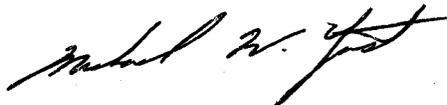


For: State and County Offices

**Soybean Promotion and Research Program Request for Referendum
May 3, 2004, through May 28, 2004**

Approved by: Acting Administrator



1 Overview

A Background

The Soybean Promotion and Research Order (Order), or more commonly known as the Soybean Checkoff Program, was implemented July 9, 1991, as authorized by the Soybean Promotion, Research, and Consumer Information Act (Act), to maintain and expand existing markets and develop new markets for soybeans and soybean products.

The Act required the Secretary to conduct a referendum among eligible soybean producers to determine whether the Order should be continued. In the referendum held February 1994, 53.8 percent of eligible producers voting favored continuing the Order.

The Act also required that the Secretary conduct a producer poll within 18 months of the Secretary's announcement of the results of the initial referendum. The purpose of the poll was to determine whether eligible producers favor conducting a referendum on the continuance of payments of refunds under the Order. In the July 25, 1995, nationwide poll of soybean producers, only 48,782 of the 76,200 needed to favor a refund referendum participated in the poll. Consequently, refunds were discontinued on October 1, 1995. In a Request for Referendum held in October 1999, only 17,970 of the 60,082 needed to request a referendum favored a referendum.

The Act provides that the Secretary, 5 years after the conduct of the initial referendum, will give soybean producers the opportunity to request an additional referendum on the Order. If enough producers request a referendum, then a referendum would be held within a year after the results are announced.

The Administrator of AMS is responsible for conducting the Request for Referendum.

Disposal Date	Distribution
December 1, 2005	State Offices; State Offices relay to County Offices

Notice AO-1304

1 Overview (Continued)

B Purpose

This notice provides instructions to State and County Offices on how to carry out FSA's responsibilities in conducting the Soybean Request for Referendum.

C State and County Office Action

State and County Offices shall assist AMS in conducting the Request for Referendum according to paragraph 2 and Exhibits 1 through 7. AMS provided the instructions.

Note: The United Soybean Board will reimburse FSA for expenses incurred.

Step	Action
1	County Offices shall publicize the Request for Referendum through normal media (that is, newspaper, county newsletter, radio) outlets using Exhibit 2.
2	County Offices shall maintain a register of associated costs and report these costs to the State Office using Part A of the format in Exhibit 3.
3	State Offices shall summarize the County Office costs and report to the National Office using Part B of the format in Exhibit 3. Associated costs incurred by the State Office shall be included in the State report.
4	County Offices shall report the results of the Request for Referendum to the State Office using Part A of the format in Exhibit 4.
5	State Offices shall: <ul style="list-style-type: none">• summarize the County Office results and report to the National Office using Part B of the format in Exhibit 4• report and transmit results to Phil Brockman by FAX to 202-720-5900 or e-mail to phil.brockman@wdc.usda.gov.

Exhibit 3, List of State and County Expenses for Soybean Promotion and Research Program Request for Referendum, is located at <http://165.221.16.90/dam/ffasforms/currentforms.asp>. Enter "Soybean Expenses" in the Form Number area.

Exhibit 4, Transmittal of Results Sheet for Soybean Promotion and Research Program Request for Referendum, is located at <http://165.221.16.90/dam/ffasforms/currentforms.asp>. Enter "Soybean Results" in the Form Number area.

D Contact

State Offices shall direct questions about this notice to Phil Brockman, DAFO at 202-690-8034 or e-mail phil.brockman@wdc.usda.gov.

Notice AO-1304

2 Maintaining FSA's Impartiality

A State and County Office Action

It is extremely important that State and County Offices follow this notice accurately and according to the dates and timeframe provided. AMS requested FSA's assistance to conduct this Request for Referendum.

Caution: State and County Office employees and COC members shall use caution so that it does not appear that FSA is showing bias or partiality. State and County Offices shall not become involved in the following:

- issues relating to the USDA regulations in 7 CFR Part 1220
- encourage or discourage producers from participating in the Request for Referendum
- determine eligibility other than in an official capacity
- prejudice for or against the Soybean Promotion and Research Program.

