U.S. DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE FRUIT AND VEGETABLE PROGRAMS

PISTACHIO HANDLER BALLOT MATERIAL

BALLOT FOR ELECTION OF COMMITTEE

TO PISTACHIO HANDLERS:

All pistachio handlers recently had the opportunity to nominate themselves or other eligible individuals to serve on the Administrative Committee for Pistachios (Committee). The Department of Agriculture (USDA) is now conducting an election to seat the initial Committee. If you currently handle pistachios for market, you are eligible to vote in the election. Attached are voting instructions; eligibility requirements; and a ballot. Please read the attached directions carefully and submit your completed ballot in the enclosed envelope postmarked by or hand deliver to the California Marketing Field Office in Fresno, California, no later than _______.

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UNITED STATES DEPARTMENT OF AGRICULTURE Agricultural Marketing Service Fruit and Vegetable Programs California Marketing Field Office 2202 Monterey St. Suite 102B Fresno, CA 93721

ADMINISTRATIVE COMMITTEE FOR PISTACHIOS OFFICIAL HANDLER BALLOT

ADMINISTRATIVE COMMITTEE FOR PISTACHIOS HANDLER MEMBERS AND ALTERNATE HANDLER MEMBERS

INSTRUCTIONS FOR COMPLETING THE ATTACHED BALLOT

1.	VOTING PERIOD: through
2.	VOTER ELIGIBILITY: A pistachio handler eligible to vote is any business entity currently engaged in the handling of pistachios within the State of California.
3.	a. There are two handler member and alternate handler member positions to be filled on the Committee. For the first handler member and alternate handler member positions, each handler entity is entitled to one vote. The candidate receiving the highest number of votes will be the handler member and the candidate receiving the second highest number of votes will be the alternate handler member.
	b. For the second handler member and alternate handler member position, each handler entity shall be entitled to cast one vote respectively for each ton of inshell pistachios received for processing by that handler during the two production years preceding the production year in which the nominations are made. The candidate receiving the highest number of votes will be the handler member and the candidate receiving the second highest number of votes will be the alternate handler member.
4.	As you cast your ballot, keep in mind that the two handler member and alternate handler member positions must be represented by handlers that are <u>not</u> affiliated with each other. Only one member and one alternate representing handlers shall be employed by, or affiliated with the same handler and/or producer.
	a. " <u>Affiliated</u> " means a person such as a producer or handler who is: a producer or handler that directly, or indirectly through one or more intermediaries, owns or controls, or is controlled by, or is under common control with the producer or handler specified; or a producer or handler that directly, or indirectly through one or more intermediaries, is connected in a proprietary capacity, or shares the ownership or control of the specified producer or handler with one or more other producers or handlers. As used in this part, the term "control" (including the terms "controlling", "controlled by", and "under the common control with") means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a handler or a producer, whether through voting securities, membership in a cooperative, by contract or otherwise.
	b. " <u>Proprietary capacity</u> " means the capacity or interest of a producer or handler that, either directly or through one or more intermediaries, is a property owner together with all the appurtenant rights of an owner including the right to vote the interest in that capacity as an individual, shareholder, member of a cooperative, partner, trustee or in any other capacity with respect to any other business unit.
5.	In the spaces provided, print your name, address, tax id number, e-mail address, and telephone number.
6.	Certify that your are eligible to cast a ballot by signing and dating the ballot.
7.	The completed ballot must be postmarked or hand-delivered no later than
8.	The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call

9. If you have any questions, please contact the California Marketing Field Office at 2202 Monterey Street, Suite 102B, Fresno, California 93721; Telephone (559) 487-5901; FAX (559) 487-5906.

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REPRODUCE LOCALLY. *Include form number and date on all reproductions.*

Committee.

OMB No. 0581-0215

(800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer. We also ask that you be mindful of the Department's policy regarding Civil Rights and consider eligible women, minorities, and the physically-challenged for membership on the

AGRICULTURAL MARKETING SERVICE FRUIT AND VEGETABLE PROGRAMS

ADMINISTRATIVE COMMITTEE FOR PISTACHIOS HANDLER MEMBERS AND ALTERNATE HANDLER MEMBER'S BALLOT

HANDLER POSITION 1

Because the Order prescribes that each handler member will have an alternate handler member on the Committee the candidate receiving the highest number of votes will be seated as a member and the candidate receiving the second highest number of votes will be seated as the alternate handler member. Please vote, sign the ballot, and mail or hand deliver to the California Marketing Field Office at 2202 Monterey Street, Suite 102B, Fresno, California 93721.

Mark the box for the candidate of your choice. Vote for one candidate only. If you do not to wish to vote for any of the candidates, you may write-in your candidate of choice in the appropriate space. Each handler is entitled to one vote for Position 1. (Voting for the second handler position is on the reverse of this ballot.)

Position #1	Candidate	
	Candidate	
	Candidate	
	Candidate	
	Write-In Candidate	

BALLOTING FOR HANDLER POSITION 2 IS ON THE REVERSE OF THIS BALLOT

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HANDLER POSITION 2

Each handler vote for Position 2 candidates is weighted by the tonnage handled. To ensure your vote is weighted properly, please be sure to certify as to your tonnage in the space provided below.

Mark the box for the candidate of your choice. Vote for one candidate only. If you do not to wish to vote for any of the candidates, you may write-in your candidate of choice in the appropriate space.

Candidate _____ [

POSITION # 2

Candidat	e		
Candidat	e 🛚		
Candidat	e []		
Write-In	Candidate		
CERTIFICATION STATEME	<u>NT</u>		
Please indicate the following:			
☐ Individual ☐ Trust ☐ Part	nership Corporation Tax ID# _		
If partnership, list general partners			
I certify that I or my employer current	y handledtons of pistachios during	and	
	y received and processed tons of ins ng a ballot on behalf of my employer, I certify	hell pistachios for processing during that I have such authority to do so.	and
(Handler Name- please print)	(Address)	(Telephone Number)	
(Signature)	(Print Name)	(Date)	_
(Title - if voting on behalf of a corporation, es	tate, or trust)		

Note: The following statements are made in accordance with the Privacy Act of 1974 (U.S.C. 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the information to be supplied on this form is the Agricultural Marketing Agreement Act of 1937, Secs. 1-19, 48 Stat. 31, as amended, (7 U.S.C. 601-674). Furnishing the requested information is necessary for the administration of the marketing order program. Submission of the Tax Identification Number (TIN) is mandatory, and will be used to validate ballots and determine affiliation or entity identity. Please note that ballots will not become invalid if a TIN is not disclosed.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0215. The time require to complete this information collection is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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