



October 9, 2013

**REFERENDUM TO CONSIDER PROPOSED MAJOR AMENDMENTS TO
THE CALIFORNIA PROCESSING TOMATO INSPECTION PROGRAM**

To the California Processing Tomato Producer or Processor Addressed:

The California Department of Food and Agriculture (CDFA) conducted a public hearing on August 29, 2013 to receive testimony and evidence regarding proposed major amendments to the State marketing order entitled the California Processing Tomato Inspection Program. Based on the hearing record, CDFA has decided to move forward with the second phase of the major amendment implementation process; issuing the proposed amendments to a vote of affected processing tomato producers and processors.

The proposed amendments would authorize the California Processing Tomato Inspection Program to conduct variety evaluation research for processing tomatoes. These amendments have been recommended by the Processing Tomato Advisory Board in response to the discontinuation of the statewide processing tomato variety evaluation trials conducted by the University of California Cooperative Extension. Below is the specific language that is being proposed to add to the marketing order:

ARTICLE 4.5

VARIETY EVALUATION RESEARCH

Section A. RESEARCH ON PROCESSING TOMATO VARIETIES. The Advisory Board is authorized, subject to the approval of the Secretary, to undertake or cause to be conducted, to administer, to enter into contracts with qualified research agencies and to expend monies for research relating to the evaluation of processing tomato varieties.

Section B. DISSEMINATION OF RESEARCH INFORMATION. The Advisory Board, with the approval of the Secretary, may release, distribute, and disseminate the results of research studies, surveys, and information obtained as a result of research, to appropriate parties.

(Over)



The proposed amendments cannot be implemented without first being approved by producers and processors in separate votes conducted by CDFa. The following criteria must be achieved by both segments of the industry in order for the proposed amendments to become effective:

1. At least 40 percent of the total number of eligible entities on record must submit valid ballots, **and**
2. Of those voting, at least 65 percent by number, representing at least 51 percent of the total voted volume, must vote in favor of implementing the proposed amendments, **or**

Of those voting, at least 51 percent by number, representing at least 65 percent of the total voted volume, must vote in favor of implementing the proposed amendments.

If one or both segments of the industry (producer/processor) fail to meet the above criteria, the proposed amendments will not be implemented and the marketing order will remain unchanged.

Enclosed are a referendum ballot and a postage-paid return envelope. Each separate legal entity who currently produces or processes processing tomatoes is entitled to receive a ballot and participate in this referendum. If you would like to participate, please complete all applicable sections on the ballot and return it to the CDFa Marketing Branch in the envelope provided. Ballots must be postmarked or otherwise received by this office no later than **November 8, 2013**.

The results of the referendum will be announced following ballot tabulation. Individual votes will be kept confidential. If you have any questions regarding the major amendment process or the proposed amendments, please contact Joe Monson of this office at (916) 900-5018.

Sincerely,



Robert Maxie, Chief
Marketing Branch

Enclosures