

CHAPTER 4
ASSESSMENT ON EGGS

301—4.1(196A) Rate of assessment. The assessment on egg sales authorized by Iowa Code section 196A.15 as amended by 1995 Iowa Acts, House File 179, and established by referendum as specified in Iowa Code section 196A.4 is set by the council at not more than five cents for each 30 dozen eggs (one case) sold by a producer.

This rule is intended to implement Iowa Code section 196A.15 as amended by 1995 Iowa Acts, House File 179.

301—4.2(196A) Collection of assessment.

4.2(1) The assessment is to be imposed on eggs produced in Iowa, including shell eggs or eggs broken for further processing, but does not include fertile eggs that are incubated, hatched, or used for vaccines.

4.2(2) The assessment is not to be imposed on the sale of hatching eggs which are actually used by the purchaser for hatching. However, the assessment shall be imposed on the sale of hatching eggs which are actually intended for human consumption.

4.2(3) Except as provided above, egg processors who have purchased eggs from producers during any calendar quarter must remit to the Iowa egg council all assessments collected during that quarter not later than 30 days after each calendar quarter. All other persons who collect the assessment but who are not referred to in Iowa Code section 196A.15 as amended by 1995 Iowa Acts, House File 179, must also forward to the council the amount assessed, not later than 30 days after each calendar quarter.

4.2(4) Each remittance must be accompanied by the information required by the assessment and remittance form provided by the council, which has been marked Exhibit 6, set out at the end of these rules and made a part hereof by reference.

4.2(5) If the producer is also the processor, the producer shall remit the assessment directly, using the same forms and procedures as in cases involving both producer and processor.

4.2(6) An assessment is considered “remitted” within the meaning of Iowa Code section 196A.17:

a. If mailed, on the date it is postmarked by the United States mail in an envelope addressed to the Iowa egg council at the council office.

b. If not mailed, on the date it is received at the council’s office.

4.2(7) Rescinded IAB 5/10/95, effective 4/21/95.

This rule is intended to implement Iowa Code section 196A.15 as amended by 1995 Iowa Acts, House File 179, and section 196A.17.

301—4.3(196A) Refunds. The assessment shall not be refundable.

This rule is intended to implement Iowa Code section 196A.15 as amended by 1995 Iowa Acts, House File 179.

[Filed 3/1/78, Notice 11/2/77—published 3/22/78, effective 4/26/78]

[Filed 7/9/79, Notice 5/16/79—published 8/8/79, effective 10/1/79]

[Filed emergency 5/21/92—published 6/10/92, effective 7/1/92]

[Filed emergency 4/20/95—published 5/10/95, effective 4/21/95]

EXHIBIT 1. NOTICE OF ELECTION OF IOWA EGG COUNCIL

TO: All Iowa Egg Producers

This is to notify all Iowa egg producers eligible to vote for representatives to the Iowa Egg Council, pursuant to Iowa Code chapter 196A, that the election for members of the Council will be held on the ____ day of _____, _____. The following vacancies will be filled in this election: one Egg Producer Representative for large producers, one Egg Producer Representative for medium producers, one Egg Producer Representative for small producers.

The following nominations have been made by the Iowa Egg Council Nominating Committee. Egg Producer Representative for large egg producers: Egg Producer Jones and Egg Producer Smith. Egg Producer Representative for medium egg producers: Egg Producer Smith and Egg Producer Jones. Egg Producer Representative for small egg producers: Egg Producer Jones and Egg Producer Smith.

The Iowa Egg Council will mail ballots to each eligible voter appearing on the council records by the ____ day of _____, _____. Additional ballots can be furnished upon request from the Iowa Egg Council, P.O. Box 408, Ames, Iowa 50010-0408.

In order to be counted, ballots must be mailed to the Iowa Egg Council at P.O. Box 408, Ames, Iowa 50010-0408, with a postmark no later than the ____ day of _____, _____. Ballots may be delivered to 535 East Lincoln Way, Ames, Iowa 50010-0408, no later than 5 p.m. on the ____ day of _____, _____.

Executive Director
Iowa Egg Council
535 East Lincoln Way
Ames, Iowa 50010

EXHIBIT 2. NOMINATING PETITION

Date Submitted

Name and Address of Nominee

Number of layer-type chickens raised in Iowa

The undersigned, being egg producers in the state of Iowa, hereby nominate the above named person to be an Iowa Egg Council Egg Producer Candidate representing medium egg production. We certify that the nominee is willing to serve if elected.

	Name	Address
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____
12.	_____	_____
13.	_____	_____
14.	_____	_____
15.	_____	_____
16.	_____	_____
17.	_____	_____
18.	_____	_____

- 19. _____
- 20. _____

INSTRUCTIONS FOR PETITIONERS

All blank items must be legibly completed.

Show nominee's name as it is to be shown on the ballot.

The nominee must be:

- Eligible to vote in the election.

