

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

**MARKETING AGREEMENT, AS FURTHER AMENDED, REGULATING
THE HANDLING OF ONIONS GROWN IN SOUTH TEXAS**

The parties hereto, in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937 (the Act), as amended (Secs. 1-19, 48 Stat., 31, as amended; 7 U.S.C. 601-674), and in accordance with the applicable rules of practice and procedure effective thereunder (7 CFR Part 900), desire to enter into this agreement further amending the marketing agreement regulating the handling of onions grown in designated counties in South Texas; and each party hereto agrees that such handling shall, from the effective date of this marketing agreement, be in conformity to, and in compliance with, the provisions of said marketing agreement as hereby further amended.

The provisions of Sections 959.1 to 959.92, inclusive, of the order as amended and as further amended by the order annexed to and made a part of the decision of the Secretary of Agriculture (Secretary) with respect to a proposed marketing agreement and order regulating the handling of onions grown in designated counties in South Texas, plus the additional provisions hereinafter set forth, shall be, and hereby are, the terms and conditions hereof; and the specified provisions of said annexed order are hereby incorporated into this marketing agreement as if set forth in full herein. The additional provisions are as follows:

Section 959.93 Counterparts.

This agreement may be executed in multiple counterparts and when one counterpart is signed by the Secretary, all such counterparts shall constitute, when taken together, one and the same instrument as if all signatures were contained in one original.

Section 959.94 Additional parties.

After the effective date hereof, any handler may become a party to this agreement if a counterpart is executed by such handler and delivered to the Secretary. This agreement shall take effect as to such new contracting party at the time such counterpart is delivered to the Secretary, and the benefits, privileges, and immunities conferred by this agreement shall then be effective as to such new contracting party.

Section 959.92 Order with Marketing Agreement.

Each signatory handler hereby requests the Secretary to issue, pursuant to the Act, an order providing for regulating the handling of onions in the same manner as is provided in this agreement.

The undersigned hereby authorizes the Deputy Administrator, or Acting Deputy Administrator, Fruit and Vegetable Programs, Agricultural Marketing Service, United States Department of Agriculture, to correct any typographical errors which may have been made in this marketing agreement.

IN WITNESS WHEREOF, the contracting parties, acting under the provisions of the Act, for the purpose and subject to the limitations therein contained, and not otherwise, have hereto set their respective signatures and seals.

(Firm Name) By: _____ (Signature) *

(Mailing Address) _____ (Title)

(City, State, and ZIP Code)

(Corporate seal: if none, so state)

(Date of Execution)

* If one of the contracting parties to this agreement is a corporation, my signature constitutes certification that I have the power granted to me by the Board of Directors to bind this corporation to the marketing agreement.

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act of 1995. The authority for requesting this 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.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0178. The time required to complete this information collection is estimated to average 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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