

UNITED STATES DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service
Fruit and Vegetable Programs
Marketing Field Office
2202 Monterey Street, Suite 102B
Fresno, CA 93721

OFFICIAL BUSINESS

**IMPORTANT: THIS IS YOUR REFERENDUM BALLOT TO VOTE ON CONTINUANCE OF THE
FEDERAL MARKETING ORDER FOR WALNUTS**

To: The Walnut Producer Addressed

The Secretary of Agriculture has announced his decision to submit for industry approval the continuance of the marketing agreement and Order No. 984 (Order), regulating the handling of walnuts (English varieties) grown in California, Oregon, and Washington. The Referendum is being held during the period _____, 20__, through _____, 20__, to determine whether producers of English walnuts favor or disfavor continuance of the Order by the Secretary of Agriculture. A public hearing on the continuance of the Order was held in California on _____, 20__.

The continuance amendment will not be made effective unless it is favored by at least two-thirds of the eligible producers voting in the referendum or by producers representing at least two-thirds of the volume of English walnuts voted in the referendum.

On the reverse side of the page is the REFERENDUM BALLOT for your use in indicating whether you favor or disfavor continuance of the marketing order. Also enclosed are the following:

- 1) Rules governing producer eligibility to vote and voting instructions.
- 2) A copy of the Order.
- 3) An envelope for returning the Ballot.

Please read the rules governing producer eligibility to vote and the voting instructions before filling out your Ballot. Be sure your Ballot is complete. **BALLOTS THAT DO NOT SHOW YOUR VOTE AND YOUR SIGNATURE CANNOT BE COUNTED.** Please vote promptly. To be counted, Ballot envelopes must be postmarked not later than midnight _____.

Very truly yours,

California Marketing Field Office

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

REFERENDUM INSTRUCTIONS

**CONTINUANCE OF THE MARKETING ORDER
 REGULATING THE HANDLING OF WALNUTS GROWN IN CALIFORNIA**

I. Eligibility to vote.

- A. Producer means (a) a person who owns and farms land producing English walnuts for market; (b) a renter or tenant of a farm producing English walnuts for market; (c) a landlord who received from a renter or tenant a portion of the production as rent for the land on which the English walnuts were produced for market. (A landlord who rents for cash, a lien-holder or a person having only a financial interest in the crop is NOT eligible to vote.)
- B. A person buying English walnuts either on the tree or after they have been harvested is NOT a producer or such walnuts and therefore is NOT eligible to vote.
- C. A business unit (e.g., a partnership, family enterprise, corporation, association, estate, or firm) may cast only one vote, but each separate unit is entitled to a vote.
- D. Any producer now engaged in producing English walnuts in California for market and was so engaged during the representative period _____, 20__, through _____, 20__, is eligible to vote in this Referendum. The Referendum is confined to growers in California.

II. Instructions for voting. On the Ballot indicate the following:

- A. The tonnage of English walnuts produced for market by you (or by the producer for whom this Ballot is cast) during the period _____, 20__, through _____, 20__.
- B. Your vote; check either YES or NO.
- C. Your signature and mailing address in Item 3 if you are casting the Ballot on your own behalf as an individual owner.

If you are casting the Ballot as a partner of a partnership, or as an officer or employee of a producer (e.g., a corporation, institution, school, or college); or as an administrator, executor, or trustee of a producing estate—enter the producer's name and address in Item 3 and complete the Certification in Item 4.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to 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 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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AGRICULTURAL MARKETING SERVICE
FRUIT AND VEGETABLE PROGRAMS

**OFFICIAL PRODUCER'S REFERENDUM BALLOT
WALNUTS GROWN IN CALIFORNIA**

This Ballot will be held confidential.

PLEASE READ THE COVER LETTER AND THE ENCLOSED RULES OF ELIGIBILITY AND VOTING INSTRUCTIONS BEFORE COMPLETING THIS BALLOT. YOUR BALLOT ENVELOPE MUST BE POSTMARKED NOT LATER THAN _____, 20__.

1. I hereby certify that I am, or the producer's name I have inserted in Item 3 below is, now an eligible producer of California of English variety walnuts. I produced for market during the period _____, 20__, through _____, 20__, the following quantity of English walnuts: _____ ton(s), (inshell basis)

(NOTE: If you are renting on a share crop basis, report only that part of the tonnage representing your share.)

2. DO YOU FAVOR CONTINUANCE OF THE FEDERAL WALNUT MARKET ORDER? (Place an "X" in the appropriate space.)

YES NO

3. _____
Producer's Signature (or Name if Item 4 is applicable)

Mailing Address, if applicable, and county

City, State, and Zip Code

4. If this Ballot is cast on behalf of a partnership or by an officer or employee of a producer (e.g., a corporation, institution, school, or college); or by an administrator, executor, or trustee of a producing estate, the following must be completed:

I HEREBY CERTIFY to the Secretary of Agriculture that I have authority to cast the Ballot of the producer named above in Item 3, and that I will submit evidence of such authority at the request of an agent of the Secretary.

Signature and Title or Capacity

Mailing Address

City, State, and Zip Code