



CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE

Karen Ross, Secretary

February 23, 2012

**REFERENDUM TO CONSIDER IMPLEMENTATION OF
THE PROPOSED CALIFORNIA CHERRY MARKETING AND RESEARCH PROGRAM**

VOTING PERIOD EXTENDED TO MARCH 9, 2012

If you have already voted, please disregard this notice.

The California Department of Food and Agriculture (CDFA) is currently conducting a referendum to determine whether growers and packers favor the implementation of an all cherry variety marketing order to replace the current limited variety cherry marketing order. This notice announces a 15-day extension of the referendum voting period.

Voting Period Extended:

In order for there to be a valid referendum, CDFA must receive ballots from at least 40% of the growers and 40% of the packers. As of today (February 23, 2012) which is the final day of the voting period, CDFA has received ballots from 50.0% of the packers. However, on the grower side, CDFA has received ballots from only 38.8% of the eligible voters. Since it is uncertain whether or not a sufficient number of valid postmarked grower ballots will be received in the upcoming days in order to achieve the minimum 40% grower participation, CDFA is extending the referendum voting period by an additional 15 days as authorized by Section 58995 of the Food and Agricultural Code. Furthermore, in order to treat growers and packers equally, this extension is being applied to both growers and packers. Under this extension, ballots will need to be postmarked or otherwise received by this office **no later than March 9, 2012.**

Voting Materials:

Enclosed with this notice you will find:

1. A Referendum Ballot
2. A Postage-Paid Return Envelope

This second voting packet has been mailed to all cherry growers and packers from whom CDFA has not yet received a ballot. Due to a lag in mailing services, it is possible that recently mailed ballots have not yet been received. Therefore, if you have already mailed your ballot, you may disregard this notice. Depending upon your business status, you may have received a producer ballot and a packer ballot via separate mailings. Please complete your ballot(s) and return it/them to the Marketing Branch in the return envelope(s) provided. In order for a ballot to be valid, it must be postmarked or otherwise received by this office **no later than March 9, 2012.**



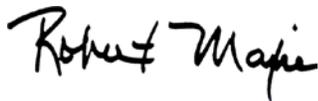
Overview of the Proposed Program:

- The proposed Program would assess and provide programs for all California cherries sold in fresh form. The current Cherry Marketing Program assesses only Bing, Van, Lambert and Rainier varieties. If the proposed order is made effective, the current marketing order will be suspended.
- The proposed Program would be administered by an industry board made up of six cherry producers and their alternates, and six cherry packers and their alternates. Nominations for the initial board were taken at the public hearing, and if the Program is implemented, these growers and packers would be the initial board for the new Program.
- The proposed Program would:
 1. Conduct research on cherries
 2. Engage in pest and disease control activities
 3. Support limited domestic promotion activities, and
 4. Provide the base for a branded export promotion program.
- The Program requires a super-majority (two-thirds) vote of the full board in order to allocate funds to promotion programs.
- Just as under the current order, the funds for administering the proposed Program would be generated by industry assessments, with fifteen cents per standard container to be assessed in the first year of operation. This assessment would be split evenly between growers and packers and apply to all fresh cherries marketed. Growers producing 1,000 containers or less per year are exempted from the Program, as are packers packing 10,000 containers or less per year.
- If implemented, CDFA would conduct a referendum among growers and packers every five years to determine whether the industry wants the Program to continue.

This notice is available at <http://it.cdfa.ca.gov/igov/postings/industry notices/> and the proposed Program document can be seen at: www.cdfa.ca.gov/mkt/mkt/pdf/ProposedCherryOrder.pdf.

The results of the referendum will be announced following ballot tabulation. Individual votes will be kept confidential. If you know of any growers or packers who did not receive ballots and should have, please contact the Marketing Branch. If you have any questions regarding this vote or the proposed Program, please contact Glenn Yost at this office.

Sincerely,



Robert Maxie, Chief
Marketing Branch

Enclosures