

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 986

[Doc. No. AMS–SC–20–0081; SC20–986–2 CR]

#### **Pecans Grown in the States of Alabama, Arkansas, Arizona, California, Florida, Georgia, Kansas, Louisiana, Missouri, Mississippi, North Carolina, New Mexico, Oklahoma, South Carolina, and Texas; Continuance Referendum; Reopening of Voting Period**

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

**ACTION:** Referendum order; amendment to referendum order.

**SUMMARY:** This document reopens the voting period for the referendum being conducted among eligible growers of pecans grown in the states of Alabama, Arkansas, Arizona, California, Florida, Georgia, Kansas, Louisiana, Missouri, Mississippi, North Carolina, New Mexico, Oklahoma, South Carolina, and Texas to determine whether they favor continuance of the marketing order regulating the handling of pecans produced in the production area. The voting period has been reopened for an additional 25 days from June 29, 2021, to July 23, 2021.

**DATES:** The voting period for the referendum will be reopened from June 29 through July 23, 2021. Only current pecan growers within the production area that produced a minimum average of 50,000 pounds of inshell pecans over the four years from October 1, 2016, to September 30, 2020, or own a minimum of 30 pecan acres 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.ecfr.gov/cgi-bin/text-idx?SID=cf046522bce89ba62d75961df4db8b6d&mc=true&node=pt7.8.986&rgn=div5>.

**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 Email: [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. 986, as amended (7 CFR part 986), 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.

A referendum order was published in the **Federal Register** on April 13, 2021 (86 FR 19152). The referendum order specified that the voting period would be from June 7, 2021, through June 28, 2021. USDA has received requests from industry members to extend the voting period as not all eligible growers had received ballots and needed additional time to request one prior to the end of the voting period. Therefore, to facilitate full grower participation in the referendum, USDA is reopening the voting period from June 29 through July 23, 2021. During this time, USDA will continue to mail ballots to eligible voters who request a ballot. All ballots received during the previous voting period and the reopened voting period will be accepted. Voters who have already submitted a ballot need to take no further action.

To be eligible to participate in the continuance referendum, a grower must have produced a minimum average of 50,000 pounds of inshell pecans during the four-year period from October 1, 2016, to September 30, 2020 or must own a minimum of 30 pecan acres.

USDA has determined 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 pecans voted in the referendum, cast ballots in favor of continuance. In evaluating the merits of continuance versus termination, USDA will 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 ballots used in the referendum have been approved by the Office of Management and Budget (OMB) and have been assigned OMB No. 0581–0291, Federal Marketing Order for Pecans. It has been estimated it will take an average of 20 minutes for each of the approximately 4,270 growers of pecans to cast a ballot. Participation is voluntary. Ballots postmarked after July 23, 2021, 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 for 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 may be obtained from the referendum agents or their appointees at the previously mentioned contact information.

#### **List of Subjects in 7 CFR Part 986**

Marketing agreements, Pecans, Reporting and recordkeeping requirements.

**Authority:** 7 U.S.C. 601–674.

**Erin Morris,**  
*Associate Administrator, Agricultural Marketing Service.*

[FR Doc. 2021–14280 Filed 7–2–21; 8:45 am]

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