

CHAPTER 30

VEGETABLES, FRUIT

30.464 Areas; designation, law governing.
30.469 Assessment levied.

30.47 Financing referendums.
30.49 Paddy grown wild rice.

30.464 AREAS; DESIGNATION, LAW GOVERNING.

Subdivision 1. For the purpose of administration of sections 30.461 to 30.479 the state is divided into four areas. Area number one includes the counties of Kittson, Marshall, Polk, Pennington, Red Lake, Norman, Mahnomon, Clay, Becker, Wilkin, Otter Tail, Roseau, Lake of the Woods, Beltrami, Clearwater, Hubbard, and Wadena. Area number two includes the counties of Itasca, Koochiching, St. Louis, Carlton, Lake and Cook. Area number three includes the counties of Traverse, Grant, Douglas, Big Stone, Stevens, Pope, Swift, Kandiyohi, Lac qui Parle, Chippewa, Yellow Medicine, Renville, McLeod, Carver, Scott, Dakota, Lincoln, Lyon, Redwood, Sibley, Le Sueur, Rice, Goodhue, Nicollet, Wabasha, Pipestone, Murray, Brown, Waseca, Steele, Dodge, Olmsted, Winona, Cottonwood, Watonwan, Blue Earth, Rock, Nobles, Jackson, Martin, Faribault, Freeborn, Mower, Fillmore and Houston. Area number four includes the counties of Cass, Aitkin, Crow Wing, Pine, Todd, Morrison, Mille Lacs, Kanabec, Stearns, Benton, Isanti, Chisago, Sherburne, Anoka, Meeker, Wright, Washington, Hennepin and Ramsey.

[For text of subds 2 and 3, see M.S.1980]

History: 1981 c 11 s 1

30.469 ASSESSMENT LEVIED.

Commencing July 1, 1977, an assessment at the rate of two cents per hundredweight shall be levied and imposed upon all potatoes grown or sold or delivered to a first handler in this state. The assessment shall not be imposed upon potatoes retained by growers to be used for seed purposes or for their own consumption.

(a) The assessment imposed by sections 30.461 to 30.479 shall be due upon any identifiable lot or quantity of potatoes.

(b) A first handler of potatoes shall file an application with the council on forms prescribed and furnished by the council which shall contain the name under which the handler is transacting business within the state, the place or places of business and location of loading and shipping places of agents of the first handler, the names and addresses of the several persons constituting a firm or partnership, and, if a corporation, the corporate name and the names and addresses of its principal officers and agents within the state. The council shall issue a certificate to the first handler and a first handler shall not sell or ship any potatoes until the certificate is furnished as required by this section.

(c) Each first handler of potatoes shall collect the assessment imposed by sections 30.461 to 30.479 by charging and collecting from the seller the assessment at the rate of two cents per hundredweight by deducting the assessment from the purchase price of all potatoes subject to the assessment and purchased by the first handler.

(d) Every first handler shall keep permanent records of all purchases, sales, and shipments of raw potatoes, which records shall be open for examination by

the commissioner at all reasonable times. Every first handler shall render a report to the council stating the quantity of potatoes received, sold, or shipped during the preceding calendar quarter, on forms to be furnished by the council. The report shall be due not later than 15 days after the end of the calendar quarter. The report shall contain further information as the council shall prescribe. With the filing of the report, each first handler shall pay to the council an assessment at the rate of two cents per hundredweight upon all potatoes reported as purchased, sold, or shipped, as determined by the council.

All moneys levied and collected under sections 30.461 to 30.479 shall be paid to the area council having jurisdiction for deposit to the credit of that area, in a fund designated "Potato Fund", in a federally insured depository institution and shall be disbursed by the officers and employees approved by the commissioner of agriculture with the advice and consent of the area potato council. These funds are to be used exclusively to carry out the intent and the purposes of sections 30.461 to 30.479 as it relates to that area.

History: 1981 c 41 s 6

30.47 FINANCING REFERENDUMS.

Any petitioners for a referendum to organize under sections 30.461 to 30.479 filing such petition after June 30, 1969, shall deposit with the commissioner of agriculture sufficient funds to pay the costs of the referendum. Funds received for that purpose shall be deposited in the commodity research and promotion account. If an area council is created pursuant to such a referendum it may reimburse petitioners for the amount of such deposit from any funds received by the council.

History: 1981 c 41 s 7

30.49 PADDY GROWN WILD RICE.

All wild rice which is planted or cultivated and which is offered for wholesale or retail sale in this state shall be plainly and conspicuously labeled as "paddy grown" in letters of a size and form prescribed by the commissioner. Any person who sells wild rice at wholesale or retail which is not labeled as required by this section is guilty of a misdemeanor.

History: 1981 c 249 s 1