

2007 SUPPORTING STATEMENT  
Generic OMB  
Vegetable and Specialty Crops  
Marketing Order Administration Branch  
OMB No. 0581-0178

***OMB's Terms of Clearance: The AMS should submit all forms contained in this package to [www.forms.gov](http://www.forms.gov) with the following exceptions: 1) The forms are "controlled", such as ballots and other elections forms. 2) The forms will be filled out by less than 20 respondents per year, or are filled out infrequently, defined as less than once per year. For the next submission, report on the status of USDA e-gov initiatives that may affect this collection, with specific reference to e-signature policies.***

Though AMS is committed to complying with the e-Government Act, which requires Government agencies, in general, to provide the public the option of submitting information or transacting business electronically to the maximum extent possible, the availability and submission of forms electronically is at the Committees/Boards' discretion. The Committee/Board is not part of a Federal agency, but is a commodity industry that operates under Federal authority and oversight. These forms require an original signature, and currently are transmitted by fax machine and postal delivery.

**A. Justification**

**1. EXPLAIN THE CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY. IDENTIFY ANY LEGAL OR ADMINISTRATIVE REQUIREMENTS THAT NECESSITATE THE COLLECTION.**

Marketing Orders (Orders) and Agreements (Agreements) covering the respective commodities emanate from the Agricultural Marketing Agreement Act of 1937, Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674. This legislation, hereinafter referred to as the Act, was designed to permit regulation of certain agricultural commodities for the purpose of providing orderly marketing conditions in interstate commerce and improving returns to producers. The Act provides in section 608(d)(1) that information necessary to determine the extent to which an order has effectuated the declared policy of the Act shall be furnished at the request of the Secretary of Agriculture (Secretary).

Orders/Agreements become effective only after public hearings are held in accordance with formal rule making procedures specified by the Act. Orders/Agreements can authorize the

issuance of grade, size, quality, maturity, inspection requirements, pack and container requirements, pooling and volume regulations. Some Orders also provide authority for research and development to be conducted, including paid advertising. Pursuant to section 608(e)(1) of the Act, certain grade and condition requirements are imposed on commodities imported into the United States for which marketing orders regulate domestic production.

**2. INDICATE HOW, BY WHOM, HOW FREQUENTLY, AND FOR WHAT PURPOSE THE INFORMATION IS TO BE USED. EXCEPT FOR A NEW COLLECTION, INDICATE THE ACTUAL USE THE AGENCY HAS MADE OF THE INFORMATION RECEIVED FROM THE CURRENT COLLECTION.**

Orders/Agreements are administered by committees/boards that consist of producers/growers, handlers, and, in some cases, a member representing the public. Members serve one, two, or three year terms as specified in their respective Orders. Each member has an alternate. Members and alternates are appointed by the Secretary to administer the Orders locally, and are selected from nominees submitted by the producers and handlers of the respective commodity in the regulated area. Marketing Orders and Agreements, and rules and regulations issued thereunder, authorize the Committees/Boards to require handlers and processors to submit certain information as specified in the Orders/Agreements. Producers who voluntarily apply to participate in certain programs are required to submit certain information, pursuant to the specified sections in the Order/Agreement.

Committees/Boards design forms as a convenience to persons who are required to comply with information requirements of the respective Order/Agreement needed to carry out the purpose of the Act and the Order/Agreement. These forms require the minimum of information necessary to effectively carry out the requirements of the Order/Agreement, and their use is necessary to fulfill the intent of the Act. Under the Act, importers are also required to submit certain information.

Due to the termination of M.O. No. 979 (Melons Grown in South Texas), which was published in the Federal Register on June 8, 2006, (Vol. 71, No. 110, page 33178), the reporting requirements included under OMB No. 0581-0178 are being removed.

Because reporting requirements under M.O. 993 (California Dried Prunes) have been suspended indefinitely, the associated burden hours have been removed. However, we are still requesting approval for the following forms should the suspension be lifted.

**PMC 14.5; PMC 2.2; PMC 2.5; PMC 4.72A; PMC 4.72B; PMC 2.21; PMC 2.41; Bill of Lading; PMC 4.71A; PMC 4.71B; PMC 2.63; PMC 5.1; PMC 9.1; PMC 4.5; PMC 4.1; PMC 4.2; PMC 8.44; PMC 8.443; PMC 10.1A; PMC 10.18; PMC 10.2A; PMC 10.2B; PMC 10.5; Reports of Holding; PMC 11.1A; PMC 4.6; PMC 4.7; PMC 4.9; PMC 6.2; PMC 6.33; PMC 8.2; PMC 10.13; PMC 10.3; PMC 12.1; PMC 12.1A; PMC 8.9; PMC 8.91; Independent Handlers' Report of Accounting; Cooperative Marketing Association Report of Accounting; PMC 14.1; PMC 14.9; Proof of Diversion; Notification of Report of Diversion; Release of Grower Production Information; Dried Prune Handler Compensation Survey; Prune Dehydrator Survey; FV-170 and FV-171.** OMB approval for 0581-0241 (Idaho/E. Oregon Onions) is currently pending. We request that upon approval of that package, it be merged into this generic package (0581-0178). Forms include Onion Diversion Report (FV-35), Fresh Cut Report (FV-37) and Assessment Credit Report (no form number), the functions of which appear under 958 – Idaho/E. Oregon Onions in this supporting statement.

The information required under Orders/Agreements is gathered on the following forms, and is used by the Committees/Boards and/or Secretary as outlined below:

**a) Confidential Background Questionnaire/Confidential Nominee Questionnaire, COC-**

**150 (Sections 932.28, 932.29(a), and 932.129 ); COC-149 (Sections 932.28 and 932.29(b)); FV-41 (Section 946.26); FV-61 (Section 947.27); FV-90 (Section 959.22); FV-283 (Section 966.27); FV-124 and FV-125 (Section 984.38); FV-285 (Section 987.24); FV-165 and FV-166 (Section 993.27):** Producer/grower, handler, and public member nominees are required to prepare this form. The information requested pertains to the nominee's relation to the industry being regulated by the respective Order/Agreement. The information collected is used by the Secretary to determine whether nominees are eligible to serve in the positions for which they were nominated. In some cases, this statement also fulfills the respective Order/Agreement section relative to a nominee's acceptance to serve on the Committee/Board.

**b) Background/Acceptance Statement, FV-133 (Sections 945.25 and 945.26); FV-52 (Section 948.54); FV-109 (Section 953.18); FV-174 and FV-175 (Section 955.22); FV-112 and FV-115 (Section 956.24); FV-32 and FV-33 (Section 958.22); FV-177 and FV-176 (Section 981.34); FV-138 and FV-139 (Section 982.34); FV-57 and FV-58 (Section 985.23); FV-219, FV-220, and FV-222 (Sections 989.30 and 989.32):** This form is forwarded to those candidates nominated to serve as members and alternate members on the Committee/Board. It requests information on the nominee's role in the respective commodity's production, handling, industry organizations and programs. This information is used by the Secretary to determine whether nominees are eligible to serve in the positions for which they were nominated.

**c) Committee Ballots/Nominations, FV-269, FV-273, FV-274, and FV-275 (Sections 932.25 and 932.28); No form numbers (Section 955.22); F/H Form F(2), F/H Form (3), and F/H Form F(4), (Section 982.32); No form numbers, (Sections 984.37 and 984.437); No form numbers (Section 987.24), FV-223, (Section 989.29); No form number (Section 989.29); No form number, (Sections 993.28(a) and 993.128):** This form is prepared by independent

producers and handlers for the purpose of nominating candidates to serve as producer, handler, and public members on the Committee/Board of the respective order. Producers may only nominate producers. Handlers may only nominate handlers. A producer/handler may nominate either a producer or a handler, but not both.

**d) Letter of Acceptance, No form numbers (Section 932.28, 946.26, 947.27, 955.24, 959.29, 966.29, 984.39, 987.25, and 993.31):** In conjunction with the background questionnaire, an acceptance letter is sent by the Secretary to each of the nominees for signature. By signing the letter, the nominees agree to serve and administer the Order/Agreement to the best of their ability.

**e) Marketing Agreement, FV-235, FV-132, FV-40, FV-79, FV-51, FV-111, FV-155, FV-113, FV-31, FV-89, FV-69, FV-180, FV-137, FV-127, FV-63, FV-73, FV-225 and FV-169 (Section 900.14):** This form is used whenever an Order is promulgated or amended. Handlers voluntarily sign the agreement, indicating their willingness to abide by the provisions regulating the handling of the respective commodity in the promulgated or amended Order. Referendum agents distribute and collect the marketing agreements from the handlers.

**f) Cooperative's Certified Resolution/Certificate of Resolution, FV-235-A; FV-132A, FV-40A, FV-79A, FV-51A, FV-111A, FV-113A, FV-31A, FV-89A, FV-137A, FV-127-A, FV-63A, FV-225-A, and FV-169A (Section 900.14):** Occasionally a corporation's board of directors may attach a **Certificate of Resolution** that it agrees to be a party to the agreement.

**g) Producer's Referendum Ballot/Official Producer Ballot/Official Ballot/Cooperative Association Ballot/Cooperative Association Referendum Ballot/Cooperative's Official Ballot/Cooperative/ Cooperative's Certificate of Resolution, FV-236, (Section 900.403 and 932.68) FV-131, FV-131A, and FV-131B (Sections 900.403 and 945.83); FV-39, FV-39A,**

**and FV-39B (Sections 900.403 and 946.63); FV-80, FV-80A and FV-80B (Sections 900.403 and 947.71); FV-50, FV-50A and FV-50B (Sections 900.403 and 948.84); FV-110 (Sections 900.403 and 953.66); FV-156 (Sections 900.403 and 955.71(d)); FV-114, FV-114A and FV-114B (Sections 900.403 and 956.85); FV-30, FV-30A and FV-30B (Sections 900.403 and 958.71); FV-94 (Sections 900.403 and 959.84); FV-68 (Sections 900.403 and 966.92); FV-178 and FV-179 (Sections 900.14 and 981.92); FV-136, FV-136A and FV-136B (Sections 900.403 and 982.86); FV-126 and FV-126A (Sections 900.403 and 984.90); FV-60 (Sections 900.14 and 985.72); FV-60A and FV-60B (Section 900.402); FV-72 (Sections 900.403 and 987.82); FV-224 and FV-225B (Sections 900.403 and 989.91); and FV-167 and FV-168 (Sections 900.403 and 993.90):** This form is used by producers/growers to vote on

promulgation of, amendments to, or continuance of the Order/Agreement. The purpose of this ballot is to allow eligible producers/growers to vote in a referendum and to verify eligibility of such voters. Referendum agents of the Secretary tabulate the results of such referenda. When the cooperative elects to bloc-vote, the Cooperative's Official Ballot/Cooperative Association Referendum Ballot and the Cooperative's Certificate of Resolution are used by cooperatives to vote on amending or continuing the marketing order. Other information requested on the ballot is used for the purpose of verifying the cooperative's eligibility to vote and volume produced.

The agents are officials of the Marketing Order Administration Branch of the Fruit and Vegetable Programs.

**h) Certificate of Privilege, No form number (Section 945.56, 945.80, 945.122 and 945.341; No form number (Sections 947.55, 947.130, and 947.340); No form number (Sections 948.24, 948.120, 948.121, and 948.122); No form number (Section 953.44); Form No. 3 (Sections 956.63, 956.66, 956.80, 956.163); FV-34 (Sections 958.56 and 958.328); No form**

**number (Section 959.122); FTC-108 (Sections 966.120 and 966.323):** Grade, size, quality, maturity, pack, container, and inspection requirements specified in the handling regulation apply only to that portion of the commodity that is shipped to the fresh market. Commodities shipped to other outlets are exempt from these requirements, provided that certain safeguards are met. These safeguards provide a method to certify that the commodity shipped to exempt outlets does not enter fresh market channels. Prior to shipping the commodity to an exempt outlet, the handler must apply to the Committee/Board to acquire a certificate permitting such shipments, free from other regulatory requirements. This form is obtained from the Committee/Board office and is filled out by the handler or an authorized representative of the handler. Permission to ship commodities to exempt outlets must be obtained for all shipments. This form requests handlers to submit information pertaining to the purpose of shipments, period for which the permit is required, name and address of shipper and receiver, quantity to be shipped, and destination of shipments. The Committee/Board needs this information for compliance and verification purposes.

**i) Special Purpose Shipment, COC-155 (Sections 932.55 and 932.155); No form number (Sections 946.55, 946.122 and 946.336); No form number (Sections 947.55, 947.132 and 947.340); No form numbers (Sections 948.24, 948.120, 948.121, 948.124, 948.386, and 948.387); No form number (Sections 948.386 and 948.938); No form number (Sections 948.386 and 948.387); No form number (Sections 948.23, 948.24 and 948.386); No form number (Section 953.44); Form No. 4 (Sections 956.63, 956.66, 956.80 and 956.163); FV-36 (Sections 958.56 and 958.328); No form number (Section 959.124); FTC-110 (Sections 966.122 and 966.323); and FTC-111 (Section 966.124):** This form is used by handlers to report shipments made under Certificates of Privilege to special purpose or exempt outlets.

Information provided by the shipper includes the destination of the shipment, the purpose for which it is to be used, the volume of commodity shipped, the date and origin of the shipment, and handler identification information. Upon receipt of the shipment, the receiver is required to provide the Committee/Board with information concerning the volume of commodity received, the date received, the unloading point, and actual use of the commodity received. This information is used by the Committee/Board for compliance purposes.

**j) Application for Registered Handler -- Walla Walla Sweet Onion Handler Registration Form, Form No. 2 (Section 956.180); Application for Registered Onion Handler 20xx-20xx Season, No form number (Section 959.103); Application for Registration as Tomato Handler, FTC-102 (Section 966.113) and Application for Certified Tomato Repacker, FTC-103 (Sections 966.56(a), 966.323(d)(3)):**

These forms are used by the applicable committees to determine who intends to handle the applicable products during the season so that the handler may be kept informed of current handling requirements. The applicable committees need the information collected on these forms, including the handler's names, address, telephone numbers, labeling information, etc. The Application for Certified Tomato Repacker is used by tomato repackers who wish to be exempt from certain handling requirements after they repack inspected tomatoes. Information provided relates to identification of the repacking firm and location of its facilities.

**k) Recordkeeping, No form numbers, (Sections 932.61, 945.80, 946.70, 947.80, 948.80, 953.75, 955.60, 956.80, 958.65, 959.80, 966.80, 981.70, 982.71, 984.80, 984.480, 985.61, 987.168, 989.176, 993.59, 993.159, 993.173, 993.150(c)(1)(vi), 993.162, and 999.1(l)):**

This is the requirement imposed on a person or organization to maintain specified records; retain such records; notify third parties, such as Government, that such records exist; disclose such records



to third parties, such as the Government; and, to report to third parties, such as the Government or the public, regarding such records.

**932 – Olives:**

**l) Weight and Grade Report, COC-3C (Sections 932.51(a)(1)(i), and 932.151(b)):** This form is filed frequently and is used to report weight and grade of incoming fruit inspected by Federal-State inspection service. Form COC-3C is the form utilized by all handlers. Some of the items on the form are required by the State of California Weighmaster.