3 Downloading LS-51-1, Soybean Promotion and Research Order Request for Referendum

A Downloading LS-51-1

County Offices should obtain LS-51-1 (Exhibit 7) through the Internet and reproduce locally as necessary. The AMS Internet address is <http://www.ams.usda.gov/lsg/mpb/rp-soy.htm>. Click on "Information on the Request for Referendum". Click on "Form LS-51-1".

Note: LS-51-1 will be available on the AMS web site beginning May 3, 2004, through May 28, 2004.

AMS Instructions for Conducting the Request for Referendum

1 Survey to request a referendum on the Soybean Promotion and Research Order

A Responsibilities

The Administrator of AMS is responsible for conducting the Request for Referendum.

The Farm Service Agency (FSA) will assist in conducting the Request for Referendum by:

- publicizing the Request for Referendum
- accepting requests for a referendum from soybean producers
- determining eligibility of soybean producers who file a request for a referendum
- reporting Request for Referendum results.

B Purpose

The purpose of these instructions is to:

- describe the significance of the Request for Referendum
- establish procedures about:
 - State and County Office actions
 - producer eligibility
 - showing evidence an assessment was paid
 - canvassing and counting requests and reporting results
 - retention and disposition of records.

2 Request for Referendum Period

A Significance of the Request for Referendum

Only those eligible persons in favor of the conduct of a referendum would need to request a referendum if they want the U. S. Department of Agriculture to conduct a referendum on the Order. If results of the Request for Referendum show that at least 10 percent or 66,358 (not in excess of one-fifth of which may be producers in any one State) of the 663,880 eligible soybean producers request a referendum, it would be held within 1 year from the date the results are announced.

If the results show that less than 10 percent of the eligible producers request a referendum, a referendum will not be held.

AMS Instructions for Conducting the Request for Referendum (Continued)**2 Request for Referendum Period (Continued)****B Time and Place of Request for Referendum**

The Request for Referendum shall:

- be held from **May 3, 2004, through May 28, 2004**
- be held in County FSA Offices.

3 Eligibility**A Eligibility Requirements**

Each “**person**” who was a “**producer**” of soybeans in the United States and who provides evidence, such as a sales document, that they or the producer entity they represent, have paid an assessment on soybeans at least once during the representative period, is eligible to request a referendum. Production of soybeans did not have to occur during the representative period. For example, soybeans could have been produced in 2001.

The representative period is January 1, 2002, through December 31, 2003.

The Soybean Act and Order defines “**person**” as any individual, group of individuals, partnership, corporation, association, cooperative, or any other legal entity. The Soybean Act and Order defines “**producer**” as any person engaged in the growing of soybeans in the United States who owns or who shares the ownership and risk of loss of such soybeans.

Note: Each producer or producer entity is entitled to only 1 request.

Groups of eligible individuals, such as any of the following, are entitled to only 1 request for the group:

- members of a family
- joint venture
- partnership, general or limited
- owners of community property
- corporation.

Note: Individual members of a group, such as spouse, children, siblings, parents, partner, shareholder, etc., are eligible to request a referendum in addition to the request submitted for the group if they have, as an individual, produced soybeans, and provide documentation that an assessment on soybeans was paid during the representative period, January 1, 2002, through December 31, 2003.

AMS Instructions for Conducting the Request for Referendum (Continued)**3 Eligibility (Continued)****A Eligibility Requirements (Continued)**

- An officer or authorized representative of a qualified corporation, association, or limited partnership may submit a request for that corporation, association, or limited partnership.
- A guardian, administrator, executor, or trustee of any qualified estate or trust may submit a request for that estate or trust.
- An individual may not submit a request for another individual.
- Participation in the request for a referendum by proxy or Power of Attorney for an individual is not authorized.
- Under no circumstance should any person wanting to request a referendum be refused the opportunity to do so.

