

BALLOT FOR ELECTION OF PRODUCER MEMBERS AND ALTERNATE PRODUCER MEMBERS

Pistachio producers in Districts ____ recently had the opportunity to nominate eligible candidates for membership on the Administrative Committee for Pistachios (Committee) for the two-year term of office ending June 30, 20____. Producers are now being requested to vote for the candidates of their choice. Enclosed are voting instructions, eligibility requirements and a ballot with the nominees listed. **Please read the voting directions carefully and submit your completed and signed ballot in the enclosed envelope. To be valid, the ballot must be signed and postmarked, faxed, or hand delivered to the Administrative Committee for Pistachios Office in Fresno, California, by _____, 20 ____.**

INSTRUCTIONS FOR COMPLETING ONE OF THE ENCLOSED BALLOTS

1. VOTING PERIOD: _____, 20__ through _____, 20__.
2. Refer to the ballots for all industry positions and districts for the current nomination and election process.
3. VOTER ELIGIBILITY: Only Producers, including duly authorized officers or employees of Producers, shall participate in the election of Producer members and alternate Producer members of the Committee. No producer shall participate in the election of Committee members in more than one district. If a producer commercially produces pistachios during the current production year in more than one district, the producer must vote in the same district in which he or she participated in the nominations process previously conducted. However, if the producer did not participate in the nominations process, he or she may select in which district he or she wishes to vote and shall indicate it on the ballot. In certifying your eligibility, please be mindful of the following definitions:

“Producer” means any person engaged within the production area in a proprietary capacity in the production of pistachios for sale.

“Proprietary Capacity” means the capacity or interest of a producer or handler that, either directly or through one or more intermediaries, is a property owner together with all the appurtenant rights of an owner including the right to vote the interest in that capacity as an individual, a shareholder, member of a cooperative, partner, trustee or in any other capacity with respect to any other business unit.

“Affiliation” normally appears as “affiliate of,” or “affiliated with,” and means a person such as a producer or handler who is: a producer or handler that directly, or indirectly through one or more intermediaries, owns or controls, or is controlled by, or is under common control with the producer or handler specified; or a producer or handler that directly, or indirectly through one or more intermediaries, is connected in a proprietary capacity, or shares the ownership or control of the specified producer or handler with one or more other producers or handlers. As used in this part, the term “control” (including the terms “controlling”, “controlled by”, and “under the common control with”) means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a handler or a producer, whether through voting securities, membership in a cooperative, by contract or otherwise. Also, please be mindful that not more than two members and not more than two alternate members shall be persons employed or affiliated with producers or handlers that are affiliated with the same handler and/or producer. Additionally, only one member and one alternate member in any one district representing producers shall be employed by or affiliated with the same handler and/or producer.

4. The attached ballots list the nominees by district as well as the number of producer positions you are entitled to vote for. Vote for the candidate(s) of your choice in the appropriate space. If you would like to vote for a producer that has not been nominated, write in the candidate(s) name(s) of your choice in the appropriate space(s). The person receiving the highest number of votes shall be the member nominee for that district and the person receiving the second highest number of votes shall be the alternate member nominee. In case of a tie vote, the nominee shall be selected by a drawing.
5. In the spaces provided, print your name, the producer’s name (if different), address and telephone number.
6. Certify that you are eligible to cast this ballot by signing and dating the ballot.
7. The completed ballot must be signed, and postmarked, faxed or delivered by _____20, ____ to be valid.
8. The USDA prohibits discrimination in all its programs and activities. Please see *bottom of ballot* for more details. We request that you be mindful of the USDA’s policy regarding Civil Rights and consider eligible women, minorities, and the physically challenged for membership on the Committee.
9. If you have any questions, please contact the Administrative Committee for Pistachios: 4938 E. Yale Avenue, Suite 102, Fresno, CA 93727; Telephone (559) 255-6480; FAX (559) 255-6485.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
FRUIT AND VEGETABLE PROGRAM

ADMINISTRATIVE COMMITTEE FOR PISTACHIOS
MARKETING ORDER 983
PRODUCER MEMBER AND ALTERNATE MEMBER BALLOT

DISTRICT 1 BALLOT

NOTE: You must be a producer in District 1 to vote on this ballot. If you are a producer in more than one district, you may vote for candidates in only one district. Please discard the other ballots. Duplicate ballots cannot be counted.

PRODUCER NOMINEE LIST

District 1 (Southern California) consists of Imperial, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Tulare, and Ventura counties.

District 1 has ___ producer member positions and ___ alternate producer member positions to be filled. Each producer is entitled to cast only one vote for each position to be filled. You may vote for ___ candidates (one for each position). Cast your vote by checking the box next to the candidates of your choice and/or submitting write-in candidates.

District 1 Candidates:

- Candidate _____
- Candidate _____
- Candidate _____
- Candidate _____
- Candidate _____
- Write-in Candidate _____
- Write-in Candidate _____
- Write-in Candidate _____
- Write-in Candidate _____

SIGNATURE AND CERTIFICATION IS REQUIRED ON REVERSE OF BALLOT

CERTIFICATION STATEMENT

Please indicate the following:

Individual Trust Partnership* Corporation Tax ID: _____

*If partnership, list general partners _____

I certify that I or my employer currently produce(s) pistachios for market in **District 1**, and that I have voted in only one district in this election process. If I am casting a ballot on behalf of my employer, I certify that I have such authority to do so.

