

UNITED STATES DEPARTMENT OF AGRICULTURE
Agricultural Marketing Service
Fruit and Vegetable Programs
Washington DC Marketing Field Office
4700 River Road Unit 155 Suite 2A04
Riverdale, MD 20737

TART CHERRY PROCESSOR BALLOT

TO TART CHERRY PROCESSORS:

The tart cherry marketing order requires a continuance referendum to be conducted within the month of March every sixth year after the effective date of this marketing order to ascertain whether continuance of the order is favored by producers and processors. The marketing order provides, pursuant to section 930.83 (d), that the order shall be terminated if termination is favored by a majority of the producers and processors who produced or canned and frozen more than 50 percent of the volume of tart cherries which were produced or processed within the production area.

A Processor Referendum Ballot is attached. Also attached are:

- (1) Voting Instructions and Rules Governing Processor Eligibility to Vote;
- (2) News Release concerning the Referendum;
- (3) An addressed envelope for returning the ballot -- no postage is required.

The referendum voting period is _____, 20____. Please vote promptly and return your ballot. Ballots arriving in envelopes postmarked after _____, 20____, cannot be opened or counted. Each ballot will be held in strict confidence.

XXXXXXX XXXXXXX
Referendum Agent
(301) 734-5243



PROCESSOR'S REFERENDUM BALLOT

Marketing Order No. 930:
Tart Cherries Produced in Michigan, New York, Pennsylvania,
Oregon, Utah, Washington and Wisconsin

This referendum is being held to determine producer and processor support for continuance of Marketing Agreement and Order No. 930, regulating the handling of tart cherries produced in Michigan, New York, Pennsylvania, Oregon, Utah, Washington and Wisconsin.

Please read the attached **VOTING INSTRUCTIONS AND RULES GOVERNING PROCESSORS ELIGIBILITY TO VOTE** before completing this ballot. Additional ballots may be obtained by contacting the Washington DC Marketing Field Office at (301) 734-5243.

1. **Do you favor continuance of the Federal marketing order for tart cherries produced in Michigan, New York, Pennsylvania, Oregon, Utah, Washington and Wisconsin? Indicate your vote by marking the appropriate block:**

Yes

No

PROCESSOR ELIGIBILITY STATEMENT

2. I hereby certify that this organization is currently a processor of tart cherries, and that during the representative period from _____, 20____, through _____, 20____, this organization processed by canning or freezing for market (do not include cherries that were processed in any other form):

3. _____ pounds of tart cherries that were produced in the designated production area.

3. If partnership, insert names of partners: _____.

5. _____
Organizational Name Telephone Number

Street or P.O. Box Number City State ZIP Code

Name Title

Signature*

*Your signature certifies that you have the authority to take such action and will submit supplementary evidence of such authority at the request of an agent of the Secretary of Agriculture.

The information provided in this ballot is required to determine voter eligibility and vote of tart cherry processors. Falsification of information on this government document may result in a fine of not more than \$10,000 or imprisonment for not more than five (5) years, or both (18 U.S.C. 1001).

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0177. The time required to complete this information collection is estimated to average 20 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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VOTING INSTRUCTIONS AND RULES GOVERNING PROCESSOR ELIGIBILITY TO VOTE

I. VOTING PERIOD: _____, 20____.

II. PRODUCTION AREA: The entire States of Michigan, New York, Pennsylvania, Oregon, Utah, Washington, and Wisconsin.

III. Tart Cherries means all tart/sour cherry varieties grown in the production area classified as *Prunus cerasus*, *Prunus cerasus* by *Prunus avium*, or *Prunus cerasus* by *Prunus fruticosa*.

IV. PERSONS ELIGIBLE TO VOTE: Any business entity currently engaged in the commercial freezing or canning of tart cherries who froze or canned tart cherries for the commercial market that were produced in the production area during the representative period of _____, 20____ through _____, 20____, is entitled to cast one ballot.

An individual, partnership, corporation, association, institution, estate, or other business entity may vote. Each such separate entity is entitled to one vote. Proxy voting is not authorized.

V. HOW TO VOTE:

1. Indicate whether you favor or do not favor continuance of the marketing order by marking your vote in the appropriate block.
2. Certify that you are currently a processor of tart cherries and indicate in pounds the quantity of tart cherries processed (canned or frozen) by you for market and produced in the designated production area.
3. If the business entity is a partnership, fill in the names of all partners.
4. Provide the processing firm's name, address, telephone number, and the name and title of the person authorized to vote for such firm. Sign the ballot. Unsigned ballots are not valid.
5. Mail your ballot in the attached envelope. Ballots received in envelopes postmarked after _____, 20____, cannot be opened or counted.