**m) Pack and Certification Report, COC-4 (Section 932.152(c)):** This form is used by the handlers to report cases of olives packed and confirm certification of that fruit. The form is certified by the Processed Products Branch (USDA, AMS, Fruit and Vegetable Programs) inspector at each handler's plant.

**n) Report of Limited, Undersized, and Cull Olives, COC-5 (Sections 932.51 and 932.151(e)):** This form is used to report fruit packed as limited-use styles, and the disposition of fruit which is undersized and culls. This form permits the Committee to verify the disposition of fruit and track such fruit, as well as providing certification of the fruit by the Inspection Service.

**o) Report of Interhandler Transfer, COC-6 (Sections 932.54 and 932.154(a)):** This form is used by handlers to document transfers of fruit from one handler to another. It must be filed within ten days of the receipt of the transferred fruit. The Committee uses this form to track fruit and to verify which handler assumes the cull and undersized obligation associated with the transfer.

**p) Statement of Assessable Tonnage, COC-13 (Section 932.29):** This form is used by handlers once a season to report their obligation for assessments for canned ripe olives. Without this form, the Committee could not collect assessments on a pro-rata basis, as required.

**q) Final Assessment Payment, COC-17 (Section 932.139):** This form is used once a season to report the final assessment obligation of each handler at the conclusion of the receiving season. This form is also the basis for pro-rata assessments on handlers.

**r) Weekly Report of Olives Received, COC-19 (Sections 932.61 and 932.161(a)):** This form provides a grade and size distribution of olives received by each handler for the previous week. It is used to provide both historical and seasonal information regarding the sizes and quality distribution of incoming fruit, as well as to track assessable fruit. The size and quality distribution is also important to the Committee by providing information relative to anticipated total supplies of fruit for its market development projects. The form is usually filed weekly for nine weeks.

**s) Report of Ripe Olives Sales, COC-21 (Sections 932.61 and 932.161(b)):** This form is used by handlers to report sales of ripe olives by destination monthly at the standardized conversion factor. The information is used by the Committee to track sales of olives by destination and provides historical and statistical information for use in the market development program.

**t) Grower Authorization to Combine Lots, COC-23 (Sections 932.61 and 932.151(f)(3)):** This form is used by the grower as necessary to give authority to a handler to combine a lot of natural condition olives with other lots for the purpose of weighing and size-grading.

**u) Inventory Holdings of Canned Ripe Olives, COC-27a (Sections 932.161 and 932.161(1)):** This form is used twice-monthly by handlers to report inventories of packaged olives yet to be sold. This report assists the Committee in tracking the status of fruit in inventory.

**v) Inventory Holdings of Limited Use Olives, COC-27b (Sections 932.61 and 932.161(d)(2)):** This form is used monthly by handlers to report inventories of packaged limited-use style

olives yet to be sold. This report assists the Committee in tracking the status of fruit in inventory, assisting in the support of the market development program.

**w) Report of Canning Size Olives in Storage, COC-27c (Sections 932.61 and 932.161 (e)**

**(1)):** This form is used by handlers to report the can size and size of fruit packed in a twice-monthly period. Marketing projects are targeted to competing market segments based upon the can size and size of fruit. This report provides information in aid of those projects.

**x) Packout Report of Canned Ripe Olives, COC-28a (Sections 932.61 and 932.161(f)(1))**

**and Packout Report of Canned Ripe Olives – Limited Use, COC-28b (Sections 932.61 and**

**932.161(f)(2)):** These forms are used by handlers to report the style and pack (both size of fruit and size of container) of canned or limited use fruit in a monthly period. These reports provide the Committee with information that will be utilized in targeting certain markets within the marketing development program.

**y) Sales of Canned Ripe Olives, COC-29a and COC-29b (Sections 932.61 and 932.161(b)**

**(2)(i)):** This form is used by handlers to report the sales of canned ripe fruit by size and pack in a twice-monthly period. The information provided by this report assists in the Committee's marketing efforts.

**z) Interhandler Sale or Purchase of Canned Ripe Olives, COC-30 (Section 932.61):** This

form is used by handlers as necessary to report sales to or purchases from another handler.

**945 - Idaho/E. Oregon Potatoes:**

**aa) Receiver's Certificate of Use, No form number (Sections 945.56, 945.80, 945.124, and**

**945.341):** This form provides a method for certifying that potato shipments to exempt outlets do not enter fresh market channels. After receiving the Application for Certificate of Privilege from the handler, the committee staff fills in the shipment information on the Receiver's

Certificate of Use and sends it to the receiver. The receiver checks his records to verify that the shipment was received and then signs the certification and returns it to the committee office.

The committee needs this information for compliance and verification purposes.

**bb) Certificate of Privilege Shipment Summary, No form number (Sections 945.56,**

**945.80, 945.124 and 945.341):** At the end of the shipping season, the Committee staff reviews each handler's Certificate of Privilege shipments, completes the Certificate of Privilege Shipment Summary form, and sends it to all handlers that made shipments under Certificate of Privilege. Information provided on this form includes the permit number(s), receiver(s), and name of handler. Upon receipt, the handler reviews his records and records the actual quantity shipped, then dates and signs the form to certify these shipments were correct. The Committee needs this information for compliance and verification purposes.

**cc) Destination ZIP Code and Quantity Reporting Requirement, No form required,**

**(Section 945.80 and 945.341):** This information is furnished by handlers to the Committee with the destination ZIP codes of all potatoes handled by permitting the Idaho Federal-State Inspection Service or Oregon Federal-State Inspection Service to review the bills of lading upon inspection to determine the destination ZIP codes. Destination ZIP codes are also included on inspection certificates. Handlers also provide the Committee with the destination ZIP codes and the quantity on lots which are positive lot identified (either orally or in writing). For potatoes which are diverted to a different destination, handlers are also required to notify the Committee of the new destination ZIP code and quantity, either orally or in writing, as soon as practicable.

**dd) Potato Committee Application Form for Consideration of Approval as a Canner,**

**Freezer, or other Processor or Preparer of Potato Products for Special Purpose Shipment**

**Reports, No form number, (Sections 945.56, 945.80 and 945.341):** This form is used when a

manufacturer desires to be added to the Committee list of approved receivers of special purpose potatoes. Handlers may ship special purpose potatoes only to receivers on this list. The form requires a company name, address, and signature. After completion, the form is sent to the Committee office. By signing this form, the receiver certifies to the Committee that potatoes not meeting fresh market requirements will not be diverted to the fresh market.

**946 - Washington Potatoes:**

**ee) Shipper's Application for Modification of Inspection Privilege, No form number**

**(Sections 946.60 and 946.132):** Shipments of uninspected potatoes from areas where inspection is not readily available must be identified from uninspected potatoes from other areas to ensure compliance. All such uninspected potatoes must be accompanied by a Waiver Certificate form certifying the potatoes have been shipped from such approved areas and describing the shipment. A copy of this form is also filed with the Committee office and with the first handler of the potatoes.

**ff) Inspection Certificate Failing Marketing Order Requirements, No form number**

**(Section 946.70):** The Committee mails this form to handlers whose potatoes fail to meet handling regulations. It enables the Committee to assure compliance with the regulations by requiring handlers to state the disposition of potatoes failing to meet requirements.

**gg) Potato Committee Application Form for Consideration of Approval as a Canner,**

**Freezer, or Other Processor or Preparer of Potato Products, No form number (Sections**

**946.55, 946.120, and 946.180):** This form is used when a manufacturer desires to be added to the Committee list of approved receivers of special purpose potatoes. Handlers may ship special purpose potatoes only to receivers on this list. The form requires a company name, address, and signature. After completion, the form is sent to the Committee office. By signing this form, the

receiver certifies to the Committee that potatoes not meeting fresh market requirements will not be diverted to the fresh market.

**hh) Shipper's Application for Modification of Inspection Privileges, No form number**

**(Section 946.60 and 946.131):** Shipments of potatoes from areas where inspection is not readily available are exempt from inspection requirements. In order that these shippers do not gain an unfair financial advantage over those shippers who must have their potatoes inspected, they must pay to the Committee an assessment equivalent to that which would otherwise be paid as inspection fees. Handlers are required to meet all other Order requirements and furnish information to the Committee so that it may verify such compliance. Handlers submit a Waiver Certificate Form to the Committee for this purpose, but in applying for a waiver of inspection privilege, handlers agree to certain conditions, including furnishing such information.

**ii) Shipper's Application for Special Purpose Certificate, No form number (Sections**

**946.55, 946.120, and 946.336):** Grade, size, maturity, and inspection requirements specified in the handling regulation apply only to potatoes shipped to the fresh market. Potatoes shipped to other outlets are exempt from these requirements, provided that certain safeguards are met.

These safeguards provide a method to certify that potatoes shipped to these exempt outlets do not enter fresh market channels. Prior to shipping potatoes for prepeeling, chipping, dehydration, charity, salad, freezing, export, or canning, a handler must apply to the Committee and obtain a certificate permitting such shipments, free from other regulatory requirements.

This form is used for that purpose. This form is obtained from the Committee office and is filled out by the handler or an authorized representative of the handler. Permission to ship potatoes to special purpose outlets must be obtained each year, normally at the beginning of the shipping season. Information collected on this form includes the name and address of the

handler, for the purpose of identification. The signature of the handler or an authorized representative is also required, which certifies that the handler will comply with established procedures. The handler keeps one copy of the application on file and submits two copies to the Committee office. The Committee manager completes the bottom portion of the form, indicating whether the requested permission is granted. The manager also assigns a certificate of privilege number in the upper right corner of the form for identification purposes. The manager returns one copy of the signed application to the applicant, along with a supply of Special Purpose Shipment Report forms.

**947 - Oregon/California Potatoes:**

**jj) Oregon-California Potato Committee Handler Statement, No form number (Sections 947.41, 947.80, and 947.180):** This form is used by handlers to report hundredweight of potatoes purchased from growers by purchase date (including growers' names and addresses) for assessment and compliance purposes, on or before the 10th day of the month following the month of purchase or sale.

**kk) Application for Establishment of Approved Manufacturers Classification, No form number (Section 947.134):** This application is filled out by potato product manufacturers who would like to be included on the Committee's Approved Manufacturers List. This list includes all manufacturers who have been approved by the Committee as processors of potatoes other than fresh market table stocks. All shipments made by handlers to processors must be sent to a manufacturer on this list. The application asks for the location of the processing plant, the principal products of the processing plant, the name, address, and phone number of the plant, and the signature of an authorized representative. By signing this application, the applicant agrees that all potatoes received by the manufacturer will be used for processing, and not be

diverted to the fresh market. The applicant also agrees to report all received shipments to the Committee on the Special Purpose Shipment Reports by filling out the manufacturer's portion of the Special Purpose Shipment Report and returning the blue copy of the completed report to the Committee office.

**ll) Report of Anticipated Shipment to Receiver not on Approved Manufacturers List, No form number (Section 947.134):** This form is used in conjunction with the above-mentioned form and filled out by a handler when the handler cannot locate a manufacturer on the Committee's Approved Manufacturers List. This alerts the Committee that a manufacturer may be processing potatoes without having completed an Application for Establishment of Approved Manufacturers Classification form.

**mm) Shipper's Application for Waiver of Inspection Privilege, No form number (Section 947.340):** Shipments of potatoes from isolated areas where inspection is not readily available are exempt from inspection requirements. This application is filled out by handlers who can establish that having all shipments of potatoes inspected by the Federal-State Inspection Service would cause economic hardship due to an isolated location or meager shipments of potatoes. Information collected on this form includes the name, address, and telephone and fax (if available) numbers of the handler, for the purpose of identification. When the handler or an authorized representative signs this form, he/she certifies that the handler will comply with the established stipulations.

**nn) Load Report Sheet Waiver of Inspection, No form number (Section 947.340):** Shipments of uninspected potatoes from areas where inspection is not readily available must be identified from uninspected potatoes from other areas to ensure compliance. All such uninspected potatoes must be accompanied by this form certifying the potatoes have been



shipped from such approved areas and describing the shipment. This report is filled out and returned to the Committee by handlers who have a waiver of inspection privilege. The handler logs each shipment, including such information as date, consignee's name, weight of shipment, and container size. This form is sent to the Committee on a weekly basis during shipping season.

**948 - Colorado Potatoes:**

**oo) Application for Hardship Exemption, No form number, (Sections 948.30 and 948.130):**

Although this form is not currently in use, a producer can apply for exemption from any grade and size regulation by applying to the respective area committee in which the applicant's potatoes were grown or stored. The applicant fills out the name, address, location of the potatoes to which exemption is requested, total estimated quantity of potatoes produced by the applicant during the current season, estimated percentage of the applicant's potato crop which cannot be shipped because of grade and size regulations then in effect and the acts beyond his control, as well as the quantity of potatoes of each variety which has already been sold or otherwise shipped during the current season, and the applicant's signature, certifying that the application is true and correct.

**955 - Vidalia Onions:**

**pp) Vidalia Onion Handler Report Form, FV-181, (Section 955.60):** This form is used by each handler (small businesses) to report the weekly volume of onions received or acquired, the businesses dealt with, and the assessment due. Under the order, handlers are responsible for reporting acquisition information to the Committee and for submitting an assessment payment based on the volume of onions shipped. The information on this report is used by the Committee to determine the handler's assessment obligation and to verify that the assessment

paid is correct. If information supplied on this form were not available, the Committee would be unable to determine each handler's correct assessment.

**956 - Walla Walla Onions:**

**qq) Handler's Statement of Walla Walla Sweet Onions, FV-141 (Sections 956.80 and 956.180):** This form is completed by regulated handlers of Walla Walla sweet onions on an annual basis. Handlers are required to indicate the quantity of seasonal shipments made by their firm on a weekly basis, and to which general region the shipments were made. Committee Form No. 1 (FV-141) when completed and returned to the Committee, should be accompanied by each handler's assessment payment for the current season.

**958 - Idaho/Oregon Onions:**

**rr) Onion Diversion Report, FV-35 (Sections 958.56 and 958.180):** This form is to be prepared in quadruplicate by the handler for each individual shipment to authorized outlets. At the time such shipment is made, the handler enters the date of the shipment, the name and address of the receiver to whom the shipment is being made, the number of the inspection certificate (if an inspection has been made), and the railroad car or truck license number. These data elements are for the purpose of identifying the shipment. The handler also indicates the specified outlet to which the shipment is being made so that the Committee staff can determine whether it is an authorized outlet for this purpose. Finally, the handler enters the volume of onions in the shipment, his/her name, signature, and date to certify that the onions are not being shipped to fresh market. When the shipment is made, the handler retains a copy of the form for file (if desired), and sends one to the Committee office and two to the receiver. The receiver then indicates the volume received which serves as a check that no portion of the shipment was diverted to unauthorized outlets. The receiver also dates and signs the form to certify that the

shipment will not enter the fresh market. The receiver retains one copy and files the other copy with the Committee.

