IDAPA 02.07 – IDAHO HOP GROWERS COMMISSION

02.07.01 – Rules of the Idaho Hop Growers' Commission

Who does this rule apply to?
Persons involved in growing and harvesting of Idaho hops.

What is the purpose of this rule?
To administer the statutory duties of the Idaho Hop Growers Commission.

What is the legal authority for the agency to promulgate this rule?
This rule implements the following statute passed by the Idaho Legislature:

- 22-3104, Idaho Code – Idaho Hop Growers Commission

Who do I contact for more information on this rule?

Idaho Hop Growers Commission
P. O. Box 909
Parma, ID 83660
Phone: (208) 722-5111
Email: info@idahohops.org
Webpage: https://www.idahohops.org/

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000. LEGAL AUTHORITY.
This chapter is adopted under the legal authority of Section 22-3105(12), Idaho Code. (3-20-20)T

001. TITLE AND SCOPE.

01. Title. The title of this chapter is IDAPA 02.07.01, "Rules of the Idaho Hop Growers' Commission." (3-20-20)T

02. Scope. These rules govern markings required on hop bales, substituting hops grown out of state as Idaho hops, payment of hop assessments, computation and establishing assessment rate, collection and remittance of assessment to the Idaho Hop Growers' Commission, and dealer assessment returns, and grower assessment returns. (3-20-20)T

002. -- 009. (RESERVED)

010. DEFINITIONS.
The Idaho Hop Growers' Commission adopts the definitions set forth in Section 22-3103, Idaho Code. (3-20-20)T

011. -- 099. (RESERVED)

100. MARKINGS REQUIRED.
Each bale of hops grown within the state of Idaho are to 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 are to 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. (3-20-20)T

101. REMOVAL OR DEFACING OF STENCILS.
It is 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" will 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 is to furnish all such other information as may have a bearing on the Commission's decision to allow or disallow removal of the stencil.) (3-20-20)T

102. MISREPRESENTATION.
It is 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. (3-20-20)T

103. TIME OF PAYMENT OF HOP ASSESSMENT LEVY.
The hop assessment levy as imposed by Chapter 31, Title 22, Idaho Code, is to 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. (3-20-20)T

104. COMPUTATION OF ASSESSMENT.
The initial hop assessment levy is 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 and 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 is 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. (3-20-20)T

105. COLLECTION OF HOP ASSESSMENT LEVY.
All assessments levied and imposed under and pursuant to the provisions of Chapter 31, Title 22, Idaho Code, are 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 will be made payable to the Idaho Hop Growers' Commission, P.O. Box 909, Parma, Idaho 83660 together with a properly prepared assessment return as prescribed by Section 106. (3-20-20)T

106. ASSESSMENT RETURN.

01. Dealer Assessment Return. Every dealer or other person buying hops in primary channels of trade is to 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 909, Parma, Idaho 83660. (3-20-20)T

02. Grower Assessment Return. Every grower of hops in the state of Idaho, upon the delivery of hops to a dealer or brewer, is to file a Commission assessment return form 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 are to state the number of bales of hops handled during the period prescribed and mailed by the grower to the Idaho Hop Growers' Commission, P.O. Box 909, Parma, Idaho 83660. (3-20-20)T

107. -- 999. (RESERVED)

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