

CHAPTER 4
ASSESSMENT ON EGGS

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

301—4.1(184) Rate of assessment. The assessment on egg sales authorized by Iowa Code section 184.3 and established by referendum as specified in Iowa Code section 184.2 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 184.3.

[ARC 4886C, IAB 1/29/20, effective 3/4/20]

301—4.2(184) 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 184.3 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 5, 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 184.13:

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.

This rule is intended to implement Iowa Code section 184.3.

[ARC 4886C, IAB 1/29/20, effective 3/4/20]

301—4.3(184) Refunds. The assessment shall not be refundable.

This rule is intended to implement Iowa Code section 184.3.

[ARC 4886C, IAB 1/29/20, effective 3/4/20]

[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]

[Filed ARC 4886C (Notice ARC 4783C, IAB 12/4/19), IAB 1/29/20, effective 3/4/20]

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 184, 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 send 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.

In order to be counted, ballots must be received by the Iowa Egg Council no later than 5 p.m. on the ____ day of _____, _____.

Executive Director
Iowa Egg Council

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.	_____	_____

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 three eligible Iowa Egg Council voters.

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

EXHIBIT 3. ELECTION NOTIFICATION LETTER

Iowa Egg Council
8515 Douglas Avenue, Suite 9
Urbandale, Iowa 50322

Date _____

Iowa Egg Producer:

The Iowa Egg Council election will be held on the ____ day of _____, ____.

Please use the ballot to vote for your choice of representative(s) to the Iowa Egg Council. The ballot lists the names of the candidates.

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

Efforts will be made to ensure the secrecy of your vote. 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 CAST YOUR VOTE.

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" by the name of the candidate you are voting for.
4. Follow the instructions provided.

EXHIBIT 5.
ASSESSMENT RECORD AND REMITTANCE REPORT

Page ____ of ____ Pages

MAIL OR SEND TO: Iowa Egg Council
8515 Douglas Avenue, Suite 9
Urbandale, Iowa 50322

(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 2½¢ 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	\$