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(4) In the event a producer is his own sales agent and does not deliver his cranberries to one of the sales agencies or processors, he will be required to file and pay his assessment fees in accordance with the requirements as indicated for the sales agencies or processors.

(5) In the event of failure of any person to pay any assessments payable hereunder, the secretary may bring an action against such person in a court of competent jurisdiction for collection thereof.

(6) In the event of the failure of any sales agency, or processor to collect the assessments levied hereunder, such processor shall be personally liable for such assessments.

(7) Upon termination of this order, any assessment monies collected and not expended shall be returned to the affected producers entitled thereto.

History: Cr. Register, August, 1965, No. 116, eff. 9-1-65; am. (1) Register, September, 1974, No. 225, eff. 10-1-74; am. (3) and (5), Register, October, 1974, No. 226, eff. 11-1-74.

Ag 97.05 Reports. To determine compliance with the provisions of section Ag 97.04, the secretary may require:

(1) Each sales agency, processor or independent marketer to report to the secretary the name and address of each producer, quality and quantity of cranberries delivered and sold and/or processed.

(2) Each sales agency, processor or independent marketer to submit such additional reports and information from time to time as may be necessary.

(3) Each producer to file such reports as he may deem necessary to effectuate the administration of the order.

History: Cr. Register, August, 1965, No. 116, eff. 9-1-65; am. (intro. par.) and (1), Register, October, 1974, No. 226, eff. 11-1-74.

Ag 97.06 Applied research studies. (1) Monies collected from the per barrel assessment charges as prescribed under section Ag 97.04 (1) shall be budgeted and an amount designated for applied research studies. Under this provision the secretary may carry on or cause to be carried on research, surveys, and economic studies as may be applied to production, processing and/or distribution of cranberries. Such research and survey studies may include, but shall not be limited to, developing new and improved varieties, production practices, including use of chemicals for insect, weed, and disease control developing objective quality and maturity factors for cranberries, improving methods and techniques of harvesting cranberries and initiate studies and surveys especially as they might apply to packaging, handling, and marketing techniques to promote more efficient operations. The secretary in addition to activities enumerated above may carry on any other necessary and proper research and survey activities consistent with and subject to the restrictions and limitations of the Wisconsin Agricultural Marketing Act.

(2) In carrying out such plans and activities as described in this section, the secretary may contract with any person, agency or institution qualified to best perform this service.

History: Cr. Register, August, 1965, No. 116, eff. 9-1-65; am. Register, October, 1974, No. 226, eff. 11-1-74.

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Ag 97.07 Educational program. Monies collected from the per barrel assessment charges as prescribed under section Ag 97.04 (1) shall be budgeted and an amount designated for conducting an educational program on climatic conditions as they affect cranberry production. Under this provision the secretary shall arrange with the U.S. department of commerce, national oceanic and atmospheric administration, national weather service, the procedures for conducting this service. This program would involve a special service of forecasting temperature, weather, and other pertinent climatic conditions during the cranberry growing season, and disseminating this information to the cranberry growers via appropriate communications media.

History: Cr. Register, August, 1966, No. 116, eff. 9-1-66; am. Register, September, 1974, No. 226, eff. 10-1-74.

Note: Section 96.08, Stats., provides that every marketing order shall terminate 3 years from the date of its issuance or last assent, but that a referendum shall be conducted within 6 months of the expiration of such 3-year period to determine whether the marketing order shall remain in effect. Since its original adoption in 1966, Wis. Adm. Code chapter Ag 97, the marketing order for cranberries, has been extended for successive 3-year periods by referenda conducted in accordance with requirements of s. 96.08, Stats. Its continuation for an additional 3-year period was assented to by producers of cranberries in a referendum conducted in August, 1980, and will, therefore, remain in effect for a further period of 3 years expiring August 31, 1983.