

From: <Saved by Windows Internet Explorer 7>  
Subject: Electronic Code of Federal Regulations:  
Date: Thu, 22 Jul 2010 10:37:16 -0400  
MIME-Version: 1.0  
Content-Type: multipart/related;  
    type="text/html";  
    boundary="-----\_NextPart\_000\_0029\_01CB2989.DA81F740"  
X-MimeOLE: Produced By Microsoft MimeOLE V6.00.2900.5931

This is a multi-part message in MIME format.

-----\_NextPart\_000\_0029\_01CB2989.DA81F740  
Content-Type: text/html;  
    charset="iso-8859-1"  
Content-Transfer-Encoding: quoted-printable  
Content-Location: http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?  
c=ecfr;sid=6a09cc9a608b815bfead0bd7facc871a;rgn=div8;view=text;node=7%3A8.1.1.1.  
15.1.193.22;idno=7;cc=ecfr

```
<!DOCTYPE HTML PUBLIC "-//W3C//DTD HTML 4.0 Transitional//EN">
<HTML><HEAD><TITLE>Electronic Code of Federal Regulations:</TITLE>
<META http-equiv=3DContent-Type content=3D"text/html; =
charset=3Diso-8859-1"><!-- InstanceBegin =
template=3D"/Templates/NEW_ecfr.dwt" codeOutsideHTMLIsLocked=3D"false" =
--><!-- #BeginEditable "doctitle" --><!-- #EndEditable -->
<META content=3D"text/html; charset=3Diso-8859-1" =
HTTP=3D'equiv=3D"Content-Type"'><LINK=20
href=3D"http://ecfr.gpoaccess.gov/e/ecfr/styles/styles.css" =
type=3Dtext/css=20
rel=3Dstylesheet><LINK media=3Dprint=20
href=3D"http://ecfr.gpoaccess.gov/e/ecfr/styles/print.css" =
type=3Dtext/css=20
rel=3Dstylesheet><!-- InstanceBeginEditable name=3D"head" --><!-- =
InstanceEndEditable -->
<STYLE>.white {
    PADDING-RIGHT: 0px; PADDING-LEFT: 0px; PADDING-BOTTOM: 0px; MARGIN: =
0px; COLOR: #ffffff; PADDING-TOP: 0px
}
</STYLE>

<SCRIPT>
<!-- Cloak code
function leapto(form)
{
var site=3Dform.dest.selectedIndex;

if (site>=3D1)

{ location=3Dform.dest.options[site].value; }

}
// Decloak -->
</SCRIPT>
<NOSCRIPT>
<META content=3D"MSHTML 6.00.6000.17063" name=3DGENERATOR></HEAD>
<BODY leftMargin=3D0 topMargin=3D0><A=20
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=3Decfr;sid=3D6a09=
cc9a608b815bfead0bd7facc871a;rgn=3Ddiv8;view=3Dtext;node=3D7%3A8.1.1.1.15=
.1.193.22;idno=3D7;cc=3Decfr#content"><IMG=20
alt=3D"Skip to content." =
src=3D"http://www.gpoaccess.gov/images/spacer.gif"=20
border=3D0></A><A=20
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=3Decfr;sid=3D6a09=
cc9a608b815bfead0bd7facc871a;rgn=3Ddiv8;view=3Dtext;node=3D7%3A8.1.1.1.15=
```

.1.193.22;idno=3D7;cc=3Decfr#links"><IMG=20  
alt=3D"Skip to side navigation." =  
src=3D"http://www.gpoaccess.gov/images/spacer.gif"=20  
border=3D0></A> Quick Navigation:=20  
<UL>  
<LI><A href=3D"http://www.gpoaccess.gov/topics/index.html" =  
SELECTED>Resources by=20  
Topic</A>=20  
<LI><A href=3D"http://www.gpoaccess.gov/topics/business.html">Business =  
&=20  
Economy</A>=20  
<LI><A =  
href=3D"http://www.gpoaccess.gov/topics/education.html">Education</A>=20  
<LI><A =  
href=3D"http://www.gpoaccess.gov/topics/environment.html">Environment</A>=  
=20  
  
<LI><A href=3D"http://www.gpoaccess.gov/topics/food.html">Food & =  
Drugs</A>=20  
<LI><A href=3D"http://www.gpoaccess.gov/topics/grants.html">Grants =  
&=20  
Awards</A>=20  
<LI><A href=3D"http://www.gpoaccess.gov/topics/health.html">Health =  
&=20  
Safety</A>=20  
<LI><A href=3D"http://www.gpoaccess.gov/topics/military.html">Military =  
&=20  
Security</A>=20  
<LI><A href=3D"http://www.gpoaccess.gov/topics/science.html">Science =  
&=20  
Technology</A>=20  
<LI><A href=3D"http://www.gpoaccess.gov/topics/programs.html">Social=20  
Programs</A>=20  
<LI><A=20  