Producer Name (please print) Title (if voting on behalf of a corporation, estate or trust) Phone Number

Print Name Signature Date

Address

To be valid, the completed ballot must be signed, and postmarked, faxed, or hand delivered to the Administrative Committee for Pistachios office in Fresno, California, by _____, 20__.

ADMINISTRATIVE COMMITTEE FOR PISTACHIOS
4938 East Yale Avenue, Suite 102
Fresno, CA 93727
TEL: (559) 255-6480 FAX: (559) 255-6485

The following statements are made in accordance with the Privacy Act of 1974 (U.S.C. 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the information to be supplied on this form is the Agricultural Marketing Agreement Act of 1937, Secs. 1-19, 48 Stat. 31, as amended, (7 U.S.C. 601-674). Furnishing the requested information is necessary for the administration of the marketing order program. Submission of the Tax Identification Number (TIN) is mandatory, and will be used to validate ballots and determine affiliation or entity identity. Please note that ballots will not become invalid if a TIN is not disclosed. The making of any false statements or representations in any matter within the jurisdiction of any agency of the United States, knowing it to be false, is a violation of title 18, section 1001 of the United States Code, which provides for fine or imprisonment, or both.

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 0581-0215 The time required to complete this information collection is estimated to average 15 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.

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DISTRICT 2 BALLOT

NOTE: You must be a producer in District 2 to vote on this ballot. If you are a producer in more than one district, you may vote for candidates in only one district. Please discard the other ballots. Duplicate ballots cannot be counted.

PRODUCER NOMINEE LIST

District 2 (Central California) consists of Fresno, Kings, Madera and Merced counties of California.

District 2 has ___ producer member positions and ___ alternate producer member positions to be filled. Each producer is entitled to cast only one vote for each position to be filled. You may vote for ___ candidates (one for each position). Cast your vote by checking the box next to the candidates of your choice and/or submitting write-in candidates.

District 2 Candidates:

- Candidate _____
- Candidate _____
- Candidate _____
- Candidate _____
- Candidate _____
- Write-in Candidate _____
- Write-in Candidate _____
- Write-in Candidate _____
- Write-in Candidate _____

SIGNATURE AND CERTIFICATION IS REQUIRED ON REVERSE OF BALLOT

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DISTRICT 3 BALLOT

NOTE: You must be a producer in District 3 to vote on this ballot. If you are a producer in more than one district, you may vote for candidates in only one district. Please discard the other ballots. Duplicate ballots cannot be counted.

PRODUCER NOMINEE LIST

District 3 (Northern California) consists of all counties in California where pistachios are produced that are not included in District 1 or District 2.

District 3 has ___ producer member positions and ___ alternate producer member positions to be filled. Each producer is entitled to cast only one vote for each position to be filled. You may vote for ___ candidates (one for each position). Cast your vote by checking the box next to the candidates of your choice and/or submitting write-in candidates.

District 3 Candidates:

- | | | |
|--------------------|-------|--------------------------|
| Candidate | _____ | <input type="checkbox"/> |
| Candidate | _____ | <input type="checkbox"/> |
| Candidate | _____ | <input type="checkbox"/> |
| Write-in Candidate | _____ | <input type="checkbox"/> |
| Write-in Candidate | _____ | <input type="checkbox"/> |

SIGNATURE AND CERTIFICATION IS REQUIRED ON REVERSE OF BALLOT

CERTIFICATION STATEMENT

Please indicate the following:

Individual Trust Partnership* Corporation Tax ID: _____

*If partnership, list general partners _____

I certify that I or my employer currently produce(s) pistachios for market in **District 3**, and that I have voted in only one district in this election process. If I am casting a ballot on behalf of my employer, I certify that I have such authority to do so.

 Producer Name (please print) Title (if voting on behalf of a corporation, estate or trust) Phone Number

 Print Name Signature Date

 Address

To be valid, the completed ballot must be signed, and postmarked, faxed, or hand delivered to the Administrative Committee for Pistachios office in Fresno, California, by _____, 20__.

ADMINISTRATIVE COMMITTEE FOR PISTACHIOS
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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).

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DISTRICT 4 BALLOT

NOTE: You must be a producer in District 4 to vote on this ballot. If you are a producer in more than one district, you may vote for candidates in only one district. Please discard the other ballots. Duplicate ballots cannot be counted.

PRODUCER NOMINEE LIST

District 4 (Arizona and New Mexico) consists of the states of Arizona and New Mexico.

District 4 has ___ producer member positions and ___ alternate producer member positions to be filled. Each producer is entitled to cast only one vote for each position to be filled. You may vote for ___ candidates (one for each position). Cast your vote by checking the box next to the candidates of your choice and/or submitting write-in candidates.

District 4 Candidates:

- Candidate _____
- Candidate _____
- Candidate _____
- Write-in Candidate _____
- Write-in Candidate _____

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CERTIFICATION STATEMENT

Please indicate the following:

Individual Trust Partnership* Corporation Tax ID: _____

*If partnership, list general partners _____

I certify that I or my employer currently produce(s) pistachios for market in **District 4**, and that I have voted in only one district in this election process. If I am casting a ballot on behalf of my employer, I certify that I have such authority to do so.

_____ Producer Name (please print)	_____ Title (if voting on behalf of a corporation, estate or trust)	_____ Phone Number
_____ Print Name	_____ Signature	_____ Date

Address

To be valid, the completed ballot must be signed, and postmarked, faxed, or hand delivered to the Administrative Committee for Pistachios office in Fresno, California, by _____, 20__.

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