4 Request for Referendum Boxes

County Offices shall provide a holding box or container of sufficient size so arranged that no request can be read or removed without breaking seals on the container.

5 Obtaining LS-51-1

A producer may make an individual request for LS-51-1 in person, by mail, facsimile, or telephone. LS-51-1 shall be mailed directly to the producer at the address provided by the producer if requested by mail, facsimile, or telephone. Producers may also obtain LS-51-1 through the internet at <http://www.ams.usda.gov/lsg/mpb/rp-soy.htm>

Requests must be for only 1 form.

Note: A list of names is not an individual request.

6 Completing LS-51-1, Request for Referendum

County Offices must provide all persons the opportunity to participate in the request for a referendum during regular business hours during the period **May 3, 2004, through May 28, 2004.**

LS-51-1 and supporting documentation showing that the producer, or the producer entity they represent, paid an assessment during the representative period must be returned to the County FSA Office where the producer's farm records are administratively located.

AMS Instructions for Conducting the Request for Referendum (Continued)**6 Completing LS-51-1, Request for Referendum (Continued)**

For the producer, corporation, or other entity not participating in FSA programs, the opportunity to request a referendum will be provided at the County FSA Office serving the county where the producer, corporation, or other entity owns or rents land.

Note: Each producer or producer entity is entitled to only 1 request.

A In Person

Producers who obtain LS-51-1 in person at the appropriate County FSA Office may complete and return the form at that time along with supporting documentation showing an assessment was paid during the representative period. Producers must:

- complete and sign LS-51-1 in its entirety **and** attach (staple) supporting documentation showing a soybean assessment had been paid at least once during the representative period
- place LS-51-1 and attached supporting documentation in the holding box or container.

Note: If a producer wants the supporting documentation returned, make a copy to attach to LS-51-1 and return the supporting documentation to the producer.

B By Mail or Facsimile

Producers who return LS-51-1 by mail or facsimile must complete and sign LS-51-1 in its entirety, and return it to the appropriate County FSA Office along with documentation showing that the producer paid a soybean assessment at least once during the representative period.

When LS-51-1 is returned by mail or facsimile, the County Office shall:

- **date stamp** the form
- attach any supporting documentation (copies are acceptable)
- place the form and documentation in the holding box or container.

AMS Instructions for Conducting the Request for Referendum (Continued)**7 Canvassing Requests**

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

Canvassing of LS-51-1's shall take place on **June 7, 2004**. At least 2 members of COC shall assist with the canvassing. If the County Office serves more than 1 county, then a COC member from each county served by the office shall assist in the canvassing.

Exception: STC or SED, if authorized by STC, may designate the following:

- CED and a county or State FSA employee to canvass requests if it is determined that the number of LS-51-1's is so limited that having members of COC present would be impractical
- CED and/or a county or State FSA Office employee to canvass requests in any emergency situation precluding at least 2 members of COC from being present to canvass the requests.

The requests for a referendum shall be canvassed as follows:

Note: It is the responsibility of the person to provide information needed by the County FSA Office to determine eligibility. It is not the responsibility of the County FSA Office to obtain this information.

A Eligible Requests

Each person who was a producer and provides documentation to prove that they paid an assessment during the representative period will be considered eligible to request a referendum.

B Ineligible Requests

If FSA cannot determine that a producer is eligible based on the submitted documentation or if the producer fails to submit the documentation, the producer shall be determined to be ineligible.

C Valid Requests

Consider a request for a referendum valid after a producer has been determined eligible by FSA and has provided supporting documentation and completed LS-51-1 in its entirety.

AMS Instructions for Conducting the Request for Referendum (Continued)**7 Canvassing Requests (Continued)****D Invalid Requests**

An invalid request for a referendum may include, but is not limited to, the following:

- LS-51-1 is not signed and/or all required information has not been provided
- LS-51-1 and supporting documentation returned **in person or by facsimile** was not received by the close of business **May 28, 2004**
- LS-51-1 and supporting documentation returned by mail was not postmarked by **May 28, 2004**
- LS-51-1 and supporting documentation returned **by mail** was not received in the County FSA Office before canvassing
- LS-51-1, or the supporting documentation, is mutilated or marked in such a way that any required information on the form or supporting documentation is illegible
- LS-51-1 and supporting documentation are not returned to the appropriate County FSA Office.

