

U.S. DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service
Specialty Crops Program
California Marketing Field Office
2202 Monterey Street, Suite 102-B
Fresno, CA 93721

OFFICIAL BUSINESS

**IMPORTANT: YOUR REFERENDUM BALLOT TO VOTE ON PROPOSED AMENDMENT OF
MARKETING ORDER No. 993 FOR DRIED PRUNES**

To: The Dried Prune Producer Addressed

The Secretary of Agriculture has announced the decision to submit for industry approval a proposed amendment of the marketing agreement, as amended, and Marketing Order No. 993, as amended, regulating the handling of dried prunes produced in California. The referendum is being held during the period of _____, 20____, through _____, 20____, to determine whether producers of dried prunes favor or disfavor issuance by the Secretary of Agriculture of the proposed amended marketing order.

The proposed amendment will not be made effective unless its issuance 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 dried prunes voted in the referendum.

Proposed changes in the marketing order were submitted by the Prune Marketing Committee (Committee) to the Secretary of Agriculture, and a public hearing on the proposals was held in _____, 20____.

On the reverse side of this page is the REFERENDUM BALLOT for your use in indicating whether you favor or disfavor issuance of the proposed amendment. Also enclosed are the following: (1) Rules governing producer eligibility to vote and voting instructions; (2) Summary and copy of the proposed amendment; and (3) Envelope for returning Ballot – no postage required.

Please read the rules governing producer eligibility to vote and the voting instructions before filling out the Ballot. Be sure your Ballot is complete. **BALLOTS, THAT DO NOT SHOW YOUR TONNAGE OR DRIED PRUNES PRODUCED FOR MARKET, YOUR VOTE, AND YOUR SIGNATURE, CANNOT BE COUNTED.** Please vote promptly; to be counted, Ballot envelopes must be postmarked not later than midnight, _____, 20____.

Sincerely,

Referendum Agent

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 0581-0178. 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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VOTER ELIGIBILITY AND VOTING INSTRUCTIONS

I. REFERENDUM PERIOD: _____, 20__ - _____, 20__

II. ELIGIBILITY TO VOTE

A. Producer means: (a) a person who owns and farms land producing prune plums used in the production of dried prunes for market; (b) a renter or tenant of a farm producing prune plums used in the production of dried prunes; (c) a landlord who received from a renter or tenant a portion of the production as rent for the land on which the prune plums were produced for market. (**NOTE:** A landlord who rents for cash, a lien-holder or a person having only a financial interest in the crop is **ineligible** to vote.)

B. A person buying prune plums either on the tree or after they have been harvested is not a producer of such prune plums and therefore **is not** eligible to vote.

C. A business unit (partnership, family enterprise, corporation, association, estate, firm) may cast only one vote, but each separate unit is entitled to vote.

D. Any producer who is now engaged in producing prune plums in California for drying or dehydrating into dried prunes for market and was so engaged during the representative period of August 1, 20__, through July 31, 20__, is eligible to vote in this referendum. A producer who had no production during the representative period **is not** eligible to vote.

III. INSTRUCTIONS FOR VOTING – YOUR BALLOT MUST CONTAIN:

A. The tonnage of dried prunes which was produced for market by you (or by the producer for whom this Ballot is cast) during the period August 1, 20xx, through July 31, 20__.

B. Your vote: place an “X” by either “Yes” or “No”.

C. Your signature and mailing address in Item 3 if you are casting your Ballot in your own behalf as an individual owner.

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PRODUCER REFERENDUM BALLOT
ON PROPOSED AMENDMENT OF THE MARKETING ORDER, AS AMENDED,
REGULATING THE HANDLING OF DRIED PRUNES PRODUCED IN CALIFORNIA

This Ballot will be held confidential. Please read the cover letter and the attached voter eligibility and voting instructions before completing this Ballot. Your Ballot envelope must be postmarked no 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 in California of prune plums used in the production of dried prunes for market. I have produced for market during the period August 1, 20____, through July 31, 20____, following quantity of dried prunes: _____ dried tons. (NOTE: if you are renting on a share crop basis, report only that part of the tonnage representing your share.)

2. Do you favor issuance of the proposed amendment? (Please place an “X” in the appropriate space)
Yes No

3. _____
(Producer’s Signature – or name if Item 4 is applicable)

Mailing Address: _____
Street City State Zip Code

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

I hereby certify to the Secretary of Agriculture that I have the authority to cast this Ballot for 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: _____ Title or Capacity: _____

Mailing Address: _____
Street City State Zip Code

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SUMMARY OF AMENDMENT

1. _____
2. _____
3. _____
4. _____
5. _____

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.