

FRESH PEAR BALLOT
UNITED STATES DEPARTMENT OF AGRICULTURE
Agricultural Marketing Service
Specialty Crops Program
Northwest Marketing Field Office
1220 SW 3rd Avenue, Suite 305
Portland, Oregon 97204

TO FRESH PEAR PRODUCERS:

Marketing Order No. 927, regulating the handling of fresh pears grown in Oregon and Washington, requires the Secretary of Agriculture to conduct a referendum within every six-year period to ascertain whether producers favor continuance of the Marketing Order. As a consequence, an order directing that a referendum be held was published in the Federal Register on _____, 20__.

A Producer Referendum Ballot is on the reverse side of this page. Also enclosed are:

1. Voting Instructions and Rules Governing Producer Eligibility to Vote;
2. News Release issued on the Referendum; and
3. Copy of the Referendum Order dated _____, 20__.

The voting period for the Referendum is _____, 20__ through _____, 20__. Please vote promptly because **Ballots postmarked later than _____, cannot be opened or counted.** Each Ballot will be held in strict confidence.

Referendum Agent
Phone: (503) 326-2724

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is OMB 0581-0189. 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.

SC-118 (Exp. X/XXXX) Destroy previous editions.

PRODUCER REFERENDUM BALLOT

Marketing Order No. 927: Pears Grown in Oregon and Washington

Please read the enclosed VOTING INSTRUCTIONS AND RULES GOVERNING PRODUCER ELIGIBILITY TO VOTE before completing this Ballot.

This Referendum is being held to determine producer support for Marketing Order No. 927, regulating the handling of fresh pears grown in Oregon and Washington. The Secretary of Agriculture (Secretary) will consider termination of this Order if less than two-thirds of those voting and less than two-thirds of the volume represented in the Referendum favor continuance.

A. Do you favor continuance of Marketing Order No. 927, regulating the handling of fresh pears grown in Oregon and Washington?

YES

NO

PRODUCER ELIGIBILITY STATEMENT

B. I hereby certify that I am currently a producer of fresh pears within the production area and that during the representative period _____, 20____, through _____, 20____, I produced for the fresh market:

_____ standard boxes or equivalent, on _____ acres, in _____ County(ies).

C.

| Name of Packing House(s) that Handled your Fresh Pears | Standard Box or Equivalent | Affiliation (co-op or independent) |
|--|----------------------------|------------------------------------|
| | | |
| | | |
| | | |
| | | |

D. Producer's Name _____ Phone Number _____

Name of Business _____

Mailing Address _____

City _____ State _____ Zip Code _____

E. If this Ballot is cast by an officer or employee of a partnership, LLC, corporation, association or other business unit, my signature below further certifies that I am duly authorized to vote on behalf of the producing entity name on this Ballot and that I will submit evidence of such authority at the request of an Agent of the Secretary.

Partnership LLC Corporation Association Other _____

Signature*

Title

If a partnership or joint venture, list name(s).

F. **I hereby certify that the information I provided on this Ballot is accurate and correct to the best of my knowledge.**

Signature*

Title

*Your signature certifies that you have the authority to take such action and will submit supplementary evidence of such authority at the request of an agent of the Secretary of Agriculture. The information provided in this Ballot is required to determine voter eligibility and vote of fresh pear producers. Falsification of information on this government document may result in a fine or imprisonment, or both (18 U.S.C. 1001).

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, audiotope, 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.

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◆ FOLD HERE, TAPE AT THE TOP, AND MAIL PROMPTLY ◆

FRESH PEAR BALLOT

VOTING INSTRUCTIONS AND RULES GOVERNING PRODUCER ELIGIBILITY TO VOTE

- I. VOTING PERIOD:** _____, 20__ through _____, 20__.
- II. REPRESENTATIVE PERIOD:** _____, 20__ through _____, 20__.
- III. PRODUCTION AREA:** States of Oregon and Washington
- IV. PERSONS ELIGIBLE TO VOTE:** Any person who is currently a fresh market pear producer in the production area and produced such fresh pears during the representative period _____, 20__ through _____, 20__ is entitled to cast one Ballot. Each separate business unit, partnership, LLC, family enterprise, corporation, association, estate, or firm is entitled to one vote.
- “Producer” means any individual, partnership, LLC, corporation, association, institution, estate, or other business unit who:
- Owns and farms land resulting in ownership of the fresh pears produced thereon;
 - Rents and farms land resulting in ownership of all or a portion of the fresh pears produced thereon; or
 - Owns land from which, as rental for such land, ownership is obtained of a portion of the fresh pears produced thereon. (A lienholder, cash landlord, or person having only a financial interest in the fresh pear crop is not eligible to vote.)

V. HOW TO VOTE:

- A. Indicate your vote by placing an “X” in the appropriate box.
- B. Certify your fresh pear production by listing the volume in standard boxes or equivalent that you produced, the number of acres in production, and the county(ies) in which such fresh pears were produced during the representative period _____, 20__ through _____, 20__. If you are renting on a share-crop basis, you should show only that part of the crop represented by your share.
- C. List the names of packing houses that handled your fresh pears, the number of standard boxes or equivalent handled, and affiliation (co-op or independent).
- D. Print or type your name, phone number, business name, and address.
- E. Proxy voting is not authorized. If the Ballot is cast by an officer or employee of a partnership, LLC, corporation, association or other business unit, check the appropriate box to indicate your business designation, and sign to indicate you have the authority to vote. If a partnership or joint venture, list names of partners.
- F. Sign below the certification. Incomplete or unsigned Ballots cannot be counted. Fold your Ballot so the Referendum Agent’s address is displayed, seal with tape and mail to:

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Ballots must be postmarked by _____, 20__. For further information, please call (503) 326-2724.