**ss) Fresh Cut Report, FV-37 (Section 958.328):** Onions that have been inspected and certified as meeting grade and size provisions of the regulations, and which are subsequently altered (peeling, chopping, or slicing) within the production area for shipment to fresh market outlets, may be shipped from the production area without reinspection. Each handler making shipments of onions for such purposes provides the Committee with a copy of the original inspection certificate verifying that minimum marketing order requirements have been met. Documentation, on forms provided by the Committee, showing the intended use and destination of the onions, as well as referencing the inspection certificate number, is also required. Two copies of this form are sent, upon shipment, to the handler altering the onions destined for fresh market, and one copy is mailed to the Committee. Upon receipt, the handler responsible for altering the onions documents the weight of the final product and returns a signed copy to the Committee. Handlers who peel, chop, or slice onions grown outside the production area are required to provide the Committee with documentation showing that the onions were produced outside the production area.

**tt) Assessment Credit Report, No form number (Sections 958.42, 958.240 and 958.250):**

Those handlers who would like to receive a credit for assessments on onions that have been levied in accordance with the order and are subsequently regarded, resorted, repacked within the production area, or shipped in accordance with a special purpose shipment, would complete this form and submit it to the Committee, along with a copy or copies of the inspection certificates. The handler must indicate the purpose of the handling of onions, such as regarding, dehydration, freezing, planting, livestock feed, charity, et al. In addition, the original inspection certificate

number must be indicated, the original bag count, original container, original grade, new inspection certificate number, new bag count, new container, and new grade. The form also contains a penalty clause for falsifying this document.

**959 - South Texas Onions:**

**uu) Onion Acreage Registration, No form number (Section 959.115):** Information on this report provides a statistical base for the Committee's market development programs. The handler enters the grower's name, mailing address, field location, variety of onions, acreage, and planting dates on the form.

**vv) Certification for Handling Onions for Processing (Canners and/or Freezers), No form number (Section 959.126):** This is one of two forms which provides certification that handlers or canners/freezers are aware of the requirements for handling culled onions. This form is signed by the canner/freezer, and is accompanied by a copy of the rules for handling culled onions. The handler or canner/freezer need only read the rules, sign the form, and file the form with the Committee.

**ww) Certification for Subcontractors Who Peel and/or Chop Onions for Processors for Special Purpose Onion Shipments, No form number (Section 959.126):** This form provides certification that a subcontractor is aware of the requirements for handling onions for peeling and chopping. This form is accompanied by a copy of the Rules for Canners and Freezers Receiving Onions. The subcontractor need only read the rules and sign and return the form to the committee office where it is filed.

**xx) Relief or Charity Certification for Handling Onions Which Fail to Meet the South Texas Onions Rules and Regulations, No form number (Section 959.126):** This form accompanies the Report of Special Purpose Shipment, and verifies that the onions will be used

for relief or charity purposes.

**966 - Florida Tomatoes:**

**yy) Tomato Total Lot Manifest, No form number (Section 966.323(e)):** The handler will record his/her daily packout information on this form and submit it to the Federal-State Inspection Service and the Committee on a daily basis. Information provided by the handler includes whether tomatoes are mature greens or mixed, size, weight of tomatoes in container, total volume per shipment, brand, grade, applicant's name and address, date inspected, and total number of containers shipped. This form is used by the Committee to obtain total daily packout information needed to determine assessment per handler.

**981 - California Almonds:**

**zz) Interhandler Transfer of Almonds, ABC 7, (Sections 981.55 and 981.455(a)):** This form is used by handlers who transfer almonds to other handlers, permitting the Board to make appropriate adjustments in assessments and/or reserve requirements. The form provides for identification of handlers and the almonds being transferred.

**aaa) Report of Receipts (Summary Report), ABC 1, (Sections 981.72 and 981.472(a)):** This form is filed twelve times per year by handlers to report receipts of almonds from growers. The information is corroborated with inspection certificates and other ABC forms to determine marketing order obligations. Information is combined with information from other handler reports by the Board to issue a monthly disposition report containing industry statistics used by those affiliated with the almond industry in making marketing decisions. This report also includes a requirement for handlers to report the year-to-date totals of receipts.

**bbb) Redetermination Report, ABC 2, (Sections 981.73 and 981.473):** This form is filed by the handler three times per year to report carryover, shipments, transfers, and inventories. The

Board uses the form to determine and sometimes adjust handlers' assessments and reserve obligations. This form requires information to be reported as part of delivered sales (shipments). The information allows the Board to simplify the data processing calculations.

**ccc) Current Inventory for Next Redetermination Report, ABC 2A, (Sections 981.73 and 981.473):** This form is used to collect inventory data for reporting and calculating information on ABC Form 2. Handlers can chose to submit ABC Form 2A with their end-of-year inventory amount. The Board calculates the other information on ABC Form 2, based on information submitted by handlers, to obtain the redetermination weight. Handlers then receive a completed copy of the ABC Form 2 for approval. Handlers are given the option of providing an inventory amount on ABC Form 2A or completing the ABC Form 2 and submitting it to the Board. This form would also be submitted three times per year.

**ddd) Report of Shipments and Commitments, ABC 25-1, (Sections 981.74 and 981.474(a):** This form is filed by handlers to report shipments and commitments on a monthly basis. The Board compiles this information and provides it to the industry in aggregate form. Such information is used in marketing decisions. This form requires handlers to report shipments of almond products which were previously report on ABC Form 2.

**eee) Shipments by Country of Destination, ABC 25-2, (Sections 981.74 and 981.474(a):** This form is filed by handlers to report almonds shipped outside the United States on a monthly basis.

**fff) Intention to Ship Reserve Almonds, ABC 13, (Sections 981.74 and 981.474(b):** This form is filed by handlers when reserve almonds are diverted to non-competitive outlets. The information generated from this form assists the Board in tracking reserve almonds and crediting handlers' reserve disposition obligations.

**ggg) Completion of Disposition of Reserve Almonds, ABC 14, (Sections 981.74 and**

**981.474(b)**: This form is filed upon completion of the disposition of reserve almonds. The information generated from this form assists the Board in tracking reserve almonds and crediting handlers' reserve disposition obligations.

**hhh) Claim for Credit-Back Advertising Activities, No form number, (Section 981.441(e)**

**(6)**): This stipulation requires the handlers must submit claims to the Board in writing to be eligible to receive credit against their assessment obligation for their own promotional activities credit-back). Documentation in the form of invoices, canceled checks, and physical evidence of the activity must be submitted along with the claim.

**iii) Statement of Outstanding Credit-Back Commitments at End of Crop Year, No form**

**number, (Section 981.441(e)(6)(iv))**: This requires handlers to submit, within 15 days at the end of the crop year, a statement in writing of all creditable promotional commitments outstanding at the close of the crop year. The purpose of this is to allow the Board to close out its accounting records at the end of the season.

**jjj) Inedible and Exempt Outlet Disposition - Notice of Delivery to Oil or Feed, ABC 8,**

**(Section 981.442(a)(5))**: This report is filed by handlers to advise the Board of disposition of inedible or exempted almonds. The handlers receive credit for deliveries of inedible or exempted almonds against their inedible disposition obligation when such deliveries are documented with this form.

**kkk) Documentation to Accompany ABC Form 8, No form number, (Section 981.442(a)**

**(7)**): These are documents that accepted users have to submit to supplement ABC Form 8. These are necessary to verify the disposition of inedible almonds.

**lll) Accepted User Business Data Sheet, No form number, (Section 981.442(a)(7))**: This

form accompanies the accepted user application and provides additional information regarding the facility location, mailing address and telephone number, names of company principals, and the type of business organization.

**mmm) Application to be Approved as an Accepted User of Inedible Almonds and Almond**

**Waste, ABC 34, Section 981.441(a)(7)**): This form is filed by crushers, feed manufacturers, feeders, etc., who wish to receive and use inedible almonds. Handlers are given credit for inedible dispositions to approved accepted users. This contract permits the Board to track almonds and to verify that such inedibles have been used for authorized purposes.

**nnn) Reserve Credit Transfer or Reserve Withholding Obligation Transfer, ABC 11,**

**(Section 981.455(b))**): This form is filed by handlers to report transfers of reserve almond disposition credits. It is used by the Board to identify the handlers, track the quantity of almonds being transferred, and to make appropriate adjustments to reserve disposition obligations. It also contains certification that the transfer is in compliance with marketing order requirements.

Handlers will have an option to transfer reserve credits or transfer reserve obligations. Only certain handlers will utilize this form and, in most instances, only one option will be selected.

**ooo) Transfer of Unprocessed Almonds, ABC 9, (Section 981.455 (c))**): This form is filed by

the handler when unprocessed almonds are transferred to another handler. The Board uses the information provided by this report to track transfers of unprocessed almonds, permitting it to make necessary adjustments in each handler's inedible obligation and receipts.

**ppp) Agency Agreement - Disposition of Reserve to Non-Competitive Outlets, ABC 12**

**(Sections 981.67 and 981.467)**): This form is used by the Board whenever a reserve is established and almonds are to be disposed of in reserve outlets. Handlers must file the agreement with the Board to be eligible to dispose of reserve almonds. When the agreement is



approved by the Board and USDA and signed by handlers, it becomes a contract which authorizes handlers to dispose of reserve almonds as agents of the Board in compliance with its terms.

**qqq) Handler Information Sheet, ABC 42, Section 981.474:** This form is filed by handlers to provide background information to the Board, as well as to confirm that they have received a copy of the marketing order, the administrative rules and regulations, and a list of handler responsibilities.

**982 - Hazelnuts:**

**rrr) Statement of Expense, F/H Form H (Section 982.37):** This form is used by Board members and alternates to claim for mileage costs incurred when attending official Board functions. The Order allows the Board to reimburse Board members and alternates acting as members for their necessary expenses to attend any Board meeting. The Order also provides that the Board may request the attendance of one or more alternates not acting as members at any meeting of the Board, and such alternates may be allowed their necessary expenses.

**sss) Report of Hazelnut Certifications, Shipments and Diversion Requirements, F/H Form 1 and supporting companion forms: F/H Form 1(a) - Domestic Inshell Shipments, F/H Form 1(b) - Export Inshell Shipments, F/H Form 1(c) - Kernels Certified, F/H Form 1(d) - Restricted Inshell Certified, and F/H Form 1(e) - Kernel Shipments (Sections 982.50, 982.66, 982.450 and 982.466):** F/H Form 1 and supporting companion forms are the Board's basic activity reporting documents and are also used to keep each handler aware of their restricted obligation position. There are six different forms. F/H Form 1 is a summary of the information reported on the other forms and also extends and interprets this information, allowing each handler to self compute their restricted obligation positions. The information on

F/H Form 1 is cumulative. F/H Form 1 is requested from all major handlers monthly. Smaller handlers may be required to report only once or twice each year, because of handling activity. The Order requires that given quantities of hazelnuts be withheld for restricted use. Restricted use is either inshell export sales or shelling. The Board, therefore, must account for all domestic inshell sales and also for the various sales or uses which result in earning credits for the handler to offset the obligations he/she incurs by shipping inshell hazelnuts domestically. These forms can accommodate the reporting of all types of use, and also keep the reporter aware of their restricted position. Information reported is reviewed and reconciled with data received from other sources by the Board. These reports are required only for periods when a handler has activity; thus, many handlers will need to submit them only once or twice each year. The five largest handlers submit 12 reports each marketing year. Support forms (F/H Forms 1(a) - 1(e)) are completed only if activity requiring use of each form has occurred. For example, a handler may use F/H Form 1(c) only once each year but may file F/H Form 1 several other times because of activity requiring reporting on F/H Form 1(a) or F/H Form 1(b). This is the only time that handlers report their activity by individual shipments. The time involved in preparing F/H Form 1 and required companion forms would vary depending on the number of shipments to be reported. F/H Form 1 information is summarized by the Board following each reporting period, and the information is made available to the industry in a "Disposition Report." This allows each handler to know precisely how much product was handled and how it was handled, during the reporting period and year-to-date. It also allows for a comparison with year-to-date handling of the two previous years.

**ttt) Domestic Inshell Shipments, F/H Form 1(a)** is a listing of individual domestic inshell shipments made during the reporting period. If a handler does not have any domestic inshell

shipments during the period, this form does not need to be used. This report calls for basic shipment data; i.e., date, quantity, invoice data, and inspection number.

**uuu) Export Inshell Shipments, F/H Form 1(b)** is a listing of individual export inshell shipments made during the reporting period. This report needs to be completed only when inshell hazelnuts have been exported during the reporting period. In addition to the data required for domestic shipments, the form requires unit price information and country of destination. This information is used to develop industry statistical data. Hazelnut export data is not otherwise compiled by USDA.

**vvv) Kernels Certified, F/H Form 1(c)** is a listing of kernels certified, by inspection certificate, during the reporting period. Section 982.52 allows for the disposition of restricted product by shelling. Product is considered as "handled" by the Board when it is shelled, certified and reported. The data requested on F/H Form 1(c) is essentially the data contained on the official inspection certificate prepared by the Federal-State Inspection Service (FSIS).

**www) Restricted Inshell Certified, F/ H Form 1(d)** is a listing of restricted inshell hazelnuts certified. This form is used very seldom. The form is only used after April 30 if a handler is still in a negative position with respect to restricted credits. Bonding provisions provided for in section 982.54 usually remain in effect long enough to accommodate most handlers. The form is described in section 982.450.

**xxx) Kernel Shipments, F/H Form 1(e)** is a listing of kernel shipments. The Order allows for the reporting of kernel shipments. Handlers expressed an interest in the Board accumulating this information, because the industry was interested in shipments by size, kernel use by size and export shipments by country. The form asks for all shipments by size, broken down between export and domestic categories. Shipment data is reported in summary form. This form is

submitted with F/H Form 1, but the information is not involved with volume regulations. This form is required to be submitted purely for statistical purposes. The statistical information is compiled by the Board and included in the Disposition Reports distributed for each reporting period. Handlers required to submit an F/H Form 1, with attachments, are provided with blank forms each submission period.

**yyy) Receipt and Disposition of Hazelnuts Produced Outside the USA, F/H Form 1(f),**

**(Sections 982.68 and 982.467):** The purpose of this form is to collect information from handlers who would report the receipt and disposition of hazelnuts grown outside the United States. Information requested on imported shipments would include: date of receipt of the shipment, inspection certificate, country of origin, pounds inshell, pounds in kernel, and total pounds. This report provides the Board with more accurate information on the total supply of hazelnuts being handled in Oregon and Washington, and would also assist the Board in tracking both domestic and foreign product.

**zzz) Declaration of Inshell Hazelnuts, F/H Form 4 (Sections 982.50 and 982.450):** This form is used at the end of the year and is submitted by anyone who has merchantable product on hand at the end of the year and wishes to declare it and carry it over as free product. This product would then be considered by the Board as if it were shipped during the preceding fiscal year. Each handler involved would file only one form each year. The time of preparation would be minimal once the quantities to be declared are decided upon. There would usually be one to four or five batches where the reporter would need to report pounds, size of hazelnuts and location of hazelnuts. Between five to seven handlers use this form per year.

