

OREGON SWEET CHERRY COMMISSION
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SPECIAL MEETING COMMITTEE CONFERENCE CALL

Date: Wednesday, February 8, 2017

Time: 10:00 A.M.

Place: Call in Number 866-672-9151

At prompt enter Conference Code: 5413865798 followed by #

The meeting was called to order at 10:03 with Jim Markman, Chairman, Ryan Bond, Les Stephens, Dan Crouse and Dana Branson on the call.

Dana was asked to review the due dates for assessments. Fresh Market assessments for cherries purchased or delivered to first purchaser before August 1st are due September 1st. Cherries purchased or delivered to first purchaser after August 1st are due October 1st. Canned, Frozen and Brined cherry assessments for cherries purchased or delivered to first purchaser before December 1st are due December 15th. Canned, Frozen and Brined cherry assessments for cherries purchased or delivered to first purchaser after December 1st are due by May 15th.

Could we change to just one date? For example, all Fresh assessments due by October 1st. This would simplify the rules and help alleviate some timing issues for late season growers. Dana is not sure Canned, Frozen and Brined could be moved to October 1st, but it could be consolidated to just one date. She would have to check with processors to see what makes sense for their timing.

It was suggested that we send one or possibly two more reminders after the forms are sent out in July. For example, forms are mailed around July 1, send a follow up reminder notice at the end of July or early August and then another in mid-August. This could be moved out further if OSCC decides to move due date to October 1st. There was also a suggestion that the last notice be sent registered mail or return confirmation mail so OSCC would have proof it was received.

There was also a suggestion to establish a written procedure for collections. For example, right after due date if report is not received send first letter asking for assessment report and spelling out that now payments received will incur late penalties and interest. In 15-30 more days if report and payment is not received send another letter with same information, but adding that if no response the company/individual will be subject to action from the DOJ and/or DOR (Dept of Revenue). There was discussion of sending more than one follow up letter before going to higher authority.

Discussed trying to find out the average charge from DOJ to get involved with a collection – it might cost more than it's worth. Since most of the late payments are from fruit stand operations and bulk direct sellers (other than packing houses) this is important. Are we doing this for the principal of following the law or to increase revenue available for OSCC activities?

There was also discussion regarding changing the rule to increase the number of pounds exempt from assessment. Currently it is 2,000 pounds and is defined as a "Casual Sale" in the Administrative Rules. The definition is **"any sale of Oregon-produced sweet cherries made by the producer direct to any consumer or any sales of fresh cherries made direct to any retailer in any one season for an accumulated total of 2,000 pounds or less during any one fiscal year."** The committee looked at the financial impact of increasing the exemption to 5 tons or 10,000 pounds on this year's assessments. Assessments would have been \$1,541 less. Total assessments from all direct sellers this season were \$7,131.

There was discussion about how to find direct sellers and fruit stand operators outside of the Gorge area. The majority of those that are paying are located there. We know there are others in less well known or traveled by Commissioners in the Willamette Valley and beyond. There are also suspicions of under reporting by some and wondered if small packing lines are under any inspection requirements. If so, could that agency help OSCC with helping to identify the parties involved and estimated quantities.

The meeting adjourned at 11:03 with a request that Dana send out notes, if possible, prior to the regular commission meeting tomorrow, Feb. 9 for more discussion with the full commission.