=  
href=3D"http://www.gpoaccess.gov/topics/transportation.html">Transportati=  
on</A>=20  
</LI></UL></NOSCRIPT><!-- Beginning of top navigation. Do not modify. =  
-->  
<TABLE cellSpacing=3D0 cellPadding=3D0 width=3D"100%" border=3D0>  
<TBODY>  
<TR id=3Dtopnav><A=20  
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cc9a608b815bfead0bd7facc871a;rgn=3Ddiv8;view=3Dtext;node=3D7%3A8.1.1.1.15=  
.1.193.22;idno=3D7;cc=3Decfr#content"><IMG=20  
alt=3D"Skip to content." =  
src=3D"http://www.gpoaccess.gov/images/spacer.gif"=20  
border=3D0></A><A=20  
=  
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=3Decfr;sid=3D6a09=  
cc9a608b815bfead0bd7facc871a;rgn=3Ddiv8;view=3Dtext;node=3D7%3A8.1.1.1.15=  
.1.193.22;idno=3D7;cc=3Decfr#links"><IMG=20  
alt=3D"Skip to side navigation."=20  
src=3D"http://www.gpoaccess.gov/images/spacer.gif" =  
border=3D0></A></TR>  
<TR>  
<TD id=3Dtopnav background=3Dhttp://www.gpoaccess.gov/images/bg.gif=20  
bgColor=3D#333399>  
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<TBODY>  
<TR>  
<TD vAlign=3Dbottom bgColor=3D#ffffff rowSpan=3D2><A=20  
href=3D"http://www.gpoaccess.gov/"><IMG height=3D69=20

```
alt=3D"GPO Access Home Page."=20
src=3D"http://www.gpoaccess.gov/images/nav_01.gif" =
width=3D132=20
border=3D0></A></TD>
<TD>
<TABLE height=3D38 cellSpacing=3D0 cellPadding=3D2 =
width=3D568 border=3D0>
<TBODY>
<TR>
<FORM name=3DquickNav>
<TD vAlign=3Dbottom align=3Dleft bgColor=3D#ffffff =
colSpan=3D2=20
height=3D3><DIV align=3Dright><LABEL class=3Dwhite=20
for=3Dlabel_for_menu>Quick Navigation:</LABEL> <SELECT =
id=3Dlabel_for_menu=20
style=3D"FONT-SIZE: 9pt; MARGIN: 0px; WIDTH: 145px; =
FONT-FAMILY: Arial, Helvetica, sans-serif"=20
size=3D1 name=3DquickNavBar> <OPTION=20
value=3Dhttp://www.gpoaccess.gov/topics/index.html=20
selected>Resources by Topic</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/business.html>Business=20
&amp; Economy</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/education.html>Education</OPTION>=
=20
<OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/environment.html>Environment</OPT=
ION>=20
<OPTION =
value=3Dhttp://www.gpoaccess.gov/topics/food.html>Food=20
&amp; Drugs</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/grants.html>Grants=20
&amp; Awards</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/health.html>Health=20
&amp; Safety</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/military.html>Military=20
&amp; Security</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/science.html>Science=20
&amp; Technology</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/programs.html>Social=20
Programs</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/transportation.html>Transportatio=
n</OPTION></SELECT>=20
<A title=3D"Jump to selected topic."=20
=
href=3D"javascript:location=3Ddocument.quickNav.quickNavBar.options[docum=
ent.quickNav.quickNavBar.selectedIndex].value"><IMG=20
alt=3D"Jump to selected topic." hspace=3D0=20
src=3D"http://www.gpoaccess.gov/images/go.gif" =
align=3DabsBottom=20
border=3D0 VALUE=3D""></A></DIV></TD></FORM><A =
name=3Dsearch></A>
<FORM name=3Dquery=20
action=3Dhttp://www.firstgov.gov/fgsearch/index.jsp>
<TD vAlign=3Dbottom align=3Dmiddle width=3D70 =
```

```
bgColor=#ffffff>
<DIV class=search align=right><LABEL =
for=xmw>Site=
Search:</LABEL> <BR><A=
=
href="http://www.gpoaccess.gov/advancedsearch.html"><SPAN=
class=search>advanced</SPAN></A></DIV></TD>
<TD vAlign=bottom align=left width=151 =