E Notification of Ineligibility

If FSA cannot determine that a producer is eligible based on the submitted documentation, or if the producer fails to submit the required documentation, the producer shall be determined to be ineligible. FSA shall notify ineligible producers in writing as soon as practicable, but no later than **June 10, 2004**. Use the language shown below, in the letter of notification of ineligibility.

Dear [challenged participant's name]:

This is to inform you that your eligibility to participate in the request for a referendum on the Soybean Promotion, Research, and Consumer Information Order has been questioned.

In order for us to determine if your request is valid, you must provide us with some form of documentation, which may include, at a minimum, a sales receipt showing that an assessment on soybeans was paid by you between January 1, 2002, through December 31, 2003.

If, within five business days after the postmark date of this letter, we do not receive in the County Office additional documentation supporting your eligibility to participate in the request for a referendum, your request will not be counted.

AMS Instructions for Conducting the Request for Referendum (Continued)**7 Canvassing Requests (Continued)****F Appeals**

A person declared to be ineligible by FSA can appeal the decision and provide additional documentation to the FSA County Office within 5 business days after the postmark date of the letter of notification of ineligibility according to subparagraph E. FSA will then make a final decision on the producer's eligibility and notify the producer of the decision no later than **June 17, 2004**. Use the language shown below in the letter to notify the producer of the decision. (Be sure the second paragraph reflects the decision made by FSA.)

Dear [challenged participant's name]:

This is to inform you that FSA has reviewed the documents that you provided in connection with the appeal regarding your eligibility to participate in the request for a referendum on the Soybean Promotion, Research, and Consumer Information Order.

Based on your documentation, we have determined that you (meet/do not meet) the eligibility requirements. We are therefore (including/not including) your request among those that will be counted in the request for a referendum.

8 Counting Requests

If there are **no** ineligibility determinations to resolve, the requests for a referendum shall be counted on the same day as the requests are canvassed, **June 7, 2004**.

For County Offices that **do have** ineligibility determinations to resolve, the requests shall be counted **after** the ineligible determinations have been resolved, but no later than **June 18, 2004**.

LS-51-1, Request for a Referendum, shall be counted as follows:

- total number of producers who filed LS-51-1, Request for Referendum
- number of eligible producers requesting a referendum
- number of ineligible producers requesting a referendum
- number of valid requests for a referendum
- number of invalid requests for a referendum.

AMS Instructions for Conducting the Request for Referendum (Continued)**9 FSA County Office Report**

County Offices shall certify and transmit the results to the State FSA Office as soon as the requests are counted, but no later than **June 24, 2004**. See Exhibit 4.

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 calendar days **following** the date of notification by the Administrator, FSA, in the County FSA Office in a conspicuous place accessible to the public.

10 FSA State Office Report

Each FSA State Office shall certify and transmit the results to DAFO, FSA, as soon as possible, but in no event later than **June 28, 2004**, a report summarizing the data contained in each of the reports from the County FSA Office. One copy of the State summary shall be filed for a period of 1-year and available for public inspection after the results have been released.

11 Results of the Request for Referendum

The results of the Request for Referendum will be issued by USDA in an official press release and published in the Federal Register.

12 Disposition of Records

Each FSA CED will place in a sealed container marked "Request for Soybean Referendum" all of LS-51-1's, accompanying documentation, any other related material, and county summaries. The records will be placed in a secure location under the custody of the FSA CED for a period of not less than 1-year after the date of notification by the Administrator, FSA, that the Secretary has announced the results. If the County FSA Office receives no notice to the contrary from the Administrator, FSA, by the end of the 1-year period, CED or designee shall destroy the records.

