

# FAQ – FREQUENTLY ASKED QUESTIONS

## GEORGIA AGRICULTURAL COMMODITY COMMISSION FOR VEGETABLES

### **Q. What will a Commission do for vegetable producers?**

The Commission and its marketing order, if approved, will allow Georgia vegetable producers to assess themselves to provide funds for programs of research, promotion and education on behalf of Georgia produced vegetables. The vegetables affected will be beans, bell pepper, cabbage, cantaloupe, greens including collards, turnip greens, mustard and kale, squash including, yellow, zucchini and winter squash, sweet corn and tomato.

### **Q. In what way may the monies collected be spent in the areas of research, promotion and education?**

Research - Georgia specific research projects on production practices and marketing techniques as determined by the Commission. This research can be conducted by public or private research organizations within the limitations of the "Georgia Agricultural Commodities Promotion Act." The Commission has determined research will be the primary focus of the commission and has approved an operating statement that requires no less than 75% of the funds collected to be used for research.

Education - Education focused on keeping producers, regulators and allied companies informed on the latest production, harvesting, handling and marketing techniques. In addition funds can be expended to keep producers informed on the activities of the Commission and other pertinent information needed by producers and available to the Commission.

Promotion – Programs and projects which increase product sales and utilization at a profitable price to the producers may be carried out at the discretion of the Commission by contract or otherwise.

### **Q. How will the Commission be funded?**

Monies for the programs will come from a one cent (1¢) per marketing unit check off. The following marketing units will be used for the affected vegetables:

- Bell pepper, cucumber, beans, squash, will be assessed on a unit of 1 bushel.
- Sweet corn will be assessed on a unit of one box (45-52 ears of corn)
- Tomato will be assessed on a unit per 25 pounds.
- Greens will be assessed on a unit of one box of container of greens (22-30lbs) or if packed bulk, greens will be assessed on a unit per one dozen bunches.
- Cabbage will be assessed on a unit of one box (approximately 50 lbs.)
- Cantaloupes will be assessed on a unit equal to a 24 count box or if packed by bin, one bin is considered to be 5 marketing units.

### **Q. Who will pay the check off?**

All affected vegetable growers with 50 acres or more of total production annually for the fresh market and that are sold commercially. Vegetables grown for processing are not covered by this marketing order.

### **Q. Will anyone be exempt from the check off?**

Those farmers producing the affected vegetables that do not have 50 acres annually and those farmers growing the affected vegetables for processing.

**Q. How and when will the check off be collected?**

When vegetables are sold for the first time, first handlers are charged with the responsibility of deducting the check off and remitting it to the Commission on behalf of the producer. Producers may submit the check out themselves for product sold through other market channels.

**Q. Who controls the money after it is collected?**

The Commission shall develop and approve an annual budget. No funds may be spent without written approval from the Commission. The Commissioner of Agriculture is the trust officer and is responsible for the collection of funds. The Commission has adopted an Operating Policy to establish preliminary procedures and operate the commission as efficiently as possible. This policy states that it is the intention of the Commission not to create an administrative organization, including employees and staff to operate the commission. Based on current industry needs, as determined by the board, at least 75% of funds collected will be used to fund research.

**Q. What is the makeup of the Commission and how are they appointed?**

The Commission has seven voting members, by law the Commissioner of Agriculture and the President of the Georgia Farm Bureau have voting rights as well as five producer members. The producer members were nominated by the Georgia Fruit and Vegetable Growers Association and appointed by the Ex-Officio members of the Commissions. The Ex-Officio members are the Commissioner of Agriculture, Georgia Farm Bureau President and two farmers who produce a commodity that has an established Commission. The two farmer ex-officio members are appointed by the State House and Senate Agriculture Committees.

**Q. Can the money collected be used for any other commodities?**

Each Commission's funds must be kept separate and may be spent only for the purposes set forth in the marketing order and then only after written approval from the Commission.

**Q. Can the amount to be deducted be changed by the Commission after the marketing order has been approved?**

The maximum amount of the assessment must be spelled out in the marketing order. The assessment is 1C per unit under this marketing order. The Commission may reduce the assessment, but cannot increase it beyond the amount specified in the marketing order.

**Q. Is there any limit to the amount that may be assessed under the marketing order?**

Yes, four percent (4%) of the gross sales value of the product is the maximum that can be assessed for promotion and two and one-half percent (2.5%) of the gross sales value of the product is the maximum that can be assessed for all other purposes.

**Q. Can the marketing order be amended?**

Yes, by following the same procedure used in establishing the Commission. Producers must be given notice, a public hearing held and approval by producer vote must be received.

**Q. Who is eligible to vote?**

All affected producers

**Q. Are there provisions for penalties by law in case there are violations of the marketing order or act after it becomes law?**

A violation is a misdemeanor and carries a maximum penalty of \$500.00 for each violation.

**Q. Who is responsible for enforcing provisions of the Act and marketing order?**

The Commissioner of Agriculture is charged by law to use any and all of the facilities of the Department of Agriculture for this purpose.

**Q. When will the referendum be conducted?**

January 14, 2008 through February 12, 2008(a 30 day balloting period). If voted in, the marketing order becomes effective April 1, 2008. It must be re affirmed every 3 years by law.

**Q. How many producers must vote for the commission's marketing order before it becomes law?**

The referendum may be declared passed by the following criteria: twenty-five percent (25%) of the total number of affected producers must vote in the referendum and 66 2/3% of those voting, must vote favorably for the marketing order to pass.