bgColor=#ffffff>
<DIV align=right><INPUT id=xmw=
style="FONT-SIZE: 9pt; MARGIN: 0px; WIDTH: 110px; =
FONT-FAMILY: Arial, Helvetica, sans-serif">
maxLength=50 align=absMiddle name=xmw> <INPUT=
onkeypress=document.query.submit();=
onclick=document.query.submit(); type=Image=
alt="Submit Search"=
src="http://www.gpoaccess.gov/images/go.gif" =
align=absMiddle=
border=0> <INPUT type=hidden value=0010 =
name=adv> <INPUT=
type=hidden value=10 name=nr> <INPUT =
type=hidden value=www=
name=db> <INPUT type=hidden value=0 name=fr> =
<INPUT=
type=hidden value=all name=mt> <INPUT =
type=hidden=
value=should name=ms> <INPUT type=hidden =
value=detailed=
name=de> <INPUT type=hidden value=domain =
name=pl> <INPUT=
type=hidden value="gpoaccess.gov, gpo.gov" =
name=domain>=
</DIV></TD></FORM></TR></TBODY></TABLE></TD></TR>
<TR>
<TD><IMG height=44 alt="Navigation Bar"=
src="http://www.gpoaccess.gov/images/nav_03.gif" =
width=568=
useMap=#Map =
border=0></TD></TR></TBODY></TABLE></TD></TR></TBODY></TABLE><MAP=
name=Map><AREA shape=POLY alt=About. =
coords=3D470,2,529,2,515,19,457,18=
href="http://www.gpoaccess.gov/about/index.html"><AREA shape=POLY =
alt=Help.=
coords=3D407,2,466,2,452,19,394,18=
href="http://www.gpoaccess.gov/help/index.html"><AREA=
title="A-Z Resource List." shape=RECT alt="A-Z Resource List."=
coords=3D1,23,121,43 =
href="http://www.gpoaccess.gov/databases.html"><AREA=
title="Locate a Federal Depository Library." shape=RECT=
alt="Locate a Federal Depository Library." coords=3D124,24,332,43=
href="http://www.gpoaccess.gov/libraries.html"><AREA title="Buy =
Publications."=
shape=RECT alt="Buy Publications." coords=3D335,22,444,43=
href="http://bookstore.gpo.gov/"><AREA title="Legislative. =
shape=RECT=
alt="Legislative. coords=3D0,1,115,21=
href="http://www.gpoaccess.gov/legislative.html"><AREA =
title="Executive.=
shape=RECT alt="Executive. coords=3D119,1,223,20=
href="http://www.gpoaccess.gov/executive.html"><AREA =
title="Judicial.=
shape=RECT alt="Judicial. coords=3D227,1,310,21=
href="http://www.gpoaccess.gov/judicial.html"></MAP><!--End of top =
navigation. -->
```

```

<TABLE cellSpacing=3D0 cellPadding=3D0 width=3D700 border=3D0>
  <TBODY>
    <TR>
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alt=3D" "=20
      src=3D"http://ecfr.gpoaccess.gov/e/ecfr/images/spacer.gif" =
width=3D5></TD>
      <TD id=3Dleftnav vAlign=3Dtop width=3D135 bgColor=3D#333399>
        <DIV align=3Dcenter><A name=3Dlinks></A><IMG height=3D122=20
alt=3D"National Archives and Records Administration logo."=20
src=3D"http://ecfr.gpoaccess.gov/e/ecfr/images/narablue.gif" =
width=3D120>=20
        </DIV><!-- #BeginLibraryItem "/library/leftnav.lbi" -->
        <TABLE cellSpacing=3D0 cellPadding=3D0 width=3D137 =
bgColor=3D#ffffff border=3D0>
          <TBODY>
            <TR vAlign=3Dtop align=3Dleft>
              <TD colspan=3D2 height=3D12>
                <DIV align=3Dcenter><IMG height=3D16 alt=3D"Database =
Features."=20
                =
src=3D"http://ecfr.gpoaccess.gov/images/applicationfeatures.gif"=20
width=3D137></DIV></TD></TR>
              <TR vAlign=3Dtop align=3Dleft>
                <TD colspan=3D2 height=3D5><IMG height=3D5 alt=3D" "=20
                =
src=3D"http://ecfr.gpoaccess.gov/images/spacer.gif"></TD></TR>
              <TR vAlign=3Dtop align=3Dleft>
                <TD class=3Dside width=3D13 height=3D2>
                  <DIV align=3Dcenter>=95</DIV></TD>
                <TD class=3Dside height=3D20><A=20
