

Frequently Asked Questions related to the Quota Implementation Plan Amendment Referendum

Voting Period: March 4, 2021 to June 1, 2021

What is being asked by the referendum? The California Department of Food and Agriculture is conducting a referendum among Market Milk producers to determine if the Quota Implementation Plan, effective November 1, 2018, should be modified to equalize regional quota adjusters such that the quota premium in all counties equal \$1.43/cwt. and terminate the QIP effective March 1, 2025. The referendum is called as a result of a petition submitted by United Dairy Families (a copy of the petition may be viewed here: http://www.cdffa.ca.gov/dairy/pdf/hearings/UDF_Petition.pdf) and an Order of Decision issued by the Department Secretary, Karen Ross, on January 25, 2021. A copy of the Order of Decision can be viewed here: https://www.cdffa.ca.gov/dairy/pdf/hearings/OAH2020080708_SIGNED_Decision_from_OAH_1-2_ADA.pdf

Where can I see the changes being proposed? The proposed changes are included with the referendum notice and may be viewed at the following link:

https://www.cdffa.ca.gov/dairy/pdf/hearings/QIP_Referendum_Notice_202103_ADA.pdf

Who can vote in the referendum? Pursuant to the following definitions within the Quota Implementation Plan, eligible producers meet the following definitions within the voting period:

- “Producer” means any person that produces market milk in the State of California from five or more cows and includes members of cooperative associations.
- “Market milk” means milk, cream, or skim milk that is produced in conformity with applicable regulations of the appropriate public regulatory or health authority for disposition as market milk.

How long is the voting period? Statute states a minimum 60 days with an extension not to exceed 30 days. CDFA has established the voting period to include the maximum amount of time, 90 days: starting March 4, 2021 through June 1, 2021. Because the extension is built into the original voting period, there will be no additional extension available after June 1, 2021.

For the vote to be valid, 51% of producer must cast valid ballots. Will CDFA monitor if the 51% minimum participation is met during the voting period? Since the voting period will be the full 90 days allowed, CDFA will not monitor if the 51% minimum participation requirement is met during the voting period. Ballots will remain sealed and will not be tallied until after the close of the voting period.

How is the producer list derived and updated? To be eligible to vote, a producer must have a Market Milk permit. CDFA will combine multiple Market Milk dairies under same/exact ownership and count as one eligible producer. CDFA uses the following sources to update our list and are as follows:

- State inspectors that issue market milk permits
- Authorized county inspectors that issue market milk permits
- The cooperative a producer belongs to

- A plant a producer ships milk to or has a contract with
- A broker a producer markets milk through
- Pool quota transfer applications
- Secretary of State

Can you provide an outline for the process of validating the ballots? CDFA is using the January 2021 Market Milk producer list to verify production numbers and to verify ballots received for tallying purposes. CDFA obtains individual producer monthly production information from cooperatives, handlers/plants, and brokers.

The ballots issued included the names of the authorized Market Milk producers on record for the dairy (or dairies under same ownership) and the respective mailing address; they also included production information. Ballots received by CDFA will remain sealed and will not be opened until ten days after the close of the voting period which is June 1, 2021. This allows time for USPS to deliver those ballots mailed and postmarked June 1, 2021. A ballot will be deemed invalid for any of the following reasons:

- Failure to sign and certify the ballot
- Un-authorized signature on the ballot
- No indication of a “yes” or “no” vote
- Was not received or has a postmark date that is after the June 1, 2021 voting deadline

There will be no curing of ballots after the close of the voting period.

What should a producer do if names on the ballot are not correct? Each ballot will include an identification number, producer number (or numbers), names of individuals on title for the dairy or dairies and mailing address. Names on the ballot are those individuals that are considered authorized to sign the ballot on behalf of the producer. If the individuals listed on the ballot has changed (such as additions or deletions), the producer should contact CDFA at (916) 900-5012 to make corrections and receive a revised duplicate ballot.

It is important that producers know the correct production information used to tally. Will a producer’s production be included on the ballot? CDFA will include the January volume on each ballot. Note that in the event there is more than one dairy associated with the ballot, the January production amount listed will be the combined total for all dairies under the same ownership.

What if the production information on the ballot appears incorrect? Each month CDFA collects the producer production reports from cooperatives, handlers, plants, and brokers. That information is the basis for our monthly assessments; each dairy’s information is tracked using a unique identifier (producer number). If there is a question about accuracy of the production information on the ballot the producer should contact CDFA at (916) 900-5012 for a review of the information and to make any necessary changes.

Can a producer contact CDFA to determine if their ballot was received? Yes. Producers are encouraged to return the ballots in the postage paid return envelope provided with the ballot. The reverse side of the envelope includes the identification and producer numbers

associated with the ballot and will allow CDFA to monitor whether a ballot was received, without opening the envelope.

What if I did not receive a ballot or the ballot is damaged or lost? A producer should contact CDFA at (916) 900-5012 to obtain a duplicate ballot. In the event CDFA receives both the original ballot and the duplicate ballot, CDFA will only use the duplicate ballot for tallying purposes.

What if the dairy had January production, but went out of business before the voting period started? CDFA would only count the ballot if the dairy was operating during the entire voting period.

What if the dairy started operating on or after February 1, 2021? CDFA would allow the producer to vote by number only. The dairies production would not be used in the production tally.

What if I have other questions? Contact CDFA at (916) 900-5012.