

FREQUENTLY ASKED QUESTIONS FOR SUBMISSION OF ASSESSMENTS

How do I know if I owe an assessment?

As a **Producer**, you are required to pay an assessment if you grow 20,000 pounds or more of raspberries for processing in the United States for sale in commerce, and are engaged in the business of producing, or causing to be produced for any market, raspberries for processing beyond your own family use and having value at first point of sale.

As an **Importer**, you are required to pay an assessment if you import 20,000 pounds or more of processed raspberries into the United States during a crop year, defined as October 1 of each year through the following September 30, as a principal or as an agent, broker, or consignee of any person who produces or handles processed raspberries outside of the United States for sale in the United States, and are listed in the import records as the importer of record for such processed raspberries.

What is considered “processed raspberries” for the purpose of paying assessments?

Processed raspberries means and includes all kinds, varieties, and hybrids of cultivated raspberries of the genus “*rubus idaeus* L.” grown in or imported into the United States which have been frozen, dried, pureed, made into juice, or delivered in any other form altered by mechanical processes other than fresh.

What is the assessment rate?

The initial rate of assessment is one cent per pound. However, processed raspberries entering the United States under HTS code 2009.89.60.55 will be assessed using a 6.8:1 ratio (TABLE I).

Table I, contains the applicable HTS classification numbers of processed red raspberries, processed red raspberry paste and puree, and processed red raspberry juice and juice concentrate, and assessment rates in dollars per kilograms/liters and pounds.

TABLE I. PROCESSED RASPBERRY PRODUCTS ASSESSMENT TABLE

Frozen red raspberries, IQF, bulk frozen, puree, preserves, or juice concentrate HTS No.	Default rate per unit of product (in dollars/kg)	Default rate per unit of product (in dollars/lb)
0811.20.20.25	.022 /kilogram	.01/pound
2007.99.65.10	.022 /kilogram	.01/pound
2009.89.60.55	.1496 /liter	.068/pound

Who collects the assessment?

For Domestic Producers - The collection of assessments on domestic processed raspberries will be the responsibility of the first handler receiving the raspberries for processing. In the case of the producer acting as its own first handler, the producer will be required to collect and remit its individual assessments.

First handler means any person (excluding a common or contract carrier) receiving raspberries for processing from producers in a calendar year and who as owner or agent, ships or causes processed raspberries or raspberries for processing to be shipped as specified in the Order. This definition includes those engaged in the business of buying, selling and/or offering for sale, receiving, packing, grading, marketing, or distributing processed raspberries or raspberries for processing in commercial quantities. This definition excludes a retailer, except a retailer who purchases or acquires from, or handles on behalf of, any producer of raspberries for processing. The term first handler includes a producer who handles or markets processed raspberries of the producer's own production.

For Importers - Each importer of processed raspberries shall pay an assessment to the Council on processed raspberries imported for marketing in the United States, through Customs. If Customs does not collect an assessment from an importer, the importer is be responsible for paying the assessment directly to the Council.

When is the Payment due and where do I mail my payment?

Payments are due no later than October 31: All assessment payments for a crop year are to be received by the Council no later than October 31 of that year for domestic producers of raspberries for processing. Importers of processed raspberries will be invoiced quarterly for processed raspberries imported in that Fiscal Year (October – September).

All payments are to be submitted to the NPRC along with *The First Handler's/Importer's Report for Processed Raspberry Promotion, Research, and Information Order* (see attached)

How do I claim an exemption if I produced or imported of less than 20,000 pounds of raspberries for processing or processed raspberries, respectively?

Any producer who produces less than 20,000 pounds of raspberries for processing annually, or any importer who imports less than 20,000 pounds of processed raspberries annually who desires to claim an exemption from assessments during a fiscal year shall apply to the Council, on a form provided by the Council, for a certificate of exemption. Such producer or importer shall certify that the producer's production of raspberries for processing, or the importer's importation of processed raspberries shall be less than 20,000 pounds for the fiscal year for which the exemption is claimed. For the initial assessment, the application for a certificate of exemption should be sent to payment address on the attached form. Please note that submission of an exemption request does not relieve the producer or importer of their assessment obligation until that request has been approved by the Council. The exemption will apply immediately following approval of the exemption request by the Council.

How do I claim an exemption if I produced or imported 100 percent organic raspberries for processing or processed raspberries, respectively?

A producer who produces raspberries for processing who operates under an approved National Organic Program (NOP) (7 CFR part 205) system plan, produces only products that are eligible to be labeled as 100 percent organic under the NOP, and is not a split operation shall be exempt from the payment of assessments. In addition, an importer who imports only products that are eligible to be labeled as 100 percent organic under the NOP (7 CFR part 205) and who is not a split operation shall be exempt from the payment of assessments. To obtain this exemption, an eligible producer or importer shall submit a request for exemption to the Council on the form provided by the Council at any time initially and annually thereafter on or before the beginning of the crop year as long as the producer continues to be eligible for the exemption. The application for an organic certificate of exemption should be sent to payment address shown on the attached form. Please note that submission of an exemption request does not relieve the producer or importer of their assessment obligation until that request has been approved by the Council. The exemption will apply immediately following approval of the exemption request by the Council.

What is the penalty for late payments?

A late payment charge of 10% (ten percent) shall be imposed on any handler or importer who fails to remit to the Council, the total amount for which any such first handler or importer is liable on or before October 31, 30 (thirty) day after the end of the crop year. In addition to the late payment charge, an interest charge of 1% (one percent) per month shall be imposed on the outstanding amount for which the first handler or importer is liable.

Persons failing to remit total assessments due in a timely manner may also be subject to actions under federal debt collection procedures.

Who do I contact if I have additional Questions?

If you have any questions, please contact Executive Director Thomas Krugman at (360) 354-0948 or by email at tkrugman@redraaz.org or Tarun Harit at USDA/AMS (888) 720-9917 or (202) 720-9916, or by email at tarun.harit@ams.usda.gov