National Pork Producers (Pork Act) Delegate Body Election Process Procedures

State Association Manual to assist in Election of 2027 Delegates

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DIVERSITY STATEMENT

The National Pork Board continuously strives to support, represent and promote the products of all United States pork producers regardless of gender, race, sexual orientation, religion, age, education, type of production system or industry experience. The National Pork Board works diligently to ensure that the Delegate Body is representative of U.S pork producers and the pork industry as a whole. All individuals who have an interest and play a role in the success of the pork industry are invited to participate in the Pork Act election process and bring forth their ideas, experiences and enthusiasm to the decision-making process established through the Delegate Body.

INTRODUCTION

Each year, state associations elect delegates to serve at the annual National Pork Forum. As members of the Delegate Body, those selected serve as voices of their home state during Forum and have the opportunity to vote on measures that will impact pork producers across the country. This institutional process was established by legislation as part of the Pork Act and Order and is vitally important to the sustainability of the United States pork industry.

There are two ways to become a delegate to the National Pork Producers Delegate Body: through Formal Election or Producer Petition. This informational document addresses the responsibilities of state associations that conduct a Formal Election Process.

Only states with a recognized state pork producer association can conduct a Formal Election. States associations must provide equal opportunities to participate to all producers who have paid all Checkoff Assessments since the previous election.

The number of delegates from each state is determined by the amount of annual Pork Checkoff Assessments from that state. See Exhibit I for a full table of the number of delegates by state.

ELECTION PROCEEDINGS TIMELINE FOR 2027

July 1 OR 30 days in advance of your State election (whichever occurs first)	Deadline for states to file State Association Formal Election Plan with National Pork Board
At least one week prior to Election	Published notices in at least two state circulated publications
July 31	Last day to conduct Formal Elections
July 31 or 14 days post-election* (Whichever occurs first)	Forms AD755 and LPS 35, and State Election Certification due to National Pork Board
February 1, 2028 (Target date*)	Secretary of Agriculture will appoint National Pork Producers Delegate Body
March 2028	National Pork Producers Delegate Body Meeting – Pork Forum

*National Pork Board staff shall submit required documentation to the United States Department of Agriculture on a rolling basis as that documentation is submitted by the states to facilitate a timely decision-making process. It is the National Pork Board's goal and intent to provide the Secretary of Agriculture with information so that the Secretary can confirm the Delegate Body as far in advance of the National Pork Forum as possible. This goal is important to allow delegates ample time to prepare to leave their home operations for the time required to be present at Forum and so that travel arrangements can be made in the most fiscally responsible manner possible.

PRE-ELECTION PROCEDURES

State Association Formal Election Plan

1. The State Association Formal Election Plan ("Plan") form can be found attached hereto as Exhibit A. The Election Plan form must be completed and submitted to the National Pork Board by July 1, 2027, OR 30 days before the state's election (whichever occurs first).
2. As a part of the Plan, the state association is required to appoint an Election Committee. This committee shall oversee and conduct the formal election, including voting procedures, authentication, and reporting of results to the National Pork Board. A minimum of three committee members is required. The association president may not serve as the committee chair. Extension personnel, allied industry, association staff, or those in similar roles may serve. The Election Committee must be approved by the National Pork Board.
3. The State Association will also have the *option* of creating a Nominating Committee. The duty of the Nominating Committee is to nominate eligible pork producers as delegates. Any pork producer residing in that state may serve on the committee. The Executive Committee may also serve as the Nominating Committee if they pay Checkoff. A minimum of three members is recommended, but not required.
4. The Plan also includes a draft copy of the public notice that will be published at least one week prior to the election.
5. Finally, the Plan must be approved by the State body (e.g., Board, Exec Committee, President) prior to submitting to the National Pork Board. Approved Plans must be submitted by July 1 OR 30 days before the election (whichever occurs first).

Public Notice Requirement

1. A public notice of the election should appear at least *one week in advance* of the election in at least two different publications (which can be printed or online).
2. This notice should provide the time and place of the election and how to obtain more information. It should also encourage producers to bring copies of marketing receipts as proof of Checkoff payment for the last 12 months.

3. A notice should be published in a publication of general circulation within the entire state, which can include electronic formats like social media but shall not exclude other forms of broad notifications. A notice should also be published in the pork and trade publication within the state.
4. An example of a public notice can be found attached hereto as Exhibit B.

ELECTION PROCEDURES

Nominations can be accepted in one of the following ways: from the Nomination Committee, through a nomination from the floor, or submission of a signed written petitions with signatures from either one hundred eligible producers within that state or 5% of eligible producers within that state (whichever is less).