                =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D6a09cc9a608b8=
15bfead0bd7facc871a&amp;c=3Decfr&amp;tpl=3D%2Findex.tpl">Browse</A></TD><=
/TR>
              <TR vAlign=3Dtop align=3Dleft>
                <TD class=3Dside height=3D2>
                  <DIV align=3Dcenter>=95</DIV></TD>
                <TD class=3Dside height=3D20><A=20
                =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D6a09cc9a608b8=
15bfead0bd7facc871a&amp;c=3Decfr&amp;page=3Dsimple">Simple=20
                Search </A></TD></TR>
              <TR vAlign=3Dtop align=3Dleft>
                <TD class=3Dside height=3D19>
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                <TD class=3Dside height=3D19><FONT face=3D"Arial, Helvetica, =
sans-serif"=20
                color=3D#000011>Advanced Search </FONT></TD></TR>
              <TR vAlign=3Dtop align=3Dleft>
                <TD class=3Dside height=3D2>
                  <DIV align=3Dcenter></DIV></TD>
                <TD class=3Dside height=3D20>*<A=20
                =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D6a09cc9a608b8=
15bfead0bd7facc871a&amp;c=3Decfr&amp;page=3Dboolean">=20
                Boolean</A></TD></TR>
              <TR align=3Dmiddle>
                <TD height=3D20>&nbsp;</TD>
                <TD class=3Dside align=3Dleft>*<A=20
                =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D6a09cc9a608b8=
15bfead0bd7facc871a&amp;c=3Decfr&amp;page=3Dproximity">Proximity</A></TD>=
</TR>

```

```
<TR vAlign=3Dtop align=3Dleft>
  <TD class=3Dside align=3Dmiddle height=3D2>=95</TD>
  <TD class=3Dside height=3D20><A=20
=
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D6a09cc9a608b8=
15bfead0bd7facc871a&amp;c=3Decfr&amp;page=3Dhistory">Search=20
  History</A></TD></TR>
<TR vAlign=3Dtop align=3Dleft>
  <TD class=3Dside align=3Dmiddle height=3D2>=95</TD>
  <TD class=3Dside height=3D20><A=20
=
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D6a09cc9a608b8=
15bfead0bd7facc871a&amp;c=3Decfr&amp;tpl=3Dsearch.tpl">Search=20
  Tips</A></TD></TR>
<TR vAlign=3Dtop align=3Dleft>
  <TD class=3Dside height=3D2>
  <DIV align=3Dcenter>=95</DIV></TD>
  <TD class=3Dside height=3D20><A=20
=
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15bfead0bd7facc871a&amp;c=3Decfr&amp;tpl=3Dcorrectionspage.tpl">Correctio=
ns</A></TD></TR>
<TR vAlign=3Dtop align=3Dleft>
  <TD class=3Dside height=3D2>
  <DIV align=3Dcenter>=95</DIV></TD>
  <TD class=3Dside height=3D20>
  <P><A=20
=
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D6a09cc9a608b8=
15bfead0bd7facc871a&amp;c=3Decfr&amp;tpl=3Dupdate.tpl">Latest=20
  Updates</A></P></TD></TR>
<TR vAlign=3Dtop align=3Dleft>
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  <TD class=3Dside height=3D20><A=20
=
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15bfead0bd7facc871a&amp;c=3Decfr&amp;tpl=3Dabout.tpl">User=20
  Info</A></TD></TR>
<TR vAlign=3Dtop align=3Dleft>
  <TD class=3Dside align=3Dmiddle height=3D2>=95</TD>
  <TD class=3Dside height=3D20><A=20
=
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D6a09cc9a608b8=
15bfead0bd7facc871a&amp;c=3Decfr&amp;tpl=3Dfaq.tpl">FAQs</A></TD></TR>
<TR vAlign=3Dtop align=3Dleft>
  <TD class=3Dside height=3D2>
  <DIV align=3Dcenter>=95</DIV></TD>
  <TD class=3Dside height=3D20><A=20
=
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D6a09cc9a608b8=
15bfead0bd7facc871a&amp;c=3Decfr&amp;tpl=3D%2Fagencylist.tpl">Agency=20
  List</A></TD></TR>
