

**TITLE 21        AGRICULTURE AND RANCHING**  
**CHAPTER 17    PEST, DISEASE, AND WEED CONTROL**  
**PART 43       SOUTH CENTRAL NEW MEXICO PINK BOLLWORM CONTROL COMMITTEE**  
**ASSESSMENT**

**21.17.43.1       ISSUING AGENCY:** South Central New Mexico Pink Bollworm Control Committee.  
[21.17.43.1 NMAC - N, 08/15/2002]

**21.17.43.2       SCOPE:** This rule establishes the control committee assessment to be paid by cotton producers in the South Central New Mexico Pink Bollworm Control District.  
[21.17.43.2 NMAC - N, 08/15/2002]

**21.17.43.3       STATUTORY AUTHORITY:** Granted to the South Central New Mexico Pink Bollworm Control Committee under the Pink Bollworm Control Act, Chapter 76, Article 6B, Sections 1 through 12, NMSA 1978 Compilation.  
[21.17.43.3 NMAC - N, 08/15/2002]

**21.17.43.4       DURATION:** Until the South Central New Mexico Pink Bollworm Control District ceases to exist.  
[21.17.43.4 NMAC - N, 08/15/2002]

**21.17.43.5       EFFECTIVE DATE:** August 15, 2002, unless a later date is cited in the history note at the end of a section.  
[21.17.43.5 NMAC - N, 08/15/2002]

**21.17.43.6       OBJECTIVE:** The objective of Part 43, Chapter 17 is to establish the control district's assessment upon cotton producers for the support of the pink bollworm control district.  
[21.17.43.6 NMAC - N, 08/15/2002]

**21.17.43.7       DEFINITIONS:**  
**A.** "Committee" means South Central New Mexico Pink Bollworm Control Committee.  
**B.** "Control District" means South Central New Mexico Pink Bollworm Control District.  
**C.** "Producer" means any person producing five or more acres of cotton plants.  
**D.** "Bt cotton" means genetically-engineered cotton that contains toxins derived from *Bacillus thuringiensis* effective against Pink Bollworm.  
[21.17.43.7 NMAC - N, 08/15/2002]

**21.17.43.8       ASSESSMENT:**  
**A.** The committee assessment rate is set forth at 10 dollars (\$10) per bale of conventional cotton produced by producers in the control district. The assessment will be collected at the gin. No assessment is due for Bt cotton produced within the control district.  
**B.** Bt cotton will be verified by the control district. Any discrepancies will be decided by the control committee.  
**C.** Payment of the assessment levied by a local control committee against a cotton producer will be due and payable when the cotton producer receives an assessment statement from the control committee or their authorized agent.  
**D.** Failure to comply with payment of assessment to the committee may result in the recording of a lien on the cotton crop and/or property in the County Clerk's office where the property is located. The lien will remain in effect until foreclosure or balance subject to the lien is paid in full. Interest may be assessed at a rate of 8 1/2 percent per annum on the balance unpaid after 30 days.  
[21.17.43.8 NMAC - N, 08/15/2002]

**HISTORY of 21.17.43 NMAC: [RESERVED]**