

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

**MARKETING AGREEMENT, AS AMENDED, REGULATING
THE HANDLING OF NECTARINES GROWN IN CALIFORNIA**

The parties hereto, in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. §§ 601-674, the "Act"), and in accordance with the applicable rules of practice and procedure effective thereunder (7 CFR Part 900), desire to enter into this Agreement amending the Marketing Agreement regulating the handling of nectarines grown in California; 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 amended.

- (1) The provisions of sections 916.1 to 916.71, inclusive, of Marketing Order No. 916, as amended (7 CFR Part 916) by the order annexed to and made a part of the decision of the Secretary of Agriculture (the "Secretary"), with respect to a proposed marketing agreement and order regulating the handling of nectarines grown in California, plus the following additional provisions, shall be, and the same hereby are, the terms and conditions hereof, and the specified provisions of said annexed order are hereby incorporated into this Marketing Agreement as is set forth in full herein.
- (2) The additional provisions are as follows:

Section 916.72 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 916.73 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 916.74 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 nectarines in the same manner as provided for in this Agreement.

Authorization to correct typographical errors.

The undersigned hereby authorizes the Deputy Administrator or Associate 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 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 ¹ |
| Mailing Address | Title |
| City, State, and ZIP Code | Date of Execution |

Corporate Seal:
if none, so state

¹If 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.

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