

U. S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
FRUIT AND VEGETABLE PROGRAMS
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REFERENDUM ON PROPOSED AMENDMENT OF THE FEDERAL MARKETING ORDER FOR OLIVES

TO: PRODUCERS OF OLIVES

The Secretary of Agriculture is submitting for industry approval a proposed amendment of the Marketing Agreement and Order regulating the handling of olives grown in California. The proposed amendment will not be made effective unless it is favored by at least two thirds of the eligible olive producers voting in the referendum, or by producers representing at least two-thirds of the eligible volume of olives voted in the referendum. xxxxxxxx xx, through xxxxxxxx xx 20xx is the voting period.

The proposed amendment would permit handlers to credit expenses for brand advertising of olives against a portion of their annual assessment obligation. The proposal is based on evidence received in a public hearing held xxxxxxxx x and x, 20xx in Fresno, California.

A Producer's Referendum Ballot is on the reverse side of this page. Also attached are: (1) Voter Eligibility and Voting Instructions; (2) Summary of Amendment; (3) a copy of the proposed amendment; and (4) Envelope for returning the ballot--no postage paid required.

Please vote promptly as ballots with envelopes postmarked later than midnight xxxxxxxx xx, 20xx **cannot be counted.**

Jennifer Garcia
Referendum Agent

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VOTER ELIGIBILITY AND VOTING INSTRUCTIONS

1. Any **PRODUCER** (individual, partnership, corporation, association, institution or other business unit) is eligible to vote who produced olives for market as packaged olives (canned ripe and green olives) during the period xxxxxxxx xx, 20xx through xxxxxxxx xx, 20xx, and is currently and olive producer.
2. An **INDIVIDUAL OWNER** has only one vote regardless of the number and locations of his/her olive groves, and is any producer who has sole interest in the olives he/she produces for market as packaged olives.
3. A **PARTNERSHIP** has only one vote regardless of the number and locations of the olive groves operated by the partnership. A partnership is an arrangement between two or more persons wherein each shares in the profits and losses of their operation. Partnerships include (a) father-son, mother-son or similar joint venture; (b) husband and wife who are operating community property or have joint interest in the production; and (c) joint ventures whereby two or more parties undertake production of olives for market. (If you are voting as a partner, sign your name in Item 5 entitled ~~A~~Producer's Signature@)
4. A **LANDLORD** may vote his/her share of the production if he/she and the tenant are operating on a share-crop basis. The landlord may not vote when the tenant is a cash renter.
5. A **TENANT** operating on a share-crop basis may vote only his/her share of the production. If the tenant is a cash renter, he/she may vote his/her entire production.
6. An **OFFICER** or **EMPLOYEE** of a Corporate Producer, producing association, institution, school, or similar business unit may vote if he/she shows the name and address in Item 5, and completes the certification in Item 6 of the ballot. Evidence of authority to cast the ballot for the producing entity may be required by an Agent of the Secretary.
7. A **TRUSTEE**, **EXECUTOR**, or **ADMINISTRATOR** of a producing estate may vote if he/she shows the name and address of the producing estate in Item 5, and completes the certification in Item 6 of the ballot. Evidence of authority to cast the ballot for a producer may be required by an Agent of the Secretary.

MAIL THE COMPLETED BALLOT IN THE ENCLOSED ADDRESSED ENVELOPE, WHICH REQUIRES NO POSTAGE. YOUR BALLOT MUST BE ANSWERED COMPLETELY AND POSTMARKED NO LATER THAN xxxxxxxx x, 20xx, IN ORDER TO BE COUNTED.

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PRODUCER'S REFERENDUM BALLOT

ON PROPOSED AMENDMENT OF MARKETING ORDER NO. 932 AS AMENDED, REGULATING THE HANDLING OF OLIVES GROWN IN CALIFORNIA

THIS BALLOT WILL BE HELD CONFIDENTIAL. PLEASE READ THE ATTACHED VOTER ELIGIBILITY AND VOTING INSTRUCTIONS BEFORE COMPLETING YOUR BALLOT. YOUR BALLOT ENVELOPE MUST BE POSTMARKED NOT LATER THAN xxxxxxxx xx, 20xx.

1. I certify that I am an eligible producer, and during the period xxxxxxxx xx, 20xx through xxxxxxxx xx, 20xx, I produced _____ tons of natural condition olives for market as packaged olives on _____ acres in California. (NOTE: If you are farming on a share crop basis, report only that part of the tonnage representing your share.)

2. If partnership, insert name and mailing address of Partner(s)

3. _____
(Cooperative Affiliation, if any)

4. DO YOU FAVOR THE PROPOSED AMENDMENT?

() YES

() NO

5. _____
Producer's Signature (or Name if item 6 is applicable)

Street or Box No. City Zip Code

6. If this ballot is cast by an OFFICER OR EMPLOYEE of a producer such as a corporation, association, institution, school, or similar business unit, or by an ADMINISTRATOR, EXECUTOR, or TRUSTEE of a producing estate, the following must be completed:

I certify to the Secretary of Agriculture that I have authority to cast this ballot for the producer named above in Item 5 and that I will submit evidence of such authority at the request of an Agent of the Secretary.

Signature _____ Title or Capacity _____

Mailing Address _____
Street or Box No. City Zip Code

NOTE: 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 30 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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SUMMARY OF AMENDMENT

1. Authorizes crediting of part of a handler's assessment obligation for brand advertising expenditures.
2. Make conforming changes.

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