**aaaa) Export Agreement, F/H Form A, (Sections 982.52 and 982.452):** This is a form documenting an agreement between the Board and each handler who wishes to act as an agent of

the Board and sell inshell hazelnuts in export. The agreement spells out the requirements of being an agent. The form requires only a signature, and all handlers are familiar with the requirements of being an agent for exporting inshell hazelnuts under the Order. Agreements are continuing, and new agreements are requested only when organization names or responsible representatives change.

**bbbb) Sheller's Application for Letter of Authority, F/H Form B (Sections 982.52 and 982.452):** This form serves as an application and an authorization for a handler to become an authorized sheller of hazelnuts. This form takes very little time to complete. The only information required is size of plant and years in business. The form, when signed by the Board, serves as authority to shell hazelnuts under the Order. The Board sends each shelling operation it is aware of, a copy of the F/H Form B each year. The form and the letter transmitting it serve to remind prospective shellers concerning the provisions of the Order. Section 982.46 provides that all shelled product is inspected prior to handling. This basic Order requirement has been included as a part of the Sheller's Agreement.

**cccc) Request for Transfer of Excess Restricted Credits, F/H Form 3 (Sections 982.52 and 982.460):** Section 982.52 of the Order allows for the transfer of credits between handlers. F/H Form 3 accomplishes this and is used about 15 times each year. It is processed by the parties transferring the credits and approved by the Board. The form is a very simple document, and some form of documentation is needed to record such transfers. This form requires only the insertion of the number of credits to be transferred and the signatures of both parties involved.

**dddd) Report of Disposition of Restricted Set-Aside Inshell Hazelnuts, F/H Form 7 (Sections 982.52, 982.67, 982.450, 982.452, and 982.466):** This form is used only by handlers who at the end of the year have hazelnuts set aside for restricted use. This form informs the

Board when this product moves and where it moved. The form does not require extensive time for preparation. On average, this report may be submitted by one or two handlers per year.

**eeee) Application to be Listed as an Accepted User of Inedible Hazelnuts and Hazelnut**

**Waste, F/H Form D (Sections 982.53 and 982.453):** This form will be used to obtain data from prospective users of hazelnut waste products necessary to properly track the use of such product.

Data requested on the application/agreement form will allow the Board to maintain a firm control over the use of this product to assure that it does not reappear in the normal channels of trade. Control over substandard hazelnuts is authorized under the Order.

**ffff) Hazelnut Waste Products Control Report, F/H Form D(1) (Section 982.53 and**

**982.453):** This form is a simple form that handlers will be required to submit to the Board whenever waste hazelnut product is sold to an authorized user. It is anticipated that the time involved in completing F/H Form D(1) will be negligible. It is also anticipated that only one or two such reports will be submitted each year, and in years like 1994-95, where a minimum of waste product is produced, there will be none. Control over substandard hazelnuts is authorized under the Order.

**gggg) Bonding Undertaking, F/H Form C, and companion forms: F/H Form C(1) - Bond, F/H Form C(2) - Form for Justification of Sureties, and F/H Form C(3) - Acknowledgment**

**of Bonding Requirement (Sections 982.54 and 982.454):** F/H Form C is a document which, when signed by the handler, puts the handler on notice with respect to the set-aside obligations of the Order and how the bonding provisions of §982.54 of the order work. This form, which is really an agreement, can be completed merely by a signature. F/H C(1) and F/H C(2) are forms which can be used for the purpose of satisfying the bonding requirement. Handlers can use other forms if they wish, as long as they comply with §982.454, Sureties Acceptable to the Board.

F/H Form C(3) is a notice from the Board office to the handler of the bonding requirement, so there is no burden to handlers.

**hhhh) Exchange of Merchantable Inshell Between Handlers, F/H Form 2 (Sections 982.55, 982.56, 982.455 and 982.456):** This form is used to accommodate the sale or exchange of merchantable inshell product between handlers. This form is usually used by two or three handlers each year. The time involved in completing this form would be minimal because it requires only two signatures and a figure indicating the quantity of product exchanged. The Order requires that all interhandler transfers be reported.

**iiiii) Report of Hazelnut Marketing Board of Handler Carryover on \_\_\_\_\_, F/H Form 5 (Sections 982.65 and 982.468):** This report was submitted twice each year, on January 1 and July 1. However, the Board decided that the carryover, or on hand information reported on F/H Form 6, is adequate for mid-year purposes and now asks for F/H Form 5 at the end of the marketing year only. This information is used by the Board to help their decision making concerning the establishment of free and restricted percentages. The information is summarized after each reporting period and is made available to the industry. Completion of this form should not require significant time on the part of the handler, and many handlers have negative reports.

**jjjj) Crop Produced, Disposed of or On Hand as of \_\_\_\_\_, F/H Form 6 (Section 982.65 and 982.468):** This report is submitted twice each year and contains only information relating to the current crop year being reported. Receipt, disposition, and on hand information are required. The information is used for reconciliation purposes and also provides the industry with statistical information relating to loss, culls, shellout, etc., which is not secured in any other way. The primary purpose of the information is for the use of reconciling other industry reports. The

information is summarized and is used for many purposes by the trade and is the basis of many industry statistics.

**984 - Walnuts:**

**kkkk) District 1, District 2, and At-Large Independent Walnut Grower's Petition, No**

**form numbers (Sections 984.37 and 984.437):** These petitions are used by independent producers and mailed to the WMB office. The walnut marketing Order and Rules provide that any candidates who want to serve on the Board must have ten or more walnut producers who marketed an aggregate of 500 or more tons of walnuts during the season to petition the board to be included on the producer nomination ballot.

**llll) Export Agreement for Reserve Walnuts, WMB-16 (Sections 984.56 and 984.456):** The

"Export Agreement for Walnuts" authorized by the Order and regulations, (984.456(a) and 984.56(b)), requires that the signatory handler (who wishes to become eligible to dispose of reserve walnuts) must file a report of any sale of reserve walnuts and comply with all terms of the Agreement.

**mmmm) Request for Transfer of Reserve Credits, WMB-17 (Sections 984.56 and**

**984.456):** A handler who desires to transfer credit for reserve disposition in excess of reserve obligation must submit a request to the Board on WMB form 17. Both handlers must sign this form. The form allows handlers to make adjustments in the marketing of walnuts by balancing one handler's excess withholding with another handler's need for credit. This information allows the Board to verify that conditions specified in the agency agreement for disposition of reserve (Export Agreement for Walnuts) have been satisfied.

**nnnn) Consummation of Sale and Transmittal of Supporting Documents, WMB Export**

**Form B (Section 984.56):** The "Report of Consummation of Sale and Transmittal of



Supporting Documents" (WMB Form B) for reserve walnuts is submitted to the Walnut Marketing Board by walnut handlers. The information required on the form includes the number and type of container, net weight, lot, size and grade, and color classification of the walnuts if shelled, the inspection certificate number, price per pound, country of destination, date of shipment, and the name of the carrier. This information must be accompanied by documentation which the Board may specify as adequate evidence that the walnuts arrived at the destination. The Board uses the information to verify that reserve walnuts are disposed of properly.

**oooo) Application to be an Approved User of Substandard Walnuts, WMB Form 24-05 (Non-Reserve Year); WMB Form 24-10 (Reserve Year), Report of Substandard Walnuts Received; WMB Form 24-15 (Non-Reserve Year); and Substandard Walnut User**

**Agreement, WMB Form 24-20 (Reserve Year), (Sections 984.56, 984.64 and 984.464):** Any persons interested, who wish to use substandard walnuts for the production of oil or as an ingredient in animal feed, must apply to the Walnut Marketing Board and be approved as eligible users of substandard walnuts. During non-reserve years, substandard walnut users must report the substandard walnuts that they have received to the Board. During reserve years, approved substandard walnut users must sign a "Substandard Walnut User Agreement" with the Board prior to handling substandard walnuts. In addition, such persons must comply with all the terms of the agreement.

**pppp) Report of Substandard Walnuts Delivered, WMB Form 20 (Sections 984.56, 984.64 and 984.464):** Reserve or substandard walnuts can be pooled with the Board at any time; and reserve walnuts not otherwise disposed of by marketing year's end must be pooled. Form 20 is used to report this delivery to the Board in order for the walnut handler to obtain credit and

receive payment. The form serves as a compliance check on handlers and permits the Board to account for the handler equity in the pool. A copy of the weighmaster's certificate is required to be attached to the form to show the weight and destination of the nuts pooled.

**qqqq) Inventory Report as of \_\_\_\_\_, (Inshell and Shelled), WMB Forms 4 & 5**

**(Sections 984.71 and 984.471):** Handlers must report inventory information which the Board uses to formulate the marketing policy statement. Reports of handler carryover as of August 1, January 1, and April 1, of each marketing year shall be submitted to the Board on WMB forms 4 and 5 for shelled and unshelled walnuts. This is the only Board form relating to inventory information. The July 31 inventory information is used to help formulate the marketing policy (the total available supply is calculated from the form's information). The December 31 inventory is used by the Board to evaluate the current marketing policy, and to decide whether it needs to be modified. The April inventory information is collected for use by the industry in planning the marketing of walnuts.

**rrrr) Report of Merchantable Walnuts Shipped, WMB Form 6, (Sections 984.72 and**

**984.472):** Walnut handlers must report shipments of merchantable walnuts on a monthly basis.

The Board uses this information to formulate marketing policy and check compliance with quality and volume regulations. Reports of merchantable walnuts shipped during a month shall be submitted to the Board on WMB form 6 not later than the 5th day of the following month.

These reports must include all shipments during the preceding month and shall show for inshell and shelled walnuts: (1) The quantity shipped; (2) whether they were shipped into domestic or export channels; and (3) for exports, the quantity by country of destination. If a handler makes no shipments during any month, the handler shall submit a report marked "none". If a handler has completed shipments for the season, the handler can mark the report "completed" and then is

not required to submit any additional WMB Form 6's.

Reports of walnuts purchased directly from growers by handlers who are manufacturers or retailers shall be submitted to the Board on WMB Form 6 not later than the 5th day of the following month in which the walnuts were purchased. The report must show the quantity of nuts purchased, quantity inspected, and certified as merchantable.

The Board compiles reports using information furnished by handlers and sends these reports to handlers every month. The Board also uses this information when formulating the marketing policy. The monthly reports also enable the Board to adjust the marketing policy in a timely fashion. If shipments are proceeding at more than the normal yearly rate (demand is greater than anticipated), the free percentage can be increased.

**ssss) Crop Acquisition Report, by County and Variety, for Crop Year, WMB Form 1**

**(Sections 984.73 and 984.473):** Each handler must file a report of walnut receipts from growers on or before January 15 of each marketing year on forms supplied by the Board. This information is reported on the "Crop Acquisition Report, by County and Variety". The Board uses the production information to determine the actual tonnage of each walnut crop, in order that the Board can correct the objective crop estimate. Accurate production estimates are used by growers to plan for future production. Also, the information is reported by county, so changes from the objective survey can be evaluated on an area basis by the Crop Reporting Board. The Board can then decide how to improve the objective survey estimating procedure.

**tttt) Quarterly Report of Receipt of Walnuts Produced Outside the USA, WMB Form 7**

**(Sections 984.73 and 984.476):** Handlers are required to file with the Walnut Marketing Board quarterly report of receipts of walnuts grown outside the United States. This form supplies the Board with better information on the total available supply of walnuts within the State of

California, which included both California and foreign product.

**uuuu) Report of Interhandler Transfers, WMB Form 8 (Sections 984.59, 984.76 and**

**984.459)**: This form will be completed in part by both the handler who transfers walnuts, and the handler who receives the walnuts. The transferring handler will submit a copy of the form to the Board, and forward two copies of the form to the receiving handler. The receiving handler will complete his/her appropriate portion of the form and forward a copy to the Board. The transferring handler will need to indicate the date of the transfer, whether the walnuts were certified by the Dried Fruit Association, whether the walnuts were inshell or shelled, and the pounds of walnuts transferred.

**985 – Spearmint Oil:**

**vvvv) Annual Allotment Certificate, Class 1, (Sections 985.52, 985.54, 985.56, 985.57,**

**985.152, and 985.156)**: This form is used by handlers to ascertain the amount of Class 1 (Scotch) spearmint oil producers may market in a given marketing year. It is issued annually to each producer and is submitted by them to the handler at the time of sale. The handler fills out the form; it requires only a date, signature, and quantity of the sale entry. This form is also used by the Committee agents and handlers to facilitate §985.56 which authorizes a producer to transfer excess oil to another producer to fill a deficiency in that producer's annual allotment. It requires the handler filling out the form to supply each producer's name, the class of oil, the amount of the deficiency, and the date of the transfer. This information is obtained for compliance and assessment purposes.

**wwwv) Annual Allotment Certificate, Class 3, (Sections 985.52, 985.54, 985.56, 985.57,**

**985.152, and 985.156)**: This form is used by handlers to ascertain the amount of Class 3 (Native) spearmint oil producers may market in a given marketing year. It is issued annually to

each producer and is submitted by them to the handler at the time of sale. The handler fills out the form; it requires only a date, signature, and quantity of the sale entry. This form is also used by the Committee agents and handlers to facilitate §985.56 which authorizes a producer to transfer excess oil to another producer to fill a deficiency in that producer's annual allotment. It requires the handler filling out the form to supply each producer's name, the class of oil, the amount of the deficiency, and the date of the transfer. This information is obtained for compliance and assessment purposes.

**xxxx) Application for Additional Base, Class 1 (Scotch) (Sections 985.53 and 985.153):**

Each year, the Committee notifies all existing producers when additional spearmint oil base is available. This form is used by existing producers who want additional Class 1 base. The additional Class 1 base is divided equally among all applicants. The form requires the name of the business entity and a signature. The information requested on this form is used to carry out the mandates of the Order for releasing additional base each year.

**yyyy) Application for Additional Base, Class 3 (Native) (Sections 985.53 and 985.153):**

Each year, the Committee notifies all existing producers when additional spearmint oil base is available. This form is used by existing producers who want additional Class 3 base. The additional Class 3 base is divided equally among all applicants. The form requires the name of the business entity and a signature. The information requested on this form is used to carry out the mandates of the Order for releasing additional base each year.

**zzzz) Application for New Allotment Base, Class 1 - Scotch (Sections 985.53 and 985.153):**

Each year, the Committee gives public notice of the availability of additional spearmint oil base. This form is filled out by any new producers who wish to apply for Class 1 base. The form requires their name, address, the location where the mint will be planted, a short statement of

their ability to produce oil, and their signature. The information requested on this form is used to carry out the mandates of the Order for releasing additional base each year.

**aaaaa) Application for New Allotment Base, Class 3 - Native (Sections 985.53 and**

**985.153):** Each year, the Committee gives public notice of the availability of additional spearmint oil base. This form is filled out by any new producers who wish to apply for Class 3 base. The form requires their name, address, the location where the mint will be planted, a short statement of their ability to produce oil and their signature. The information requested on this form is used to carry out the mandates of the Order for releasing additional base each year.

**bbbb) Application for Class 1 (Scotch) Annual Allotment (Sections 985.54 and 985.154):**

This form is used by producers who have Allotment Base and intend to produce oil in a given year. At the beginning of each marketing season, the producer supplies the number of acres of Class 1 oil, whether the acres are new plantings or established plantings and the location of the acres. This information is obtained for compliance purposes.

