

NOMINATION FORM FOR HANDLER MEMBERS AND ALTERNATE HANDLER MEMBERS

TO PISTACHIO HANDLERS:

Marketing Order 983 (Order), regulating the handling of pistachios grown in California became effective on _____. Subsequently, the Department of Agriculture (USDA) is conducting nominations for membership of the 11-member Administrative Committee for Pistachios (Committee) for the initial terms of office. Of the 11 members, 2 will be handler members, 8 will be producer members and 1 will be a public member. Each of the members will have an alternate. The Order provides authority for pistachio handlers to submit the names of handler candidates to serve on the Committee. If you are interested in nominating yourself or another individual to serve on the Committee as a handler member or alternate member, please read the following information and submit the completed nomination form to the California Marketing Field Office. The completed nomination form must be postmarked, faxed, or hand-delivered no later than _____.

FV-245A (05/06)

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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 NOMINATION FORM

ADMINISTRATIVE COMMITTEE FOR PISTACHIOS HANDLER MEMBERS AND ALTERNATE HANDLER MEMBERS

INSTRUCTIONS FOR COMPLETING THE ATTACHED NOMINATION FORM

1. Please complete the attached form if you wish to nominate yourself and/or another eligible handler to run for office as a handler member or alternate handler member on the Administrative Committee for Pistachios (Committee) for the initial term of office. Only handlers, including duly authorized officers or employees of handlers, may participate in the nomination of handler member nominees and their alternates. To qualify as a handler, your handling operation must receive, hull and dry pistachios and/or further prepare pistachios by sorting, sizing, shelling, roasting, cleaning, salting, and/or packaging for marketing in or transporting to any and all markets in the current of interstate or foreign commerce.
2. Two handler member and two alternate handler member positions are open for nomination. Position 1 will be nominated based on each handler having one vote. Position 2 will be nominated based on each ton of assessed weight of inshell pistachios received and processed by that handler during the two production years preceding the production year in which nominations are made. The assessed weight of pistachios shall be credited to the handler responsible under the order for payment of assessments on those pistachios. Eligible handlers may submit one candidate to fill each of these positions.
3. The Order prescribes that: (a) Not more than two members and not more than two alternate members shall be persons employed by, or affiliated with producers or handlers that are affiliated with the same handler and/or producer; (b) Only one handler member and one alternate member representing handlers shall be employed by, or affiliated with the same handler; (c) No handler, and all of its affiliated handlers, can be represented by more than one handler member; (d) A cooperative that has as its members one or more other cooperatives that are handlers shall not be considered as a handler for the purpose of nominating. Affiliation is defined as: normally appears as "affiliate of", or "affiliated with", and 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.
4. Once all nomination forms are received, nominees will be notified of their nomination, requested to complete a confidential qualification and acceptance statement, and provided an opportunity to submit a short biographical statement, not to exceed one half page in length. The short biographical information statement will be sent to eligible handlers with balloting material.
5. The Order specifies that a 2-year term of office shall be staggered for elected handler members and alternate handler members serving on the Committee. For the initial committee, one handler member and one alternate handler member shall, by a drawing, be seated for one year so that approximately half of the membership's terms will expire each year. The eligible handler receiving the highest number of votes by position will be selected as the handler member and the eligible handler receiving the next highest number of votes by position will be selected as the alternate handler member. Each handler member and alternate handler member on the Committee shall be, at the time of selection and during the term of office, a pistachio handler or an officer, employee, or agent of the handler.
6. The USDA prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (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). We request that you be mindful of the USDA's policy regarding Civil Rights and consider eligible women, minorities, and the physically challenged for membership on the Committee.
7. The completed nomination form must be received by the USDA no later than the close of business on _____ . Submit the form by mail in the envelope provided, fax, or hand deliver to: CAMFO-USDA-AMS-F&V, 2202 Monterey Street, Suite 102B, Fresno, California 93721 Tel (559) 487-5901, Fax (559) 487-5906.

UNITED STATES DEPARTMENT OF AGRICULTURE
 AGRICULTURAL MARKETING SERVICE
 FRUIT AND VEGETABLE PROGRAMS

ADMINISTRATIVE COMMITTEE FOR PISTACHIOS

**HANDLER MEMBERS AND ALTERNATE HANDLER MEMBER'S NOMINATION FORM
 (See attached instructions)**

HANDLER NOMINATION FOR POSITION 1 - Please nominate one handler. Nominees for this position will be placed on a ballot and handlers will cast 1 vote. Each vote will be weighted equally.

<u>Name of Handler Nominee</u>	<u>Name of Handler's Operation The Nominee Represents</u>	<u>Handler's Phone Number</u>
_____	_____	_____
<u>Handler's Fax Number</u>	<u>Handler's E-mail Address</u>	<u>Handler's Mailing Address</u>
_____	_____	_____

HANDLER NOMINATION POSITION 2 - Please nominate one handler. Nominees for this position be placed on a ballot and handlers will cast 1 vote. Each vote will be weighted based on the volume of inshell pistachios received and processed by that handler during the two production years preceding the production year in which the nominations are made.

<u>Name of Handler Nominee</u>	<u>Name of Handler's Operation The Nominee Represents</u>	<u>Handler's Phone Number</u>
_____	_____	_____
<u>Handler's Fax Number</u>	<u>Handler's E-mail Address</u>	<u>Handler's Mailing Address</u>
_____	_____	_____

CERTIFICATION:

I certify that I or my employer currently handles pistachios and that I am eligible to nominate the above candidate(s).

_____	_____	_____
Handler Name	Address	Telephone Number
_____	_____	_____
Signature	Print Name	Date

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0215. The time required to complete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.