corner of said Section 26; thence south along the east line of said Section 26 extended southerly and crossing the Columbia River west of the town of Maple Creek to an intersection with the boundary line between Townships 25 and 26 North; thence east along the said township boundary line to the easterly boundary of Douglas County.

There shall be two grower members of the commission who reside in and are elected by apple growers residing in the said northern subdivision of District No. 1, at least one of whom shall reside in the said Okanogan County subdivision as enlarged in the foregoing regulation. There shall be two grower members of the commission who reside in and are elected by apple growers residing in the said southern subdivision of District No. 1.

[Regulation 10, filed 1/26/67; Regulation 10, filed 6/24/63.]

(2001 Ed.)

WAC 24-12 WAC
ASSESSMENTS

WAC
24-12-001 Promulgation.
24-12-010 Amount of assessments.
24-12-011 Referendum mail ballot voting eligibility.
24-12-012 Collection of accounts.
24-12-060 Records.
24-12-070 Seal.
24-12-080 Effect of law.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER
24-12-020 Apple advertising stamps. [Order 3, § 24-12-020, filed 8/28/72; Regulation No. 3, filed 1/26/67; Regulation No. 3, effective 9/29/61.] Repealed by Order 6, filed 11/14/77.
24-12-030 Stamp books. [Order 3, § 24-12-030, filed 8/28/72; Regulation No. 4, filed 11/26/67; Regulation No. 4, effective 9/29/61.] Repealed by Order 6, filed 11/14/77.
24-12-040 Bills of lading and releases. [Regulation No. 5, filed 1/26/67; Regulation No. 5, effective 9/29/61.] Repealed by Order 6, filed 11/14/77.
24-12-050 Reports. [Regulation No. 6, filed 1/26/67; Regulation No. 6, effective 9/29/61.] Repealed by Order 6, filed 11/14/77.
24-12-090 Collection of assessments. [Order 6, § 24-12-090, filed 11/14/77.] Repealed by 84-20-002 (Order 16), filed 9/20/84. Statutory Authority: RCW 15.24.070(1).

WAC 24-12-001 Promulgation. Under and by virtue of chapter 15.24 RCW as amended and chapter 11, Laws of 1961, the Washington state apple advertising commission does hereby adopt and prescribe the following amended and restated rules and regulations.

[Promulgation, filed 1/26/67; Promulgation, effective 9/29/61.]

WAC 24-12-010 Amount of assessments. (1) There is hereby levied upon all fresh apples grown annually in this state, and upon all apples packed as Washington apples, an assessment of 86.96 cents on each one hundred pounds gross billing weight until September 30, 2001. On and after October 1, 2001 the assessment on fresh apples shall be 54.3 cents on each one hundred pounds gross billing weight. For the period October 1, 1998 through September 30, 2001, 32.66 cents of the assessment on each one hundred pounds gross billing weight shall be used only for direct consumer advertising.

(2) Assessments shall be payable 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:

<table>
<thead>
<tr>
<th>DESCRIPTION OF CONTAINER</th>
<th>GROSS BILLING WEIGHTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/3 Bushel box (packed or loose)</td>
<td>15 lbs.</td>
</tr>
<tr>
<td>1/2 Bushel box (loose)</td>
<td>23 lbs.</td>
</tr>
</tbody>
</table>

[Title 24 WAC—p. 1]
Title 24 WAC: Apple Advertising Commission

WAC 24-12-011 Referendum mail ballot voting eligibility. (1) In the conduct of a referendum mail ballot pursuant to the provisions of RCW 15.24.090 the commission shall require that each returned ballot be accompanied by a completed apple grower eligibility certificate in substantially the following form:

WASHINGTON STATE APPLE ADVERTISING COMMISSION
APPLE GROWER ELIGIBILITY CERTIFICATE

(Note: All appropriate spaces on this certificate must be completed to properly qualify your vote.)

I HEREBY CERTIFY THAT:

1. My name and address are as follows (please print):
   Name: ..............................................
   Mailing Address: ..................................
   Residence Address: ..............................
   City: ............................................. State: ........

2. I am qualified to vote for one of the following reasons (please check the appropriate space):
   a. I am an individual owner-operator of an individual lessee-operator of commercially producing apple orchard/orchards.
   b. I am a member of a partnership, joint venture, or corporation owning/leasing and operating commercially producing apple orchard/orchards.

3. The orchard/orchards for which I am casting a vote represents ......... acres of commercially producing apple trees situated in the county/county of .......... within the state of Washington. (Please combine the total commercially producing acreage for which you are voting in the space above.)

[Title 24 WAC—p. 2] (2001 Ed.)
shall continue more than sixty days from the billing date, inspection service will be withdrawn.

Once 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.

(3) Delinquent assessments not paid within thirty-five 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 prevailing party shall, in addition to any other relief granted, be allowed an attorneys fee in such amount as the court in its discretion deems reasonable, together with costs of suit.

[Statutory Authority: RCW 15.24.070(1). 86-01-082 (Order 17), § 24-12-012, filed 12/18/85; 84-20-002 (Order 16), § 24-12-012, filed 9/20/84.]

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.

[Order 3, § 24-12-060, filed 8/28/72; Regulation No. 7, filed 1/26/67; Regulation No. 7, effective 9/29/61.]

WAC 24-12-070 Seal. The seal of the commission shall be circular in form and contain the following inscription: "WASHINGTON STATE APPLE ADVERTISING COMMISSION SEAL."

[Regulation No. 8, filed 1/26/67; Regulation No. 8, effective 9/29/61.]

WAC 24-12-080 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. These regulations hereby repeal and supersede all previous regulations. Definitions of terms in said act are applicable to these regulations.

[Regulation No. 1, filed 1/26/67; Regulation No. 1, effective 9/29/61.]

Reviser's note: "Said act," see WAC 24-12-001.