

## Growers Prosecuted For Non-Payment

HARRISBURG (Dauphin Co.)—Legal action has been taken against several vegetable growers who have not paid the annual assessment to the Pennsylvania Vegetable Marketing and Research Program. The action was authorized under new regulations promulgated in January 1994 by the secretary of agriculture.

The program and its regulations require all vegetable growers who grow one or more acres of vegetables for sale (or who grow greenhouse vegetables in 1,000 or more square feet of greenhouse area) to file an annual production verification statement and to pay an annual assessment of \$25 plus \$1.50 for each acre over 10 acres (or each 1,000 square foot over 10,000 square feet).

The funds collected by the

program are used to promote Pennsylvania-grown vegetables and to fund practical, production vegetable research. A board consisting of 12 growers, the secretary of agriculture, and a representative of collecting sales agents govern the program and determine how the funds are spent.

The board began its enforcement effort by prosecuting growers who have consistently refused to pay the assessment. The Department of Agriculture's Bureau of Market Development sent certified letters to growers who had failed to respond to the program's regular assessment notices. Five growers received letters from the Department of Agriculture's legal office. Three of these five chose to pay the assessment rather than face legal action.

The department then filed a civil complaint with a district magistrate in Harrisburg against the two remaining growers. One of these two then paid the assessment. The other grower failed to appear for the scheduled hearing and judgement was entered against him in the program's favor. The matter has now been referred to the Attorney General's office.

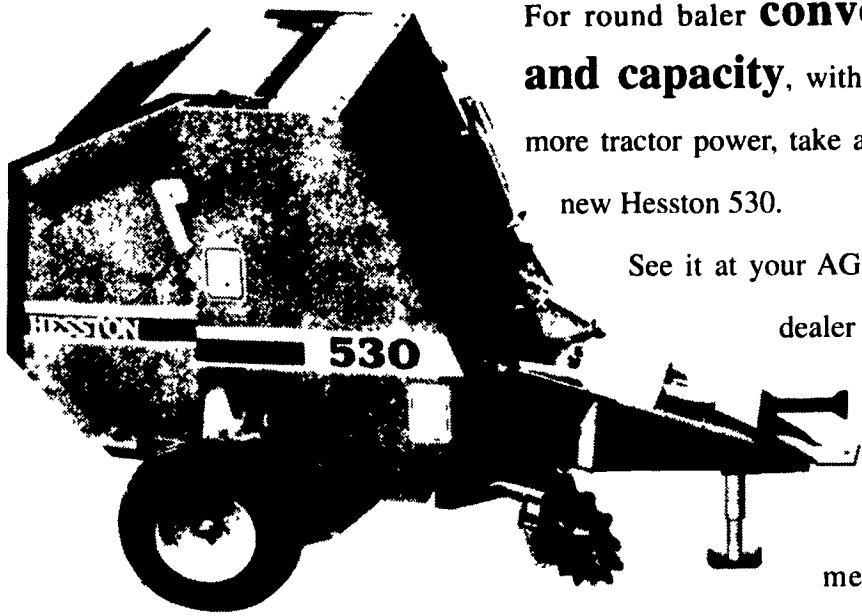
The Vegetable Marketing and Research Program and the Department intend to continue their enforcement efforts in 1995. While the program's board is reluctant to take fellow growers to court, they also feel it is their duty to the hundreds of growers who regularly pay their assessments. To allow other growers to ignore the assessment payment requirement is not fair and only encour-

ages more noncompliance.

The program's assessment policy is based on the principle that because the program's research and promotion efforts potentially benefit all the growers in the commonwealth, it is reasonable and fair to require all growers to pay the assessment. Moreover, since the program was established by a referendum of growers and is sub-

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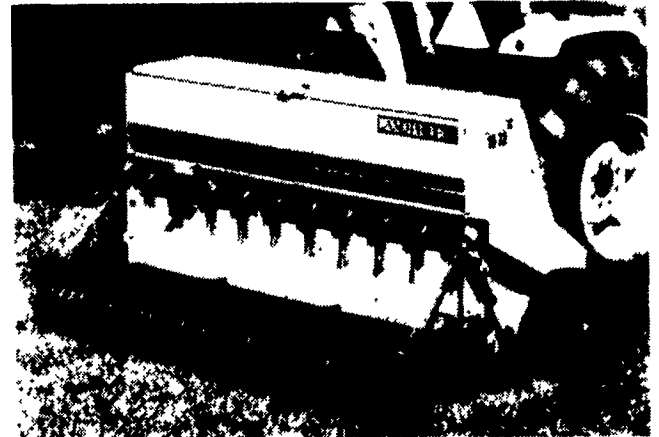


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