

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 605
HOUSE BILL 796

1 AN ACT TO AMEND G.S. 106-564.1 AND G.S. 106-567 RELATING TO ASSESSMENTS
2 FOR THE PROMOTION OF USE AND SALE OF AGRICULTURAL PRODUCTS AS
3 THOSE RELATE TO APPLES.
4

5 The General Assembly of North Carolina do enact:
6

7 **Section 1.** G.S. 106-567 is hereby amended by inserting in line 11 following the
8 word "potatoes" a comma and the word "apples;" G.S. 106-567 is further amended by inserting
9 in line 16 following the word "potatoes" a comma and the word "apples."

10 **Sec. 2.** G.S. 106-567 is hereby amended by adding at the end thereof the following:
11 "Provided further that on and after July 1, 1972, as to growers or producers of apples there
12 shall be no right of refund of assessments levied pursuant to the referendum provided for by
13 Article 50, Chapter 106 of the General Statutes of North Carolina."

14 **Sec. 3.** G.S. 106-564.1 is hereby amended by adding at the end thereof the
15 following paragraph:

16 "Any packer, processor or other purchaser who originally purchases from the grower,
17 apples grown in North Carolina, shall collect from the grower thereof any marketing
18 assessment due under the provisions of Article 50 of Chapter 106 and shall remit the same to
19 the North Carolina Department of Agriculture. Upon failure of said packer, processor or other
20 purchaser to collect and remit said assessment then the amount of the assessment shall become
21 the obligation of the packer, processor or other purchaser who originally purchased the apples
22 from the grower and he shall become liable therefore to the North Carolina Department of
23 Agriculture. Failure of the packer, processor or other purchaser to comply with the provisions
24 of this act shall constitute a bar to engaging in said business in this state upon proper notice
25 from the Board of Agriculture. The Board of Agriculture shall have authority to promulgate
26 such rules and regulations as shall be necessary to carry out the purpose and intent of this Act."

27 **Sec. 4.** All laws and clauses of laws in conflict with this Act are hereby repealed.

28 **Sec. 5.** Sections 1 and 3 of this Act shall become effective upon ratification. Section
29 2 of this Act shall be in full force and effect on July 1, 1972.

30 In the General Assembly read three times and ratified, this the 27th day of May,
31 1969.