News Release

USDA SETS DATE FOR SOYBEAN REQUEST FOR REFERENDUM

WASHINGTON, March 24, 2004 — The U.S. Department of Agriculture today announced that it will offer soybean producers the opportunity to request a referendum on the Soybean Promotion and Research Order as authorized under the Soybean Promotion, Research, and Consumer Information Act.

The request for referendum will be conducted at USDA's County Farm Service Agency Offices. To be eligible to participate, producers must certify and provide documentation that shows that they produced soybeans and paid an assessment on the soybeans during the period of Jan. 1, 2002, through Dec. 31, 2003. Only those producers who desire a referendum on the order will participate.

Beginning May 3, 2004, and continuing through May 28, 2004, producers may obtain a form to request a referendum from County FSA Offices either in person or by sending a request by mail or facsimile. Forms may also be obtained from: <http://www.ams.usda.gov/lsg/mpb/rp-soy.htm>. Individual producers and other producer entities may request a referendum at the County FSA Office where their administrative farm records are maintained. For the producer not participating in FSA programs, the opportunity to request a referendum will be provided at the County FSA Office where the producer owns or rents land. Mail in requests must be postmarked by May 28, 2004, and received in the County FSA Office by June 7, 2004. All other requests made by facsimile or in person, must be received in the County FSA Office by May 28, 2004.

USDA will conduct a referendum on the order if a least 10 percent of the 663,880 soybean producers request a referendum, provided that no more than one-fifth be producers from one State.

The request for referendum is mandated by the act. The act requires that the Secretary of Agriculture conduct a request for referendum every five years after the initial referendum, which was conducted in 1994.

USDA monitors activities of the United Soybean Board. The mandatory program is financed by an assessment of one-half of 1 percent of the net market value of the soybeans.

Notice of the soybean request for referendum will be published in the March 25, 2004, Federal Register.

#

*An electronic version of this news release can be obtained through the World Wide Web at:
<http://www.ams.usda.gov/news/newsrel.htm>*

List of State and County Expenses for Soybean Promotion and Research Program Request for Referendum

This form is available electronically.

U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency		
LIST OF STATE AND COUNTY EXPENSES FOR SOYBEAN PROMOTION AND RESEARCH PROGRAM REQUEST FOR REFERENDUM		
1. STATE NAME	2. COUNTY NAME	
PART A - TO BE COMPLETED BY COUNTY OFFICE		
3. List Grade and Title of personnel working on request for referendum, including COC	A. Hours Worked	B. Costs
		\$
		\$
		\$
4. Reproduction Costs		\$
5. Mailing Costs		\$
6. TOTAL:		\$
7. County Office Certification:		
I hereby certify that I have reviewed the information on this form, and that it is true, complete, and correct to the best of my knowledge and belief.		
A. NAME OF PREPARER	B. TITLE OF PREPARER	C. DATE PREPARED (MM-DD-YYYY)
PART B - TO BE COMPLETED BY STATE OFFICE		
8. List Grade and Title of personnel working on request for referendum, including STC	A. Hours Worked	B. Costs
		\$
		\$
		\$
9. Reproduction Costs		\$
10. Mailing Costs		\$
11. TOTAL:		\$
12. State Office Certification:		
I hereby certify that I have reviewed the information on this form, and that it is true, complete, and correct to the best of my knowledge and belief.		
A. NAME OF PREPARER	B. TITLE OF PREPARER	C. DATE PREPARED (MM-DD-YYYY)
NOTE: State Office shall email or FAX results to National Office. ATTENTION: Phil Brockman at phil.brockman@wdc.usda.gov or Fax to (202)720-5900.		

Transmittal of Results Sheet for Soybean Promotion and Research Program Request for Referendum (Continued)

This form is available electronically.

