

UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
FRUIT AND VEGETABLE PROGRAMS  
SOUTHEAST MARKETING FIELD OFFICE  
799 OVERLOOK DRIVE, SUITE A  
WINTER HAVEN, FLORIDA 33884

DATE: \_\_\_\_\_, 20XX

**TO: GROWERS OF SOUTH FLORIDA AVOCADOS FOR THE FRESH MARKET**

Enclosed is a voter ballot for the amendment to the Marketing Order No. 915 (order) regulating the handling of Avocados Grown in South Florida. The order requires that growers within the regulated production area be petitioned to determine the level of support for the marketing order. As a consequence, an order directing that a referendum be held was published in the Federal Register on \_\_\_\_\_, 20XX. A Referendum has been scheduled for \_\_\_\_\_ through \_\_\_\_\_, 20XX, to determine whether avocado growers favor the amendment to the order.

To meet referendum requirements, the order must be favored by at least two-thirds of the eligible growers voting in the referendum or by growers representing at least two-thirds of the eligible volume voted in the referendum. This ballot gives an eligible grower the opportunity to vote in favor of or against maintaining the marketing order.

A Grower Referendum Ballot is attached. Also attached are:

- 1) Rules Governing Grower Eligibility to Vote and Voting Instructions;
- 2) News Release concerning the referendum; and
- 3) A pre-addressed envelope for returning the ballot.

Again, the referendum voting period is \_\_\_\_\_ through \_\_\_\_\_, 20XX. Please complete and return your ballots promptly. All ballots must be **postmarked no later than** \_\_\_\_\_, 20XX, or they will not be counted. If you have any questions, please call (863) 324-3375.

In addition, the Avocado Administrative Committee, which locally administers the marketing order, is very interested in getting more women, minorities and persons with disabilities to serve on the Committee. The Committee is urging any interested women, minorities or persons with disabilities to call the Committee offices at (305) 247-0848, or email Gail Knodel at [LAACHmst@aol.com](mailto:LAACHmst@aol.com) for information. Nomination meetings for Committee membership will be held in February 2003. Those not comfortable with serving as a Committee member could be nominated as an alternate member, or serve on a subcommittee. Serving as an alternate or on a subcommittee is an excellent opportunity to learn about the Committee and the marketing order. If you are interested, please contact the Committee.

Sincerely,

Christian D. Nissen  
Referendum Agent

UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
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**OFFICIAL GROWER'S REFERENDUM BALLOT  
AVOCADOS GROWN IN SOUTH FLORIDA  
MARKETING ORDER 915**

**This ballot will be held in strict confidence. Be sure Parts II, III, and IV of your ballot are completed. Unsigned ballots, or ballots that cannot be validated because Parts II, III, and IV are incomplete, will not be counted.**

**PART I - REFERENDUM INSTRUCTIONS**

- A. REFERENDUM PERIOD:** \_\_\_\_\_ through \_\_\_\_\_, 20XX, is the referendum period during which growers may vote on this marketing order.

This referendum is being held to determine grower support for amendments to the Federal marketing order regulating the handling of avocados grown in south Florida. USDA will consider the addition of each amendment if it receives support from two-thirds of those voting or if two-thirds of the volume represented in the referendum favor of the amendments.

- B. ELIGIBILITY REQUIREMENTS:** Any person who produced avocados for the **fresh** market during the period of April 1, 20XX through March 31, 20XX, and who is also now a grower, is eligible to vote. Such persons may vote on the continuance of the marketing order using the attached ballot.

1. A grower (or producer) is defined as: (a) any person who produces avocados grown in south Florida for the **fresh** market in the designated production area; (b) a renter or tenant of acreage producing avocados grown in south Florida for the fresh market; or (c) a landlord who received from a renter or tenant avocados as rent for the land on which such avocados were grown for fresh market. A cash landlord, lienholder, or person having only a financial interest in the crop is not an eligible voter.
2. A business unit, partnership, family enterprise, corporation, association, estate, or firm may vote. Each such entity is entitled to one vote.
3. If you believe you are eligible to submit more than one ballot, additional ballots may be obtained by contacting the Southeast Marketing Field Office at (863) 324-3375. Ballots are also available at the offices of the Avocado Administrative Committee.
4. Proxy voting is not authorized.