**cccc) Application for Class 3 (Native) Annual Allotment (Sections 985.54 and 985.154):**

This form is used by producers who have Allotment Base and intend to produce oil in a given year. At the beginning of each marketing season, the producer supplies the number of acres of Class 3 oil, whether the acres are new plantings or established plantings and the location of the acres. This information is obtained for compliance purposes.

**dddd) Still Form, H-1, (Class 1 - green) (Sections 985.55 and 985.155):** This form is used

by producers to report their Class 1 (Scotch) spearmint oil production to the Committee. It is required within 15 days of the completion of the distillation of the oil. Producers supply their name, address, the date the oil was put into the drums, the class of oil in the drum, the drum identification number, the approximate net weight of the oil in the drum, the storage location of

the drum, the firm where the oil was distilled and the name of the person submitting the form. This information is obtained for compliance and verification purposes.

**eeee) Still Form, H-1, (Class 3 - blue) (Sections 985.55 and 985.155):** This form is used by producers to report their Class 3 (Native) spearmint oil production to the Committee. It is required within 15 days of the completion of the distillation of the oil. The producer supplies his name, address, the date the oil was put into the drums, the class of oil in the drum, the drum identification number, the approximate net weight of the oil in the drum, the storage location of the drum, the firm where the oil was distilled and the name of the person submitting the form. This information is obtained for compliance and verification purposes.

**ffff) Allotment Base Transfer Form, G-1, (Section 985.59):** This form is used by the Committee personnel to record the transfer of base from one producer to another. The information on the form, the producers' names and addresses, the class and quantity of base being transferred, the effective date of the transfer, and a summary of each producer's resulting base, is filled out by the Committee personnel. Only a signature is required by the producer. This form is used to record the transfer of both Class 1 and 3 spearmint oil for compliance purposes.

**987 - California Dates:**

**gggg) Report of Disposition of Product Grade Dates, CDAC-8, (Sections 987.15, 987.51, 987.157, 987.57, 987.164 and 987.64):** This form is used by both handlers and approved date manufacturers. The purpose of this form, when used by the handler, is to identify transfers of product dates that have been inspected and certified from one handler to another. The form is used by the handler to certify that the dates are being disposed of in accordance with Committee regulations. The form is designed to track the current inventory and movement of product dates

between handlers and to record the transfer of product dates from a handler to any approved product manufacturer. Information requested on this form includes varietal, grade, lot number, and net weight. This form is also used by approved date manufacturers on an annual basis, to report disposition of product quality dates that have been inspected and certified and are packed for manufacturing or by-product use. This form is designed to: (1) track the current inventory of movement of product dates between handlers within the production area; and (2) record the transfer of product dates from a handler to any approved date product manufacturer.

**hhhhh) Clearance for Export of Dates to Mexico, CDAC-11(a), (Sections 987.64, 987.164,**

**987.112(a), and 987.112(a)(d)(3):** This form is filed by handlers to report shipments of dates for export to Mexico. The information requested on this form is variety of dates exported, inspection certificate number, number of containers, net weight, point of entry into Mexico, and information regarding the truck shipping the fruit.

**iiii) Estimate of Production, CDAC-18, (Section 987.138 and 987.13):**

This form is filed by handlers once a year to report all acquisitions from producers and to provide an estimate of the new season's production. The form also requires the name and address of the selling producer and the location and acreage of the date gardens. The information is used by the Committee to track the location and number of assessable handlers in the industry, estimate long-term supply of dates, and is also useful in the preparation of the annual marketing policy statement.

**jjjj) Delivery Manifest, CDAC SP-1, (Sections 987.147(b) and 987.47):**

This form is filed by the handler to report to the Committee cull dates which have been delivered to the cull pool operated by the Committee. Such cull dates delivered to the Committee are to be used in non-human consumption outlets. Tracking the disposition of these dates is imperative to ensure that



such dates do not enter the fresh market. No reimbursement for delivery of culls can be made until the handler files the form with the Committee.

**kkkkk) Interhandler Transfer of Dates, CDAC-1, (Sections 987.151 and 987.51):** This form is designed to track the current inventory and movement of dates (except inspected and certified product dates) between handlers. Information requested on this form includes varietal, classification of transferred fruit, lot number, net weight, and indicates which of the two handlers assumes the assessment obligations.

**lllll) Producer Application for Exemption from Regulation, CDAC-9, (Sections 987.152(a) and 987.52):** This form is filed annually to report sales of dates by producers at roadside stands or local date shops within 25 miles of Indio, California, mail order, or at certified farmers' markets in California. All such sales are exempt from regulation.

**mmmmm) Handler Application for Certain Exemptions from Regulation, CDAC-10, (Sections 987.152(a) and 987.152(b)(1):** This form is filed by handlers to report sales of dates to specialty outlets, such as candy manufacturers, health food stores and outlets, or to buyers who purchase no more than 150 pounds per day. The filing frequency varies because the form is filed as sales occur.

**nnnnn) Request for Handler Exemptions - Donations, No form number, (Sections 987.152(b)(1) and 987.52):** Any handler who wishes to donate dates to charities, prisons, or Indians on reservations exempt from marketing order regulations must submit a request for donation to the Committee. Such request must include the quantity and grade of dates involved and the name and address of the recipient (donee). We have included in this submission a sample letter provided by the Committee to collect this information.

**ooooo) Application to be Placed on the List of Approved Date Product Manufacturers,**

**CDAC-3, (Sections 987.157 and 987.57):** This form is an application filed by prospective processors. Date product manufacturers are allowed to receive dates which do not meet the requirements for whole or pitted dates which they use in products. Any new processor who wishes to use product quality dates must have the approval of the Committee and must provide proof of their ability to convert these dates into product; i.e., they must have the appropriate types of equipment at their facilities. Inspections are made by USDA to verify the presence of such equipment. Actual completion of the application form takes a few minutes. The inspection of the facility places no time burden on the applicant.

**ppppp) Date Product Manufacturer's Report, CDAC-4, (Sections 987.157 and 987.165(b)):** This form is filed annually to report usage and inventory of date manufacturers. It tracks the beginning inventory, product grades purchased during the year, products manufactured and ending inventory. This information is necessary for the Committee to plan for market demand and industry supplies. It is also used in formulating the annual marketing policy statement.

**qqqqq) Report of Handler Carry-Over, CDAC-5, (Sections 987.161 and 987.61):** This is a form filed by handlers which provides information regarding the amount of dates by marketing order variety held in inventory on March 1 and October 1 of each year. This information is used by the Committee to determine supplies on hand and is required by the marketing policy statement.

**rrrrr) Monthly Report of Acquisition and Disposition of Dates, CDAC-6, (Sections 987.162 and 987.62):** This is a monthly report to track the receipt and sales or disposition of the four date varieties regulated by the marketing order. This form provides part of the information upon which administrative and promotion assessments are based, as well as information for

tracking volumes of fruit shipped. The inspection certificates issued for such shipments are a confirming source of assessment information. Specific information requested, by variety, includes "field-run" dates received, dates purchased from other handlers and date sales or dispositions.

**ssss) Report of Exempt Sales, CDAC-2, (Section 987.165(a)):** This form is filed annually by handlers to report the quantity and variety of dates sold under exemption. This report can be filed after the sale or at the end of any crop year and is used by the Committee to track the sales of exempted fruit by handlers. Historically, this reporting is done by four or fewer handlers.

**989 - California Raisins:**

**tttt) Reserve Raisin Bin Control Record (RAC-9) and Attachment (Section 989.66):** This form is prepared by handlers and is a monthly record of their inventory and location of bins. The Committee owns the bins and uses them for storing reserve raisins beyond a crop year. When all the bins are not needed for this purpose, the Committee rents the extra bins to handlers for new crop deliveries. The purpose of this report is to allow the Committee to keep track of RAC bins in order that they can be maintained and put to maximum use throughout the year. For the months January through July, handlers will provide additional accounting information on an attachment to support the information on the RAC Form #9. The additional information will consist of the quantity of bins checked out by each handler, and if and when the bins were returned.

**uuuu) RAC Storage Bin Agreement, RAC-71, (Section 989.66):** This form is a bin rental agreement. The RAC owns bins that are used for storing reserve raisins. The RAC rents these bins to handlers. Handlers who rent bins must sign the agreement.

**vvvv) Export Replacement Program Application/Deposit, RAC-100 and Export Program**

**Application for Cash Back, RAC-100C, (Section 989.67):** The RAC-100 is an application prepared by handlers and submitted to the Committee to purchase reserve raisins for export or obtain cash reimbursement. The purpose of this application is to purchase reserve pool raisins to replace free tonnage raisins exported to eligible countries or provide cash reimbursement for such shipments. These forms are applications that handlers must submit to the RAC regarding the raisin-back or cash-back export program. The reserve pool under the order is used to subsidize handler sales to export markets. Prices in export markets are generally much lower than the domestic market. Without the subsidy program, handlers claim they wouldn't be able to compete in export, which now accounts for about 40 percent of the industry's annual shipments. Handlers receive their subsidy either in the form of reserve pool raisins or reserve pool cash. Handlers submit an RAC-100 to get their "raisin" subsidy under a raisin-back export program, and the RAC-100C to get their "cash" subsidy under a cash-back program.

**www) Export Transmittal Form, RAC-102, (Section 989.67):** This form is used by handlers to transmit required documentation to substantiate the export of free tonnage raisins to eligible markets.

**xxxxx) Application to Purchase Reserve Pool Raisins to Fulfill an A Offer to Sell@ Pursuant to Announcement FV- , RAC-106, (Section 989.67):** This application is submitted by handlers to the Committee to purchase reserve pool raisins to fill a successful bid under a Government purchase program.

**yyyyy) Agreement for Voluntary Participation in the RAC Export Program for , RAC-70, (Section 989.67):** This form is a voluntary agreement that handlers sign to participate in a cash-back or raisin-back export program. The handlers sign this form, acknowledging the terms and conditions, and certifying that all raisins exported for which an application is made under

the export program are 100% in origin from grapes grown, processed, and packaged solely the State of California. The handler further certifies that only raisins produced in California are eligible for export program incentives, and will be identified to the Committee for cash or raisin back.

**zzzzz) Application for a Raisin Diversion Certificate (Diversion (Abortion) Only), RAC-1000 and Application for a Raisin Diversion Certificate (Vine Removal Only) RAC-1000R,**

**(Section 989.156(b):** These applications are prepared and submitted by those producers desiring Committee approval to participate in a Raisin Diversion Program. Accompanying the appropriate application, the producer is required to file supporting documentation to enable the Committee to verify location and acreage. The purpose of these applications is to provide the Committee with necessary information for producer participation in a Raisin Diversion Program and to monitor compliance in such a program.

**aaaaaa) Schedule for Redemption of Raisin Diversion Certificates, RAC-1001 (Section**

**989.156(k):** This form is prepared and submitted by handlers to redeem producer Raisin Diversion Certificates from the Committee. The purpose of this form is to request the release of reserve pool raisins to handlers.

**bbbbbb) Raisins Produced from Grapes Grown Outside of California (Handler's Non-California Raisin Certification), FR-19, (Section 989.157):**

This form is used by handlers to certify to the Committee the identity of lots or partial lots of non-California raisins. The purpose of this form is to help the Committee monitor and verify handler compliance with regulations pertaining to non-California raisins.

**ccccc) Raisins Produced from Grapes Grown Outside of California (Non-California**

**Raisins), RAC-510, (Section 989.157):** This form is prepared and submitted by handlers and

used by the Inspection Service and the Committee to properly identify, document, and monitor non-California raisins. This form is used to transmit supporting documentation which varies according to the national origin of the non-California raisins. Supporting documentation for U.S. raisins should include the Commission Processing Order, Bill of Lading with California stamp and date obtained at border crossing, and Weight Tags. Supporting documentation for Non-U.S. raisins should include the U.S. Customs Entry Form. The purpose of this form is to allow the Committee to identify, document, and monitor the handling of non-California raisins.

**ddddd) Notification of Intention to Handle Raisins and Application for Inspection Point,**

**RAC-5, (Section 989.158(A)1(ii):** This form is used by handlers to notify the Committee of their intent to handle raisins and apply for an inspection point. The purpose of this form is to register raisin handlers, which in turn assists the Committee in monitoring compliance and assessment collection.

**eeeee) Door Receipt or Weight Certificate, No form number (Section 989.158(a)(3)):** A

receipt or certificate is issued by handlers to producers for each lot of natural condition raisins. The issuance of this receipt or certificate is a normal industry practice and, therefore, there is no added burden on handlers. The purpose of this receipt or certificate is to facilitate handler reporting to the Committee. It is used by the Committee to compute handler acquisitions and to establish producers' equity in a reserve pool, where applicable. No copy of this receipt or certificate is included in this submission.

**ffffff) Application and Agreement for Dehydrator On-Premise Inspection Services**

**Relating to Raisins, RAC-69, (Section 989.158(e)(1)):** This form is submitted by dehydrators seeking Committee approval for on-premise inspection of natural condition raisins produced by such dehydrators. The purpose of this form is to allow the Committee to authorize on-premise

inspection at dehydrators' facilities and to set reporting and record keeping requirements.

**gggggg) Application and Agreement for Inspection of Raisins at Cooperative Bargaining**

**Association's Receiving Station, No form number, (Section 989.158(f)(1))**: This form is submitted by cooperative bargaining associations seeking Committee approval for establishment of an inspection point and for exemption from reinspection of lots of natural condition raisins when received by a handler provided that such raisins have already been inspected and stored in conformity with the terms and conditions of the application and agreement. The purpose of this form is to allow the Committee to authorize inspection at an association's receiving station and to set reporting and record keeping requirements. Cooperative bargaining associations have never requested inspection at their receiving stations, and consequently, the Committee has never developed a form for such use.

**hhhhhh) Daily Pack-Out Report, RAC-15, (Section 989.159(b)(2))**: This report is completed by handlers. The purpose of this report is to provide information which may be used by the Committee to monitor shipment of inspected raisins, including a daily count and weight of each pack and varietal type packed.

**iiiiii) Application for Exemption, RAC-8, (Section 989.159(f)(2))**: This application is submitted by handlers seeking Committee approval for exemption of experimental and specialty packs from one or more of the requirements of the minimum grade standards for packed raisins, and inspection and certification requirements. The purpose of this application is to allow the Committee to authorize handlers to ship under such an exemption. If a handler wants to apply for an exemption, such a handler is requested to submit a letter to the Committee outlining such a request. Thus, no form has been created by the Committee.

**jjjjjj) Application for Sale, Shipment or Disposition of Raisins and Raisin Residual**

**Material, RAC-35; and Raisins and Raisin Residual Sales Provisions, RAC-36**

**(Attachment to Contract), (Section 989.159(g)(2)):** This application is used by processors seeking Committee approval for the sale, shipment, or disposition of raisins and raisin residual materials in eligible non-normal outlets. The purpose of this application is to allow the Committee to approve processors' disposition of off-grade raisins and raisin residual material into eligible non-normal outlets. The attachment (RAC-36) is the buyers signed agreement to dispose of the off-grade raisins and raisin residual material into eligible non-normal outlets.

