

Ryan Quarles
Commissioner



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Kentucky Department of Agriculture

MEMORANDUM

TO: All Entities Engaging in the Sale of Burley Tobacco in Kentucky

FROM: The Kentucky Department of Agriculture and the Council of Burley Tobacco

DATE: September 24, 2018

RE: Notice to Remit Burley Tobacco Assessment

Kentucky Revised Statute (KRS) 247.770 requires that a tobacco assessment is to be collected by all persons or businesses that purchase burley tobacco in the Commonwealth of Kentucky.

The assessment is based on the pounds of burley tobacco purchased, at one tenth of a cent per pound of burley tobacco. For example, if a buyer purchases 10,000 pounds of burley tobacco from an individual then the assessment on the sale would be \$10.00. **The assessment is applicable to all burley tobacco that is sold in the state, regardless of where the tobacco was produced.**

The assessment is levied each time there is a sale of this tobacco.

All assessment payments shall be made payable to the Council of Burley Tobacco on or before the fifteenth (15th) day of each month. Payments should be mailed to the following address:

Council of Burley Tobacco
PO Box 910546
Lexington, KY 40591

Any producer shall have the right to request a refund of the assessment from the treasurer of the Council of Burley Tobacco within thirty (30) days from the date the assessment was collected. All requests must be submitted in writing to the same address as the payment address listed above.

KRS 247.770(3) states: *The books and records of all tobacco warehouses, tobacco manufacturers and tobacco dealer operators shall at reasonable times be open for inspection by the Commissioner of Agriculture or his duly authorized agents for the purpose of ascertaining the accuracy of the amounts remitted.*

The Commissioner of Agriculture has designed the Council for Burley Tobacco as his authorized agent for the purpose of ascertaining the accuracy of the amounts remitted. The Council for Burley Tobacco has determined it will perform random audits of the individuals or businesses that purchase burley tobacco in the Commonwealth of Kentucky.

The failure of a person or business to comply with the deadline for assessment payment is no less than \$25 and no more than \$50 per each offense.

