



**DEPARTMENT OF AGRICULTURE**

**Agricultural Marketing Service**

**7 CFR Part 915**

[Doc. No. AMS-SC-20-0064; SC20-915-1 CR]

**Avocados Grown in South Florida; Continuance Referendum**

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Proposed rule; referendum order.

**SUMMARY:** This document directs that a referendum be conducted among eligible growers of avocados grown in South Florida to determine whether they favor continuance of the marketing order regulating the handling of avocados produced in the production area.

**DATES:** The referendum will be conducted from November 30 through December 21, 2020. Only current growers of Florida avocados within the production area that produced avocados during the period April 1, 2019, through March 31, 2020, are eligible to vote in this referendum.

**ADDRESSES:** Copies of the marketing order may be obtained from the Southeast Marketing Field Office, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 1124 First Street South, Winter Haven, FL 33880; Telephone: (863) 324-3375; or from the Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Washington, DC 20250-

0237; Telephone: (202) 720-2491; or on the Internet:

<https://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Abigail Campos, Marketing Specialist, or Christian D. Nissen, Regional Director, Southeast Marketing Field Office, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 1124 First Street South, Winter Haven, FL 33880; Telephone: (863) 324-3375, Fax: (863) 291-8614, or E-mail: [Abigail.Campos@usda.gov](mailto:Abigail.Campos@usda.gov) or [Christian.Nissen@usda.gov](mailto:Christian.Nissen@usda.gov).

**SUPPLEMENTARY INFORMATION:** Pursuant to Marketing Agreement and Order No. 915, as amended (7 CFR part 915), hereinafter referred to as the "Order," and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), hereinafter referred to as the "Act," it is hereby directed that a referendum be conducted to ascertain whether continuance of the Order is favored by growers. The referendum shall be conducted from November 30 through December 21, 2020, among Florida avocado growers in the production area. Only current Florida avocado growers who were engaged in the production of Florida avocados grown in the production area, during the period of period April 1, 2019, through March 31, 2020, may participate in the continuance referendum.

USDA has determined that continuance referenda are an effective means for determining whether growers favor the continuation of marketing order programs. The Order will continue in effect if two-thirds of the growers that cast votes, or growers representing two-thirds of the volume of Florida avocados voted in the referendum, cast ballots in favor of continuance. In evaluating the merits of continuance versus termination, USDA will not exclusively consider the results of the continuance referendum. USDA will also consider all other relevant information regarding the operation of the Order and relative benefits and disadvantages to growers, handlers, and consumers in determining whether continued operation of the Order would tend to effectuate the declared policy of the Act.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the ballots used in the referendum have been approved by the Office of Management and Budget (OMB) and have been assigned OMB No. 0581-0189, Fruit Crops. It has been estimated it will take an average of 20 minutes for each of the approximately 325 growers of Florida avocados to cast a ballot. Participation is voluntary. Ballots postmarked after December 21, 2020, will not be included in the vote tabulation.

Abigail Campos, Dolores Lowenstine, and Christian D. Nissen of the Southeast Marketing Field Office, Specialty Crops Program, AMS, USDA, are hereby designated as the referendum agents of the Secretary of Agriculture to conduct this referendum. The procedure applicable to the referendum shall be the "Procedure for the Conduct of Referenda in Connection with Marketing Orders for Fruits, Vegetables, and Nuts Pursuant to the Agricultural Marketing Agreement Act of 1937, as Amended" (7 CFR 900.400 et seq.).

Ballots will be mailed to all growers of record and may also be obtained from the referendum agents or their appointees.

**List of Subjects in 7 CFR Part 915**

Avocados, Marketing agreements, Reporting and recordkeeping requirements.

**Authority:** 7 U.S.C. 601-674.

**Bruce Summers,**

*Administrator,*

*Agricultural Marketing Service.*

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