

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

OFFICIAL PRODUCER'S REFERENDUM BALLOT ON THE CONTINUATION OF MARKETING ORDER NOS. 916 and 917, AS AMENDED, REGULATING THE HANDLING OF NECTARINES, PEARS, AND PEACHES GROWN IN CALIFORNIA

INSTRUCTIONS: Please read the enclosed eligibility and voting instructions. Complete this Ballot, including the Voter Eligibility and Certification section. Return your Ballot in the envelope provided. Your Ballot must be signed and postmarked on or before _____, 20__ to be counted.

ELIGIBILITY AND VOTING INSTRUCTIONS

A. VOTING PERIOD: _____, 20__ through _____, 20__.

B. PERSONS ELIGIBLE TO VOTE: Any producer who is currently a producer of nectarines, pears, and/or peaches in California and was also a producer during the 20__ season is entitled to cast one vote. If you were not a producer of nectarines, pears, and/or peaches during the 20__ season and are not currently a producer, you are not eligible to vote in this referendum.

"Producer" means any individual, partnership, corporation, association, or other business unit who:

- (1) owns and farms land, resulting in ownership of the nectarines, pears, and/or peaches grown thereon;
- (2) rents and farms land, resulting in ownership of all or a portion of the nectarines, pears, and/or peaches grown thereon; or
- (3) owns land from which, as rental for such land, ownership is obtained of a portion of nectarines, pears, and/or peaches grown thereon.

If you are a member of a cooperative association and know the cooperative is planning to vote its members' volume in the referendum, do not cast a Ballot.

If you need another Ballot, please contact _____ at the California Marketing Field Office at (559) 487-5901 (you may call collect), or your county Cooperative Extension office.

C. HOW TO VOTE:

1. Indicate whether you favor continuance or termination of Marketing Order Nos. 916 and/or 917, regulating the handling of nectarines, pears, and/or peaches grown in California, by placing an X in the appropriate box.
2. Provide the voter information requested in Part II. This information is required to ascertain your eligibility to vote and will be held in confidence. *Incomplete Ballots may not be counted.*
3. Sign the certification statement in Part III. *Unsigned Ballots will not be counted.* Proxy voting is not authorized.
4. Return your Ballot in the self-addressed envelope enclosed. No postage is necessary.

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 0581-0189. 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.

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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.

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PART I. This referendum is being held to determine producer support for Marketing Order Nos. 916 and 917, regulating the handling of nectarines, pears and peaches grown in California. The Secretary of Agriculture will consider termination of the Marketing Order(s) if less than two-thirds of those voting and less than two-thirds of the volume represented in the referendum favor continuance.

Please read the enclosed Eligibility and Voting Instructions before completing this Ballot.

Do you favor continuation or termination of Marketing Order Nos. 916 and/or 917, as amended, regulating the handling of nectarines, pears and/or peaches grown in California? *(place an “X” in the appropriate box)*

- | | | |
|--------------------|---|--|
| NECTARINE PRODUCER | <input type="checkbox"/> FAVOR CONTINUATION | <input type="checkbox"/> FAVOR TERMINATION |
| PEAR PRODUCER | <input type="checkbox"/> FAVOR CONTINUATION | <input type="checkbox"/> FAVOR TERMINATION |
| PEACH PRODUCER | <input type="checkbox"/> FAVOR CONTINUATION | <input type="checkbox"/> FAVOR TERMINATION |

PART II. VOTER INFORMATION:

- A. Producer’s Name *(please print)*: _____
- B. Complete Mailing Address: _____
- C. Telephone No: () _____
- D. Voter Eligibility:

1. During the period _____, 20__ through _____, 20__, I produced _____ containers (no. of 25-pound equivalents) of fresh **NECTARINES** on _____ acres, in _____ County(ies).
2. During the period _____, 20__ through _____, 20__, I produced _____ containers (no. of 25-pound equivalents) of fresh **PEARS** on _____ acres, in _____ County(ies).
3. During the period _____, 20__ through _____, 20__, I produced _____ containers (no. of 25-pound equivalents) of fresh **PEACHES** on _____ acres, in _____ County(ies).
4. During the 20__ season, the following firm(s) sold my nectarines, pears, and/or peaches on the fresh market *(list name(s) of handler(s); if sold by self, please indicate so)*: _____

PART III. VOTER CERTIFICATION:

I hereby certify that I am currently a producer of fresh nectarines, pears, and/or peaches, that I was a producer during the 20__ season, and that the information I provided on this Ballot is accurate and correct to the best of my knowledge. If this Ballot is being cast on behalf of a (*check the appropriate space*) ___ partnership, ___ corporation, ___ association, ___ trustee, executor or administrator of a producing estate, or ___ other business unit, I certify that I have the authority to cast this Ballot and will submit evidence of such authority at the request of an agent of the Secretary of Agriculture.

Title

Signature

If a partnership, provide name of partner(s)

This information is required to determine the voter eligibility and vote of producers in the referendum. 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 years, or both. (18 U.S.C. 1001).

Ballots postmarked after _____, 20__ will not be counted in the referendum.

_____, 20__

To Producers of Nectarines, Pears, and/or Peaches:

The Secretary of Agriculture (the "Secretary") is conducting referendum to determine producer support for Marketing Order Nos. 916 and 917, regulating the handling of nectarines, pears, and/or peaches grown in California. Enclosed is a Ballot upon which you may indicate whether or not you favor continuance of the Marketing Order(s).

Also enclosed are Eligibility and Voting Instructions, which we urge you to read thoroughly before completing the Ballot. It is important that you: (1) place an X in the box provided to vote on whether to continue or terminate the Marketing Order(s); and (2) sign the Ballot. Ballots without a vote or a signature will *not* be counted.

The voting period is _____, 20__ through _____, 20__.
Please vote promptly. Ballots postmarked after _____, 20__, will not be counted. *Please return the entire Ballot. Do not tear the Ballot apart before mailing.* Your Ballot will be held in confidence.

If you have any questions about the Ballot or the instructions, please call the Referendum Agent, _____, or Regional Manager, _____, at (559) 487-5901.

Sincerely,

Referendum Agent
California Marketing Field Office