

WAC 16-560-06001 Assessment rates. (1) There is hereby levied on all commercial tree fruit produced in this state or held out as being produced in this state for fresh or processing use, an assessment of one dollar per ton on all such tree fruit: Provided, That such assessment for cherries shall be four dollars per ton.

(2) There is hereby established pursuant to RCW 15.26.155 an additional assessment for an industry services fund for programs related to sanitation, planting, production, harvesting, handling, processing and shipping. The assessment shall be set annually by the commission, upon approval of two-thirds of the voting members of the commission, to create and maintain this fund at or near one hundred thousand dollars. If this fund should inadvertently exceed one hundred thousand dollars due to larger crops than estimated or the addition of interest earned, the excess shall be credited to the following year's fund.

In consideration of maintaining this industry services fund, the commission shall annually consult with the affected industry and grower organizations.

(3) There is hereby established on all commercial tree fruit produced in this state or held out as being produced in the state for fresh or processing use, an additional assessment pursuant to RCW 15.26.150 of four dollars per ton on cherries and one dollar per ton on all other such tree fruit as approved by referendum vote of affected producers, the results of which shall be retained on file in the board's administrative office. This additional assessment shall be expended on a specific crop in proportion to the assessment collected for the specific crop. The additional assessment shall be imposed beginning in the 2012 crop year and be in effect until the total collection for all crops reaches thirty-two million dollars but in no case will be in effect for more than eight crop years. If thirty-two million dollars in additional assessment is collected in less than eight crop years, this additional assessment will expire at the end of the crop year and no further additional assessment will be collected in the subsequent crop years.

(4) The referendum for additional assessment under subsection (3) of this section having failed with regard to cherries and stone fruit, there is hereby established on all commercial stone fruit and cherries produced in this state or held out as being produced in the state for fresh or processing use, an additional assessment pursuant to RCW 15.26.150 to add to the fund established under subsection (3) of this section. This additional assessment shall be expended on a specific crop in proportion to the assessment collected for the specific crop. The additional assessment for stone fruit and cherries shall be one dollar per ton on stone fruit and four dollars per ton on cherries as approved by referendum vote of affected producers. If approved, the cherry and stone fruit assessment shall begin in the 2013 crop year. The cherry assessment shall continue in effect until the 2021 crop year or until the total collection for cherries reaches five million dollars or until the total collection for all crops reaches its maximum amount as defined under subsection (3) of this section, whichever comes first. The stone fruit assessment shall continue in effect until the 2021 crop year or until the total collection for stone fruit reaches two hundred seventy-five thousand dollars or until the total collection for all crops reaches its maximum amount under subsection (3) of this section, whichever comes first. The board shall retain the results of the referendum on file in the board's administrative office.

[Statutory Authority: Chapters 15.26 and 34.05 RCW. WSR 13-05-059, § 16-560-06001, filed 2/15/13, effective 3/18/13; WSR 11-21-011, § 16-560-06001, filed 10/7/11, effective 11/7/11. Statutory Authority: RCW 15.26.110(2). WSR 96-07-054, § 16-560-06001, filed 3/19/96, effective 4/19/96. Statutory Authority: RCW 15.26.140 and 15.26.150. WSR 92-01-009, § 16-560-06001, filed 12/5/91, effective 1/5/92. Statutory Authority: RCW 15.26.155. WSR 86-14-066 (Order 8, Resolution No. 8), § 16-560-06001, filed 6/30/86, effective 8/1/86; WSR 85-10-005 (Order 7, Resolution No. 7), § 16-560-06001, filed 4/19/85. Statutory Authority: RCW 15.26.140. WSR 80-05-091 (Order 6, Resolution No. 6), § 16-560-06001, filed 5/1/80; Order 5, § 16-560-060 (codified as WAC 16-560-06001), filed 3/8/74.]