

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
FRUIT AND VEGETABLE PROGRAMS

CONFIDENTIAL BACKGROUND STATEMENT
Marketing Order No. 966: Tomatoes Grown in Florida

FOR \_\_\_\_\_ SEASON POSITION:  Member  Alternate DISTRICT:  1  2  3  4

1. Name \_\_\_\_\_ Phone \_\_\_\_\_ No. \_\_\_\_\_

2. Business \_\_\_\_\_ Address \_\_\_\_\_

3. Have you previously served as a member or alternate?  Yes  No

4. Years growing (if a grower) \_\_\_\_\_

5. Acres and last year's production (if grower) \_\_\_\_\_

6. Membership in industry organizations \_\_\_\_\_

7. Offices held or any other particular activity in past years connected with industry programs: \_\_\_\_\_

8. Marketing order committee members, in their official capacities, are prohibited from taking any action specifically designed to influence legislation, including any attempt to influence public opinion concerning legislation. Committee members may not communicate with any official of a State or Federal legislative body for the purpose of attempting to influence legislation. Committee members are also prohibited from attempting to influence State or Federal government actions or policies or those of foreign governments, except as specifically authorized under the marketing order or expressly approved by the Secretary.

Committee members are specifically precluded from authorizing the expenditure of marketing order funds for the purpose of attempting to influence legislation or government actions. These same prohibitions apply to committee managers, staff, and contractors, except that committee managers may consult with the Department of Agriculture employees during the pendency of informal rulemaking actions.

9. If marketing order committee or subcommittee members or committee employees are sued individually or jointly for errors in judgment, mistakes or other acts either of omission or commission (except for acts of dishonesty, willful misconduct, or gross negligence) in the conduct of their duties under the marketing agreement or order, they may be authorized legal defense by the Department of Justice (DOJ).

Alternatively, legal defense may be provided through private counsel, if recommended by the Department of Agriculture (USDA) and approved by DOJ. USDA and DOJ enjoy an excellent working relationship with respect to providing legal representation for committee members and employees, either by DOJ or through authorized private counsel. USDA is committed to a comprehensive legal defense policy for all committee members and employees acting within the scope of their authorized committee duties and responsibilities.

I am willing to serve on the Florida Tomato Committee.

Signature \_\_\_\_\_

Date \_\_\_\_\_

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 5 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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