

TITLE 21 AGRICULTURE AND RANCHING
CHAPTER 25 AGRICULTURAL MARKETING, PROCESSING, AND INSPECTION
PART 3 VALENCIA PEANUT ASSESSMENT

21.25.3.1 ISSUING AGENCY: New Mexico Peanut Research Board
[08-31-98: 21.25.3.1 NMAC – Rn & A, 21 NMAC 25.3.1, 5/15/2001]

21.25.3.2 SCOPE: This rule establishes the commission assessment to be paid by producers and handlers of New Mexico Valencia peanuts.
[08-31-98: 21.25.3.2 NMAC – Rn, 21 NMAC 25.3.2, 5/15/2001]

21.25.3.3 STATUTORY AUTHORITY: Granted to the New Mexico Peanut Research Board under the Agricultural Commodity Commission Act, Chapter 76, Article 21, Section 1-22, NMSA 1978 Compilation.
[08-31-98: 21.25.3.3 NMAC – Rn, 21 NMAC 25.3.3, 5/15/2001]

21.25.3.4 DURATION: Permanent
[08-31-98: 21.25.3.4 NMAC – Rn, 21 NMAC 25.3.4, 5/15/2001]

21.25.3.5 EFFECTIVE DATE: August 31, 1998
[08-31-98: 21.25.3.5 NMAC – Rn, 21 NMAC 25.3.5, 5/15/2001]

21.25.3.6 OBJECTIVE: To establish the commission assessment for Valencia peanuts and provision for a refund.
[08-31-98: 21.25.3.6 NMAC – Rn, 21 NMAC 25.3.6, 5/15/2001]

21.25.3.7 DEFINITIONS:
A. “Commission” means the New Mexico Peanut Research Board.
B. “Handler” means any producer, processor, distributor, or other person engaged in the handling or marketing of Valencia peanuts.
C. “Producer” means any person engaged in a proprietary capacity in the commercial production of Valencia peanuts within New Mexico.
[08-31-98: 21.25.3.7 NMAC – Rn, 21 NMAC 25.3.7, 5/15/2001]

21.25.3.8 ASSESSMENT
A. The commission assessment rate for the 1998 crop will be ninety-two cents (\$.92) per ton for producers and nineteen cents (\$.19) per ton for handlers.
B. The commission assessment rate for the 1999 crop and beyond will fifty cents (.50) per ton for both the producers and handlers.
C. Any producer or handler who has paid a commission assessment is entitled to a refund of the amount paid by making written application to the commission. Refunds shall be made within thirty days (30) of the date of request.
D. The refund application will be provided by the commission.
[08-31-98: 21.25.3.8 NMAC – Rn & A, 21 NMAC 25.3.8, 5/15/2001]