

Guidelines to Petition the Secretary of Agriculture For a Referendum on the Beef Promotion and Research Order

Section 7(b) of the Beef Promotion and Research Act of 1985 (Act) provides that "...the Secretary may conduct a referendum on the request of a representative group comprising 10 per centum or more of the number of cattle producers to determine whether cattle producers favor the termination or suspension of the order" (7 U.S.C. 2906(b)).

Neither the Act nor the Beef Promotion and Research Order (Order) provides guidance regarding how a request to the Secretary of Agriculture (Secretary) for a referendum should be made. While cattle producers would initiate a request, its validity would be evaluated by the Agricultural Marketing Service (AMS), which is the agency within the U.S. Department of Agriculture (USDA) that oversees the Beef Checkoff Program. These guidelines lay out criteria that AMS would evaluate in determining the validity of a request for a referendum.

Number of Cattle Producers

- Neither the Act nor the Order describes what constitutes "a representative group comprising 10 per centum or more of the number of cattle producers." For the purpose of evaluating a request for a referendum on the Beef Checkoff Program, AMS would rely on the most recent information available from the USDA's National Agricultural Statistics Service (NASS). While NASS does not provide estimates of the number of cattle producers in the United States, it does provide estimates of the number of farms with cattle and calves in the Census of Agriculture. The 2012 Census of Agriculture estimates that there were 913,246 farms with cattle and calves in the United States.
- AMS recognizes that the number of farms with cattle and calves does not necessarily equal the number of cattle producers. For example, one cattle producer may have cattle on several different farms, and there may be several cattle producers with cattle on one farm. Nonetheless, AMS considers the number of farms with cattle and calves as the best estimate for determining "a representative group comprising 10 per centum or more of the number of cattle producers." Consequently, a request from at least 91,325 cattle producers would be required for the Secretary to call for a referendum.

Eligibility Criteria

- Any producer regardless of age who has owned, sold, or purchased cattle during a 12 month period established by the petitioner is eligible to sign a petition.
- Any person younger than 18 years of age must have a parent or guardian co-sign the petition.

- A person who signs the petition on behalf of a corporation or other entity must be authorized to do so. No proxy signature is permitted.
- Any individual member of a group, who is an eligible person separate from the group, may request a referendum separately.

Time Period to Gather Signatures

- An organization or association wanting a referendum on the Beef Checkoff Program will be provided 12 months to gather signatures. The organization or association will notify USDA when the 12 month time period begins and ends.
- An organization or association will be solely responsible for the compilation of signatures and submission to USDA either electronically or via express mail.
- The association or organization will submit the names of producers either via mail or electronic means within 30 days after the 12 month period concludes.
- At the end of the 12-month petition period, the organization or association compiling the signatures that wants to submit the information electronically, they must contact USDA at the number below and USDA will provide a mechanism to submit the information.

Petition Information Required by USDA

- Full name of person or entity represented
- Signature and printed name (signature of parent or guardian of any person signing under the age of 18).
- Complete mailing address
- Daytime Telephone Number (home, business or cell)
- Email address (if available)
- Date petition was signed

Verification

The signatures will be verified by USDA through statistical sampling using the contact information provided by those submitting petitions. If selected, the producer must be able to provide some type of documentation such as a sales receipt, remittance form, etc., showing that the person signing the petition owned, sold, or purchased cattle during the 12-month period established by the petitioner.

Contact Information

For more information, contact:

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July 25, 2014