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  <TD class=3Dside height=3D35><A=20
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15bfead0bd7facc871a&amp;c=3Decfr&amp;tpl=3Dibr.tpl">Incorporation=20
  by Reference</A></TD></TR>
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  <TD class=3Dside height=3D20><A=20
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=  
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D6a09cc9a608b8=15bfead0bd7facc871a&c=3Decfr&tpl=3D%2Findex.tpl">e-CFR=20  
Main Page</A></TD></TR>  
<TR vAlign=3Dtop align=3Dleft>  
<TD colspan=3D2 height=3D2><IMG height=3D16 alt=3D" "=20  
src=3D"http://ecfr.gpoaccess.gov/images/bottom.gif"=20  
width=3D137></TD></TR></TBODY></TABLE>  
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=  
src=3D"http://ecfr.gpoaccess.gov/e/ecfr/images/spacer.gif"></TD></TR>  
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<TD class=3Dside width=3D13 height=3D2>  
<DIV align=3Dcenter>=95</DIV></TD>  
<TD class=3Dside height=3D35><A=20  
href=3D"http://www.gpoaccess.gov/cfr/index.html">Code of =  
Federal=20  
Regulations</A></TD></TR>  
<TR vAlign=3Dtop align=3Dleft>  
<TD class=3Dside height=3D2>  
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href=3D"http://www.gpoaccess.gov/fr/index.html">Federal=20  
Register</A></TD></TR>  
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<TD class=3Dside height=3D35><A=20  
href=3D"http://www.gpoaccess.gov/lsa/index.html">List of=20  
CFR<BR>Sections Affected</A></TD></TR>  
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<TD class=3Dside height=3D2>  
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=  
href=3D"http://www.regulations.gov/">Regulations.gov</A></TD></TR>  
<TR vAlign=3Dtop align=3Dleft>  
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<TD class=3Dside width=3D132 height=3D20><A=20  
href=3D"http://www.gpoaccess.gov/ua/index.html">Unified=20  
Agenda</A></TD></TR>  
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<TD class=3Dside height=3D2>  
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<TD class=3Dside width=3D132 height=3D20><A=20  
href=3D"http://www.gpoaccess.gov/nara/index.html">All NARA=20  
Publications</A></TD></TR>  
<TR vAlign=3Dtop align=3Dleft>  
<TD colspan=3D2 height=3D2><IMG height=3D16 alt=3D" "=20  
src=3D"http://ecfr.gpoaccess.gov/e/ecfr/images/bottom.gif"=20  
width=3D137></TD></TR></TBODY></TABLE>  
<TABLE cellSpacing=3D0 cellPadding=3D0 width=3D137 =  
bgColor=3D#ffffff border=3D0>

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<TBODY>
<TR vAlign=3Dtop align=3Dleft>
  <TD colSpan=3D3 height=3D12>
    <DIV align=3Dleft><IMG height=3D16 alt=3D"About Government." =
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**Title 7: Agriculture**  
PART 930=97TART CHERRIES GROWN IN THE STATES OF MICHIGAN, NEW YORK, PENNSYLVANIA, OREGON, UTAH, WASHINGTON, AND WISCONSIN

Subpart=970order Regulating Handling  
Administrative Body

Browse Previous | Browse Next

##### A7 930.23 Nomination and election.

(a) *Forms and ballots.* Nomination and election of initial and successor members and alternate members of the Board shall be conducted through petition forms and election ballots distributed to all eligible growers and handlers via the U.S. Postal Service or other means, as determined by the Secretary. Similar petition forms and election ballots shall be used for both members and alternate members and any requirements for election of a member shall apply to the election of an alternate.

