Rules and Regulations of the State of Georgia

Department 41 AGRICULTURAL COMMODITY COMMISSION FOR BEEF

Current through Rules and Regulations filed through November 6, 2026

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ADMINISTRATIVE HISTORY

The **Administrative History** following each Rule gives the date on which the Rule was originally filed and its effective date, as well as the date on which any amendment or repeal was filed and its effective date. Principal abbreviations used in the Administrative History are as follows:

f. - filed

eff. - effective

R. - Rule (Abbreviated only at the beginning of the control number)

Ch. - Chapter (Abbreviated only at the beginning of the control number)

ER. - Emergency Rule

Rev. - Revised

Note: Emergency Rules are listed in each Rule's Administrative History by Emergency Rule number, date filed and effective date. The Emergency Rule will be in effect for 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule is adopted, as specified by the Agency.

Chapter 41-1 entitled "Marketing Order for Beef" adopted. F. Jun. 16, 2014; eff. Jul. 6, 2014.

Cite as Ga. Comp. R. & Regs. R. dept. 41, ADMINISTRATIVE HISTORY

Chapter 41-1. MARKETING ORDER FOR BEEF.

Rule 41-1-.01. Definitions.

For the purpose of this Marketing Order,"Beef" means any bovine animal.

Cite as Ga. Comp. R. & Regs. R. 41-1-.01
Authority: O.C.G.A § 2-8-13.
History. Original Rule entitled "Definitions" adopted. F. Jun. 16, 2014; eff. July 6, 2014.

Rule 41-1-.02. Product Affected.

Beef.

Cite as Ga. Comp. R. & Regs. R. 41-1-.02
Authority: O.C.G.A § 2-8-13.
History. Original Rule entitled "Product Affected" adopted. F. Jun. 16, 2014; eff. July 6, 2014.

Rule 41-1-.03. Area of Production Affected.

The entire State of Georgia.

Cite as Ga. Comp. R. & Regs. R. 41-1-.03
Authority: O.C.G.A § 2-8-1*et seq.*
History. Original Rule entitled "Area of Production Affected" adopted. F. Jun. 16, 2014; eff. July 6, 2014.

Rule 41-1-.04. Scope of Operation.

(1) Research.

(2) Promotion.

(3) Education.

Cite as Ga. Comp. R. & Regs. R. 41-1-.04
Authority: O.C.G.A § 2-8-1*et seq.*
History. Original Rule entitled "Scope of Operation" adopted. F. Jun. 16, 2014; eff. July 6, 2014

Rule 41-1-.05. Extent of Operation.

The extent of operation under the statutory authority shall be as determined by the Commission within the limitations of the statutory authority. The Commission shall have the right to determine the activities of the Commission and the expenditure of funds under any one or all of the areas permitted under statutory authority.

Cite as Ga. Comp. R. & Regs. R. 41-1-.05
Authority: O.C.G.A § 2-8-1*et seq.*
History. Original Rule entitled "Extent of Operation" adopted. F. Jun. 16, 2014; eff. July 6, 2014.

Rule 41-1-.06. Term of Operation.

The term of operation under this Order shall be for a three year period.

Cite as Ga. Comp. R. & Regs. R. 41-1-.06
Authority: O.C.G.A § 2-8-1*et seq.*

History. Original Rule entitled "Term of Operation" adopted. F. Jun. 16, 2014; eff. July 6, 2014.

Rule 41-1-.07. Method of Approval.

(1) The approval of this order shall be by referendum of the affected producers as authorized and provided by O.C.G.A. § 2-8-23(a)(3) and (5).

(2) The approval shall be determined by the Commission at the close of such referendum period or provided by O.C.G.A. § 2-8-23(a)(3) and (5).

(3) The approval or disapproval of affected producers shall be upon an individual producer basis.

Cite as Ga. Comp. R. & Regs. R. 41-1-.07
Authority: O.C.G.A § 2-8-1*et seq.*
History. Original Rule entitled "Method of Approval" adopted. F. Jun. 16, 2014; eff. July 6, 2014.

Rule 41-1-.08. Time for Approval.

In the event the Commission, after a public hearing, determines that a referendum shall be held, a thirty (30) day period shall be set during which time ballots shall be received. The Commission has the authority to declare this order approved upon the results of the tabulation revealing the requisite numbers of favorable ballots from producers.

