

## VOTING INSTRUCTIONS AND RULES GOVERNING PRODUCER ELGIBILTY TO VOTE

- I. **VOTING PERIOD:** \_\_\_\_\_ through \_\_\_\_\_
- II. **REPRESENTATIVE PERIOD:** \_\_\_\_\_ through \_\_\_\_\_
- III. **PRODUCTION AREA:** Territory included within Malheur County, Oregon, and the counties of Adams, Valley, Lemhi, Clark, and Fremont in the State of Idaho, and all of the counties in Idaho lying south thereof.
- IV. **PERSONS ELIGIBLE TO VOTE:** Any cooperative association engaged in the marketing of fresh potatoes grown in the production area during the representative period. Section 608c(12) of the Agricultural Marketing Agreement Act of 1937 provides, in part, that the Secretary of Agriculture shall consider the approval or disapproval by any cooperative association, bona fide engaged in the marketing of the commodity covered by the subject marketing order, as the approval or disapproval of the producers who are members of, stockholders in, or under contract with, such cooperative association. Cooperative associations are defined in the Capper-Volstead Act (7 U.S.C. 291, 292). **Each separate business unit, partnership, LLC, family enterprise, corporation, association, estate, or firm that is a member of the cooperative association is entitled to one vote.**

“Producer” means any individual, partnership, LLC, corporation, association, institution, estate, or other business unit who:

- Owns and farms land resulting in ownership of the potatoes produced thereon;
- Rents and farms land resulting in ownership of all or a portion of the potatoes produced thereon; or
- Owns land from which, as rental for such land, ownership is obtained of a portion of the potatoes produced thereon. (A lien holder, cash landlord, or person having only a financial interest in the potato crop is not eligible to vote.)

V. **HOW TO VOTE:**

- A. Indicate your vote by placing an “X” in the appropriate box.
- B. Print or type the information requested under the eligibility statement. All information must be provided to ensure the validity of the ballot.
- C. Sign below the certification. Incomplete or unsigned ballots cannot be counted.

Attach to the ballot a list of potato producers in the production area who are currently members of, stockholders in, or under contract with the cooperative association named herein as of the date this ballot is cast, and who produced potatoes for fresh market during the representative period. For each such producer provide the following:

- a. Address (street and house number, rural route number, city, state, zip code).
- b. Volume of potatoes produced for fresh market during the representative period in hundredweight.

Attach to the ballot a certified copy of the resolution of the Board of Directors authorizing the individual signing this ballot to cast the ballot on behalf of the cooperative association.

Mail the completed ballot, producer list, and corporate resolution in the enclosed envelope and return to Referendum Agent, USDA-AMS-FV-NWMFO, 1220 SW 3RD AVE, SUITE 385, PORTLAND, OR 97204-2807. For further information, please call (503) 326-2724.

**Ballots must be postmarked by \_\_\_\_\_.**

**IDAHO-E. OREGON POTATO BALLOT**

UNITED STATES DEPARTMENT OF AGRICULTURE  
Agricultural Marketing Service  
Fruit and Vegetable Programs  
Northwest Marketing Field Office  
1220 SW 3RD AVE, SUITE 385  
PORTLAND OR 97204-2807

\_\_\_\_\_

TO IDAHO-E. OREGON POTATO PRODUCERS:

Marketing Order No. 945, regulating the handling of potatoes grown in certain designated counties in Idaho, and Malheur County, Oregon, requires the Secretary of Agriculture to conduct a referendum every six-years to ascertain whether producers favor continuance. As a consequence, an order directing that a referendum be held was published in the Federal Register on \_\_\_\_\_.

A Producer Referendum Ballot is on the reverse side of this page. Also enclosed are:

- 1) Voting Instructions and Rules Governing Producer Eligibility to Vote;
- 2) News Release issued on the Referendum; and
- 3) Copy of the Referendum Order dated \_\_\_\_\_.

The voting period for the referendum is \_\_\_\_\_ through \_\_\_\_\_. Please vote promptly because **ballots postmarked later than \_\_\_\_\_, cannot be opened or counted.** Each ballot will be held in strict confidence.

\_\_\_\_\_, Referendum Agent  
Phone: (503) 326-2724

**PRODUCER REFERENDUM BALLOT**  
Marketing Order No. 945: Irish Potatoes Grown in  
Certain Designated Counties in Idaho, and Malheur County, Oregon

*Please read the enclosed VOTING INSTRUCTIONS AND RULES GOVERNING PRODUCER ELIGIBILITY TO VOTE before completing this ballot.*

This referendum is being held to determine producer support for the federal marketing order regulating the handling of potatoes grown in certain designated counties in Idaho, and Malheur County, Oregon. The Secretary of Agriculture will consider termination of this order if less than two-thirds of those voting and less than two-thirds of the volume represented in the referendum favor continuance.

A. Do you favor continuance of Marketing Order No. 945, regulating the handling of potatoes grown in certain designated counties in Idaho, and Malheur County, Oregon?

YES

NO

**PRODUCER ELIGIBILITY STATEMENT**

B. I hereby certify that I am currently a producer of potatoes within the production area and that during the representative period \_\_\_\_\_, through \_\_\_\_\_, I produced for the fresh market:

\_\_\_\_\_ on \_\_\_\_\_ in \_\_\_\_\_  
Hundredweight                      Acres                      County(ies)

C.

| Name of Packing House(s) that Handled your Potatoes | Hundredweight | Affiliation (co-op or independent) |
|---|---------------|------------------------------------|
|   |               |                                    |
|   |               |                                    |
|   |               |                                    |
|   |               |                                    |

D. Producer's Name \_\_\_\_\_ Phone Number \_\_\_\_\_

Name of Business \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

E. If this ballot is cast by an officer or employee of a partnership, LLC, corporation, association or other business unit, my signature below further certifies that I am duly authorized to vote on behalf of the producing entity name on this ballot and that I will submit evidence of such authority at the request of an Agent of the Secretary.

Partnership  LLC  Corporation  Association  Other \_\_\_\_\_

\_\_\_\_\_  
Signature\* Title

\_\_\_\_\_  
If Partnership or Joint Venture, list name(s).

F. **I hereby certify that the information I provided on this ballot is accurate and correct to the best of my knowledge.**

\_\_\_\_\_  
Signature\* Title

\*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 potato producers. Falsification of information on this government document may result in a fine of not more than \$10,000 or imprisonment of 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 0581-0178. 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.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

**IDAHO-E. OREGON POTATO BALLOT**

UNITED STATES DEPARTMENT OF AGRICULTURE  
Agricultural Marketing Service  
Fruit and Vegetable Programs  
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**Referendum Agent**

USDA-AMS-F&V-NWMFO  
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**IDAHO-E. OREGON  
POTATO BALLOT**