

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

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

0581-0215

OMB No.

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

PISTACHIO HANDLER BALLOT MATERIAL

BALLOT FOR ELECTION OF COMMITTEE

TO CALIFORNIA PISTACHIO HANDLERS:

All California pistachio handlers recently had the opportunity to nominate eligible candidates for handler membership on the Administrative Committee for Pistachios (ACP) for the two-year term of office ending on June 30, 200_. 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 or hand delivered to the California Marketing Field Office in Fresno, California, no later than _____, 200_.

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. There is one handler member and one alternate handler member position to be filled on the Committee. For the handler member and alternate handler member position, each handler entity is entitled one vote each. The candidate receiving the highest number of votes by position 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 handler member and alternate handler member positions must be represented by handlers that are not 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. "Affiliated" 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. Also, please be mindful that not more than two members and not more than two alternate members shall be persons employed or affiliated with producers or handlers that are affiliated with the same handler and/or producer. Additionally, only one member and one alternate member in any one district representing producers shall be employed by or affiliated with the same handler and/or producer.
 - b. "Proprietary capacity" 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, a 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 identification number and telephone number.
6. Certify that you 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, audiotope, 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. 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 Committee.
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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ADMINISTRATIVE COMMITTEE FOR PISTACHIOS

HANDLER MEMBERS AND ALTERNATE HANDLER MEMBER BALLOT

POSITION 1 HANDLER

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.

Each handler entity is entitled to one vote each.

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

Position 1 Candidate _____
 Write-in Candidate _____

CERTIFICATION STATEMENT

Please indicate the following:

Individual Trust Partnership * Corporation Tax ID#

* If partnership, list general partners. _____

I certify that I or my employer currently handled _____ tons of pistachios during _____ and _____.

I certify that I or my employer currently received and processed _____ tons of inshell pistachios for processing during _____ and during _____.

If I am casting a ballot on behalf of my employer, I certify that I have such authority to do so.

Handler Name (Please Print)	Address	Telephone Number
_____	_____	_____

Signature	Print Name	Date
_____	_____	_____

_____ Title (If voting on behalf of a corporation, estate or trust)

To be valid, the completed ballot must be signed and postmarked or hand delivered to the California Marketing Field Office in Fresno, California no later than: _____, 200____.

USDA-AMS-FV PROGRAMS
California Marketing Field Office
2202 Monterey Street, Suite 102B
FRESNO, CALIFORNIA 93721
TEL: (559) 487-5901

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, 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 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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The making of any false statements or representations in any matter within the jurisdiction of an 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 5 years, or both.