- A producer with layer-type chickens raised in Iowa within the classification (small, medium, or large) which represents the vacancy on the council.

- Eligible to hold an office.

- Willing to serve if elected.

The petition must be:

- Signed by at least 20 eligible Iowa Egg Council voters.

- Delivered to the Iowa Egg Council office not later than _____.

EXHIBIT 3. ELECTION NOTIFICATION LETTER

Iowa Egg Council
535 East Lincoln Way
Ames, Iowa 50010-0408

Date _____

Iowa Egg Producer:

The Iowa Egg Council election will be held on the ____ day of _____, _____. That is the final date for mailing voted ballots to the Iowa Egg Council.

Your official ballot is on the back of this letter. Please use it to vote for your choice of representative(s) to the Iowa Egg Council. The ballot lists the names of the candidates.

If you know of any eligible voters who did not receive ballots, please let them know that they can request ballots from the Iowa Egg Council office.

If you have any questions on eligibility to vote or to hold office, please contact the Iowa Egg Council office to obtain an answer.

To ensure the secrecy of your vote, the blank envelope containing your ballot will be thoroughly shuffled among the other ballot envelopes before opening. The number of votes received by any candidate is available to you on request after the vote counting is completed.

The candidate receiving the highest number of votes will be elected to the Council vacancy.

REMEMBER _____, _____ IS THE FINAL DATE TO MAIL OR DELIVER YOUR VOTED BALLOT.

Iowa Egg Council elections are open to all eligible voters without regard to race, color, religion, sex, or national origin.

Executive Director
Iowa Egg Council

EXHIBIT 4. IOWA EGG COUNCIL ELECTION OFFICIAL BALLOT

INSTRUCTIONS FOR VOTING:

1. If you are a producer who owns, or contracts for the care of, thirty thousand or more layer-type chickens raised in Iowa, you are eligible to vote for members of the Iowa Egg Council.
2. Vote for one candidate for each vacancy. If you vote for more than one for each vacancy, your vote will not be counted.
3. Mark an "X" in the box by the name of the candidate you are voting for.
4. Seal the marked ballot in the ballot envelope. DO NOT ENCLOSE ANY OTHER MATERIAL IN THE BALLOT ENVELOPE.
5. Seal ballot envelope in business reply envelope addressed to the Iowa Egg Council.
6. Sign and date the certification on the back of the business reply envelope. The ballot will not be counted unless the certification is properly signed.
7. Mail the ballot envelope containing your marked ballot sealed in the business reply envelope.
8. THE BUSINESS REPLY ENVELOPE CONTAINING THE BALLOT ENVELOPE MUST BE POSTMARKED OR RETURNED TO THE IOWA EGG COUNCIL OFFICE BY _____, _____ IN ORDER TO COUNT.

Date _____

NAMES OF CANDIDATES

Egg Producer Representative for large egg production. (Vote for one candidate.)

() Egg Producer Jones, Anywhere, Iowa.

() Egg Producer Smith, Anywhere, Iowa.

Egg Producer Representative for medium egg production. (Vote for one candidate.)

() Egg Producer Smith, Anywhere, Iowa.

() Egg Producer Jones, Anywhere, Iowa.

Egg Producer Representative for small egg production. (Vote for one candidate.)

() Egg Producer Jones, Anywhere, Iowa.

() Egg Producer Smith, Anywhere, Iowa.

EXHIBIT 5. NEWSPAPER NOTICE FOR IOWA EGG COUNCIL ELECTION

TO: All Iowa Egg Producers

This is to notify all Iowa Egg Producers eligible to vote for representatives to the Iowa Egg Council, pursuant to the provisions of Iowa Code chapter 196A, that the election for members of the Council will be held on the 30th day of June 1995. Ballots for eligible voters may be obtained between now and the 30th day of June 1995 from the Iowa Egg Council, P.O. Box 408, 535 East Lincoln Way, Ames, IA 50010-0408.

In order to be counted, ballots must be delivered to the Iowa Egg Council at P.O. Box 408, Ames, IA 50010-0408, or 535 East Lincoln Way, Ames, IA 50010-0408, not later than 5 p.m. on the 30th day of June 1995.

EXHIBIT #6

ASSESSMENT RECORD AND REMITTANCE REPORT

Page ____ of ____ Pages

MAIL TO: Iowa Egg Council
535 East Lincoln Way
Ames, Iowa 50010-0408

(Handler or processor name) Date of this report _____

(Route or Street & No.) Report for period Beginning _____ Ending _____

(City) (State) (ZIP Code) Employer identification or social security number _____

Date of Purchase	Owner (and flock number if applicable)					No. of 30 doz. cases of eggs packed, handled, processed or purchased	Total Deduction 3¢ per 30 dozen cases	
	Name	Route	City	State	ZIP			
	Total from Previous Page							
When using more than one page, carry totals to top line of succeeding page.						TOTALS	30 Dozen cases	\$