Eligible Candidates

a. Eligibility criteria
    i. An individual who produces porcine animals in the United States for sale in commerce, or an authorized representative of a corporate producer, who is subject to assessment; and
    ii. Checkoff assessments paid in full for the last year; and
    iii. Entity paying the Checkoff must reside in the state; and
    iv. Must be 18 years of age or older.
b. Candidates may be required to provide:
    i. Name and address
    ii. Written biography
    iii. Personal interview
    iv. Marketing receipts showing Checkoff deduction
    v. All nominated candidates must complete a *Delegate Candidates Certification Form (Exhibit C)* prior to voting.
c. Other considerations:
    i. Multiple candidates from a single Checkoff entity are allowed.
    ii. Producers must be allowed to challenge a candidate's eligibility during candidate certification.
    iii. If the Nominating or Election Committee determines that a candidate is ineligible, that candidate's name must be removed from the ballot prior to voting.

NOTE: Producers who are found to not be eligible candidates must not be publicly or privately embarrassed. In cases where eligibility is questioned, the Nominating or Election Committee Chairperson should contact the National Pork Board for advice.

Eligible Voters

a. Eligibility criteria

i. Individual who produces porcine animals in the United States for sale in commerce, or an authorized representative of a corporate producer, who is subject to assessment; and
    A. Checkoff assessments paid in full for the last year; and
    B. Entity paying the Checkoff must reside in the state; and
    C. Must be 18 years of age or older.

b. Other considerations
    i. All those wishing to vote must sign the *Voter Registration Form (Exhibit E)*.
    ii. Proxy voting is not allowed.
    iii. Absentee voting is only allowed upon approval from the National Pork Board.
    iv. Only one vote per Checkoff business entity is allowed.

NOTE: Producers who are found to not be eligible voters must not be publicly or privately embarrassed. In cases where eligibility is questioned, the Nominating or Election Committee Chairperson should contact the National Pork Board for advice.

Example Scenarios for Determining Eligibility

Scenario A: The corporate headquarters and all the associated farms of Acme Company are in the state of Ohio and all their representatives/producers work and reside there. Acme Co. regularly pays its Checkoff. A Pork Act Delegate Election is about to take place. There are several employees of the Acme Co. who are attending the Pork Act Delegate Election event along with other resident producers in the state of Ohio. Who is eligible to participate in the Delegate Election?

Answer – Who Can Be Nominated/Elected: One or more Acme Co. representatives/ producers may be nominated and/or elected as a Pork Act delegate(s) from Ohio. Those elected individuals – if duly appointed by the USDA Secretary of Agriculture – will have full voting privileges at the National Pork Forum as a Pork Act Delegate representing the state of Ohio.

Answer – Who Can Vote: One individual who resides in the state of Ohio and is the designated representative of Acme Co. may cast one vote at the Delegate Election in Ohio. No other representatives/producers of Acme Co. are eligible to vote on behalf of Acme Co., however, if one or more representatives/producers of Acme Co. have marketed their own pigs and paid Checkoff in their own names, then can they vote representing themselves.

Scenario B: The corporate headquarters of the Acme Company is in Ohio. There are also farms and associated offices for the company in the states of Indiana and Illinois.

Representatives/producers for Acme Co. reside in all three of these states. Acme Co. regularly pays their Checkoff. Pork Act Delegate Elections are about to take place in the relevant states. Who is eligible to participate in these elections?

Answer – Who Can Be Nominated/Elected: Representatives/producers of the Acme Co. in each of Ohio, Indiana and/or Illinois may be nominated as Pork Act Delegates to represent their respective states. Those elected individuals – if duly appointed by the USDA Secretary of Agriculture – will have full voting privileges at the National Pork Forum as a Pork Act Delegate representing their respective state.

Answer – Who Can Vote: One individual who resides in the state of Ohio and is the designated representative of the Acme Co. may cast one vote at the Delegate Election in Ohio. No individual representing Acme Co. may vote in the states of Indiana or Illinois. However, if one or more representatives/producers of Acme Co. have marketed their own pigs and paid Checkoff in their own names, then can they vote representing themselves in their respective states.

Scenario C: A state association (State "A") has officers and a membership. Some of the members reside in a different state (State "B"). Members of State A's Association also may be representatives/producers of the same farms/companies or may be spouses or parents/children, etc. working in the same operation. When State A holds a meeting where business is being conducted that requires a vote, who is eligible to participate?

