

EXHIBIT C — OMC ADMINISTRATIVE RULES ON ASSESSMENTS

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[Voting](#)
[Elections](#)
[State Archives](#)
[Audits](#)

Department of Agriculture

Oregon Mint Commission - Chapter 642

Division 10

REPORTING AND PAYMENT OF ASSESSMENT

642-010-0005

Definitions

- (1) "Person" means any individual, corporation; association, partnership or joint stock company.
- (2) "Commission" means the Oregon Mint Commission.
- (3) "First Purchaser" means any person who buys mint oil from the producer in the first instance, or handler who receives the mint oil in the first instance from the producer for resale or processing.
- (4) "Producer" means a person or other legal entity producing mint oil in Oregon for market, whether as a landowner, landlord, tenant, sharecropper or otherwise.
- (5) "Handler" means any producer, processor, distributor or other person engaged in handling or marketing of or dealing in mint oil, whether as owner, agent, employee, broker or otherwise.
- (6) Mint oil consists of the oil of mint produced from but not limited to, *M. piperita*, (peppermint), *M. cardiaca* and *M. spicata* (spearmint). All peppermint and spearmint cultivars sold commercially are to be included.

Statutory/Other Authority: ORS 576

Statutes/Other Implemented: ORS 576.325 - 576.365

History:

OMC 1-1984, f. & ef. 6-18-84

642-010-0010

Assessments

Any first purchaser shall deduct and withhold an assessment of twelve cents (\$.12) per pound for all mint oil purchased after June 30, 2020. All mint oil produced in the State of Oregon is to be included.

Statutory/Other Authority: ORS 576.325 - 576.365

Statutes/Other Implemented: ORS 576.325 - 576.365

History:

OMC 1-2020, amend filed 04/16/2020, effective 07/01/2020

OMC 1-2014, f. 4-14-14, cert. ef. 7-1-14

OMC 1-2010, f. 6-15-10, cert. ef. 7-1-10

MC 1-1993, f. 6-10-93, cert. ef. 7-1-93

MC 1-1989, f. 4-19-89, cert. ef. 7-1-89

OMC 1-1984, f. & ef. 6-18-84

642-010-0015

Reports and Payments of Assessment Moneys

First purchasers and handlers must submit completed and signed assessment reports on commission approved forms or formats. Assessment reports shall include all purchases by or deliveries to a first purchaser or handler of Mint. Monthly assessment reports and assessments are due in the commission office and must be postmarked by the last day of the month following the reporting month.

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Statutory/Other Authority: ORS 576

Statutes/Other Implemented: ORS 576

History:

OMC 1-2001, f. & cert. ef. 3-21-01

OMC 1-1984, f. & ef. 6-18-84

642-010-0020

Penalties

(1) Penalty for delaying transmittal of assessment moneys "In addition to the penalties prescribed in ORS 576.991, any person who delays transmittal of funds beyond the time set by a Commission shall pay a penalty of 10 percent of the amount due and shall also pay one and one-half percent interest per month on the unpaid balance of the assessment.

(2) A commission may waive the penalty and interest described in subsection (1) of this section upon showing of good cause."

Statutory/Other Authority: 2003 OL Ch. 604 & ORS 576

Statutes/Other Implemented: 2003 OL Ch. 604 & ORS 576

History:

OMC 1-2003, f. 12-10-03, cert. ef. 1-15-04

OMC 1-1984, f. & ef. 6-18-84

642-010-0025

Effective Dates of Assessment

(1) The assessment to be withheld and paid by a first purchaser or handler, as required by ORS Chapter 576 and OAR 642-010-0010, or the reports required under OAR 642-010-0015, applies to and covers any purchase by him or delivery on or after July 1, 1984, of mint oil grown in Oregon.

(2) This order shall be effective July 1, 1984, as postponement would result in serious prejudice to the public interest and particularly to the mint industry of this state. The Commission was only approved by referendum after a substantial number of the producers and all other segments of such industry agreed that cooperative programs were and are necessary to identify its needs with respect to research, education, and market development; studying legislation and regulation, state and federal, that affect the mint industry. It was a part of such opinion, and recently affirmed by a majority thinking of those in attendance at the public hearing, that such programs and the work of the Commission must start without delay.

Statutory/Other Authority: ORS 576

Statutes/Other Implemented: ORS 576

History:

OMC 1-1984, f. & ef. 6-18-84

v2.1.1

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