Cite as Ga. Comp. R. & Regs. R. 41-1-.08
Authority: O.C.G.A § 2-8-1*et seq.*
History. Original Rule entitled "Time for Approval" adopted. F. Jun. 16, 2014; eff. July 6, 2014.

Rule 41-1-.09. Affected Producers.

This Order shall apply to all producers of bovine animals within this State.

Cite as Ga. Comp. R. & Regs. R. 41-1-.09
Authority: O.C.G.A § 2-8-1*et seq.*
History. Original Rule entitled "Affected Producers" adopted. F. Jun. 16, 2014; eff. July 6, 2014.

Rule 41-1-.10. Method of Finance.

(1) Projects, undertakings and expenses incurred under this Order shall be financed by an Assessment and levy of one dollar ($1.00) per head on bovine animals sold for $100.00 or more. No assessment shall be placed on any bovine animal which sells for less than $100.00. Upon approval of the requisite number of affected producers and effective date

of July 1, 2014, a levy assessment of one dollar ($1.00) per head of cattle sold is hereby made. Such levy shall continue of force and effect until this Order is suspended, extended, or expires.

(2) To the end that the Commission shall have such funds to defray expenses pending the collection of such funds under the levy and assessment herein provided, the Commission shall be authorized to borrow money and hypothecate anticipated collections as authorized by O.C.G.A. § 2-8-27(d).

Cite as Ga. Comp. R. & Regs. R. 41-1-.10
Authority: O.C.G.A § 2-8-1*et seq.*
History. Original Rule entitled "Method of Finance" adopted. F. Jun. 16, 2014; eff. July 6, 2014.

Rule 41-1-.11. Method of Collection.

(1) The levy and assessment provided by this Order shall be collected from all affected producers. As an aid in such collection, handlers, sales agents, packers, and processors shall deduct the amount of such levy and assessment from each payment made to the producer and they shall remit the same to the Commissioner of Agriculture for the account of the producer.

(2) Buyers who resell cattle no more than ten (10) days from the date of purchase may file with the Commission a non-producer status form.

(3) The Commissioner is authorized in the collection of funds to adopt and utilize a reporting and auditing method of collecting the levy and assessment provided herein.

Cite as Ga. Comp. R. & Regs. R. 41-1-.11
Authority: O.C.G.A § 2-8-1*et seq.*
History. Original Rule entitled "Method of Collection" adopted. F. Jun. 16, 2014; eff. July 6, 2014.

Rule 41-1-.12. Administration and Enforcement.

The Commissioner of Agriculture shall administer and enforce the provisions of this Order, particularly as to the collection of levies and assessments.

Cite as Ga. Comp. R. & Regs. R. 41-1-.12
Authority: O.C.G.A § 2-8-1*et seq.*
History. Original Rule entitled "Administration and Enforcement" adopted. F. Jun. 16, 2014; eff. July 6, 2014.

Rule 41-1-.13. Expenditure of Funds.

The Commission is hereby authorized to expend funds of the Commission as it deems necessary to defray the costs and expenses incurred under this Order. The Commission is further authorized to expend funds to defray the actual costs and expenses of the Commission, including employees, special committees, advisory boards and individuals to aid, advise and assist the Commission in the performance of its duties.

Cite as Ga. Comp. R. & Regs. R. 41-1-.13
Authority: O.C.G.A § 2-8-1*et seq.*
History. Original Rule entitled "Expenditure of Funds" adopted. F. Jun. 16, 2014; eff. July 6, 2014.

Rule 41-1-.14. Contracts.

The Commission may enter into contracts as it deems necessary and advisable in the performance of its duties under the provisions of this Order for the performance of duties and services, as the Commission shall deem necessary and proper.

Cite as Ga. Comp. R. & Regs. R. 41-1-.14
Authority: O.C.G.A § 2-8-1*et seq.*
History. Original Rule entitled "Contracts" adopted. F. Jun. 16, 2014; eff. July 6, 2014.

Rule 41-1-.15. Records.

It shall be the duty and responsibility of each affected person to keep adequate records that show the true amount of bovine animals produced, sold, or purchased by him, and to make such records available for inspection and audit by the Commissioner.

Cite as Ga. Comp. R. & Regs. R. 41-1-.15
Authority: O.C.G.A § 2-8-1*et seq.*
History. Original Rule entitled "Records" adopted. F. Jun. 16, 2014; eff. July 6, 2014.