

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

OFFICIAL PRODUCER'S REFERENDUM BALLOT
On Continuation of the Marketing Order No. 916, as Amended,
Regulating the Handling of Nectarines Grown in California

INSTRUCTIONS: Please read the enclosed eligibility and voting instructions. Then complete this ballot, including the Voter Eligibility and Certification section. Return your ballot in the envelope provided. Your ballot must be signed and postmarked on or before XXXXXX XX, 20XX.

ELIGIBILITY AND VOTING INSTRUCTIONS

- A. VOTING PERIOD: XXXX through XX, 20XX.
- B. PERSONS ELIGIBLE TO VOTE: Any producer who is currently a producer of nectarines in California and was also a producer during the 20XX season is entitled to cast one vote. If you were not a producer of nectarines during the 20XX season and are not currently a producer, you are not eligible to vote in this referendum.

"Producer" means any individual, partnership, corporation, association, or other business unit who: (1) owns and farms land, resulting in ownership of the nectarines grown thereon; (2) rents and farms land, resulting in ownership of all or a portion of the nectarines grown thereon; or (3) owns land from which, as rental for such land, ownership is obtained of a portion of nectarines grown thereon. Each producer is entitled to cast only one vote. If you are member of a cooperative association and know the cooperative is planning to vote its members' volume in the referendum, do not cast a ballot.

If you need another ballot, contact _____ at the California Marketing Field Office at (559) 487-5901 (you may call collect) or your county Cooperative Extension office.

- C. HOW TO VOTE:
1. Indicate whether you favor continuance or termination of the Nectarine Marketing Order by placing an "X" in the appropriate block.
 2. Provide the voter information requested in Part II. This information is required to ascertain your eligibility to vote and will be held in confidence. Incomplete ballots may not be counted.
 3. Sign the certification statement in Part III. Unsigned ballots will not be counted. Proxy voting is not authorized.
 4. Return your ballot in the self-addressed envelope enclosed. No postage is necessary.

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 0581-0189. 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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Part I. This referendum is being held to determine producer support for the Federal Marketing Order regulating nectarines grown in California. The Secretary of Agriculture will consider termination of the marketing order if less than two-thirds of those voting and less than two-thirds of the volume represented in the referendum favor continuance.

Please read the enclosed voting instructions and eligibility requirements before completing this ballot. Indicate your vote by placing an "X" in the appropriate block:

- YES, I FAVOR CONTINUANCE OF THE FEDERAL MARKETING ORDER FOR NECTARINES
- NO, I DO NOT FAVOR CONTINUANCE OF THE FEDERAL MARKETING ORDER FOR NECTARINES

PART II. VOTER INFORMATION:

A. Producer's Name: _____
(Please Print)

B. Complete Mailing Address: _____

Telephone No: () _____

C. Voter Eligibility:

1. During the period XXXXX through XXXXXX, I produced _____ containers of fresh nectarines
on _____, in _____
(Number of acres) (County or Counties)
(No. of 25-pound equivalents)

2. During the 20XX season, the following firm(s) sold my nectarines for the fresh market (if sold by self, please indicate so):

(Name of Handler(s))

PART III. VOTER CERTIFICATION:

I hereby **CERTIFY** that I am currently a producer of fresh nectarines, that I was a producer during the 20XX season, and that the information I provided on this ballot is accurate and correct to the best of my knowledge. If this ballot is being cast on behalf of a (check the appropriate space) ___partnership; ___corporation; ___association; ___trustee, executor or administrator of a producing estate; or ___other business unit, I **CERTIFY** that I have the authority to cast this ballot and will submit evidence of such authority at the request of an agent of the Secretary of Agriculture.

(Your Title)

(Signature)

(If a Partnership, provide name of partner(s))

Your signature certifies to the Secretary of Agriculture that you have authority to take such action and that you will submit evidence of such authority at the request of a Referendum Agent of the Secretary. This information is required to determine voter eligibility and vote of producers in the referendum. 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 years or both. (18 U.S.C. 1001).

Ballots postmarked after January 31, 20XX will not be counted in the referendum.

XXXX X, 20XX

To Producers of Nectarines:

The Secretary of Agriculture (Secretary) is conducting a referendum to determine producer support for the Federal Marketing Order regulating nectarines grown in California. Enclosed is a red ballot upon which you may indicate whether or not you favor continuance of the marketing order.

Enclosed are eligibility and voting instructions, which we urge you to read thoroughly before completing the ballot. It is important that you: (1) place an "X" in the space provided to vote on whether or not to continue the marketing order, and (2) sign the ballot. Ballots without a vote or a signature will not be counted.

The voting period is XXXXXXXX X through XX, 20XX. Please vote promptly; ballots postmarked XXXXXXXX XX, 20XX, will not be counted.

If you have any questions about the ballot or the instructions, please call (referendum agent) _____ or Kurt J. Kimmel at (559) 487-5901.

Sincerely,

Kurt J. Kimmel, Referendum Agent
California Marketing Field Office

_____, Referendum Agent
California Marketing Field Office

Please return the entire ballot. Do not tear the ballot apart before mailing.

Your ballot will be held in confidence.