



Agricultural Marketing Service

[Doc. No. AMS-SC-26-0067]

Tart Cherries Grown in Michigan, New York, Pennsylvania, Oregon, Utah, Washington and Wisconsin; Continuance Referendum

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Referendum order.

SUMMARY: This document directs that a referendum be conducted among eligible tart cherry growers and processors to determine whether they favor continuance of the marketing order regulating the handling of tart cherries grown in the states of Michigan, New York, Pennsylvania, Oregon, Utah, Washington, and Wisconsin.

DATES: The referendum will be conducted from March 30 through April 20, 2026.

Only current tart cherry growers and processors who have grown or processed cherries within the production area during the period of July 1, 2024, through June 30, 2025, are eligible to vote in this referendum.

ADDRESSES: Copies of the marketing order may be obtained from the office of the referendum agents at 1124 First Street South, Winter Haven, FL 33880; telephone: (863) 324-3375; or from the Docket Clerk, Market Development Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW, STOP 0237, Washington, DC 20250-0237; telephone (202) 720-8085; or on the internet:

<https://www.ecfr.gov/current/title-7/subtitle-B/chapter-IX/part-930>.

FOR FURTHER INFORMATION CONTACT: Steven W. Kauffman, Marketing Specialist, or Christian D. Nissen, Branch Chief, Southeast Region Branch, Market Development Division, Specialty Crops Program, AMS, USDA, 1124 First Street South, Winter Haven, FL 33880; telephone: (863) 324-3375, or email: Steven.Kauffman@usda.gov or Christian.Nissen@usda.gov.

SUPPLEMENTARY INFORMATION: Pursuant to Marketing Order No. 930, as amended (7 CFR part 930; the Order), and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674) (the Act), it is hereby directed that a referendum be conducted to ascertain whether continuance of the Order is favored by tart cherry growers and processors in the states of Michigan, New York, Pennsylvania, Oregon, Utah, Washington, and Wisconsin, § 930.83(d). The referendum will be conducted from March 30 through April 20, 2026, among tart cherry growers and processors in the production area. Only current tart cherry growers and processors that were engaged in the production or processing of tart cherries during the period of July 1, 2024, through June 30, 2025, 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. USDA will consider termination of the Order if less than 50 percent of the growers and processors voting in the referendum, and less than 50 percent of the tart cherry volume represented in the referendum, vote 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 concerning the operation of the Order and relative benefits and costs to growers, processors, and consumers to determine 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 ballot materials used in the referendum have been approved by the Office of Management and Budget (OMB) and have been assigned OMB No. 0581-0177, Tart Cherries Grown in the States of Michigan, New York, Pennsylvania, Oregon, Utah, Washington, and Wisconsin. It has been estimated it will take an average of 20 minutes for each of the approximately 330 tart cherry growers and 30 processors to cast a ballot.

Participation is voluntary. Ballots postmarked after April 20, 2026, will not be included in the vote tabulation.

Steven Kauffman, Delaney Fuhrmeister, Rebecca Geller, Jennie Varela, and Christian Nissen of the Southeast Region Branch, 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 part 900.400 *et seq.*).

Ballots and voting instructions will be sent by U.S. mail, or through electronic mail, to all tart cherry growers and processors of record and may also be obtained from the referendum agents or their appointees.

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

Erin Morris,
Administrator,
Agricultural Marketing Service.

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