

DEPARTMENT OF AGRICULTURE
MARKETING AND COMMUNICATION DIVISION
REGULATION NO. 311. CHERRY ASSESSMENTS

(By authority conferred on the cherry commission by section 8 of Act No. 228 of the Public Acts of 1947, being S290.508 of the Michigan Compiled Laws)

R 285.311.1 Processors' reports.

Rule 1. A processor of cherries shall file with the secretary of the Michigan cherry commission, not later than October 15 of each year, a complete list of all growers from whom he received cherries, their addresses, and their individual tonnages delivered. The list shall include growers for whom cherries were custom processed or processed under contract.

History: 1979 AC.

R 285.311.2 Assessments.

Rule 2. (1) A processor shall forward to the secretary of the Michigan cherry commission the assessment levied under the act on all cherries which he receives and processes and not only on those which he purchases. The assessment shall be forwarded on all cherries which are processed after purchase, custom processed, processed under contract, or processed under any other arrangement.

(2) Assessments deducted and collected under the act are payable to the secretary of the commission not later than October 15 of the year in which the assessment is levied.

History: 1979 AC.

R 285.311.3 Volume and weight conversion factors.

Rule 3. (1) When tart cherries are received for processing by volume measurement rather than by weight, the commission shall accept a conversion factor of 47.45 pounds per cubic foot of cherries suspended in water.

(2) When tart cherries are processed in a frozen form without being weighed or measured, the commission shall accept a conversion factor of 30 pounds of raw product to each 30 pounds of processed product.

History: 1979 AC.

R 285.311.4 Exemption certificates.

Rule 4. A grower filing for an exemption from the cherry assessment in any calendar year shall comply with the following:

- (a) A request shall be individually signed by the grower or his agent.
- (b) A request shall be forwarded by certified mail.
- (c) A request shall not be received by the secretary of the commission before January 1 of the year in which the exemption is to apply nor later than May 1 of that year.
- (d) An exemption certificate shall be presented to processors not later than September 1 of the year of application in order to be valid.

History: 1979 AC.