

Motion to Recommend Volume Regulations: 2018 Producer Allotment

2018 Producer Allotment:

1. Pursuant to CFR Section 929.51, the Cranberry Marketing Committee recommends to the Secretary of Agriculture of the United States that the Secretary establish a Producer Allotment under Section 929.49 at **75% allotment of cranberries for the 2018 cranberry crop, with a Restricted Percentage of 25%**, without the further use of marketable quantity of cranberries.
2. In order to effectuate the above Producer Allotment, the Committee further recommends that the regulation issued by the Secretary shall include the clarification that any handlers, at the handler's discretion, **may receive all cranberries in excess of their growers' annual allotments on acres for which each grower will deliver to such handler, which shall be treated by the handler as excess cranberries**. This clarification has further authority under Sections 929.49 and 929.59.
3. The Committee recommends **an exemption from the calculation of a grower's 2018 annual allotment of up to 2,500 barrels for each grower on record for the 2016 crop year**. Following the calculation of a grower's allotment, the exemption will be applied. If a grower's allotment is less than 2,500 barrels, the grower's allotment will not be adjusted by the allotment percentage. For any grower whose allotment is greater than 2,500 barrels, the allotment percentage established under 929.49(b) will not be applied to the first 2,500 barrels, but will be applied to all barrels exceeding 2,500 barrels. For growers whose allotment is above 2,500 barrels, their allotment can be expressed by the following formula: $[(\text{Sales History} - 2500 \text{ bbl}) \times 0.75] + 2500 \text{ bbl} = 2018 \text{ Annual Allotment}$. Growers may transfer up to their total allotment pursuant to 929.50.
4. The Committee also recommends that the regulation issued by the Secretary shall include the clarification pursuant to 929.59(a) that **up to 50% handler-held excess cranberries may be converted and disposed of in any form other than whole fruit, based on equivalent volumes**, as set forth in the Cranberry Forms Equivalency Table attached as Exhibit 1, and such disposal may occur after March 1, 2019 and before August 31, 2019. This clarification has further authority under Section 929.60(e), as it relates to 929.52 and 929.49.
5. The Committee also recommends that the regulation issued by the Secretary shall **exempt USDA certified organic cranberries** from this Producer Allotment.
6. Committee recommends that regulation issued by the Secretary shall provide that the outlets for excess fruit shall be subject to the language in Section 929.61 and 929.104,

provided that paragraph (b) of that section shall not apply to paragraphs (a)(2)-(4), with no further noncompetitive outlets.

7. The Committee recommends that regulation issued by the Secretary shall provide that the Producer Allotment be implemented using the sales history as set forth in Section 929.149.
8. The Committee further recommends that the regulation issued by the Secretary shall include and provide any other adjustment, clarification or modification to the Cranberry Marketing Order regulations as necessary and appropriate to carry out the intentions of this vote and to effectively and efficiently implement the 2018 Producer Allotment described herein.