

UNITED STATES DEPARTMENT OF AGRICULTURE
Agricultural Marketing Service
Fruit and Vegetable Programs
xx Marketing Field Office
Address
City, State, Zip

NATIONAL LEAFY GREEN
ADMINISTRATIVE
COMMITTEE

OFFICIAL PRODUCER NOMINATION FORM – ZONE #

NOMINATION FORM FOR PRODUCER MEMBERS

TO LEAFY GREEN PRODUCERS:

Marketing Agreement 970 (Agreement), regulating the handling of Leafy Greens grown in the United States became effective on xx/xx/xxxx. Subsequently, the Department of Agriculture (USDA) is conducting nominations for membership on the 23-member National Leafy Greens Administrative Committee (Committee) for the initial terms of office. Of the 23 members,

- a) Four handlers and two producers from Zone 1;
- b) Three handlers and one producer from Zone 2;
- c) Two handlers and one producer from Zone 3;
- d) Two handlers and one producer from Zone 4; and
- e) Two handlers and one produce from Zone 5;

Each of the member(s) will have an alternate. The Agreement provides authority for leafy green producers to submit the names of producer candidates to serve on the Committee. If you are interested in nominating yourself or another individual to serve on the Committee as a producer member or alternate member, please read the following information and submit the completed nomination form to the xx Marketing Field Office. The completed nomination form must be postmarked, faxed, or hand-delivered no later than xx/xx/xxxx.

EX. 130 E

NATIONAL LEAFY GREEN ADMINISTRATIVE COMMITTEE PRODUCER MEMBERS

INSTRUCTIONS FOR COMPLETING THE ATTACHED NOMINATION FORM

1. Nomination Period: xx/xx/xxxx through xx/xx/xxxx.
2. Nominate yourself and/or another eligible producer to run for office as a producer member on the National Leafy Green Administrative Committee (Committee). X producer member(s) and X alternate producer member(s) positions are allocated to Zone #. Eligible producers may nominate x candidate(s) to fill each of these positions. All eligible nominees will be placed on the ballot as producers and the producers and their alternates determined according to the total number of votes cast for each nominee. The Agreement prescribes that a majority of the producer members of the Committee shall not otherwise be engaged in the handling of leafy green vegetables or the manufacturing of fresh-cut, packaged leafy green products. Furthermore, at least four handler members must be engaged in the manufacturing of fresh-cut leafy green products.

The USDA prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotope, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). We request that you be mindful of the USDA's policy regarding Civil Rights and consider eligible

3. Certify that you are eligible to nominate by signing and dating the form and completing the required information. §970.28(b)(1) Only persons eligible to serve on the Committee shall be eligible to nominate and vote for committee members and alternate members. §970.28(b)(3) Each producer or handler shall have but one vote, and may vote in only one zone in which he or she is a producer or handler.
4. The completed nomination must be postmarked no later than xx/xx/xxxx to be valid. Submission of the nomination form must be postmarked, faxed, or hand delivered to: xx--USDA-AMS-F&V, Address, City, State, Zip (xxx) xxx-xxxx, Fax (xxx) xxx-xxxx.

DEFINITIONS

§970.26 ELIGIBILITY. Each producer or handler member of the Committee and alternate member shall be, at the time of his or her selection and throughout his or her term of office, a producer or a handler, or an officer or employee of a producer or handler in the zone for which selected. The retail, foodservice, importer, and public members and alternate members may not be engaged in a proprietary capacity in the production or handling of leafy green vegetables. The retail, foodservice and importer members and alternates shall be, at the time of their selection and throughout their term of office, an owner, officer, or employee for the seat selected.

§970.17 PRODUCER is synonymous with grower and means any person engaged in a proprietary capacity in the production of leafy green vegetables for sale or delivery to a signatory of this agreement.

§970.11 HANDLER means any person who handles; *Provided*, that, this definition does not include a retailer, a foodservice distributor or outlet, or a fresh produce broker, except to the extent that such a person is otherwise engaged in handling.

§970.10 HANDLE means to receive, acquire, sell, process, ship, distribute, or import leafy green vegetables in their natural form, including both raw agricultural commodities and fresh cut, packaged products; *Provided*, that handle does not include the act of brokering the purchase or sale of leafy green vegetables whether for the purpose of manufacturing fresh-cut leafy green packaged products or not. This definition does not include retail sales or the act of selling by a retailer or foodservice distributor or outlet.

§970.14 MANUFACTURE is synonymous with process and means to change fresh leafy green vegetables from their natural form into fresh-cut, packaged products; *Provided*, that manufacture does not apply to retailer or foodservice distributor or operator except to the extent that such a person is otherwise engaged in manufacturing for non-retail purposes.

**UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
FRUIT AND VEGETABLE PROGRAMS**

NATIONAL LEAFY GREENS ADMINISTRATIVE COMMITTEE

**PRODUCER MEMBERS NOMINATION FORM
(See attached instructions)**

Producer Position	Name	Company	Phone
Producer Member			
Producer Member			

CERTIFICATION:

I certify that I or my employer is a producer who sells or delivers leafy greens to a signatory handler to Marketing Agreement 970 and that I am eligible to nominate the above candidate(s).

Signature		Date	
First Name		Last Name	
Firm Name		Phone	

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 xxxx-xxxx. The time required to complete this information collection is estimated to average 10 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.