

DEPARTMENT OF FOOD AND AGRICULTURE
PROPOSED CHANGES IN THE REGULATIONS

Title 3. California Code of Regulations
Chapter 1. Fruit and Vegetable Standardization
Subchapter 3. Eggs

Amend Section 1358. (b) to read:

Section 1358.

(a) The mill fee shall be due and payable after close of each reporting period, and becomes delinquent at the close of the next reporting period thereafter.

(b) Reporting Periods. Reporting periods shall be ~~four-week periods beginning July 1 through June 30, with the first reporting period ending on the fourth Saturday of July each year. equal to the 4-4-5 Retail Accounting Calendar, which consists of the following: eight 4 week and four 5 week accountings period beginning in July and ending in June, with the first reporting period ending on the fourth Saturday of July, Sunday through Saturday.~~

(c) Advance Payment. A handler, who provides information satisfactory to the department, indicating the handler's estimated annual mill fee liability, may pay that amount in advance. Such advance payment shall cover the period from July 1 through June 30, whereupon the handler shall report actual mill fee liability and a recapitulation will be made. A refund will be made in case of overpayment, or the balance, if any, may be applied to the next year's estimate. In the event of underpayment, the mill fee shall become due and payable on June 30, and becomes delinquent after close of the first reporting period of each fiscal year. Any handler, choosing not to make an estimated advance deposit, as described above, shall submit the fee at the end of each four-week/five-week reporting period.

(d) Penalties shall be charged for each delinquent report and payments as follows: A penalty of ten percent (10%) for the first delinquent reporting period and two percent (2%) of the unpaid balance compounded at the close of each subsequent reporting period for all delinquent mill fee reports and payments until payment has been received. The above penalties apply to all reports and payments due after the effective date of this subsection.

Note: Authority cited: Sections 407, 27531 and 27553, Food and Agricultural Code. Reference: Section 27551 and 27631, Food and Agricultural Code.