

EXHIBIT C — OFFC ADMINISTRATIVE RULES ON ASSESSMENTS

[Home](#) [Business](#) [Voting](#) [Elections](#) [State Archives](#) [Audits](#)

Department of Agriculture

Oregon Fine Fescue Commission - Chapter 604

Division 10

GENERAL

604-010-0005

Definitions

As used in OAR 604-010-0011 and 604-010-0015, unless otherwise required by context:

- (1) "Person" means any individual, corporation, association, partnership, and joint stock company.
- (2) "Commission" means the Fine Fescue Commission.
- (3) "Casual Sale" means any sale or sales of Chewings Fescue seed, Creeping Red Fescue seed or Highland Bentgrass seed, or blend consisting of 50 percent or more of Highland Bentgrass seed, made by the producer direct to the consumer where the total accumulated sales during a calendar year is not more than 100 pounds.
- (4) "First Purchaser" means any person who buys Chewings Fescue seed, Creeping Red Fescue seed or Highland Bentgrass seed, or blend consisting of 50 percent or more of Highland Bentgrass seed, from the producer in the first instance, or handler who received the seed in the first instance from the producer for resale or processing.
- (5) "Producer" means a person or other legal entity producing Chewings Fescue seed, Creeping Red Fescue seed or Highland Bentgrass seed, or blend consisting of 50 percent or more of Highland Bentgrass seed, for market, whether as landowner, landlord, tenant, sharecropper, or otherwise.
- (6) "Handler" means any producer, processor, or distributor, or other person engaged in the handling or marketing of or dealing in Chewings Fescue seed, Creeping Red Fescue seed or Highland Bentgrass seed, or blend consisting of 50 percent or more of Highland Bentgrass seed, whether as an owner, agent, employee, broker, or otherwise.
- (7) "Fescue" means Chewings Fescue seed or Creeping Red Fescue seed.
- (8) "Highland Bentgrass" means Highland Bentgrass seed (*Agrostis castellana*).

Statutory/Other Authority: ORS 576 & SB 946 (2011)

Statutes/Other Implemented: ORS 576 & SB 946 (2011)

History:

CRFC 2-2011, f. & cert. ef. 10-7-11

CRFC 1-2011(Temp), f. & cert. ef. 6-30-11 thru 11-22-11

CRFC 1-2001, f. & cert. ef. 6-12-01

CFC 3, f. 9-27-57

CFC 1, f. 5-1-56, ef. 4-26-56

604-010-0011

Assessments

- (1) Any person who is a first purchaser (or who otherwise is required to pay an assessment to the Oregon Fine Fescue Commission) for all purchases made on or after April 1, 2002, shall deduct and withhold an assessment of one percent (1%) of the price per pound of seed purchased from the price paid to the producer thereof for all Fescue seed grown in Oregon.
- (2) Any person who is a first purchaser (or who otherwise is required to pay an assessment to the Oregon Fine Fescue Commission) shall deduct and withhold an assessment of \$1.75 for each 100 pounds on a clean seed basis from the price

[OARD Home](#)

[Search Current Rules](#)

[Search Filings](#)

[Access the Oregon Bulletin](#)

[Access the Annual Compilation](#)

[FAQ](#)

[Rules Coordinator / Rules
Writer Login](#)

paid to the producer thereof, on and after July 1, 2010, for Highland Bentgrass seed or any commodity or mixture which contains more than 50 percent of Highland Bentgrass seed.

Statutory/Other Authority: ORS 576 & SB 946 (2011)

Statutes/Other Implemented: 576.325 - 576.375 & SB 946 (2011)

History:

CRFC 2-2011, f. & cert. ef. 10-7-11

CRFC 1-2011(Temp), f. & cert. ef. 6-30-11 thru 11-22-11

CRFC 1-2002, f. 3-25-02, cert. ef. 4-1-02

CFC 1-1995, f. & cert. ef. 11-29-95

Reverted to CFC 1-1989, f. 6-15-89, cert. ef. 7-1-89

CFC 1-1991(Temp), f. 7-30-91, cert. ef. 8-1-91

CFC 1-1989, f. 6-15-89, cert. ef. 7-1-89

CFC 1-1988, f. 7-1-88, cert. ef. 8-1-88

CFC 1-1979, f. 6-7-79, ef. 7-1-79

CFC 12, f. 7-6-70, ef. 7-1-70

CFC 11, f. 6-25-65, ef. 7-1-65

CFC 10, f. 6-18-64

CFC 8, f. 4-5-63, ef. 7-1-63

CFC 6, f. & ef. 11-7-62

604-010-0015

Reports and Payment by First Purchaser

(1) First purchasers and handlers, as defined in 604-010-0005(4) and (6), must submit completed and signed assessment reports on commission approved form.

(2) Assessment reports shall include all purchases by or deliveries to a first purchaser or handler of Fescue seed (net paid weight) and all purchases by or deliveries to a first purchaser or handler of Highland Bentgrass seed or any commodity or mixture which contains more than 50 percent of such Highland Bentgrass seed.

(3) Quarterly assessment reports are due in the commission office postmarked on or before the 30th day of the reporting month specified below. Quarterly assessments shall be reported as follows:

(a) January, February, March assessments are reported on or before April 30th;

(b) April, May, June assessments are reported on or before July 30th;

(c) July, August, September assessments are reported on or before October 30th;

(d) October, November, December assessments are reported on or before January 30th.

(4) Within 30 days after the end of each quarter, the first purchaser must forward to this Commission forms furnished by and approved by the Commission. The forms shall be signed by the first purchaser and completely filled out and shall include in addition to all other required information and figures:

(a) The date each transaction is made;

(b) The name of each grower;

(c) The crop year;

(d) The variety (Chewings Fescue seed, Creeping Red Fescue seed or Highland Bentgrass seed or any commodity or any blend consisting of 50 percent or more of Highland Bentgrass seed);

(e) The pounds of cleaned seed;

(f) The price per pound for Chewings Fescue seed and Creeping Red Fescue seed; and

(g) The tax assessment deducted and withheld.

Statutory/Other Authority: ORS 576 & SB 946 (2011)

Statutes/Other Implemented: ORS 576 & SB 946 (2011)

History:

CRFC 2-2011, f. & cert. ef. 10-7-11

CRFC 1-2011(Temp), f. & cert. ef. 6-30-11 thru 11-22-11