(b) *Nomination.* (1) In order for the name of a grower nominee to appear on an election ballot, the nominee's name must be submitted with a petition form, to be supplied by the Secretary or the Board, which, except in District 8, contains at least five signatures of growers, other than the nominee, from the nominee's district who are eligible to vote in the referendum. Grower petition forms in District 8 must be signed by only two

growers, other than the nominee, from the nominee's district.</P>  
<P>(2) In order for the name of a handler nominee to appear on an =  
election=20  
ballot, the nominee's name must be submitted with a petition form, =  
to be=20  
supplied by the Secretary or the Board, which contains the =  
signature of=20  
one or more handler(s), other than the nominee, from the nominee's =  
district who is or are eligible to vote in the election and that =  
handle(s)=20  
a combined total of no less than five percent (5%) of the average=20  
production, as that term is used =A7930.20, handled in the =  
district.=20  
<I>Provided, </I>that this requirement shall not apply if its =  
application=20  
would result in a sales constituency conflict as provided in =  
=A7930.20(g).=20  
The requirement that the petition form be signed by a handler =  
other than=20  
the nominee shall not apply in any district where fewer than two =  
handlers=20  
are eligible to vote.</P>  
<P>(3) Only growers, including duly authorized officers or =  
employees of=20  
growers, who are eligible to serve as grower members of the Board =  
shall=20  
participate in the nomination of grower members and alternate =  
grower=20  
members of the Board. No grower shall participate in the =  
submission of=20  
nominees in more than one district during any fiscal period. If a =  
grower=20  
produces cherries in more than one district, that grower may =  
select in=20  
which district he or she wishes to participate in the nominations =  
and=20  
election process and shall notify the Secretary or the Board of =  
such=20  
selection. A grower may not participate in the nomination process =  
in one=20  
district and the election process in a second district in the same =  
election cycle.</P>  
<P>(4) Only handlers, including duly authorized officers or =  
employees of=20  
handlers, who are eligible to serve as handler members of the =  
Board shall=20  
participate in the nomination of handler members and alternate =  
handler=20  
members of the Board. No handler shall participate in the =  
selection of=20  
nominees in more than one district during any fiscal period. If a =  
handler=20  
handles cherries in more than one district, that handler may =  
select in=20  
which district he or she wishes to participate in the nominations =  
and=20  
election process and shall notify the Secretary or the Board of =  
such=20  
selection. A handler may not participate in the nominations =  
process in one=20  
district and the elections process in a second district in the =  
same=20

election cycle. If a person is a grower and a grower-handler only =  
because=20  
some or all of his or her cherries were custom packed, but he or =  
she does=20  
not own or lease and operate a processing facility, such person =  
may vote=20  
only as a grower.</P>  
<P>(5) In districts entitled to only one Board member, both =  
growers and=20  
handlers may be nominated for the district's Board seat. Grower =  
and=20  
handler nominations must follow the petition procedures outlined =  
in=20  
paragraphs (b)(1) and (b)(2) of this section.</P>  
<P>(6) All eligible growers and handlers in all districts may =  
submit the=20  
names of the nominees for the public member and alternate public =  
member of=20  
the Board.</P>  
<P>(7) After the appointment of the initial Board, the Secretary =  
or the=20  
Board shall announce at least 180 days in advance when a Board =  
member's=20  
term is expiring and shall solicit nominations for that position =  
in the=20  
manner described in this section. Nominations for such position =  
should be=20  
submitted to the Secretary or the Board not less than 120 days =  
prior to=20  
the expiration of such term.</P>  
<P>(c) <I>Election. </I>(1) After receiving nominations, the =  
Secretary or=20  
