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**IDAPA 02
TITLE 07
CHAPTER 01**

02.07.01 - RULES OF THE IDAHO HOP GROWERS' COMMISSION

000. LEGAL AUTHORITY.

This chapter is adopted under the legal authority of Title 22, Chapter 31, Idaho Code. (6-24-94)

001. TITLE AND SCOPE.

01. Title. The title of this chapter is IDAPA 02.07.01, "Rules of the Idaho Hop Growers' Commission." The official citation of this chapter is IDAPA 02.07.01.000, et seq. For example, this section's citation is IDAPA 02.07.01.001. (6-24-94)

02. Scope. This chapter has the following scope: These rules shall govern: (6-24-94)

a. Markings required on hop bales. (6-24-94)

b. Substituting hops grown out of state as Idaho hops. (6-24-94)

c. Time of payment of hop assessments. (6-24-94)

d. Computation and establishing annual assessment rate per two hundred (200) lb. bale. (6-24-94)

e. Collection and remittance of hop assessment to the Idaho Hop Growers' Commission. (6-24-94)

f. Dealer assessment returns. (6-24-94)

g. Grower assessment returns. (6-24-94)

002. WRITTEN INTERPRETATIONS.

There are no written interpretations of these rules. (6-24-94)

003. ADMINISTRATIVE APPEALS.

There is no provision for administrative appeals before the Department of Agriculture under this chapter. (7-24-94)

004. DEFINITIONS.

The Idaho Hop Growers' Commission adopts the definitions set forth in Section 22-3103, Idaho Code. (6-24-94)

005. -- 099. (RESERVED).

100. MARKINGS REQUIRED.

Each bale of hops grown within the state of Idaho shall be labeled on the head of the bale by an authorized representative of the Idaho Department of Agriculture at the time of Federal/State inspection. The grower of the hops shall have stenciled on each bale, their grower number and lot number or letter, prior to the Idaho Department of Agriculture representative stenciling the Federal/State inspection seal. (6-24-94)

101. REMOVAL OR DEFACING OF STENCILS.

It shall be unlawful for any grower, shipper, dealer or any person other than the final consumer to remove, stencil over, substitute, mutilate, or in any other way deface the distinctive stencils the Idaho Hop Growers' Commission has ordered affixed. However, in cases wherein definite proof of necessity is presented by a shipper and/or dealer to the Idaho Hop Growers' Commission, the Commission may, in its discretion, permit the shipment of hops without the distinctive stencils affixed thereto. ("Proof of necessity" shall be a certificate under oath that the shipment of hops in question is intended for export from the continental limits of the United States and that such shipment cannot be made without removal of all identifying marks. In addition to the above oath, the dealer and/or shipper shall furnish all such other information as may have a bearing on the Commission's decision to allow or disallow removal of the stencil.) (6-24-94)

102. MISREPRESENTATION.

It shall be unlawful to substitute or in any manner represent any other hops as Idaho hops in any channel of trade and at any and all times. (6-24-94)

103. TIME OF PAYMENT OF HOP ASSESSMENT LEVY.

The hop assessment levy as imposed by Chapter 31, Title 22, Idaho Code, shall be paid not later than the last day of the month next succeeding the month in which such hops were first handled in the primary channels of trade. (6-24-94)

104. COMPUTATION OF ASSESSMENT.

The initial hop assessment levy shall be computed and paid on the basis of twenty cents (\$0.20) per net two hundred (200) pound bale of hops handled in the primary channels of trade. In addition to such initial assessment there may be levied an assessment not exceeding four dollars eighty cents (\$4.80) per net two hundred (200) pound bale on each bale of hops handled in the primary channels of trade. The amount of such additional assessment shall be determined annually by the Commission. Licensed hop dealers of the state of Idaho will be notified of the determined assessment amount by registered mail prior to the harvest period. (6-24-94)

105. COLLECTION OF HOP ASSESSMENT LEVY.

All assessments levied and imposed under and pursuant to the provisions of Chapter 31, Title 22, Idaho Code, shall be deducted from the grower's account by the person or dealer by whom the hops are first handled in the primary channels of trade. All such assessments withheld from the growers shall be made payable to the Idaho Hop Growers' Commission, P.O. Box 67, Wilder, Idaho, 83676 together with a properly prepared assessment return as prescribed by Section 106. (6-24-94)

106. ASSESSMENT RETURN.

01. Dealer Assessment Return. Every dealer or other person buying hops in primary channels of trade shall file an assessment return on forms available from the Commission each time assessments become due under and pursuant to the provisions of Chapter 31, Title 22, Idaho Code. Assessment returns and assessment payments will be mailed together to the Idaho Hop Growers' Commission, P.O. Box 67, Wilder, Idaho 83676. (6-24-94)

02. Grower Assessment Return. Every grower of hops in the state of Idaho shall, upon the delivery of hops to a dealer or brewer, file with the Commission on forms available from the Commission an assessment return not later than the last day of the month next succeeding the month in which such hops were first handled in the primary channels of trade. Assessment returns shall state the number of bales of hops handled during the period prescribed and shall be mailed by the grower to the Idaho Hop Growers' Commission, P.O. Box 67, Wilder, Idaho 83676. (6-24-94)

107. -- 999. (RESERVED).

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