



Ohio Revised Code Section 924.44 Mandatory terms.

Effective: December 26, 2012

Legislation: Senate Bill 309 - 129th General Assembly

A marketing agreement submitted by a provisional board of directors under section 924.43 of the Revised Code at a minimum shall contain terms that establish all of the following:

- (A) The identification of the agricultural commodity or of the region of the state concerning the agricultural commodity that is the subject of the marketing agreement;
- (B) Standards, if any, of production for the agricultural commodity or of marketing that will apply to each producer that signs the marketing agreement;
- (C) Standards for the use of a logo, trademark, or brand associated with the agricultural commodity;
- (D) The length of time that the marketing agreement will be in effect, whether the marketing agreement may be renewed, and, if so, procedures for renewal;
- (E) Procedures by which the marketing agreement may be amended. The procedures shall require the approval of the director of agriculture and of at least a majority of the producers that are signatories to the marketing agreement in order for an amendment to be effective.
- (F) The size and composition of a board of directors that will administer the marketing agreement;
- (G) Procedures for the election of members of the board of directors;
- (H) The lengths of terms of members of the board of directors and conditions, if any, for reelection;
- (I) Procedures for the removal of a member of the board of directors for misfeasance, malfeasance, or nonfeasance;
- (J) The costs to and rate of assessment to be made on each person who is a signatory to the



marketing agreement for purposes of membership, inspections, or other services provided by the board of directors under the marketing agreement in conjunction with the person's participation in the marketing agreement;

(K) Procedures by which producers of the agricultural commodity may become signatories to the marketing agreement after the agreement takes effect;

(L) Procedures by which producers who are signatories to the marketing agreement may be removed from the marketing agreement;

(M) Procedures by which producers that are signatories to the marketing agreement may terminate the marketing agreement;

(N) Any other procedures or requirements that the director of agriculture requires by rule.