OMB No. 0581-0177

UNITED STATES DEPARTMENT OF AGRICULTURE Agricultural Marketing Service Fruit and Vegetable Program Southeast Marketing Field Office 799 Overlook Drive, Suite A Winter Haven, FL 33884

## TART CHERRY PRODUCER BALLOT

## TO TART CHERRY PRODUCERS:

USDA is holding a referendum to consider:						
oppo least	Secretary of Agriculture announced his decision to provide tart cherry producers with an ortunity to vote on The will only be enacted if it is favored by at two-thirds of the producers voting in this referendum, or it is favored by producers representing ast two-thirds of the tart cherry volume.					
A Pı	roducer Referendum Ballot is attached. Also attached are:					
(1) (2) (3)	Voting Instructions and Rules Governing Producer Eligibility to Vote; News Release concerning the Referendum; An addressed envelope for returning the ballot - no postage is required.					
Plea Ball	referendum voting period is from					
Refe	rendum Agent					

#### OMB No. 0581-0177

### PRODUCER'S REFERENDUM BALLOT

Marketing Order No. 930: Tart Cherries Produced in Michigan, New York, Pennsylvania, Oregon, Utah, Washington and Wisconsin

۱.	Are you in favor of			
	Indicate your vote by marking "X" in t	the appropriate block:		
	PRODUCE	R ELIGIBILITY STATEME	ENT	
l.	I hereby certify that I am currently a produce period from, 20, through fart cherries on	igh , 20	. I produced for r	narket:
	of tart cherries on  Pounds (If you are renting on a share-crop basis, only indicated)	County or Counticate your share of the crop)	ties and State or States	
2.	Producer's Signature* (or Organizational name if	Item IV applies)	-	Telephone #
	Street or P.O. Box	City	State	ZIP Code
3.	If partnership, insert name(s) of partner(s)			
l.	If this ballot is cast by an officer or employee administrator, executor or trustee of a produci			y an
	Name of Producer (corp., estate, et.)	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 tart cherry producers. Falsification of information on this government document may result in a fine of not more than \$10,000 or imprisonment for not more than five (5) years, or both (18 U.S.C. 1001).

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 0581-0177. 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.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

## OMB No. 0581-0177

# VOTING INSTRUCTIONS RULES GOVERNING PRODUCER ELIGIBILITY TO VOTE

	VOTING PERIOD:, 20 through, 20				
II.	<b>PRODUCTION AREA:</b> The entire States of Michigan, New York, Pennsylvania, Oregon, Utah, Washington, and Wisconsin.				
III.	<b>TART CHERRIES</b> : all tart cherry varieties grown in the production area are classified as <i>Prunus cerasus</i> , <i>Prunus cerasus</i> by <i>Prunus avium</i> , or <i>Prunus cerasus</i> by <i>Prunus fruticosa</i> .				
IV.	PERSONS ELIGIBLE TO VOTE: Any producer who is currently engaged in the production of tacherries for processing, or who produced tart cherries in the production area for processing during the representative period of, 20, through, 20, is entitled to cast one ballot. Each separate business unit, partnership, LLC, family enterprise, corporation, association, estate, or firm that is a member of the cooperative association is entitled to one vote	2			
	<i>Producer</i> : any person who produces tart cherries to be marketed in canned, frozen, or other processed form, and who has a proprietary interest therein. Producer does not include a person who produces ta cherries to be marketed exclusively for the fresh market in an unpitted condition.				
	<ul> <li>A producer is any individual, partnership, corporation, association, institution, estate, or other busines unit that: <ol> <li>Owns and farms land resulting in ownership of the tart cherries produced thereon;</li> <li>Rents and farms land resulting in ownership of all or a portion of the tart cherries produced thereon;</li> <li>Owns land from which, as rental for such land, ownership is obtained of a portion of the tart cherries produced thereon. (A lienholder, cash landlord, or person having only a financial</li> </ol> </li> </ul>	SS			
<b>v.</b> 1.	interest in the tart cherry crop is not eligible to vote.); <b>HOW TO VOTE:</b> Indicate your vote by placing an "X" in the appropriate box.				
2.	Certify tart cherry production by listing the quantity in pounds produced; number of acres in production; and that tart cherries were produced within the designated production area during the representative period, 20, 20				
3.	PRINT or type your information (name, address, telephone number, etc.) requested. All information much be provided to ensure validity of the Ballot. <b>Sign the ballot.</b> Unsigned or incomplete ballots cannot be counted.				
4.	If the producer is a partnership, fill in the names of all partners.				
5.	If voting on behalf of a producer, also show the name and address and your title. Proxy voting is not authorized; however, an officer or employee of a corporate producer or an administrator, executor or trustee of a producing estate may vote, if they have such authority.				
Overlo	n ballots to: United States Department of Agriculture, Southeast Marketing Field Office, 799 ok Drive, Suite A, Winter Haven, FL 33884. Please mail completed ballot in the attached pe. Ballots postmarked after, 20, will be considered invalid.				