# Rules and Regulations of the State of Georgia

# Department 679 AGRICULTURAL COMMODITY COMMISSION FOR TOBACCO

*Current through Rules and Regulations filed through October 27, 2026*

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**ADMINISTRATIVE HISTORY**

Chapter 679-1 was filed on June 30, 1965 under the Georgia Administrative Procedure Act as Rules in effect in 1965 when the Administrative Procedure Act became effective. The **Administrative History** following the Rule gives the date on which the Rule was filed and the effective date for said Rule.

Rule 679-1-.03 has been repealed and a new Rule 679-1-.03 adopted. Filed March 27, 1975; effective May 1, 1975, as specified by the Agency.

Rules 679-1-.01, .02, .04, .05, .06, .07, .08, .09, .10, .11, .12, .13, and .14 have been amended by adding the authority of Georgia Laws 1969, page 763. Filed March 27, 1975; effective May 1, 1975, as specified by the Agency.

Rule 679-1-.09 amended.F. Jun. 16, 2014; eff. Jul. 6, 2014.

**Cite as Ga. Comp. R. & Regs. R. dept. 679, ADMINISTRATIVE HISTORY**

# Chapter 679-1. MARKETING ORDER FOR TOBACCO.

## Rule 679-1-.01. Product Affected.

Flue-cured Tobacco.

**Cite as Ga. Comp. R. & Regs. R. 679-1-.01**
**Authority: Georgia Laws 1961, p. 301 as amended; Georgia Laws 1969, p. 763.**
**History.** Original Rule was filed and effective on June 30, 1965.
**Amended:** Filed March 27, 1975; effective May 1, 1975, as specified by the Agency.

## Rule 679-1-.02. Area of Production Affected.

The entire State of Georgia.

**Cite as Ga. Comp. R. & Regs. R. 679-1-.02**
**Authority: Georgia Laws 1961, p. 301 as amended; Georgia Laws 1969, p. 763.**
**History.** Original Rule was filed and effective on June 30, 1965.
**Amended:** Filed March 27, 1975; effective May 1, 1975, as specified by the Agency.

## Rule 679-1-.03. Scope of Operation.

(1) Research

(2) Promotion

(3) Education. It is understood that fifty cents (50¢) of the assessment paid into the Commission by each producer for each crop year will constitute a yearly subscription rate for the Commission paper, THE TOBACCO FARMER. THE TOBACCO FARMER will be published quarterly.

**Cite as Ga. Comp. R. & Regs. R. 679-1-.03**
**Authority: Georgia Laws 1961, p. 301 as amended; Georgia Laws 1969, p. 763.**
**History.** Original Rule was filed and effective on June 30, 1965.
**Amended:** Filed March 27, 1975; effective May 1, 1975, as specified by the Agency.

## Rule 679-1-.04. 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 the statutory authority, Section 13(a), (8), (11), and (12), Ga. L. 1961, p. 301 as amended.

**Cite as Ga. Comp. R. & Regs. R. 679-1-.04**
**Authority: Georgia Laws 1961, p. 301 as amended; Georgia Laws 1969, p. 763.**
**History.** Original Rule was filed and effective on June 30, 1965.
**Amended:** Filed March 27, 1975; effective May 1, 1975, as specified by the Agency.

## Rule 679-1-.05. Term of Operation.

The term of operation under this Order shall be for the year beginning July 1, 1962, and ending June 30, 1963, and from year to year thereafter until terminated as provided by law.

**Cite as Ga. Comp. R. & Regs. R. 679-1-.05**
**Authority: Georgia Laws 1961, p. 301 as amended; Georgia Laws 1969, p. 763.**
**History.** Original Rule was filed and effective on June 30, 1965.
**Amended:** Filed March 27, 1975; effective May 1, 1975, as specified by the Agency.

## Rule 679-1-.06. Method of Approval.

(1) The approval of this Order shall be by written assent of the producers as authorized and provided by Section 14(a), (5), Ga. L. 1961, p. 301 as amended.

(2) The approval shall be determined by the Commission upon receipt of written assent of producers.

(3) The approval of members of non-profit agricultural co-operative marketing associations (co-ops) may not be had under the provisions of Section 14(a), (3), Ga. L. 1961, p. 301 as amended, but shall be upon an individual producer basis.

**Cite as Ga. Comp. R. & Regs. R. 679-1-.06**
**Authority: Georgia Laws 1961, p. 301 as amended; Georgia Laws 1969, p. 763.**
**History.** Original Rule was filed and effective on June 30, 1965.
**Amended:** Filed March 27, 1975; effective May 1, 1975, as specified by the Agency.

## Rule 679-1-.07. Time for Approval.

Written assents or rejections shall be received by the Commission during the period of May 14, 1961, through June 20, 1962, with the authority of the Commission to declare this Order approved upon the receipt of the requisite number of assents from producers who produce the requisite percentage of flue-cured tobacco.