the Board shall distribute ballots via the U.S. Postal Service or =  
other=20  
means, as determined by the Secretary, to all eligible growers and =  
handlers containing the names of the nominees by district for the=20  
respective seats on the Board, excluding the public voting member =  
seat.=20  
The ballots will clearly indicate that growers and handlers may =  
only rank=20  
or otherwise vote for nominees in their own district.</P>  
<P>(2) Except as provided in paragraph (c)(4) of this section, =  
only=20  
growers, including duly authorized officers or employees of =  
growers, who=20  
are eligible to serve as grower members of the Board shall =  
participate in=20  
the election of grower members and alternate grower members of the =  
Board.=20  
No grower shall participate in the election of Board members in =  
more than=20  
one district during any fiscal period. If a grower produces =  
cherries in=20  
more than one district, the grower must vote in the same district =  
in which=20  
he or she chose to participate in the nominations process under =  
paragraph=20  
(b)(3) of this section. However, if the grower did not participate =  
in the=20  
nominations process, he or she may select in which district he or =  
she=20  
wishes to vote and shall notify the Secretary or the Board of such =

selection.</P>  
<P>(3)(i) Except as provided in paragraph (c)(4) of this section, =  
only=20  
handlers, including duly authorized officers or employees of =  
handlers, who=20  
are eligible to serve as handler members of the Board shall =  
participate in=20  
the election of handler members and alternate handler members of =  
the=20  
Board. No handler shall participate in the election of Board =  
members in=20  
more than one district during any fiscal period. If a handler does =  
handle=20  
cherries in more than one district, he or she must vote in the =  
same=20  
district in which the handler elected to participate in the =  
nominations=20  
process under paragraph (b)(4) of this section. However, if a =  
handler did=20  
not participate in the nominations process, that handler may =  
select in=20  
which district he or she chooses to vote and shall notify the =  
Secretary or=20  
the Board of such selection. If a person is a grower and a =  
grower-handler=20  
only because some or all of his or her cherries were custom =  
packed, but he=20  
or she does not own or lease and operate a processing facility, =  
such=20  
person may vote only as a grower.</P>  
<P>(ii) To be seated as a handler representative in any district, =  
the=20  
successful candidate must receive the support of handler(s) that =  
handled a=20  
combined total of no less than five percent (5%), of the average=20  
production, as that term is used in =A7930.20, handled in the =  
district;=20  
<I>Provided, </I>that this paragraph shall not apply if its =  
application=20  
would result in a sales constituency conflict as provided in=20  
=A7930.20(g).</P>  
<P>(4) In districts entitled to only one Board member, growers and =  
the=20  
handlers may vote for either the grower or handler nominee(s) for =  
the=20  
single seat allocated to those districts.</P>  
<P>(d) The members of the Board appointed by the Secretary =  
pursuant to=20  
=A7930.24 shall, at the first meeting and whenever necessary =  
thereafter, by=20  
at least a two-thirds vote of the entire Board, select individuals =  
to=20  
serve as the public member and alternate public member of the =  
Board from=20  
the list of nominees received from growers and handlers pursuant =  
to=20  
paragraph (b) of this section or from other persons nominated by =  
the=20  
Board. The persons selected shall be subject to appointment by the =  
Secretary under =A7930.24.</P>  
<P>(e) The Board, with the approval of the Secretary, may =  
establish rules=20  
and regulations necessary and incidental to the administration of =



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charset="iso-8859-1"  
Content-Transfer-Encoding: quoted-printable  
Content-Location: http://ecfr.gpoaccess.gov/e/ecfr/styles/styles.css

```
.td {  
    FONT-SIZE: 12px; FONT-FAMILY: Arial, Helvetica, sans-serif  
}  
.tr {  
    FONT-SIZE: 12px; FONT-FAMILY: Arial, Helvetica, sans-serif  
}  
.h1 {  