- C. INSTRUCTIONS FOR VOTING:** Provide the voter information requested in Part II. In Part III, mark the block for or against the Marketing Order. Certify your vote by signing the appropriate section of Part IV. **If you do not complete**

Parts II, III, and IV, your ballot cannot be validated, and your vote will not be counted.

**Please complete and remove the page containing Parts II, III, and IV, and return in the envelope before \_\_\_\_\_, 20XX.**

**PART II - VOTER INFORMATION**

**This information will be held in strict confidence.**

Name \_\_\_\_\_  
(Please print clearly)

B. What is the specific location of your avocado groves represented in this ballot?

\_\_\_\_\_  
(Highway or street address, if applicable)

\_\_\_\_\_  
(City, State, ZIP Code)

C. Do you reside on the property, which the avocados are produced? ( ) YES ( ) NO  
If No, please provide your residence address and telephone number.

\_\_\_\_\_  
(Street and No. or RFD No., City, State, and ZIP Code)

\_\_\_\_\_  
(Telephone number (Area Code))

D. If you are not voting as an individual grower, please check the appropriate box indicating your voting status and write the name and address of the business unit you represent.

( ) Partnership ( ) Corporation ( ) Other (Specify) \_\_\_\_\_

\_\_\_\_\_  
(Name and address of business unit)

E. What is the number of 55lb bushels of avocados you produced for shipment to the fresh market during the period April 1, 20XX through March 31, 20XX?

\_\_\_\_\_

F. What is the number of acres of avocados you harvested during the period April 1, 20XX through March 31, 20XX?

\_\_\_\_\_ acres

G. Which packinghouse(s) handled your avocados during the representative period?

\_\_\_\_\_  
(Name and address of packinghouse(s))

\_\_\_\_\_  
(City, State, ZIP Code)

**COMPLETE BOTH SIDES OF THIS FORM**

**PART III - REFERENDUM QUESTIONS**

"YES" vote means you favor the amendment to the Marketing Order for Avocados Grown in South Florida.

"NO" vote means you do not favor the amendment to the Marketing Order for Avocados Grown in South Florida.

**Do you favor/oppose amendments to the Marketing Order for Avocados Grown in South Florida?**

**Yes      No**

- 1. Do you favor adding authority for the Avocado Administrative Committee to borrow money to provide funds to support Committee functions? (§915.41)
- 2. Do you favor revising the current voting requirement so that all assessments rate increases would allow for a quorum of seven Committee members and two-thirds majority vote of those in attendance for approval? (§915.30)
- 3. Do you favor allowing avocado growers or their authorized employees to nominate and elect Avocado Administrative Committee members through mail balloting in District I? (§915.22)
- 4. Do you favor adding authority for the Avocado Administrative Committee to accept voluntary contributions? (§915.43)

**PART IV - VOTER CERTIFICATION**

All information provided in this ballot will be subject to verification by officials of the U.S. Department of Agriculture.

The information on this ballot is required to determine voter eligibility and vote of Florida avocado growers. Falsification of information on this Government document may result in a fine of not more than \$10,000 or imprisonment for not more than five (5) years, or both (18 U.S.C. 1001).

A. Your signature, if signing as an individual.

I am the grower named in Part II of this ballot, and I certify that I am not a cash landlord, lienholder, or person having only a financial interest in the crop, and that the information provided on this ballot and any attachment hereto is accurate and correct to the best of my knowledge.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

B. If signing as the representative of a producing entity other than an individual, designate your title and sign below.

I am the representative named in Part II D of this ballot: A partner casting the ballot for a partnership; or an officer or employee casting the ballot for a corporation, school, institution, or similar business unit; or the administrator, executor, or trustee casting the ballot for a producing estate; and, by signing this ballot, I agree to provide evidence thereof at the request of an authorized agent of the U.S. Department of Agriculture.

\_\_\_\_\_  
(Signature and Title)

\_\_\_\_\_  
(Date)

**BALLOTS POSTMARKED AFTER \_\_\_\_\_, 20 XX WILL NOT BE COUNTED IN THE REFERENDUM.**

**Please return this completed page in the envelope provided.**

***Note:** 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 0581-0189. The time required to complete this information collection is estimated to average 20 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 United States 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 USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.*