

INDIANA STATE EGG BOARD

Purdue University
Poultry Science Building
125 S. Russell Street
West Lafayette, Indiana 47907-2042

Mark Straw
Executive Administrator
(765) 494-8510
FAX (765) 494-6349
E-mail: straw@purdue.edu

September 15, 2009

To: All Wholesalers Distributing Shell Eggs into Indiana

During the 2009 session of the Indiana General Assembly, the Indiana Law (IC 16-42-11) underwent modifications that may affect you during the 2009-10 permit year that started July 1, 2009. IC 16-42-11-10.4 is a modified section that reads as follows:

IC 16-42-11-10.4

Permits; issuance; revocation; fees

Sec. 10.4. The state egg board may grant a permit if the board determines that the action will lead to efficient enforcement of this chapter. The state egg board may revoke a permit at any time if it appears to the state egg board that a wholesaler is not complying with the terms of the agreement entered into at the time of the issuance. The report of eggs is due and the fees are payable quarterly on the last day of the month following the end of the quarter.

If:

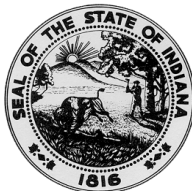
- (1) the report is not filed and the fee paid by the tenth day following the due date;
- (2) the report is false; or
- (3) the requirements of this chapter have not been complied with; the state egg board may revoke the permit.

If the fee is unpaid after the ten (10) day grace period, a penalty of the greater of twenty dollars (\$20) or ten percent (10%) of the amount due in addition to the amount due shall be assessed. If the state egg board determines that an account review is necessary, out-of-state permit holders shall reimburse the state egg board for expenses incurred to conduct the account review.

As added by P.L.28-2009, SEC.12.

There are two major changes that you need to be aware of:

- 1) The penalty for late payment of quarterly assessments is now **the greater of either \$20 or 10% of the amount due** in addition to the amount due.
- 2) **If the state egg board determines that an account review is necessary, out-of-state permit holders shall reimburse the state egg board for expenses incurred to conduct the account review.**



Please remember that a report and payment are required for processing. If the report and payment are not received in our office by the last day of the month following the end of the quarter, you will be assessed the late penalty. The only exception is for small wholesalers who have been given approval for annual pay or when a zero payment is indicated by a zero volume report. In each of these situations, the volume report is still required by the last day of the month following the end of the quarter. Failure to meet this deadline will result in a late penalty.

Should your account become two quarters delinquent, we will remove from sale all product distributed by your company. Additionally, the Board will be asked to consider revoking your permit at the next quarterly board meeting.

If you have any questions or comments, please feel free to contact our office.

Respectfully,

Mark Straw
Executive Administrator