**kkkkkk) Stack Control Record, RAC-7 and Field Summary of Raisins Held, RAC-7A,**

**(Section 989.166(a)):** The RAC-7 form is a record of the location of reserve pool raisins. The purpose of this record is to verify that a handler has sufficient raisins stored and identified to meet their reserve obligations, and that these reserve raisins are properly stored to maintain the producer's equity. The RAC-7A is a supporting form to be used with the Stack Control Record.

**lllll) Inventory of Free Tonnage Standard Quality Raisins on Hand, RAC-50, (Section**

**989.173(a)):** This form is used by handlers to report their inventory of free tonnage raisins, by varietal type, held on July 31 or such other times as requested by the Committee. The purpose of this report is to provide information to the Committee to be used in computing and announcing trade demand and related marketing policy statements.

**mmmmmm) Inventory of Off-grade Raisins on Hand, RAC-51, (Section 989.173(a)):**

This form is used by handlers to report their inventory of off-grade raisins, by varietal type, held on July 31. The purpose of this report is to enable the Committee to obtain information concerning the quantity of off-grade raisins held at the end of the year. This information is also used in the marketing policy statement.

**nnnnnn) Weekly Report of Standard Raisin Acquisitions, RAC-1, (Section 989.173(b)(2)):**



This report is prepared and submitted weekly by handlers and provides a weekly accounting of their standard raisin acquisitions. The purpose of this report is to monitor standard raisin acquisitions, which permits the Committee to track the assessable tonnage and reserve pool obligation of each handler and to establish producer equity in a reserve pool, where applicable.

**ooooo) Weekly Report of Standard Raisins Received for Memorandum Receipt or**

**Warehousing, RAC-3, (Section 989.173(b)(3)):** This form is prepared and submitted weekly by handlers who choose to receive raisins for storage only. Such raisins are so identified by the Inspection Service and may not be used by a handler until reported as an acquisition (Form RAC-1). Generally handlers only receive raisins on memorandum storage until a field price has been announced.

**ppppp) Weekly Off-Grade Summary, RAC-30, and Weekly Report of Disposition of Standard Raisins Recovered from Reconditioning of Off-grade Raisins, RAC-33, (Section**

**989.173(b)(5)):** The RAC-30 form is prepared weekly by handlers to account for off-grade raisins, in terms of weight received and disposed, held at the beginning and at the end of the week. The RAC-33 form is prepared weekly by handlers to account for the failing and meeting weight from lots of reconditioned off-grade raisins, and report the outlet to which the standard (meeting) raisins are delivered. The purpose of these reports is to allow the Committee to monitor and verify that no off-grade raisins enter into standard raisin markets without proper reconditioning to remove defects.

**qqqqq) Processor's Report of Acquisition of Off-grade Raisins and Raisin Material,**

**RAC-28, (Section 989.173(b)(6)):** This form is prepared monthly by processors to report receipt of off-grade raisins and raisin residual material. The purpose of this report is to provide the Committee with an accounting of the off-grade raisins and raisin residual material, thus

monitoring the entry of such raisins into eligible non-normal market channels.

**rrrrrr) Monthly Report of Receipt of Raisins Produced from Grapes Grown Outside of the "Area", RAC-500, (Section 989.173(b)(7))**: This form is used by handlers in reporting monthly receipts and cumulative quantity of non-California raisins. The purpose of this report is to allow the Committee to monitor handler compliance of regulations regarding non-California raisins.

**sssss) Monthly Report of Free Tonnage Raisin Disposition, RAC-20, (Section 989.173(c)(1))**: This form is prepared monthly by handlers to report the disposition of free tonnage raisins. The purpose of this report is to allow the Committee to monitor free tonnage shipments and to verify that handlers are not exceeding their inspected free tonnage raisin quantities. As the season progresses, the Committee uses this information to compare actual shipments with projected shipments. This information is also used in preparing the Committee's marketing policy statement.

**ttttt) Monthly Free Tonnage Exports by Country of Destination, (Supplement to RAC-20), RAC-21, (Section 989.173(c)(1)(iv))**: This form is prepared by handlers to report free tonnage shipments to export markets. The purpose of this form is to allow the Committee to monitor free tonnage exports by varietal type and country of destination. This form is supplemental to the Monthly Report of Free Tonnage Raisin Disposition (RAC-20) and is useful to the Committee in export market planning, since the collective data is indicative of shipment trends.

**uuuuuu) Monthly Report of Disposition of Off-Grade Raisins, Other Failing Raisins and Raisin Material, RAC-32, (Section 989.173(c)(2))**: This form is used by handlers to report the disposition of off-grade, other failing raisins, and raisin residual material into authorized outlets.

The purpose of this report is to permit the Committee to monitor and verify the disposition of such raisins into authorized outlets, in order to prevent their disposition into standard raisin markets.

**vvvvvv) Processor's Report of Disposition of Off-grade Raisins and Raisin Material,**

**RAC-28A, (Section 989.173(c)(4)):** This form is used by processors to report the authorized disposition of off-grade raisins and raisin residual material. The purpose of this report is to confirm to the Committee that such raisins were disposed of by handlers in eligible non-normal markets.

**wwwww) Monthly Report of Disposition of Raisins Produced from Grapes Grown**

**Outside of the "Area", RAC-501, (Section 989.173(c)(3)):** This form is used by handlers to report monthly dispositions of non-California raisins. The purpose of this report is to allow the Committee to monitor the disposition of non-California raisins and to verify that handlers are in compliance with regulations regarding non-California raisins.

**xxxxxx) Inter-Handler Transfers of Free Tonnage Raisins, RAC-6, (Section 989.173(d)**

**(1)):** This form is prepared by the involved handlers and used to document the inter-handler transfer of free tonnage raisins. The purpose of this form is to allow the Committee to monitor inter-handler transfers, verify compliance, and correctly levy assessments.

**yyyyyy) Report of Shipments of Experimental or Specialty Packs under Exemption, No**

**form number, (Section 989.173(e)):** This report is prepared by exempted handlers to report the quantity of raisins shipped or disposed of under such an exemption. The purpose of this report is to allow the Committee to monitor and verify shipments or dispositions of exempted raisins.

Exempted handlers are expected to submit a self prepared report. Requests and approval under this provision are extremely rare; thus, no form has been created by the Committee.

**zzzzzz) Voluntary Producer Questionnaire, RAC-99, (Sections 989.11 and 989.27):** This form is used on a voluntary basis by raisin producers if they chose to identify growers who sold their “green” grapes to another handler or person, which were later made into raisins.

**aaaaaaa) Assignment of Pool Equity, No form number, (Section 989.66):** Raisin growers will complete this form and submit it to the Committee if they are assigning their pool equity to another entity, such as another handler or bank.

**bbbbbbb) Report of the Weighted Average Price Paid to Producers for Free Tonnage**

**Raisins, RAC-55, (Section 989.173(f)(3)):** Raisin handlers use this form to provide the Committee with information on varietal type, quality (tons) and the price paid. The information enables the Committee to provide better oversight in administering regulations and grower programs for export and diversion.

**ccccccc) Application for Exemption, RAC-75, (Section 989.60(c)):** Under the marketing order, the Committee has the authority to designate raisins it deems appropriate for production, processing, and marketing and research and development. Such raisins may be exempt from certain regulations under the order, as designated by the Committee. This form is, therefore, used by growers and handlers as an application to participate in such projects, and to have their raisins exempted from the regulations specified by the Committee.

**ddddddd) Raisin Grower Survey, No form number (Section 989.36(d)):** A survey is authorized under the marketing order to investigate and assemble data on the production, handling and market conditions with respect to raisins. A current grower survey form is not in use, but may be issued every three to five years to gather data on the industry.

**eeeeeee) Inventory of Free Tonnage Standard Quality Organic Raisins on Hand, RAC-50 CO, (Section 989.173(d)(1)):** This form is used by handlers to report their inventory of organic

free tonnage raisins, by varietal type, held on July 31 or such other times as requested by the Committee. The purpose of this report is to provide sufficient accurate information on organic raisins for the Committee to ensure appropriate evaluation and industry oversight.

**ffffff) Inventory of Off-Grade Raisins on Hand, RAC-51 CO, (Section 989.173(d)(1)(ii)):**

This form is used by handlers to report their inventory of organic free tonnage raisins, by varietal type, held on July 31 or other such times as requested by the Committee. The purpose of this report is to provide sufficient accurate information on organic raisins for the Committee to ensure appropriate evaluation and industry oversight.

**ggggggg) Weekly Report of Standard Organic Raisin Acquisitions, RAC-1 CO, (Section**

**989.173(d)(2)):** This report is prepared and submitted weekly by handlers and provides a weekly accounting of their standard organic raisin acquisitions. The purpose of this report is to monitor standard raisin acquisitions which the Committee to track the assessable tonnage and reserve pool obligation of each handler and to establish producer's equity in a reserve pool, where applicable. The purpose of this form is to provide sufficient accurate information on organic raisins for the Committee to ensure appropriate regulatory oversight.

**hhhhhhh) Monthly Report of Free Tonnage Organic Raisins Disposition, RAC-20 CO,**

**(Section 989.173(d)(3)):** This form is prepared monthly by handlers to report the disposition of free tonnage raisins. The purpose of this report is to allow the Committee to monitor free tonnage organic raisin shipments and to verify that handlers are not exceeding their inspected free tonnage raisin quantities. As the season progresses, the Committee uses this information to compare actual shipments with projected shipments. The intent of this form is to provide sufficient accurate information to the Committee to ensure appropriate regulatory oversight.

**iiiiiii) Monthly Free Organic Tonnage Exports by Country of Destination, RAC-21 CO,**

**(Section 989.173(d)(3)):** This form is prepared by handlers to report free tonnage organic shipments to export markets. The purpose of this form is to allow the Committee to monitor free organic tonnage exports by varietal type and country of destination. This form is supplemental to the Monthly Report of Free Tonnage Organic Raisin Disposition (RAC-20 CO) and is useful to the Committee in export market planning, since the collective data is indicative of shipment trends. This form will help provide sufficient accurate information to the Committee to ensure appropriate evaluation and industry oversight.

**999-Specialty Crops: Import Regulations (Section 8e)**

**jjjjjj) Date Form No. 1 - Dates - Section 8e Entry Declaration, FV-191, (Section 999.1(e)**

**(2)):** Any dates for packaging or dates in retail packages must, prior to importation, be inspected by USDA inspectors and be certified as to meeting grade requirements which are determined to be comparable to those imposed upon domestic dates handled pursuant to Order No. 987. Upon meeting the above requirements, the dates are permitted to enter the channels of trade and may be packaged for sale at retail levels. Dates for processing, not being regulated by the date import regulation, may be imported without meeting USDA grade requirements. Date Form No. 1 is a certification by the importer that the dates being imported are being entered as dates for processing. The importer further agrees to obtain from each person to whom any of the dates listed on Date Form No. 1 are delivered an executed Date Form No. 2.

**kkkkkk) Date Form No. 2 - Dates for Processing - Section 8e Certification of Processor**

**or Reseller, FV-192, (Section 999.1(e)(3)):** An executed Date Form 2 is obtained by the importer from each person to whom the dates are delivered, declaring their status as processor or reseller. This form, signed by the person accepting delivery, certifies that he/she has acquired dates for processing and will sell or use them only in accordance with the Regulation Governing

the Importation of Dates.

**IIIIII) Raisin Form No. 1 - Raisins - Section 8e Entry Declaration, FV-197, (Section**

**999.300(e)(2)(i)**: This form is used by importers to declare the entry of section 608(e) imported raisins to be used in the production of alcohol, industrial syrup, and raisin paste. The purpose of this form is to allow the USDA to monitor the movement of raisins failing to meet import grade and size requirements.

**mmmmmm) Raisin Form No. 2 - Raisins - Section 8e Certification of Processor or**

**Reseller, FV-198, (Section 999.300(e)(2)(ii))**: This form is used by processors and resellers to notify the USDA of the intended use of imported raisins and to certify that such imported raisins will only be used in the production of alcohol, industrial syrup, or raisin paste. The purpose of this form is to allow the USDA to verify that the imported raisins covered by Raisin Form No. 1 have been used only in the production of alcohol, industrial syrup, or raisin paste.

3. **DESCRIBE WHETHER, AND TO WHAT EXTENT, THE COLLECTION OF INFORMATION INVOLVES THE USE OF AUTOMATED, ELECTRONIC, MECHANICAL, OR OTHER TECHNOLOGICAL COLLECTION TECHNIQUES OR OTHER FORMS OF INFORMATION TECHNOLOGY, E.G. PERMITTING ELECTRONIC SUBMISSION OF RESPONSES, AND THE BASIS FOR THE DECISION FOR ADOPTING THIS MEANS OF COLLECTION. ALSO, DESCRIBE ANY CONSIDERATION OF USING INFORMATION TECHNOLOGY TO REDUCE BURDEN.**

Though AMS is committed to complying with the e-Government Act, which requires Government agencies, in general, to provide the public the option of submitting information or transacting business electronically to the maximum extent possible, the availability and submission of forms electronically is at the Committees/Boards' discretion. The Committee/Board is not part of a Federal agency, but is a commodity industry that operates under Federal authority and oversight. These forms require an original signature, and currently are transmitted by fax machine and postal delivery.

The Committee/Board forms are used to submit information directly to the Committee/Boards, which administer the Orders.

**4. DESCRIBE EFFORTS TO IDENTIFY DUPLICATION. SHOW SPECIFICALLY WHY ANY SIMILAR INFORMATION ALREADY AVAILABLE CANNOT BE USED OR MODIFIED FOR USE FOR THE PURPOSE(S) DESCRIBED IN ITEM 2 ABOVE.**

Reports and forms are periodically reviewed to avoid unnecessary information collection duplication by industry and public sector agencies. At the present time, there is no duplication between the Committees/Boards and Federal agencies. The Federal-State Inspection Service (FSIS) exchanges information with the Committees/Boards. The Committees/Boards use information on inspection certificates for billing and statistical purposes. The Committees/Boards, in turn, supply the FSIS with copies of its statistical reports and other applicable reports, such as the marketing policy and annual report, upon request of the FSIS. The marketing policies and annual reports are prepared through information collected from OMB approved forms and data obtained by outside sources, such as the FSIS, industry and trade associations, and industry and public publications.

**5. IF THE COLLECTION OF INFORMATION HAS SIGNIFICANT IMPACT ON A SUBSTANTIAL NUMBER OF SMALL BUSINESSES OR OTHER SMALL ENTITIES (ITEM 15 OF THE PAPERWORK REDUCTION ACT SUBMISSION FORM), DESCRIBE THE METHODS USED TO MINIMIZE BURDEN.**

Information collection requirements have been reduced to the minimum requirements of each Order. Forms require only a minimal amount of information which can be supplied without data processing equipment or a trained statistical staff. The primary sources of data used to complete the forms are routinely used in all business transactions. Thus, the information collection and reporting burden is relatively small, and requiring the same reporting requirements for all handlers and receivers does not significantly disadvantage any handler or



receiver that is smaller than industry average.