Answer: Voter eligibility in State A's association business is dependent upon the content of the State A's pork producer association charter. Each state association has its own rules of voter eligibility. Some states allow members to reside in other states with full participation privileges. States also have varying rules about representatives of the same company and familial relations. In general, unless stated in the state association charter, payment of Pork Checkoff assessments and/or other eligibility requirements related to the delegate body or other Pork Act and Order business are not automatically applicable to business at the state level.

Challenging Eligibility

The voter certification procedure must allow producers to challenge the ability to vote of producers who may not be eligible. If another producer or the Elections Committee does not challenge a producer's eligibility to vote, then that person will be considered eligible to vote. The decision of the Election Committee is final.

If a challenge is made of a producer's eligibility, the following procedure must be used. The form on Exhibit F may be utilized.

a. If the challenge involves the question of "producer" status, then the Elections Committee (or a member thereof), may ask the person whose status has been

challenged the necessary questions to verify producer status. A copy of a marketing receipt proving a hog was sold by the producer from which Checkoff was deducted during the last 12 months is the best proof.

b. If further information is needed, the Committee may contact the market where a producer sells pigs to get verification of Checkoff deduction in last year.
c. If the challenge involves the "residence" status of a producer, the Elections Committee may ask the person in question to provide their driver's license, voter registration card or other documentation of residency.
d. If the challenge involves payment of all assessments due, the Elections Committee should contact Scott Smith, assistant controller, at ssmith@pork.org or 515-223-2600.
e. If, for any reason, the verification cannot be made at the time of election, then the ballot must be kept separate as described under "Voting Procedure" until verification can be made.
f. If the Elections Committee determines a producer is not eligible to vote, such a decision must be held in strict confidence. The person's ballot must be removed from the vote tally.

Voting Procedures

a. Each certified producer can cast one vote per ballot.
b. Voting may be done by secret ballot, but it is not required. A sample ballot can be found attached hereto as Exhibit G.
c. All eligibility challenges must be made prior to voting.
d. If a voter's eligibility has been challenged, their vote should be kept in a sealed envelope until eligibility is determined.
e. Candidates receiving the greatest number of votes are elected.
f. Ballot tabulations should be compiled by the Elections Committee and signed by the Elections Committee chair and maintained as part of the election records (Exhibit G-1).
g. Results for appointment by the Secretary of Agriculture to the National Pork Producers (Pork Act) Delegate Body shall be submitted to the National Pork Board by the Elections Committee within 14 days after the Formal Election and not later than July 31 of the current year. The National Pork Board submits results to the Secretary on a rolling basis as they are received to facilitate a more expedient appointment process.

Minutes

a. Meeting minutes of the Election Process must be taken and kept for one year. The Election Committee Chair or another association official should sign and date the minutes. A sample of minutes can be found in Exhibit H.
b. Exhibit K, Election Certification, must be signed by both the President and the Election Committee Chair. This certifies that the State Association Plan was followed, and all required actions took place.

POST-ELECTION PROCEDURES

a. Once elected, candidates must complete Form AD-755.

b. State Associations must submit Form AD-755, Exhibit K and Form LPS-35 to the National Pork Board within 14 days of the Formal Election, and no later than July 31.
c. States should submit at least two alternates. States with more than six delegates may choose to submit additional alternates so long as the number of alternates does not equal more than one-third of the total number of delegates for that state. Alternates shall be submitted on the Form LPS- 35 in the order of most votes to least votes.
d. Once candidate and alternate names are submitted to the Secretary of Agriculture for appointment, the Secretary is not obligated to choose those with the most votes. Please ensure that all candidates are aware they are not officially delegates until after the Secretary has appointed them as such.

CONCLUSION

The state association's vital role of preparing for and facilitating the election of the Delegate Body cannot be understated. The National Pork Board greatly appreciates the work done by each and every state association and is available to help answer questions or provide other support needed for a successful process. For questions or additional information, please contact, Scott Smith at ssmith@pork.org or 515-223-2600.

DELEGATE ELECTION PROCESS CHECKLIST

For State Association Use Only

To-Do	Due Date	Date Completed
Exhibit A – State Association Plan	July 1 OR 30 days before election (whichever occurs first)	
Publication of Public Notice	At least one week before Election	
Exhibit K – Election Certification	Within 14 days of election, but no later than July 31	
Form AD-755	Within 14 days of election, but no later than July 31	
Form LPS-35	Within 14 days of election, but no later than July 31	