U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency		
TRANSMITTAL OF RESULTS SHEET FOR SOYBEAN PROMOTION AND RESEARCH PROGRAM REQUEST FOR REFERENDUM		
1. STATE NAME	2. COUNTY NAME	
PART A - TO BE COMPLETED BY COUNTY OFFICE		
3. Total number of producers who filed a form LS-51-1 "Soybean Promotion and Research Order Request For Referendum".		
4. Number of eligible producers requesting a referendum.		
5. Number of ineligible producers requesting a referendum.		
6. Number of valid requests for a referendum.		
7. Number of invalid requests for a referendum.		
8. County Office Certification: I hereby certify that I have reviewed the information on this form, and that it is true, complete, and correct to the best of my knowledge and belief.		
A. NAME OF PREPARER	B. TITLE OF PREPARER	C. DATE PREPARED (MM-DD-YYYY)
PART B - TO BE COMPLETED BY STATE OFFICE		
9. Total number of producers who filed a form LS-51-1 "Soybean Promotion and Research Order Request For Referendum".		
10. Number of eligible producers requesting a referendum.		
11. Number of ineligible producers requesting a referendum.		
12. Number of valid requests for a referendum.		
13. Number of invalid requests for a referendum.		
14. State Office Certification: I hereby certify that I have reviewed the information on this form, and that it is true, complete, and correct to the best of my knowledge and belief.		
A. NAME OF PREPARER	B. TITLE OF PREPARER	C. DATE PREPARED (MM-DD-YYYY)
NOTE: State Office shall email or FAX results to National Office. ATTENTION: Phil Brockman at phil.brockman@wdc.usda.gov or Fax to (202)720-5900.		

Request for Referendum Calendar

Dates	Event
January 1, 2002, through December 31, 2003	Representative Period
May 3, 2004, through May 28, 2004	Request for Referendum Period (4 weeks)
May 28, 2004	Facsimile and in-person requests must be received by COB.
May 28, 2004	Mail-in requests must be postmarked no later than midnight.
June 7, 2004	Mail-in requests must be received in the County FSA Office.
June 7, 2004	<ul style="list-style-type: none"> • FSA begins canvassing and counting requests. • FSA should begin notifying ineligible producers in writing.
June 10, 2004	Last day for FSA to notify ineligible producers in writing.
June 17, 2004	Last day for ineligible producer to provide additional information regarding eligibility.
June 17, 2004	Last day for FSA to determine eligibility.
June 18, 2004	All requests must be counted.
June 24, 2004	Final date for County FSA Offices to send results to State FSA Offices.
June 28, 2004	Final date for State FSA Offices to send results to DAFO, National Office.

Questions and Answers About the Request for a Referendum Required by the Soybean Act**1. How was the soybean checkoff program established?**

Soybean producer leaders developed proposed legislation and worked with congressional leaders and staff to secure passage of the Federal legislation--the Soybean Promotion, Research, and Consumer Information Act (Act) (which was part of the 1990 Farm Bill)--that authorizes the program. The Soybean Promotion and Research Order (Order) (published on July 9, 1991) outlines how the program is to be carried out. Assessments began September 1, 1991. In a February 9, 1994, referendum a majority of producers voted to continue the program.

2. Who administers the program?

The program is overseen by the Secretary of Agriculture (Secretary) and carried out by the United Soybean Board (Board). The Board, which is composed of 62 producer representatives from 29 States and 2 groups of States, is nominated from State producer organizations and appointed by the Secretary. State representation is based on volume of soybean production.

3. What is the Department of Agriculture's (USDA) role in the program?

USDA has 2 basic roles under the Act. The first role is to assist with the implementation of the Act, which includes preparation and publication in the Federal Register the rules and regulations, referendum rules, requests for a referendum, and other required documents. The second role is to oversee the program's activities conducted by the Board to ensure that they comply with the law.

4. What is a Request for Referendum?

The Act requires that the Secretary of Agriculture, 5 years after the conduct of the initial referendum, will provide soybean producers the opportunity to request an additional referendum on the Order. If the results show that at least 10 percent (not in excess of one-fifth of which may be producers in any one State) of all eligible producers want to have a referendum, it will be held within 1 year. The last request for referendum was conducted in October 1999.

