

for the respective years as required by said laws, as follows: Biennium ending March 31, 1947, three hundred and fifty thousand, six hundred twenty-six dollars and seven cents (\$350,626.07); biennium ending March 31, 1949, four hundred and fifty-eight thousand, one hundred seventy-one dollars and ninety-six cents (\$458,171.96); biennium ending March 31, 1951, four hundred and seventy-nine thousand, two hundred and fifty dollars (\$479,250.00).

Passed the Senate February 19, 1949.

Passed the House March 7, 1949.

Approved by the Governor March 19, 1949.

CHAPTER 185.

[S. B. 226.]

DAIRY PRODUCTS.

AN ACT relating to dairy products; and amending sections 9 and 13, chapter 219, Laws of 1939.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Section 9, chapter 219, Laws of 1939 Amendment.
(sec. 6266-9, Rem. Rev. Stat. Supp.), is amended to read as follows:

Section 9. (a) There is hereby levied and imposed upon all butter fat in milk and/or cream produced in the State of Washington during the fiscal year beginning on the effective date of this act, and annually thereafter, an assessment not to exceed one-half ($\frac{1}{2}$) of one cent (1¢) per pound, the minimum payment on any delivery of butter fat in milk or cream to be one cent (1¢). All untested milk or cream purchased by bulk and not tested for butter fat contentum or weight shall be deemed to weigh and test as follows: milk, eight and six-tenths pounds (8.6) per gallon; butter or milk fat content, four per cent (4%); cream, eight (8) pounds per

Assessment levied on butterfat in milk and cream.

gallon; butter or milk fat content, thirty per cent (30%), and any fractional or greater measurements shall be on above basis. The amount to be assessed shall be determined by the Commission and shall be determined according to the necessities to effectuate the purposes of this act: *Provided, however,* That the provisions of this section shall not apply to milk and cream used upon the farm or home where produced but will apply where marketed either in bulk or package;

Exception.

Collection of assessment.

Disposition of moneys collected.

Penalty for failure to remit.

Lien.

Amendment.

Advertisement of Washington dairy products.

(b) All money assessed under this act shall be collected by the first dealer; the moneys so collected shall be deducted from the amount due the producer of the milk and/or cream, and all moneys so collected be paid to the treasurer of the Commission on or before the 20th day of the succeeding month for the previous month's collections and deposited in a bank or banks designated by the Commission to the credit of the Commission fund. If any dealer shall fail to remit any moneys so collected, or fail to make deductions for assessments herein provided, it shall in addition to penalties provided in this act constitute a lien on any property owned by him, and shall be reported to the County Auditor by the Commission, supported by the proper and conclusive evidence and collected in the manner prescribed for the collection of delinquent taxes.

SEC. 2. Section 13, chapter 219, Laws of 1939 (sec. 6266-13, Rem. Rev. Stat. Supp.), is amended to read as follows:

Section 13. That in order to adequately advertise Washington dairy products in the domestic and national markets and to make such advertising as extensive as public interest and necessity require, and to put into force and effect the policy of the State of Washington by this act intended, it is the duty of the Commission to provide for and conduct a comprehensive and extensive research advertising

and educational campaign, and to keep such advertising and education as continuous as the production, sales, and market conditions reasonably require. The Commission shall investigate and ascertain the needs of the dairy products, producers, the conditions of the markets, and the extent to which public convenience and necessity require advertising and research to be conducted. If upon such investigation, it shall appear that the revenue from the maximum assessment of one-half ($\frac{1}{2}$) of one cent (1ϕ) per pound butter fat provided in section 9 is more than adequate to accomplish the purposes and objects of this act, it shall file a request with the Director of Agriculture showing the necessities of the industry, the extent and probable cost of the required research and advertising, the extent of public convenience, interest and necessity, and the probable revenue from the assessment herein levied and imposed. If such probable revenue is more than the amount reasonably necessary to conduct the research and advertising that the public interest, convenience and the State of Washington require to accomplish the objects and purposes of the act, the Commission shall decrease the assessment to a sum that the Commission shall determine adequate to effectuate the purposes of this act, but in no case shall any assessment exceed the amount provided in section 9 of this act: *And provided further*, That no such change shall be made in rate of assessment until the Commission shall have filed with the Director of Agriculture a full report of such investigations and findings. Such change in assessment shall be effective thirty (30) days after such report is filed.

Investigation
by Com-
mission.

Change in
amount of
assessment.

Condition
precedent
to change.

Passed the Senate February 28, 1949.

Passed the House March 7, 1949.

Approved by the Governor March 19, 1949.