    FONT-WEIGHT: bold; FONT-SIZE: 16px; LINE-HEIGHT: 18pt; FONT-FAMILY: =  
Arial, Helvetica, sans-serif; Arial:=20  
}
```

```

.h2 {
    PADDING-RIGHT: 0px; PADDING-LEFT: 0px; FONT-WEIGHT: bold; FONT-SIZE: =
14px; MARGIN-BOTTOM: 0px; PADDING-BOTTOM: 0px; COLOR: #000000; =
LINE-HEIGHT: normal; PADDING-TOP: 0px; FONT-STYLE: normal; FONT-FAMILY: =
Arial, Helvetica, sans-serif
}
.h3 {
    FONT-WEIGHT: bold; FONT-SIZE: 12px; MARGIN-BOTTOM: 0px; LINE-HEIGHT: =
normal; FONT-STYLE: normal; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.caption {
    FONT-WEIGHT: bold; FONT-SIZE: 12px; MARGIN-BOTTOM: 0px; LINE-HEIGHT: =
normal; FONT-STYLE: normal; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.footer {
    BACKGROUND-POSITION: center 50%; FONT-SIZE: 10px; FONT-FAMILY: Arial, =
Helvetica, sans-serif; TEXT-ALIGN: center
}
.top {
    FONT-SIZE: 10px; FONT-FAMILY: Arial, Helvetica, sans-serif; TEXT-ALIGN: =
right
}
.tablesparing {
    PADDING-RIGHT: 5px; PADDING-LEFT: 5px; PADDING-BOTTOM: 5px; =
PADDING-TOP: 10px
}
.fontsmall {
    FONT-SIZE: 11px; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.navigation {
    FONT-SIZE: 10px; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.invisiblelink {
    FONT-SIZE: 10px; COLOR: #ffffff; FONT-FAMILY: Arial, Helvetica, =
sans-serif; TEXT-DECORATION: none
}
A.menubar:link {
    COLOR: blue
}
A.menubar:visited {
    COLOR: purple
}
A.menubar:hover {
    COLOR: #cc3333
}
A.menubar:active {
    COLOR: purple
}
.toplogo {
    FONT-WEIGHT: bold; FONT-SIZE: 14px; MARGIN-BOTTOM: 0px; LINE-HEIGHT: =
normal; FONT-STYLE: normal; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.search {
    FONT-SIZE: 10px; CLIP: ; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.side {
    FONT-SIZE: 12px; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.subparagraph {
    FONT-WEIGHT: normal; FONT-SIZE: 12px; FONT-FAMILY: Arial, Helvetica, =
sans-serif; TOP: -5px
}
.head {
    FONT-WEIGHT: bolder; FONT-SIZE: 18px; FONT-FAMILY: Arial, Helvetica, =

```

```

sans-serif
}
.recentupdateslink {
    FONT-WEIGHT: bolder; FONT-SIZE: 12px; FONT-FAMILY: Arial, Helvetica, =
sans-serif; TEXT-ALIGN: left
}
.updatetitle {
    FONT-WEIGHT: bold; FONT-SIZE: 14px; COLOR: #ff0000; TEXT-INDENT: 5pt; =
FONT-FAMILY: Arial, Helvetica, sans-serif; TEXT-ALIGN: left
}
.updatebodytest {
    BACKGROUND-POSITION: left 50%; FONT-WEIGHT: normal; FONT-SIZE: 12px; =
FONT-STYLE: normal; FONT-FAMILY: Arial, Helvetica, sans-serif; =
TEXT-ALIGN: left; FONT-VARIANT: normal
}
.updatebold {
    BACKGROUND-POSITION: left 50%; FONT-WEIGHT: bold; FONT-SIZE: 12px; =
FONT-STYLE: normal; FONT-FAMILY: Arial, Helvetica, sans-serif; =
TEXT-ALIGN: left
}
.body {
    COLOR: #000000; FONT-FAMILY: Arial, sans-serif; BACKGROUND-COLOR: =
#ffffff
}
.a {
    TEXT-DECORATION: underline
}
.a:link {
    COLOR: blue; BACKGROUND-COLOR: #ffffff
}
.a:visited {
    COLOR: red; BACKGROUND-COLOR: #ffffff
}
.a:active {
    COLOR: #ff0000; BACKGROUND-COLOR: #ffffff
}
.p {
    FONT-WEIGHT: normal; WIDTH: 474px; BACKGROUND-REPEAT: no-repeat; =
FONT-FAMILY: Arial, sans-serif; TEXT-ALIGN: center
}
.title {
    FONT-WEIGHT: bold; FONT-SIZE: 20px; FONT-FAMILY: Arial, Helvetica, =
sans-serif; TEXT-ALIGN: left
}
.subtitle {
    FONT-WEIGHT: bold; FONT-SIZE: 14px; FONT-FAMILY: Arial, Helvetica, =
sans-serif; TEXT-ALIGN: left
}
.mainheader {
    FONT-WEIGHT: bold; FONT-SIZE: 130%
}
.chapter {
    FONT-WEIGHT: bold; FONT-SIZE: 16px; FONT-FAMILY: Arial, Helvetica, =
sans-serif; TEXT-ALIGN: left
}
.subchapter {
    FONT-WEIGHT: bold; FONT-SIZE: 14px; FONT-FAMILY: Arial, Helvetica, =
sans-serif; TEXT-ALIGN: left
}
.part {
    FONT-WEIGHT: bold; FONT-SIZE: 100%
}
.subpart {
    FONT-SIZE: 90%; COLOR: blue; BACKGROUND-COLOR: #ffffff
}

```

```
}
.nopart {
    COLOR: green; BACKGROUND-COLOR: #ffffff
}
.reserved {
    COLOR: red; BACKGROUND-COLOR: #ffffff
}
.menu {
    FONT-SIZE: 12px; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.hilite {
    FONT-WEIGHT: bold; COLOR: #cc0000
}

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    charset="iso-8859-1"
Content-Transfer-Encoding: 7bit
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#topnav {
    DISPLAY: none
}
#leftnav {
    DISPLAY: none
}
.tablespaceing {
    PADDING-LEFT: 0px
}

-----=_NextPart_000_0029_01CB2989.DA81F740--
```