

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

**MARKETING AGREEMENT REGULATING THE HANDLING OF PISTACHIOS
PRODUCED IN THE STATES OF CALIFORNIA, ARIZONA AND NEW MEXICO**

The parties hereto, in Order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended (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 regulating the handling of pistachios produced in the states of California, Arizona and New Mexico; 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.

The provisions of sections 983.1-983.92, inclusive, of the Order annexed to and made a part of the decision of the Secretary of Agriculture (Secretary) with respect to a proposed Marketing Agreement and Order regulating the handling of pistachios produced in California, Arizona and New Mexico, 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 if set forth in full herein.

§ 983.93 Counterparts.

Handlers may sign an Agreement with the Secretary indicating their support for the Marketing Order. This Agreement may be executed in multiple counterparts by each handler. If fifty percent of the handlers, weighted by the volume of pistachios handled during a representative period, enter into such an Agreement, then a Marketing Agreement shall exist for the Pistachio Marketing Order.

§ 983.94 Additional Parties.

After the Marketing Order becomes effective, any handler may become a party to the Marketing Agreement if a counterpart is executed by him or her and delivered to the Secretary.

§ 983.95 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 pistachios in the same manner as is provided for in this Agreement. The undersigned hereby authorizes the Deputy Administrator, Fruit and Vegetable Program, Agricultural Marketing Service, United States Department of Agriculture, to correct any typographical errors which may have been made in this Marketing 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*

Mailing Address

Title

(Corporate Seal; in none, so state)

Date of Execution

During the period from _____ through _____, the firm named herein handled _____ pounds of pistachios that were produced in the designated production area.

*** If 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.**

The making of any false statements or representations in any matter within the jurisdiction of any agency of the United States, knowing it to be false, is a violation of title 18, section 1001 of the United States Code, which provides for a fine or imprisonment, or both.

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