

§ 1220.624

7 CFR Ch. XI (1–1–12 Edition)

all of the required information on form LS-51-1.

(e) *Number of invalid requests for a referendum.* An invalid request for referendum includes, but is not limited to the following:

(1) Form LS-51-1 is not signed or all required information has not been provided;

(2) Form LS-51-1 and supporting documentation returned in-person or by facsimile was not received by the last business day of the Request for Referendum period;

(3) Form LS-51-1 and supporting documentation returned by mail was not postmarked by midnight of the final day of the Request for Referendum period;

(4) Form LS-51-1 and supporting documentation returned by mail was not received in the county FSA office prior to canvassing of the ballots;

(5) Form LS-51-1 or supporting documentation is mutilated or marked in such a way that any required information on the form is illegible; or

(6) Form LS-51-1 and supporting documentation not returned to the appropriate county FSA office.

§ 1220.624 Confidentiality.

The names of persons requesting a referendum shall be confidential and may not be divulged except as the Secretary may direct.

§ 1220.625 Counting requests.

(a) The requests for a referendum shall be counted by county FSA offices on the same day as the requests are canvassed if there are no ineligibility determinations to resolve. For those county FSA offices that do have ineligibility determinations, the requests shall be counted no later than the 14th business day following the final day of the Request for Referendum period.

(b) Requests for a referendum shall be counted as follows:

(1) Total number of producers who returned a Request for Referendum form LS-51-1;

(2) Number of ineligible producers requesting a referendum;

(3) Number of eligible producers requesting a referendum;

(4) Number of valid requests for a referendum; and

(5) Number of invalid requests for a referendum.

§ 1220.626 FSA county office report.

The county FSA office report shall be certified as accurate and complete by the CED or designee, acting on behalf of the Administrator, AMS, as soon as may be reasonably possible, but in no event later than 18th business day following the final day of the specified period, have prepared and certified the county summary of requests on a form provided by the Administrator, FSA. Each county FSA office shall transmit the results in its county to the FSA State office. The results in each county may be made available to the public upon notification by the Administrator, FSA, that the final results have been released by the Secretary. A copy of the report shall be posted for 30 days following the date of notification by the Administrator, FSA, in the county FSA office in a conspicuous place accessible to the public. One copy shall be kept on file in the county FSA office for a period of at least 12 months after notification by FSA that the final results have been released by the Secretary.

§ 1220.627 FSA State office report.

Each FSA State office shall transmit to the Administrator, FSA, as soon as possible, but in no event later than the 20th business day following the final day of the Request for Referendum period, a report summarizing the data contained in each of the reports from the county FSA offices. One copy of the State summary shall be filed for a period of not less than 12 months after the results have been released and available for public inspection after the results have been released.

§ 1220.628 Results of the request for referendum.

(a) The Administrator, FSA, shall submit to the Administrator, AMS, the reports from all State FSA offices. The Administrator, AMS shall tabulate the results of the Request for Referendum. USDA will issue an official press release announcing the results of the Request for Referendum and publish the same results in the FEDERAL REGISTER. In addition, USDA will post the official

Agricultural Marketing Service, USDA

Pt. 1221

results at the following Web site: “<http://www.ams.usda.gov/lsmarketingprograms>”.

Subsequently, State reports and related papers shall be available for public inspection upon request during normal business hours in the Marketing Programs Branch office, Livestock and Seed Program, AMS, USDA, Room 2628-S, STOP 0251, 1400 Independence Avenue, SW., Washington, DC.

(b) If the Secretary deems necessary, a State report or county report shall be reexamined and checked by such persons who may be designated by the Secretary.

[69 FR 13461, Mar. 23, 2004, as amended at 74 FR 9049, Mar. 2, 2009]

§ 1220.629 Disposition of records.

Each FSA CED will place in sealed containers marked with the identification of the “Request for Soybean Referendum,” all of the form LS-51-1’s along with the accompanying documentation and county summaries. Such records will be placed in a secure location under the custody of the FSA CED for a period of not less than 12 months after the date of notification by the Administrator, FSA, that the final results have been announced by the Secretary. If the county FSA office receives no notice to the contrary from the Administrator, FSA, by the end of the 12 month period as described above, the CED or designee shall destroy the records.

§ 1220.630 Instructions and forms.

The Administrator, AMS, is authorized to prescribe additional instructions and forms not inconsistent with the provisions of this subpart.

PART 1221—SORGHUM PROMOTION, RESEARCH, AND INFORMATION ORDER

Subpart A—Sorghum Promotion, Research, and Information Order

DEFINITIONS

- Sec.
- 1221.1 Act.
- 1221.2 Board.
- 1221.3 Calendar year.
- 1221.4 Certified organization.
- 1221.5 Conflict of interest.

- 1221.6 Crop year.
- 1221.7 Customs.
- 1221.8 Department.
- 1221.9 First handler.
- 1221.10 Fiscal period.
- 1221.11 Handle.
- 1221.12 Harvest.
- 1221.13 Importer.
- 1221.14 Information.
- 1221.15 Market.
- 1221.16 Net market price.
- 1221.17 Net market value.
- 1221.18 Order.
- 1221.19 Part and subpart.
- 1221.20 Person.
- 1221.21 Producer.
- 1221.22 Production.
- 1221.23 Promotion.
- 1221.24 Qualified sorghum producer organization.
- 1221.25 Referendum.
- 1221.26 Research.
- 1221.27 Secretary.
- 1221.28 Sorghum.
- 1221.29 State.
- 1221.30 Suspend.
- 1221.31 Terminate.
- 1221.32 United States.

SORGHUM PROMOTION, RESEARCH, AND INFORMATION BOARD

- 1221.100 Establishment and representation.
- 1221.101 Nominations.
- 1221.102 Nominee’s agreement to serve.
- 1221.103 Appointment.
- 1221.104 Term of office.
- 1221.105 Vacancies.
- 1221.106 Removal.
- 1221.107 Certification of organizations.
- 1221.108 Procedure.
- 1221.109 Compensation and reimbursement.
- 1221.110 Powers and duties.
- 1221.111 Prohibited activities.

EXPENSES AND ASSESSMENTS

- 1221.112 Budget and expenses.
- 1221.113 Financial statements.
- 1221.114 Operating reserve.
- 1221.115 Investment of funds.
- 1221.116 Assessments.
- 1221.117 Exemptions.
- 1221.118 Refund escrow accounts.
- 1221.119 Refunds.
- 1221.120 Procedure for obtaining a refund.

PROMOTION, RESEARCH, AND INFORMATION

- 1221.121 Programs, plans, and projects.
- 1221.122 Independent evaluation.
- 1221.123 Patents, copyrights, inventions, trademarks, information, publications, and product formulations.

REPORTS, BOOKS, AND RECORDS

- 1221.124 Reports.
- 1221.125 Books and records.
- 1221.126 Use of information.