**6. DESCRIBE THE CONSEQUENCE TO FEDERAL PROGRAM OR POLICY ACTIVITIES IF THE COLLECTION IS NOT CONDUCTED OR IS CONDUCTED LESS FREQUENTLY, AS WELL AS ANY TECHNICAL OR LEGAL OBSTACLES TO REDUCING BURDEN.**

Collecting data less frequently would eliminate data needed to keep the respective marketing order industries and the Secretary abreast of changes at the State and local level. Timing and frequency of the various reports was established to meet the needs of the industry and yet minimize the burden on the reporting public.

**7. EXPLAIN ANY SPECIAL CIRCUMSTANCES THAT WOULD CAUSE AN INFORMATION COLLECTION TO BE CONDUCTED IN A MANNER:**

- **REQUIRING RESPONDENTS TO REPORT INFORMATION TO THE AGENCY MORE OFTEN THAN QUARTERLY;**
- **REQUIRING RESPONDENTS TO PREPARE A WRITTEN RESPONSE TO A COLLECTION OF INFORMATION IN FEWER THAN 30 DAYS AFTER RECEIPT OF IT;**
- **REQUIRING RESPONDENTS TO SUBMIT MORE THAN AN ORIGINAL AND TWO COPIES OF ANY DOCUMENT;**
- **REQUIRING RESPONDENTS TO RETAIN RECORDS, OTHER THAN HEALTH, MEDICAL, GOVERNMENT, CONTRACT, GRANT-IN-AID, OR TAX RECORDS FOR MORE THAN 3 YEARS;**
- **IN CONNECTION WITH A STATISTICAL SURVEY, THAT IS NOT DESIGNED TO PRODUCE VALID AND RELIABLE RESULTS THAT CAN BE GENERALIZED TO THE UNIVERSE OF STUDY;**
- **REQUIRING THE USE OF A STATISTICAL DATA CLASSIFICATION THAT HAS NOT BEEN REVIEWED AND APPROVED BY OMB;**
- **THAT INCLUDES A PLEDGE OF CONFIDENTIALITY THAT IS NOT SUPPORTED BY AUTHORITY ESTABLISHED IN STATUE OR REGULATION, THAT IS NOT SUPPORTED BY DISCLOSURE AND DATA SECURITY POLICIES THAT ARE CONSISTENT WITH THE PLEDGE, OR WHICH UNNECESSARILY IMPEDES SHARING OF DATA WITH OTHER AGENCIES FOR COMPATIBLE CONFIDENTIAL**

**USE; OR**

- **REQUIRING RESPONDENTS TO SUBMIT PROPRIETARY TRADE SECRET OR OTHER CONFIDENTIAL INFORMATION UNLESS THE AGENCY CAN DEMONSTRATE THAT IT HAS INSTITUTED PROCEDURES TO PROTECT THE INFORMATION'S CONFIDENTIALITY TO THE EXTENT PERMITTED BY LAW.**

There are no such special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.6.

- 8. IF APPLICABLE, PROVIDE A COPY AND IDENTIFY THE DATE AND PAGE NUMBER OF PUBLICATION IN THE FEDERAL REGISTER OF THE AGENCY'S NOTICE, REQUIRED BY 5 CFR 1320.8(d), SOLICITING COMMENTS ON THE INFORMATION COLLECTION PRIOR TO SUBMISSION TO OMB. SUMMARIZE PUBLIC COMMENTS RECEIVED IN RESPONSE TO THAT NOTICE AND DESCRIBE ACTIONS TAKEN BY THE AGENCY IN RESPONSE TO THESE COMMENTS. SPECIFICALLY ADDRESS COMMENTS RECEIVED ON COST AND HOUR BURDEN.**

Information collection forms are periodically reviewed to ensure that they can be understood by industry members, are easy to fill out, and place as small a burden as possible on the person required to file the information.

A 60-day notice concerning this information collection was published in the Federal Register on June 1, 2007, (Vol. 72, No. 105, page 30536), which invited comments from interested persons through July 31, 2007.

The notice also estimated that the total annual burden on respondents was 17,498.50 (or 17,499) hours. However, after further review, the total annual burden on respondents is estimated to be 16,908 hours.

One comment was received in response to the notice, however, the comment was not relevant to the information collection burden. This comment is attached.

**DESCRIBE EFFORTS TO CONSULT WITH PERSONS OUTSIDE THE AGENCY TO OBTAIN THEIR VIEWS ON THE AVAILABILITY OF DATA, FREQUENCY**

**OF COLLECTION, THE CLARITY OF INSTRUCTIONS AND RECORDKEEPING, DISCLOSURE, OR REPORTING FORMAT (IF ANY), AND ON THE DATA ELEMENTS TO BE RECORDED, DISCLOSED, OR REPORTED.**

**CONSULTATION WITH REPRESENTATIVES OF THOSE FROM WHOM INFORMATION IS TO BE OBTAINED OR THOSE WHO MUST COMPILE RECORDS SHOULD OCCUR AT LEAST ONCE EVERY 3 YEARS -- EVEN IF THE COLLECTION OF INFORMATION ACTIVITY IS THE SAME AS IN PRIOR PERIODS. THERE MAY BE CIRCUMSTANCES THAT MAY PRECLUDE CONSULTATION IN A SPECIFIC SITUATION. THESE CIRCUMSTANCES SHOULD BE EXPLAINED.**

Committee/Board members and staff are constantly alert to what is going on in other marketing orders through correspondence, meetings, and information received from the USDA. Committees/Boards endeavor to consult with representatives from whom the information is to be obtained at least every three years. Notice of the Committee/Board meetings are sent to all those associated with the respective industry, and any concerns regarding Committee/Board business are welcome. Use of these forms has been discussed with the Committee/Board Managers and their staff.

M.O. No. 932 – California Olive Committee, Manager Christi Darling, (559) 456-9096; or U.S. Department of Agriculture, Agricultural Marketing Service, Marketing Specialist Jennifer Garcia, Fresno, California, (559) 487-5901;

M.O. No. 945 - Idaho-Eastern Oregon Potato Committee, Manager, Robert Hansen, (208) 529-8057; or U.S. Department of Agriculture, Agricultural Marketing Service, Marketing Specialist Barry M. Broadbent, Portland, Oregon, (503) 326-2282;

M.O. No. 946 - State of Washington Potato Committee, Manager, Matt Harris, (509)

765-8845; or U.S. Department of Agriculture, Agricultural Marketing Service, Marketing Specialist Teresa L. Hutchinson, Portland, Oregon, (503) 326-2055;

M.O. No. 947 - Oregon-California Potato Committee, Manager, Bill Brewer, (503) 731-3300; or U.S. Department of Agriculture, Agricultural Marketing Service, Marketing Specialist, Teresa L. Hutchinson, Portland, Oregon, (503) 326-2055;

M.O. No. 948 - Colorado Potato Administrative Committee Area II San Luis Valley, Executive Director, Jim Ehrlich, (719) 852-3322; or U.S. Department of Agriculture, Agricultural Marketing Service, Marketing Specialist Teresa Hutchinson, Portland, Oregon, (503) 326-2055;

M.O. No. 948 - Colorado Potato Administrative Committee Area III Northern Colorado, Executive Director, Lola Mundt, (970) 352-5231; or U.S. Department of Agriculture, Agricultural Marketing Service, Marketing Specialist Teresa Hutchinson, Portland, Oregon, (503) 326-2055;

M.O. No. 953 - Southeastern Potato Committee, Manager, Jim Stern, (757) 787-3842; or U.S. Department of Agriculture, Agricultural Marketing Service, Marketing Specialist Dawana J. Clark, Riverdale, Maryland, (301) 734-5247;

M.O. No. 955 - Vidalia Onion Committee, Jeffery Hall, Manager, Wendy Brannen, (912) 537-1918; or U.S. Department of Agriculture, Agricultural Marketing Service, Marketing

Specialist Doris Jamieson, Winter Haven, Florida, (863) 324-3375;

M.O. No. 956 - Walla Walla Sweet Onion Committee, Marketing Director,  
Kathy Fry, (509) 525-1031; or U.S. Department of Agriculture, Agricultural Marketing  
Service, Marketing Specialist Barry M. Broadbent, Portland, Oregon, (503) 326-2282;

M.O. No. 958 - Idaho-Eastern Oregon Onion Committee, Manager, Candi Fitch, (208) 722-  
5111; or U.S. Department of Agriculture, Agricultural Marketing Service, Marketing  
Specialist Susan M. Hiller, Portland, Oregon, (503) 326-2054;

M.O. No. 959 - South Texas Onion Committee, Manager, John McClung, (956) 581-2190;  
or U.S. Department of Agriculture, Agricultural Marketing Service, Regional Manager  
Belinda G. Garza, McAllen, Texas, (956) 682-2833;

M.O. No. 966 - Florida Tomato Committee, Manager, Reggie Brown, (407)660-1949; or  
U.S. Department of Agriculture, Agricultural Marketing Service, Marketing Specialist  
Bill Pimental, Winter Haven, Florida (863) 324-3375;

M.O. No. 981 - Almond Board of California, Chief Executive Officer, Richard Waycott,  
(209) 549-8262; or U.S. Department of Agriculture, Agricultural Marketing Service,  
Marketing Specialist Maureen Pello, Fresno, California, (559) 487-5901;

M.O. No. 982 - Hazelnut Marketing Board, Manager, Polly Owen, (503) 678-6823; or U.S.

Department of Agriculture, Agricultural Marketing Service, Marketing Specialist

Barry M. Broadbent, Portland, Oregon, (503) 326-2282;

M.O. No. 984 - Walnut Marketing Board of California, Executive Director,

Dennis A. Balint, (916) 922-5888; or U.S. Department of Agriculture, Agricultural

Marketing Service, Marketing Specialist Shereen Mario, Fresno, California (559) 487-

5901;

M.O. No. 985 – Far West Spearmint Oil Administrative Committee, Manager Rod

Christensen, (509) 585-5460; or U.S. Department of Agriculture, Agriculture Marketing

Service, Marketing Specialist Susan M. Hiller, Portland, Oregon, (503) 326-2054;

M.O. No. 987 - California Date Administrative Committee, Manager, Lorrie Cooper, (760)

347-4510; U.S. Department of Agriculture, Agricultural Marketing Service, Marketing

Specialist Richard Terry Vawter, Fresno, California (559) 487-5901;

M.O. No. 989 - Raisin Administrative Committee, President, Ron Worthley, (559) 225-

0520; or U.S. Department of Agriculture, Agricultural Marketing Service, Marketing

Specialist Rose Aguayo, Fresno, California (559) 487-5901; and

M.O. No. 993 - Prune Marketing Committee, Executive Director, Richard L. Petersen,

(916) 565-6235; or U.S. Department of Agriculture, Agricultural Marketing Service,

Marketing Specialist Richard Terry Vawter, Fresno, California (559) 487-5901.

**9. EXPLAIN ANY DECISION TO PROVIDE PAYMENT OR GIFT TO RESPONDENTS, OTHER THAN REMUNERATION OF CONTRACTORS OR GRANTEES.**

Respondents are not provided with gifts or payments for providing information.

**10. DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED TO RESPONDENTS AND THE BASIS FOR THE ASSURANCE IN STATUTE, REGULATION, OR AGENCY POLICY.**

Section 608(d) of the Act provides that information acquired will be kept confidential.

Reports submitted to the Committees/Boards are accessible only by the Committee/Board managers, Committee/Board staff, certain employees of USDA's Agricultural Marketing Service's (AMS) field office and headquarters staff, and certain USDA employees in Washington, D.C. Committee/Board members never have access to any handler's reports or assessment records. Committee/Board staff are aware of the penalties for violating confidentiality requirements.

**11. PROVIDE ADDITIONAL JUSTIFICATION FOR ANY QUESTIONS OF A SENSITIVE NATURE, SUCH AS SEXUAL BEHAVIOR AND ATTITUDE, RELIGIOUS BELIEFS, AND OTHER MATTERS THAT ARE COMMONLY CONSIDERED PRIVATE. (THIS JUSTIFICATION SHOULD INCLUDE THE REASONS WHY THE AGENCY CONSIDERS THE QUESTIONS NECESSARY, THE SPECIFIC USES TO BE MADE OF THE INFORMATION, THE EXPLANATION TO BE GIVEN TO PERSONS FROM WHOM THE INFORMATION IS REQUESTED, AND ANY STEPS TO BE TAKEN TO OBTAIN THEIR CONSENT).**

The only private information required is on the "Confidential Background Statement" which a nominee to a Committee/Board must fill out. These questions are asked to ascertain his/her qualifications to serve on the Committee/Board and include position in the industry or firm, number of years growing/producing or handling, approximate volume grown/produced or handled, and offices held in industry organizations. This information is provided to the Secretary for use in the selection process.

**12. PROVIDE ESTIMATES OF THE HOUR BURDEN OF THE COLLECTION OF INFORMATION. THE STATEMENT SHOULD:**

- **INDICATE THE NUMBER OF RESPONDENTS, FREQUENCY OF RESPONSE, ANNUAL HOUR BURDEN, AND AN EXPLANATION OF HOW THE BURDEN WAS ESTIMATED. UNLESS OTHERWISE DIRECTED TO DO SO, AGENCIES SHOULD NOT CONDUCT SPECIAL SURVEYS TO OBTAIN INFORMATION ON WHICH TO BASE HOUR BURDEN ESTIMATES. CONSULTATION WITH A SAMPLE (FEWER THAN 10) OF POTENTIAL RESPONDENTS IS DESIRABLE. IF THE HOUR BURDEN ON RESPONDENTS IS EXPECTED TO VARY WIDELY BECAUSE OF DIFFERENCE IN ACTIVITY, SIZE, OR COMPLEXITY, SHOW THE RANGE OF ESTIMATED BURDEN AND EXPLAIN THE REASONS FOR THE VARIANCE. GENERALLY, ESTIMATES SHOULD NOT INCLUDE BURDEN HOURS FOR CUSTOMARY AND USUAL BUSINESS PRACTICES.**

The number of respondents required to file forms was estimated based on records kept by the Committees/Boards which track growers and handlers regulated under their respective programs. While not exact, these estimates are very close to the actual number of growers or handlers because the members of the industry are required to work closely with the Committees/Boards that locally administer their respective marketing orders. For this submission annual responses total 169, 598 for a total 16, 908 burden hours. See AMS-71 spreadsheet for breakout.

- **IF THIS REQUEST FOR APPROVAL COVERS MORE THAN ONE FORM, PROVIDE SEPARATE HOUR BURDEN ESTIMATES FOR EACH FORM AND AGGREGATE THE HOUR BURDENS IN ITEM 13 OF OMB FORM 83-I.**

The respondents' estimated annual cost of providing information to the Committees/Boards is approximately \$557,964. This total has been estimated by multiplying 16,908 (total burden hours) by \$33.00, the average mean hourly earnings of professional, specialty and technical white collar occupations, and executive, administrative, and managerial white collar occupations by worker and establishment



characteristics and geographic (metropolitan). Data for computation of this hourly wage were obtained from the U.S. Department of Labor Statistics' publication, "National Compensation Survey: Occupational Wages in the United States, June 2005", published August 2006 (Bulletin 2581). This publication can also be found at the following website: <http://www.bls.gov/ncs/ocs/sp/ncb10832.pdf>.

