

**LAKE COUNTY DISTRICT 2 LOCAL WINEGRAPE COMMISSION
VOTER ACCESS PROCEDURES**

Pursuant to its authority in California Food and Agricultural Code Section 74892, the Commission hereby adopts the following procedures.

Food and Agricultural Code Section 74955 provides that all proprietary information, including all lists of producers, in the possession of the Commission or the Secretary of the California Department of Food and Agriculture ("Secretary") is confidential and shall not be disclosed except when required by a court order after a hearing in a judicial proceeding involving the Commission.

To enable any producer or vintner subject to the provisions of Commission law to contact other producers or vintners on the Commission's list regarding an election, referendum, or an act or determination of the Commission board, the Commission shall, upon request as provided by these procedures, conduct an informational mailing as follows:

1. The person making a request for mailing (Applicant) shall submit to the Commission a Request for Mailing (Request) on a form provided by the Commission (Attachment "A"). The Applicant shall specify whether he or she wishes to contact producers or vintners or both. A Request regarding an election or referendum must be submitted by the Applicant within the 90 day period prior to the election or referendum. A Request regarding an act or determination of the Commission, including but not limited to the way an election or referendum was conducted, shall be submitted by the Applicant not more than sixty (60) days before, nor more than thirty (30) days after the act or determination.
2. The Request shall include a Statement of Compliance and Non-Commercial Use (Statement) completed and signed by the Applicant. The Statement shall include the Applicant's:
 - a. Acknowledgement of receipt and understanding of these Voter Access Procedures,
 - b. Agreement to abide by these procedures,
 - c. Declaration that the mailing is for a non-commercial use associated with a Commission election, referendum, or an act or determination of the Commission.
 - d. Declaration that the proposed mailing contains no defamatory, false, misleading or obscene language.

- e. Declaration that the Applicant is a producer or vintner as defined in and subject to Commission law.

The Applicant shall also acknowledge that the Statement of Compliance and Non-Commercial Use is a Statement required by the Commission as set forth in California Food and Agricultural Code Section 74971 and that providing false information is a violation of that section.

3. The Commission shall verify the Applicant's status as a producer or vintner subject to the provisions of Commission law by checking the Applicant's name against the Commission's list of producers and vintners.
4. Upon receipt of the completed Request and Statement and verification of status, the Commission shall, within five (5) business days, notify the Applicant of the number of producers or handlers on the relevant list to enable the Applicant to prepare the appropriate number of mailings.
5. The Applicant shall prepare the mailings by placing them in plain, stamped, sealed envelopes and delivering them to the Commission. All mailings shall include a statement on the material inside which clearly identifies the Applicant as the individual responsible for the mailing. The Applicant's name and address shall not appear on the outside of the envelopes.
6. Upon receipt of a properly prepared mailing, the Commission shall, within five (5) business days, place a mailing label on each envelope and deposit the envelopes in the U.S. Mail. In addition, the Commission shall affix a disclaimer to the outside of each envelope as follows:

"The material contained in this envelope is not endorsed by, nor does it necessarily reflect the views of, the Lake County Winegrape Commission. All costs for this mailing were paid by the author."

The Commission shall not have access to the contents of the mailing prior to deposit of the entire mailing in the U.S. Mail.

7. The Commission shall require payment of a fee to cover the costs of handling a requested mailing. The fee shall not exceed the Commission's actual cost.
8. Upon completion of the Applicant's mailing, the Commission shall send written confirmation to the Applicant within five (5) business days certifying that the mailing was conducted in accordance with these procedures.
9. The Applicant shall bear all responsibility for insuring that envelopes used meet postal regulation requirements and carry sufficient postage.

10. The Applicant shall be solely responsible for the contents of the mailing and for any claims arising from the mailing. By requesting a mailing, the Applicant agrees to indemnify, defend, and hold harmless the Commission against any and all claims, actions, losses, disputes, debts, obligations, liabilities, and/or reasonable attorneys' fees and costs arising from the contents of the mailing.
11. Any Applicant claiming to be aggrieved by the actions of the Commission under these procedures may file a grievance pursuant to the Commission's Grievance Procedures.

ATTACHMENT A

**LAKE COUNTY DISTRICT 2 LOCAL WINEGRAPE COMMISSION
REQUEST FOR MAILING/STATEMENT OF COMPLIANCE AND
NON-COMMERCIAL USE
(VOTER ACCESS PROCEDURES)**

I hereby request the Lake County District 2 Local Winegrape Commission to conduct a mailing of my statement regarding: (mark one)

(___) an election,

(___) a referendum, or

(___) an act or determination of the Commission

to all (producers_____ vintners_____) on the Commission's list of producers and/or list of vintners in accordance with the Commission's Voter Access Procedures.

I understand that within five business days the Commission will provide me with the number of persons who will receive my statement so that I may prepare the mailing.

I have received, read, understand and agree to comply with the Commission's Voter Access Procedures and certify that my proposed mailing:

1. Is for a non-commercial use associated with a Commission election, referendum, or an act or determination of the Commission, and
2. Contains no defamatory, false, misleading or obscene language.

I further certify that I am a producer or vintner as defined in and subject to Commission law.

I agree to indemnify, defend, and hold harmless the Commission for and against any claims, actions, losses, disputes, debts, obligations, liabilities and reasonable attorneys' fees and costs arising from the contents of my proposed mailing.

I understand that this document is a statement required by Section 74971 of Commission law which provides that it is unlawful to furnish a false statement to the Commission.

Name

Business Name

Signature

Date