

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 920

[Doc. No. AMS–SC–26–0100]

Kiwifruit Grown in California; Continuance Referendum

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Referendum order.

SUMMARY: This document directs that a referendum be conducted among eligible California kiwifruit growers to determine whether they favor continuance of the marketing order regulating the handling of kiwifruit grown in California.

DATES: The referendum will be conducted from May 18 through June 8, 2026. Only current California kiwifruit growers who have grown kiwifruit for the fresh market within the Order's production area during the period of August 1, 2024, through July 31, 2025, are eligible to vote in this referendum. Ballots delivered to AMS via U.S. mail or electronic ballot must show proof of delivery by no later than 11:59 p.m. Eastern Time on June 8, 2026, to be included in the vote tabulation.

ADDRESSES: Copies of the marketing order may be obtained from the office of the referendum agents at Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 2202 Monterey Street, Suite 102B, Fresno, CA 93721–3129, or the Docket Clerk, Market Development Division, Specialty Crops Program, AMS, USDA,

1400 Independence Avenue SW, STOP 0237, Washington, DC 20250–0237, or internet: <https://www.ecfr.gov/current/title-7/subtitle-B/chapter-IX/part-920>.

FOR FURTHER INFORMATION CONTACT: Kathie Notoro, Marketing Specialist, or Abigail Maharaj, Branch Chief, West Region Branch, Market Development Division, Specialty Crops Program, AMS, USDA, 2202 Monterey Street, Suite 102B, Fresno, CA 93721–3129; Telephone: (559) 487–5901, or Email: kathie.notoro@usda.gov or Abigail.Maharaj@usda.gov.

SUPPLEMENTARY INFORMATION: Pursuant to Marketing Order No. 920, as amended (7 CFR part 920; 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 California kiwifruit growers. The referendum will be conducted from May 18 through June 8, 2026, among California kiwifruit growers in the Order's production area. Only current California kiwifruit growers that were engaged in the production of kiwifruit for the fresh market during the period of August 1, 2024, through July 31, 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. Under § 920.63(e), USDA must conduct a referendum every six years. USDA would consider termination of the Order if less than 50 percent of the growers voting in the referendum, and less than 50 percent of the kiwifruit 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, handlers, 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. 0581–0189, Fruit Crops. It has been estimated that it will take an average of 20 minutes for each of the approximately 142 California kiwifruit growers to cast a ballot. Participation is voluntary. Ballots delivered to AMS via U.S. mail or electronic ballot must show proof of delivery by no later than 11:59 p.m. Eastern Time on June 8, 2026, to be included in the vote tabulation.

Kathie Notoro and Abigail Maharaj of the West Region Branch, Market Development Division, 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 California kiwifruit growers 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.

[FR Doc. 2026–09326 Filed 5–8–26; 8:45 am]

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