

Ag 104

STATE OF WISCONSIN)
STATE DEPARTMENT OF AGRICULTURE) SS

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I, Elwyn Jones, Deputy Director of the State Department of Agriculture, and custodian of the official records of said department, do hereby certify that the annexed order amending and adopting rules relating to Milk Audits (Wis. Adm. Code ch. Ag 104) was duly adopted by this department on September 1, 1960.

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at the Capitol, in the city of Madison, this 1st day of September, A. D. 1960.


Deputy Director

Docket No. 601.

ORDER OF THE STATE DEPARTMENT OF AGRICULTURE
AMENDING AND ADOPTING RULES.

Pursuant to authority vested in the State Department of Agriculture by section 100.07, Wis. Stats., the State Department of Agriculture hereby amends and adopts rules as follows:

SECTION 1. Sections Ag 104.01 (2) and (3) of the Wisconsin administrative code are amended to read:

Ag 104.01 (2) "Price" includes the amount to be charged or paid, and the proceeds to be delivered, and shall be money or property presently paid, delivered, or vested indefeasibly in anyone entitled thereto, as the contract, arrangement or practice shall provide.

(3) "Pay" and its variants includes, without limitation, delivery of the price, as herein defined, to anyone entitled thereto.

SECTION 2. Section Ag 104.01 (5) of the Wisconsin administrative code is adopted to read:

Ag 104.01 (5) "Person" means a person receiving milk from

producers who is subject to audit under section 100.07, Wis. Stats.

SECTION 3. Sections Ag 104.02, Ag 104.03 and Ag 104.04 of the Wisconsin administrative code are amended to read:

Ag 104.02 Records. (1) Each person shall keep true and accurate records and accounts of the receipts of milk from producers that will clearly reflect and show the producers from whom such milk was received, the amounts thereof, the butterfat content, the time of delivery, the amounts paid to each producer, and the amounts used for the various purposes, according to price classification, to wit: manufactured products and by-products, government bids, contracts, relief, fluid cream, fluid milk, or any other disposition. Such records shall be kept in permanent books which shall be available for inspection and audit by authorized representatives of the department.

(2) Each person shall keep on file a written statement, or copy, of all contracts, arrangements or practices relating to prices to be paid producers showing the price paid per 100 pounds of milk, the butterfat test used as the basis of payment, and the price per one-tenth of one per cent variation above or below basis test; or its equivalent on a butterfat basis.

Ag 104.03 Reports. Each person shall furnish to the department a true and accurate statement, on or before the twentieth of the month following the month in which such milk was received, in such manner and on such forms as shall be furnished by the department.

Ag 104.04 Deductions. Each person shall deduct from the

price to producers four-tenths cent per 100 pounds of milk. The milk pound equivalent of cream shall be computed on the milk from which obtained, or in lieu thereof on the usual 3.5% butter-fat conversion table. Amounts so deducted are trust funds and shall be paid to the department at the same time payments are made to producers. Upon written notice from the department, such deductions and payments thereof shall be suspended for the period stated in the notice.

The rules contained herein shall take effect on October 1, 1960.

Dated: September 1, 1960.

STATE DEPARTMENT OF AGRICULTURE

By /s/ Elwyn Jones
Deputy Director