

CALIFORNIA BLUEBERRY COMMISSION
ASSESSMENT PAYMENT INSTRUCTIONS

Pursuant to the State of California Food and Agricultural Code Article 6, Assessments and Records, Section 79271. (a) The commission shall, not later than October 1 of each year, establish the rate of assessment to be split evenly between producers and handlers for the marketing season. The assessment shall not be more than two and one-half cents (\$0.025) per pound for blueberries handled. In order to facilitate the collection of the assessments, one-half shall be assessed to producers, and one-half shall be assessed to handlers.

1. The Producer of blueberries is obligated to pay the assessments directly to the Commission and to determine that the handler has deducted appropriate amounts from payments to him. The handler is personally liable for the payment of the collected assessments from producers, and failure to collect the assessment from any producer shall not exempt the handler from liability.
2. Every person who handles blueberries shall keep a complete and accurate record of all blueberries handled by him or her with the name of the producer whose blueberries were handled.
3. All proprietary information obtained by the commission or the secretary from any source, including the names and addresses of producers and handlers, shall be confidential and shall not be disclosed except when required by court order in a judicial proceeding.
4. Handlers shall submit a completed assessment report (on a form provided by the Commission) along with the assessment payment.
5. Any person who fails to pay any assessments within the time required by the commission shall pay to the commission a penalty of ten (10) percent of the amount of the assessment determined to be past due. In addition, to the 10% penalty, interest at the rate of 1.5% per month will accrue on the unpaid principal assessment balance.
6. A civil penalty not exceeding one thousand dollars (\$1,000) may be levied by the commission upon a person who (a) does not render or furnish false reports, (b) alter records required to be kept or in a way to affect the shipments to avoid paying assessments, (c) fail to furnish information concerning the person with whom he or she has received blueberries and the quantity (d) destroy or alter records.
7. A "Producer" and "grower" are synonymous terms and mean any person who produces or causes to be produced on land totaling more than five acres of blueberries for market and who shall, upon request of the commission, provide proof of commodity sale.
8. A "Handler" means any person who engages, in this state, in the operation of selling, marketing, or distributing blueberries that he or she has produced or purchased or acquired from a producer, or that he or she is marketing on behalf of a producer, whether as owner, agent, employee, broker, or otherwise.
9. Every handler shall be personally liable for the payment of the assessments collected from producers, and failure to collect the assessment from any producer shall not exempt the handler from liability.

**ASSESSMENT PAYMENT INSTRUCTIONS
CONTINUED**

10. Assessments do not apply to blueberries produced only for a producer's home use or to blueberries that are used only for ornamental purposes. Producers with five acres or less will be exempt from paying assessments.
11. Questions regarding these assessment payment procedures please contact:

**California Blueberry Commission
770 E. Shaw, Suite 310
Fresno, California 93710
(559) 221-1800 Telephone
(559) 221-1919 Fax**