**Cite as Ga. Comp. R. & Regs. R. 679-1-.07**
**Authority: Georgia Laws 1961, p. 301 as amended; Georgia Laws 1969, p. 763.**
**History.** Original Rule was filed and effective on June 30, 1965.
**Amended:** Filed March 27, 1975; effective May 1, 1975, as specified by the Agency.

## Rule 679-1-.08. Affected Producers.

This Order shall apply to all producers of flue-cured tobacco in this State who produce flue-cured tobacco for sale within and without this State.

**Cite as Ga. Comp. R. & Regs. R. 679-1-.08**
**Authority: Georgia Laws 1961, p. 301 as amended; Georgia Laws 1969, p. 763.**
**History.** Original Rule was filed and effective on June 30, 1965.
**Amended:** Filed March 27, 1975; effective May 1, 1975, as specified by the Agency.

## Rule 679-1-.09. Method of Finance.

(1) Projects, undertakings, and expenses incurred under this Order shall be financed by a maximum annual assessment and levy of seventy-five cents ($0.75) per hundred pounds of all flue-cured tobacco. Upon the approval of the requisite number of producers and effective as of May 1, 2014, a maximum annual levy and assessment of seventy-five cents ($0.75) per hundred pounds of flue-cured tobacco is hereby made. As of the effective date of May 1, 2014, and henceforth, the Commission will only assess fifty cents ($0.50) of the maximum seventy-five cents ($0.75) and will not increase above the

fifty cent ($0.50) assessment rate without notifying producers and holding a producer meeting. Such levy shall continue of force and effect from year to year until this Order is suspended or superseded as provided by law and each year during the time this Order remains of force and effect.

(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, that during any year the Commission shall be authorized to borrow money and hypothecate anticipated collections for that year as authorized under Section 16(d), Ga. L. 1961, p. 301 as amended.

**Cite as Ga. Comp. R. & Regs. R. 679-1-.09**
**Authority: O.C.G.A. Sec. 2-8-1*et seq.***
**History.** Original Rule was filed and effective on June 30, 1965.
**Amended:** Filed March 27, 1975; effective May 1, 1975, as specified by the Agency.
**Amended:** F. Jun. 16, 2014; eff. July 6, 2014.

## Rule 679-1-.10. Method of Collection.

(1) The levy and assessment provided by this Order shall be collected from producers. As an aid in such collection, handlers, distributors, warehousemen and others handling or purchasing flue-cured tobacco from producers shall deduct the amount of such levy and assessment during each pay period and remit the same to the Commissioner of Agriculture for the account of the producer.

(2) 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, and is further authorized to require warehousemen to collect and remit the assessment from the proceeds of sales for producers.

**Cite as Ga. Comp. R. & Regs. R. 679-1-.10**
**Authority: Georgia Laws 1961, p. 301 as amended; Georgia Laws 1969, p. 763.**
**History.** Original Rule was filed and effective on June 30, 1965.
**Amended:** Filed March 27, 1975; effective May 1, 1975, as specified by the Agency.

## Rule 679-1-.11. 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. 679-1-.11**
**Authority: Georgia Laws 1961, p. 301 as amended; Georgia Laws 1969, p. 763.**
**History.** Original Rule was filed and effective on June 30, 1965.
**Amended:** Filed March 27, 1975; effective May 1, 1975, as specified by the Agency.

## Rule 679-1-.12. 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. 679-1-.12**
**Authority: Georgia Laws 1961, p. 301 as amended; Georgia Laws 1969, p. 763.**
**History.** Original Rule was filed and effective on June 30, 1965.
**Amended:** Filed March 27, 1975; effective May 1, 1975, as specified by the Agency.

## Rule 679-1-.13. Contracts.

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

**Cite as Ga. Comp. R. & Regs. R. 679-1-.13**
**Authority: Georgia Laws 1961, p. 301 as amended; Georgia Laws 1969, p. 763.**
**History.** Original Rule was filed and effective on June 30, 1965.
**Amended:** Filed March 27, 1975; effective May 1, 1975, as specified by the Agency.

## Rule 679-1-.14. Records.

It shall be the duty and responsibility of each affected person or handler to keep adequate records to reflect the true amount of flue-cured tobacco produced, sold or purchased by him, and to make such records available for inspection and audit by the Commission and the Commissioner.

**Cite as Ga. Comp. R. & Regs. R. 679-1-.14**
**Authority: Georgia Laws 1961, p. 301 as amended; Georgia Laws 1969, p. 763.**
**History.** Original Rule was filed and effective on June 30, 1965.
**Amended:** Filed March 27, 1975; effective May 1, 1975, as specified by the Agency.