**13. PROVIDE AN ESTIMATE OF THE TOTAL ANNUAL COST BURDEN TO RESPONDENTS OR RECORD KEEPERS RESULTING FROM THE COLLECTION OF INFORMATION. (DO NOT INCLUDE THE COST OF ANY HOUR BURDEN SHOWN IN ITEMS 12 AND 14).**

- **THE COST ESTIMATE SHOULD BE SPLIT INTO TWO COMPONENTS: (a) A TOTAL CAPITAL AND START-UP COST COMPONENT (ANNUALIZED OVER ITS EXPECTED USEFUL LIFE); AND (b) A TOTAL OPERATION AND MAINTENANCE AND PURCHASE OF SERVICES COMPONENT. THE ESTIMATES SHOULD TAKE INTO ACCOUNT COSTS ASSOCIATED WITH GENERATING, MAINTAINING, AND DISCLOSING OR PROVIDING THE INFORMATION. INCLUDE DESCRIPTIONS OF METHODS USED TO ESTIMATE MAJOR COST FACTORS INCLUDING SYSTEM AND TECHNOLOGY ACQUISITION, EXPECTED USEFUL LIFE OF CAPITAL EQUIPMENT, THE DISCOUNT RATE(S), AND THE TIME PERIOD OVER WHICH COSTS WILL BE INCURRED. CAPITAL AND START-UP COSTS INCLUDE, AMONG OTHER ITEMS, PREPARATION FOR COLLECTING INFORMATION SUCH AS PURCHASING COMPUTERS AND SOFTWARE; MONITORING, SAMPLING, DRILLING AND TESTING EQUIPMENT; AND RECORD STORAGE FACILITIES.**
- **IF COST ESTIMATES ARE EXPECTED TO VARY WIDELY, AGENCIES SHOULD PRESENT RANGES OF COST BURDENS AND EXPLAIN THE REASONS FOR THE VARIANCE. THE COST OF PURCHASING OR CONTRACTING OUT INFORMATION COLLECTION SERVICES SHOULD BE A PART OF THIS COST BURDEN ESTIMATE. IN DEVELOPING COST BURDEN ESTIMATES, AGENCIES MAY CONSULT WITH A SAMPLE OF RESPONDENTS (FEWER THAN 10), UTILIZE THE 60-DAY PRE-OMB SUBMISSION PUBLIC COMMENT PROCESS AND USE EXISTING ECONOMIC OR REGULATORY IMPACT ANALYSIS ASSOCIATED WITH THE RULEMAKING CONTAINING THE INFORMATION COLLECTION, AS APPROPRIATE.**
- **GENERALLY, ESTIMATES SHOULD NOT INCLUDE PURCHASES OF EQUIPMENT OR SERVICES, OR PORTIONS THEREOF, MAKE: (1) PRIOR TO OCTOBER 1, 1995, (2) TO ACHIEVE REGULATORY**

**COMPLIANCE WITH REQUIREMENTS NOT ASSOCIATED WITH THE INFORMATION COLLECTION OR KEEPING RECORDS FOR THE GOVERNMENT, OR (4) AS PART OF CUSTOMARY AND USUAL BUSINESS OR PRIVATE PRACTICES.**

There are no capital/startup or ongoing operation/maintenance costs associated with this information collection.

- 14. PROVIDE ESTIMATES OF ANNUALIZED COST TO THE FEDERAL GOVERNMENT. ALSO, PROVIDE A DESCRIPTION OF THE METHOD USED TO ESTIMATE COST, WHICH SHOULD INCLUDE QUANTIFICATION OF HOURS, OPERATIONS EXPENSES (SUCH AS EQUIPMENT, OVERHEAD, PRINTING, AND SUPPORT STAFF), AND ANY OTHER EXPENSE THAT WOULD NOT HAVE BEEN INCURRED WITHOUT THIS COLLECTION OF INFORMATION. AGENCIES ALSO MAY AGGREGATE COST ESTIMATES FROM ITEMS 12, 13, AND 14 IN A SINGLE TABLE.**

The total Federal cost of providing oversight and assistance to the Committees/Boards for the 18 Vegetable and Specialty Crops Marketing Order Programs included in this revision is estimated at \$2,812,650 (\$154,925 per program x 18 programs), including \$24,000 (600 hours at \$40, which is an average of the salaries of the staff involved in the review and compilation of this information collection renewal). The average cost per program (\$154,925) was derived by dividing the total Marketing Order Administration Branch budget of \$6,197,000 by 40, for all marketing order programs, as well as other related marketing order programs administered by the Marketing Order Administration Branch. AMS pays approximately \$26,647 in costs to administer agency forms for the 18 programs. Committees and Boards pay for all the administrative costs of all other forms not included in the cost estimate. Committee and Board funds are derived from assessments on shipments of the commodities that they regulate. Marketing orders are directly managed through industry Committees/Boards which collect assessments in order to administer most marketing order forms. However, further oversight is provided

by USDA through AMS to ensure that each marketing order program is properly administered by the industry Committees/Boards, whose members are funded by the Secretary or the Secretary's designee. AMS directly administers and pays for the cost of 77 forms. The forms are used in two processes, Committee Nominations and Producer Referenda. Committee Nominations require a total of 57 forms (29 Background Questionnaires, 19 ballots and 9 letters of acceptance) to develop selection orders.

**Background Questionnaires:** The number of Background Questionnaire forms for each programs are as follows (Note: The number of forms per program is assumed to be one unless otherwise denoted): California Olives, §§932.28, 932.29(a) and (b), 932.129, (2) forms; Idaho/Eastern Oregon Potatoes, §§945.25 and 945.26; Washington Potatoes, §946.26; Oregon/California Potatoes, §947.27; Colorado Potatoes, §948.54; Southeastern Potatoes, §953.18; Vidalia Onions, §955.22, (2) forms; Walla Walla Onions, §956.24 (2) forms; Idaho/Oregon Onions, §958.22, (2) forms; Texas Onions §959.22; Florida Tomatoes, §966.27; California Almonds, §981.34, (2) forms; Hazelnuts, §982.34, (2) forms; California Walnuts, §984.38, (2) forms; Far West Spearmint Oil, §985.23, (2) forms; California Dates, §987.24; California Raisins, §§989.30 and 989.32, (3) forms; and California Dried Prunes, §993.27, (2) forms.

**Ballots/Nomination Forms:** These are for the following programs, California Olives, §§932.25 and 932.28, (4) forms; Vidalia Onions, §955, (2) forms; Hazelnuts, §982.32, (3) forms; Walnuts, §§984.37 and 984.437, (3) forms; California Dates, §987.24, (4) forms; California Raisins, §989.29, (2) forms; and California Dried Prunes, §§993.28(a) and 993.128.

**Letters of Acceptance:** One for each program under §§932.28, 946.26, 947.27, 955.24,

959.29, 966.29, 984.39, 987.25, and 993.31.

**Producer Referenda** are conducted to determine: 1) changes to certain regulatory requirements under the orders, and 2) approval of the continuance of a marketing order. The referenda process requires use of 18 Marketing Agreements, and 14 Certificates of Resolution, 13 Referendum Ballots and these comprise 45 Forms.

**Marketing Agreements:** One for each program and all are authorized under §900.14.

**Certificates of Resolution:** Each authorized under §900.14 for the following program sections: 932, 945, 946, 947, 948, 953, 956, 958, 959, 982, 984, 985, 989, and 993.

**Referendum Ballots:** Note that many of the marketing orders have two balloting options to collect grower votes. Votes may either be collected directly from the individual growers or from designated cooperatives that may submit a block vote on behalf of the growers. All forms mentioned here are included on the attached AMS-71 grid. Committees and boards pay for administrative costs associated with all other forms not specifically mentioned in the estimate. Committee and board funds to cover the cost of administering marketing order forms are derived from assessments on handlers of regulated commodities. This estimate assumes that the Federally-funded form processing for each program is sufficiently similar so that estimated costs can be combined into one cost sheet for all programs in the generic package.

**COSTS OF ADMINISTERING COMMITTEE NOMINATIONS TO DEVELOP SELECTION ORDERS USING BACKGROUND QUESTIONNAIRES, BALLOTS AND NOMINATION FORMS FOR VEGETABLE AND SPECIALTY CROPS GENERIC PACKAGE**

***Postage and Mailing and Administration of Grower Ballots:***

The Committees or Boards handle all costs associated with nominations and ballots. Some Committees or Boards do request the assistance of a USDA staff

member to help oversee voting at grower meetings or administer mail ballots.

Assistance is required or requested for six programs: South Texas Onions, M.O.

959; California Walnuts, M.O. No. 984; Far West Spearmint Oil, M.O. No. 985;

California Dates, M.O. No. 987; California Raisins, M.O. No. 989; and California

Dried Prunes, M.O. No. 993.

Estimated assistance to six programs with staff time: (1 Specialist x 8 hours x \$35/Hour x 4 Programs)	\$1,120.00
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***Selection Order Development:***

Write-up of Selection Order using ballots and background questionnaires (1 Marketing Assistant x 6 Hours x \$20.00/Hour x 18 Programs )	2,160.00
Review (1 Marketing Specialist x 4 Hours x \$35.00/Hour x 18 Programs)	2,520.00
ASU -- Washington HQ (1 Secretary x \$20.00/Hour x 2 Hours x 18 Programs) (2 Reviewers x \$35.00/Hour x 1 Hour each x 18 Programs)	720.00 1,260.00

<b>A. Total cost of administering the selection order</b>	<b>\$7,780.00</b>
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**COSTS OF ADMINISTERING REFERENDUM BALLOTS, MARKETING AGREEMENTS, CERTIFICATES OF RESOLUTION, COOPERATIVE FORMS FOR VEGETABLE AND SPECIALTY CROPS GENERIC PACKAGE PROGRAMS**

<b><i>Postage:</i></b>	
Ballots To Growers and Cooperatives (19,098 @ \$.65 each)	\$12,413.70
Ballots Returned from Growers and Cooperatives Assuming 50 Percent Response (9,549 @ \$.41)	3,915.09
Marketing Agreements and Certificates of Resolution to Handlers and Cooperatives for 18 Programs (1142 @ \$.65)	742.30
Marketing Agreements and Certificates of Resolution Returned from Handlers Assuming 50 Percent Response Rate in Self-Addressed Envelope (571 @ \$.41)	234.11

<b><i>Ballot Set up for Printing and Mail Administration:</i></b>	
Half Day Set-up of Ballots by Marketing Specialist for 18 Programs (1 Specialist x 4 hours x \$35.00/per hour = \$140.00 x 18 Programs)	\$ 2,520.00
Printing or Copies (19,098 @ \$.25 per page x 4 pages)	19,098.00
Updating and Printing Labels for 18 Programs (\$110.00 per set x 18 Programs)	1,980.00
Mailing Service - Placing in Envelopes and Labeling (19,098 x \$.41 each Ballot)	7,830.18

<b><i>Notice:</i></b>	
Write-up of Notice - (1 Marketing Specialist x 17 Hours @ \$35.00/Hour x 18 programs) (Includes: Continuance and Referendums where ballot is required)	10,710.00
Review of Notice (1 Reviewer x 4 hours X \$35.00/hour x 18 Programs)	2,520.00
Notice Publication in the Federal Register (8 Pages @ \$500.00/Page x 18 Programs)	72,000.00

<b><i>Counting of Ballots:</i></b>	
Two Specialists - (2 Specialists x 8 Hours x \$35.00/Hour x 2 Days = \$1,120.00 → \$1120.00 x 18 Programs = \$20,160.00)	20,160.00
Marketing Assistant - (1 Assistant x 8 Hours x 20.00/Hour x 2 Days = \$320.00 x 18 Programs)	5,760.00

<b><i>TOTAL COST OF ADMINISTRATION OF REFERENDUM FORMS</i></b>	<b><i>\$159,882.97</i></b>
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<b><i>B. Total annual cost of administration of forms</i></b>	<b><i>\$26,647.16</i></b>
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(\$159,882.97 total cost/6 estimated Referendum occurrences every 6 years)	
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*Import Forms –*

<b>C. Mailing of Forms -- Approximately 14 forms (Minimal Costs)</b>	<b>\$00.00</b>
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<b>TOTAL COST TO AGENCY FOR FORM ADMINISTRATION (A + B + C)</b>	<b>\$34,427.16</b>
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**15. EXPLAIN THE REASON FOR ANY PROGRAM CHANGES OR ADJUSTMENTS REPORTED IN ITEM 13 OR 14 OF THE OMB FORM 83-I.**

See Supplementary Document titled, “Q #15 Grid” for an updated summary of the reasons for changes in the burden since the previous submission.

**16. FOR COLLECTIONS OF INFORMATION WHOSE RESULTS WILL BE PUBLISHED, OUTLINE PLANS FOR TABULATION AND PUBLICATION. ADDRESS ANY COMPLEX ANALYTICAL TECHNIQUES THAT WILL BE USED. PROVIDE THE TIME SCHEDULE FOR THE ENTIRE PROJECT, INCLUDING BEGINNING AND ENDING DATES OF THE COLLECTION OF INFORMATION, COMPLETION OF REPORT, PUBLICATION DATES, AND OTHER ACTIONS.**

There are no plans to publish any information or data collected.

**17. IF SEEKING APPROVAL TO NOT DISPLAY THE EXPIRATION DATE FOR OMB APPROVAL OF THE INFORMATION COLLECTION, EXPLAIN THE REASONS THAT DISPLAY WOULD BE INAPPROPRIATE.**

The Agency requests approval not to display the expiration date for OMB approval of the information collection. This requirement significantly affects mandatory programs by increasing costs to users because otherwise usable forms must be destroyed when the date expires, the form is revised, and redistributed. Such needless cost increases passed on to users of mandatory services are counter productive to the Administration’s goal of reducing costs and increasing program efficiency. Additionally, the impact of the expiration date requirement on administrative and regulatory forms for the programs can adversely affect the operation and enforcement of statutes. Inadvertent

use of a form with an expired expiration date poses an opportunity for those looking for a means of disruption to challenge paying for services rendered, the validity of the collection of information, or legal requirement imposed by regulations or statutes.

In addition, the Committee/Board offices orders forms well in advance of the marketing year, so that forms are mailed to handlers and growers in a timely manner. The committee/board offices attempts to order forms in quantities large enough to get a price break. If the Committee/Board offices need to order more forms prior to an OMB submission for extension of approval, there are not guarantees that a requested expiration date will be approved by OMB. There is also some confusion to respondents thinking their annual applications are good for the length of time noted in the expiration date, rather than expiring at the end of the marketing season.

**18. EXPLAIN EACH EXCEPTION TO THE CERTIFICATION STATEMENT IDENTIFIED IN ITEM 19, "CERTIFICATION FOR PAPERWORK REDUCTION ACT SUBMISSIONS," OF OMB FORM 83-I.**

The agency is able to certify compliance with all provisions under Item 19 of OMB Form 83-I.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.**

The collection of information does not employ statistical methods.