

Hass Avocado Board

Declaration of Importer Eligibility

Notification

1. Section 1219.30(a) of the Hass Avocado Promotion, Research, and Information Order (Order) requires every board member and alternate to be domiciled in the United States. Domiciled means a place where a person has their true, fixed, and permanent home, and to which whenever they are absent they have the intention of returning. A person may have more than one residence but only one domicile. *Black's Law Dictionary* (5th Edition). No single document, fact or circumstance, is conclusive in determining United States domicile, and if a nominee, member, or alternate is uncertain of his or her domicile status, he or she should consult his or her attorney.
2. Section 1219.30(d) of the Order, defines an "Importer" as a "person who is involved in, as a substantial activity, the importation of Hass avocados for sale or marketing in the United States (either directly or as an agent, broker, or consignee of any person that produces Hass avocados outside of the United States for sale in the United States), who is subject to assessments under the Order, and who is listed by U.S. Customs as the importer of record for such Hass avocados. A substantial activity means that the volume of a person's Hass avocado imports must exceed the volume of the person's production or handling of domestic Hass avocados. In addition, the term "person" (as defined in §1219.19 of the Order) means any individual, group of individuals, firm, partnership, corporation, joint stock company, association, cooperative, or any other legal entity.
3. Hass Avocado Board (HAB) members and alternates shall maintain the qualification requirements during their entire term on HAB. If a HAB member or alternate does not maintain the qualification requirements, then the member or alternate shall have 30 days to voluntarily resign in writing to HAB management. If after 30 days, the member or alternate refuses to resign, HAB management will request removal of the member or alternate by the U.S. Department of Agriculture (USDA) and the position shall automatically become vacant.
4. Current board members and alternates shall be required to complete and sign this form on an annual basis. Failure to complete and submit this form by the required date will result in automatic disqualification. HAB management will request removal of the member or alternate by USDA and the position shall automatically become vacant.

Declaration

I, _____, hereby declare, under penalty of perjury, that (i) I am an Importer (as defined above) and (ii) I am domiciled in the United States. I further declare that I meet the qualifications of an Importer and that I reside in and maintain a place of abode at: _____
 _____(address/city/State/zip), which place of abode I recognize and intend to maintain as my permanent home and, if I maintain another place or places of abode in some other country or countries, I hereby declare that my above described residence and abode in the United States constitutes my predominant and principal home and I intend to continue it permanently as such.

PRINT NAME

SIGNATURE

DATE

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