

# Olive Oil Commission of California (O OCC)

## ANNUAL ASSESSMENT FORM – 2023/24 SEASON

The assessment rate for the 2023/24 season was established by the Board of Directors at the rate of \$0.16 per gallon of olive oil for all producers who produce 5,000 gallons or more of olive oil per year or participate on a voluntary basis. All Handlers/Producers, regardless of size and or production, must complete this assessment form and return to the O OCC office along with remittance of the assessment payable to the Olive Oil Commission of California at 1521 I Street, Sacramento, CA 95814. Completed assessment forms and payment, if applicable, must be received from handlers at the Commission office by February 28, 2024. If you have any questions or comments, don't hesitate to call our office at (916) 441-1581.

Please complete the following.

COMPANY NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

\_\_\_\_\_

PHONE \_\_\_\_\_ EMAIL \_\_\_\_\_

PERSON COMPLETING FORM \_\_\_\_\_

TOTAL # OF GALLONS PRODUCED \_\_\_\_\_ x \$0.16 = \_\_\_\_\_  
ASSESSMENT DUE

I produced \_\_\_\_\_ gallons and do not wish to participate on a voluntary basis and am not subject to the assessment. (Please indicate amount). *All handlers regardless of size are required to provide their production information on the attached form,*

**If you wish to voluntarily participate in the O OCC then please complete the production information and remit your applicable assessment to the O OCC as described above.**

If you produced less than 5000 gallons you are exempt from the assessment. The 5000 gallon threshold is per season.

I hereby certify that to the best of my knowledge and belief, this report is true and complete. I understand that records from which this report was compiled are subject to audit by the California Department of Food & Agriculture.

Signed \_\_\_\_\_ Date \_\_\_\_\_  
Person Authorized to Sign this Report

\_\_\_\_\_ Title \_\_\_\_\_  
Please Print Name



**OLIVE OIL COMMISSION OF CALIFORNIA**  
**ASSESSMENT COLLECTION PROCEDURES**

Pursuant to California Food and Agricultural Code Section 79871, the Olive Oil Commission of California ("Commission") establishes the following procedures.

1. The Commission shall, no later than the beginning of each marketing season (July 1), or as soon thereafter as possible, establish the assessment to be paid by producers and collected by handlers for the marketing season. The assessment shall not be more than twenty-five cents (\$0.25) per gallon for all olive oil handled.

2. Handlers of olive oil shall keep a complete and accurate record of all olives purchased by them and olive oil handled by them with the name of the producer or producers whose olives were purchased or handled. A producer who handles olive oil made from his or her olives shall keep a complete and accurate record of the olive oil handled. The records shall contain information required by the Commission. The records shall be preserved by the producer or handler for a period of two years and shall be offered and submitted for inspection at any reasonable time upon a written demand by the Commission or its duly authorized agent.

3. Any assessment levied pursuant to Commission law is a personal debt of the producer assessed.

4. The first handler of olive oil being assessed shall deduct the assessment from amounts paid by him or her to the producer, and shall be a trustee of the funds until they are paid to the Commission. A producer who handles olive oil made from his or her olives shall pay an assessment directly to the Commission.

Every handler shall be personally liable for the payment of the assessments collected from producers, and failure to collect the assessment from any producer shall not exempt the handler from liability.

Any person who fails to file a return or pay an assessment within the time required by the Commission shall pay to the Commission a penalty of ten (10) percent of the amount of the assessment determined to be past due and, in addition, interest on the unpaid balance at the rate of 1.5 percent per month.

5. The Commission shall contact all known handlers on an annual basis regarding their obligations under Commission law, and provide each handler with a copy of these procedures.

6. Blank assessment report forms shall be mailed to each handler on an annual basis in order for handlers to report gallons of olive oil produced during that season.

7. Completed assessment form(s), which include gallons of olive oil produced during that season, and payment on those gallons must be received from handlers at the Commission office (or postmarked) by February 28 of the corresponding season.

8. A handler who has not provided the required assessment forms and/or payment by the due date will be sent a written notice within five (5) working days past the due date by facsimile or other electronic means ("first notice") reminding them to provide the forms and/or payment, and notifying them that a 10% penalty will attach and interest will begin to accrue on the first day of the next month if reports and/or payments are not received by the last day of the month.

9. A handler who fails to respond to the Commission's first notice will be sent a second notice by certified mail, return receipt requested, in which the Commission demands reports and/or payments from the handler by a date not more than 30 days from the date of the second notice. The second notice will notify the handler that the 10% penalty has attached, interest is accruing, and failure to respond to the second notice will result in referral of the matter to the Commission's legal counsel.

10. Matters referred to legal counsel will result in a Notice of Intent to Take Action letter being sent by legal counsel to the handler by certified mail, return receipt requested, which gives the handler 15 days in which to provide forms and/or pay assessments.

11. If a satisfactory response is not received from the handler during the 15 day notice period, a summons and complaint, including a demand that the Commission be reimbursed for reasonable attorney's fees and other related costs actually incurred, will be drafted and filed with the appropriate Superior Court.

12. The handler has 30 days after service of the complaint in which to respond. If the handler does not respond to the complaint, a request for entry of default will be filed with the court.

13. Upon a favorable judgment for the Commission, the court may order that the Commission be reimbursed for reasonable attorney's fees and other related costs actually incurred.

14. Once a judgment is obtained by trial or default, collection and enforcement efforts will begin.