

## INSTRUCTIONS FOR COMPLETING FORM RAC-35

The Rules and Regulations promulgated pursuant to Marketing Order No. 989, require, except for specific exemptions stated in the Rules, the filing and approval of an application before the handler ships or otherwise disposes of off-grade raisins, other failing raisins and raisin residual material for use within the continental United States, other than Alaska, and in eligible non-normal outlets. Non-normal outlets include the sale or processing for stock feed, distillation or in any other outlet than those customarily used for the commercial disposition of raisins meeting the then applicable grade and condition standards for natural condition or packed raisins.

If the name and address of the user or consignee, or the use to be made of the raisins or residuals is not known to the handler, the handler shall arrange for the submission of such information to the Committee by the buyer. The Committee will not approve the application until this information has been furnished to it, or if any other information called for herein is lacking. The basis for approving or disapproving the application or revoking previously approved applications are set out in the Rules and Regulations, as amended.

The handler shall submit to the Committee, on every sale or shipment, within twenty (20) days (exclusive of Saturdays, Sundays and holidays) after such shipment, a certified invoice showing the quantity, type of container, destination specified in the handler's approved application.

This application shall be accompanied by the handler's sales contract with the buyer. The sales contract shall contain provisions relating to the disposition of the raisins or raisin material, the submission of documents and the maintenance and examination of records as set out in the Rules and Regulations. This may be accomplished by attaching a signed copy of Raisin and Raisin Residual Sales Provisions (RAC-36) or incorporating substantially the same provisions in the contract.

In the event raisins or raisin residual material covered by an approved application should be shipped to points outside the continental United States or to Alaska, or disposed of in other than eligible non-normal outlets by any person, it will cause serious and substantial damage to the Committee and to the producers and handlers of raisins and it will be difficult, if not impossible, to prove the extent of such damage and, therefore, the handler shall pay to the Committee the sum an amount equal to the established field price as liquidated damages for each ton so shipped or disposed of, such sum being a fair measure of damages and not a penalty.

*This report is required by law (7 U.S.C. 608(d), 7 C.F.R. 989.159(g)(2)). Failure to report can result in a fine of \$1,100 for each such violation and each day during which such violation continues shall be deemed a separate violation.*

*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. 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.*

APPLICATION FOR SALE, SHIPMENT OR DISPOSITION  
OF RAISINS AND RAISIN RESIDUAL MATERIAL  
RAISIN ADMINISTRATIVE COMMITTEE  
P.O. Box 5217  
Fresno, CA 93755-5217

Application No. \_\_\_\_\_

Date \_\_\_\_\_

The undersigned handler hereby requests approval of this application for the sale or disposition of the raisins or raisin residual material, in the quantity, of the description, to the person, and for the usage as shown herein, subject to the provisions of  $\beta$  989.159(g)(2) of the Rules and Regulations of Federal Marketing Order Number 989 and all other applicable provisions of Part 989, including that for payment of liquidated damages as set forth on the reverse side of this application.

- 1. Name of Buyer \_\_\_\_\_  
Address \_\_\_\_\_  
Phone # \_\_\_\_\_
- 2. Name of Consignee \_\_\_\_\_  
Address \_\_\_\_\_  
Phone # \_\_\_\_\_
- 3. Ultimate User \_\_\_\_\_  
Address \_\_\_\_\_  
Phone # \_\_\_\_\_
- 4. Use or Disposition \_\_\_\_\_
- 5. Present Location \_\_\_\_\_
- 6. Quantity \_\_\_\_\_

\_\_\_\_\_ lbs. raisins      \_\_\_\_\_ lbs. residual  
 Type of Holding Container:  
 \_\_\_\_\_ raisins      \_\_\_\_\_ residuals

- 7. Description of raisins or materials \_\_\_\_\_
- 8. Estimated shipping date \_\_\_\_\_  
Carrier \_\_\_\_\_
- 9. Sales contract filed (date) \_\_\_\_\_

*The making of any false statement or representations in any matter within the jurisdiction of any agency of the United States, knowing it to be false, is a violation of Title 18, Section 1001, United States Code, which provides for a penalty of a fine of \$10,000 or imprisonment of not more than five years, or both.*

Handler \_\_\_\_\_

APPROVED \_\_\_\_\_

Address \_\_\_\_\_

By \_\_\_\_\_ Title \_\_\_\_\_

Raisin Administrative Committee

By \_\_\_\_\_

(See reverse side for instructions)