

Chapter 513

1963 REPLACEMENT PART

Packing Fish and Manufacture of Fish Products

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CROSS REFERENCES

Additional fees for operating cannery, 508.230	Seafood commodity commission, Ch. 576
Additional poundage fees on canners, 508.305	Shellfish sanitation certificates, Ch. 622
Administrative procedures governing state agencies, 183.310 to 183.510	Tax on floating reduction or processing plants, 308.260
Cannery licenses, 508.215	Water resources policy, state, compliance with required, 536.300 to 536.400
Delivery license, 508.223	

513.010 "Reduction plant" defined. As used in this chapter, "Reduction plant" applies to any plant engaged in the reduction of fish into fish flour, fish meal, fish scrap, fertilizer, fish oil or other fish products or by-products.

513.020 Control and regulation of means of handling fish and fish products. In order that all fish or parts thereof suitable for human consumption may be conserved and used for that purpose, and to provide sanitary methods and prevent waste in the use, sale, packing, preserving, manufacturing, processing or other handling of fish or fish products, other than salmon, the Fish Commission of the State of Oregon may control and regulate fishing boats, barges, lighters or tenders, receptacles or vehicles containing fish or fishing gear, fish reduction plants or plants where fish products are manufactured, in so far as may be necessary to insure the taking, catching, delivery of fish, canning, packing, preserving, reduction of and manufacture of fish products or by-products in a wholesome and sanitary manner, and to prevent deterioration or waste of any fish.

513.030 Inspection of means of handling fish and fish products. Any member, assistant or employe of the fish commission, or duly authorized officer of the state, may enter any canning, packing, preserving or reduction plant or place of business where fish or other fish products are packed, preserved, manufactured, bought or sold, or board and inspect any fishing boat, barge, lighter or tender, receptacle or vehicle, containing fish, for the purpose of examining any fish or fish products and to ascertain the amount of fish received, or kind and amount of fish products packed or manufactured and the number and size of containers or cans for fish products purchased, received, used or on hand.

513.040 Control and regulation of amount and kind of fish commercially handled; sardine processing. The fish commission may:

(1) Control, regulate and establish, by order, the proportion or percentage of sardines, pilchards, herring or other species of fish other than salmon, to be used for reduction purposes or the manufacture of fish flour, fish meal, fish scrap, fertilizer or oil, and may further, through such order, specifically name or prescribe the particular

species of fish which may be used for reduction purposes, food for animals or other purposes.

(2) Exercise full jurisdiction and control over the processing, packing or preserving of sardines, and prescribe and specify the process to be used in the canning of such fishes in order to assure a quality product and prevent the use of certain substitute oils resulting in inferior grades.

513.050 [Repealed by 1963 c.197 §4]

513.060 Privilege tax poundage report to commission. The person, firm or corporation mentioned in ORS 513.050 shall, on the tenth day of each month, report to the State Fisheries Director the total of fish in pounds purchased, caught or received by them during the month next preceding. Blanks for this report shall be supplied by the fish commission and shall be executed in the form and manner and in accordance with instructions which the fish commission may, by order, direct.

513.070 Determination of privilege tax disputes. It is intended that only one privilege tax shall be collected for each and every 100 pounds, or fraction thereof, of fish purchased, handled, taken or received. In order that this end may be accomplished, the fish commission may determine any dispute arising out of the operation and enforcement of ORS 513.050 to 513.080.

513.080 Payment of privilege tax; effect of failure to pay. (1) The privilege tax provided by ORS 513.050 shall be paid to the fish commission, or to a person designated by it, within 30 days after the close of each month.

(2) Upon the failure of any person operating under ORS 513.050 to pay the privilege tax within 30 days after the close of any month, his or its license shall be deemed forfeited and thereupon is ineffective and inoperative for any purpose whatsoever.

(3) Unpaid privilege taxes required by ORS 513.050 to be paid, and any portion thereof, constitute a first lien upon the plant and real property wherein and whereon the packing operations have been conducted and carried on.

513.090 Disposition of privilege tax moneys collected. All moneys collected from the privilege tax on fish provided for by ORS 513.050, shall be paid to the fisheries

director and deposited with the State Treasurer to the credit of the General Fund.

513.100 General regulatory power of commission. The fish commission may make, promulgate and enforce such regulations as may be necessary or convenient for carrying out any power, authority or jurisdiction conferred upon it by this chapter, ORS 509.225 and 509.230.

513.110 to 513.980 [Reserved for expansion]

513.990 Penalties. Violation of any provision of this chapter, or any rule, regulation or order of the fish commission authorized by this chapter, is punishable, upon conviction, by a fine of not more than \$500, or by imprisonment in the county jail for not more than 90 days, or both.

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Sam R. Haley, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.
Done at Salem, Oregon,
on December 1, 1963.

Sam R. Haley
Legislative Counsel

CHAPTERS 514 AND 515

[Reserved for expansion]