

# Processed Blackberry Marketing Order Proponent Committee

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February 20, 2003

A. J. Yates, Administrator  
Agriculture Marketing Service  
United States Department of Agriculture  
1400 Independence Ave. SW  
Room 3071, STOP 0201  
Washington, DC 20250-0201

Dear Mr. Yates,

The Processed Blackberry Marketing Order Proponent Committee (Committee) hereby requests an administrative hearing for the purpose of hearing testimony on the promulgation of a Federal Marketing Order regulating the sale of processed blackberries grown in the states of Oregon and Washington. We have enclosed the text of the proposed marketing order and a narrative description of the industry dynamics that justify its implementation.

The need for market intervention in the processed blackberry industry is critical. The industry is enduring extreme financial distress that is the result of perpetual overproduction, flat market demand, and extreme volume and price fluctuations. This proposed order would utilize volume controls and reserve pooling to stabilize the marketplace. We also envision that the marketing promotion and paid advertising provisions of the order will be employed to help grow the industry once volume and price stabilization has been achieved.

This request for an administrative hearing comes after nearly three years of work by this committee, including the necessary initial step of lobbying Congress to amend the Agricultural Marketing Agreement Act of 1937 to allow a marketing order for processed blackberries. That amendment, adding "caneberries" to the commodity list, was passed as part of the 2002 Farm Bill. Since securing the authority to pursue an order, our mission has turned to drafting a thorough and sensible order that fairly represents the interests of blackberry growers.

Throughout each stage of the process, we have attempted to engage all of the interested parties in the discussion. This proposed marketing order is the product of that dialogue. We believe that it could become a significant tool in correcting the industry's economic situation and become the catalyst to propel it into the future. If implemented, this proposed marketing order would significantly increase the overall returns to growers in this industry. We welcome the opportunity to present and justify this proposed order at a hearing.

Every effort has been made to ensure that all blackberry growers in the region have been kept informed of this proposed action and have had a say in its formation. Well publicized open meetings have been held to inform interested parties of the content of the proposed order and to receive their input. Handlers have also been invited to take part in the discussion. Draft copies of the proposed order have been mailed to every blackberry grower of record to ensure that everyone has had an opportunity to read the language and respond accordingly. From the comments we have received thus far, we believe that there is a strong consensus of support for the proposed order. Only a small percentage of growers and handlers are openly opposed to this action.

Several industry groups have given support to the scheduling of a hearing. The Oregon Raspberry and Blackberry Commission, a state regulated commission that represents the interests of blackberry growers, supports this effort to return their grower constituents to profitability. The Marionberry Marketing Association, a grower-owned cooperative bargaining association whose members represent approximately 30% of the Blackberry industry, has pledged support for this marketing order from its inception. The largest processing handler in the industry, also a grower-owned cooperative, is in favor of holding an administrative hearing on this proposal. With these organizations and a number of other individual growers in support, we respectfully request your consideration for an administrative hearing at the earliest possible date.

We would be happy to provide any additional information you believe might be relevant to this request. We would like to schedule a meeting with you in the near future to explain the importance of this proposed order to the industry.

Your efforts on our behalf are much appreciated. Thank you for your time.

Processed Blackberry Marketing Order Proponent Committee:  
Post Office Box 1133  
Sherwood, Oregon 97140

Committee Members:

Bret Haury  
Jim Love  
Perry Lucas  
Brian Parson  
Jeff Steele  
Tom Sweeney