**Questions and Answers About the Request for a Referendum Required by the Soybean Act
(Continued)****5. Where and when will the Request for Referendum be conducted?**

The request for a referendum will be conducted at County Farm Service Agency (FSA) Offices. Individual producers and other producer entities may submit their request for a referendum between **May 3, 2004, and May 28, 2004**, at the County FSA Office at which their administrative farm records are maintained. Producers that do not participate in FSA programs and do not have a County Office at which their records are maintained, may submit a request for a referendum at the County FSA Office serving the county where the land is located on which the soybeans were produced. Eligible producers may request LS 51-1 by mail, in person, telephone, or facsimile during the period **May 3, 2004, and May 28, 2004**. LS-51-1 may also be obtained through the Internet at <http://www.ams.usda.gov/lsg/mpb/re-soy.htm> during the same time period. Forms submitted by mail must be postmarked no later than midnight **May 28, 2004**, and received in the County FSA Office by **June 7, 2004**. All other requests made by facsimile or in person must be received in the County FSA Office by COB on **May 28, 2004**. The canvassing of ballots will take place on **June 7, 2004**.

6. Who is an "eligible producer"?

Each person who shared in the production of soybeans and provides evidence that they or the producer entity they represent paid an assessment on soybeans on or between January 1, 2002, through December 31, 2003, is eligible to participate in the Request for Referendum. Production of soybeans did not have to occur during the representative period. For example, soybeans could have been produced in 2001.

7. Can a spouse, child, or partner participate in the Request for Referendum?

A group of individuals (such as members of a family, joint tenants, tenants' in common, a partnership, or owners of community property) is considered a producer entity and is entitled to a single request or "vote". Individual members of a group such as a spouse, child, partner, sibling, shareholder, etc. are eligible to participate as an individual if they are a producer and paid an assessment during the representative period.

8. Can a farm manager or other representative with power of attorney request a referendum?

A farm manager or other representative may request a referendum for a producer entity for which they have a power of attorney, providing the entity meets all of the eligibility criteria. Participation by power of attorney or proxy for an individual is not authorized.

**Questions and Answers About the Request for a Referendum Required by the Soybean Act
(Continued)****9. Who will participate in the Request for Referendum?**

Only those producers who desire a referendum need to participate. Those producers who do not desire a referendum need not participate.

10. How is the outcome of the Request for Referendum determined?

If it is determined that at least 10 percent or 66,388 (not in excess of one-fifth of which may be producers in any one State) of the 663,880 soybean producers request a referendum, it will be conducted within 1 year from that determination. The largest number which is not in excess of one-fifth of the required number of valid request is 13,277. Thus, 13,277 are the maximum number of valid requests from each State, which would be allowed to count toward the total 66,388.

REPRODUCE LOCALLY. Include form number and date on all reproductions. FORM APPROVED - OMB NO. 0581-0093

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

SOYBEAN PROMOTION AND RESEARCH ORDER
REQUEST FOR REFERENDUM

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0093. The time required to complete this information collection is estimated to average 6 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's Target Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

CERTIFICATION STATEMENT

I HEREBY CERTIFY that I am a soybean producer or producer entity that I am authorized to represent and have paid an assessment sometime during January 1, 2002, through December 31, 2003. I am requesting a referendum only once in the same capacity registered. I FURTHER CERTIFY that the supporting documentation that I am providing along with this form is true, complete, and correct to the best of my knowledge and belief. Failure to provide supporting documentation showing that a soybean assessment was paid and complete and sign this form will invalidate the request.

NAME OF INDIVIDUAL PRODUCER OR OTHER PRODUCER ENTITY (Print)

ADDRESS (Street, P.O. Box, or Route No., City, State, ZIP Code)

TELEPHONE NUMBER (Including Area Code)

COUNTY

IMPORTANT: Sign and date this form if you wish to request a referendum on the Soybean Promotion and Research Order.

SIGNATURE OF PRODUCER OR REPRESENTATIVE OF PRODUCER ENTITY

DATE

TITLE (if applicable)

LS-51-1 (02-04) (Previous editions are to be destroyed)