

Petition  
To  
Honorable Richard Ball  
From  
New York Wine & Grape Foundation

WHEREAS, the New York grape industry has had an average annual value of utilized production of about 160,000 tons worth \$53 million dollars during the period 2006-2010 and provided economic impact upon numerous vineyardists, and

WHEREAS, opportunities to market grapes for processing require improvements in production efficiency and the ability to deliver a quality product at the prescribed levels, and

WHEREAS, continually increasing competition from other grape-producing states and countries has resulted in a need to improve efficiency in the production and marketing of New York grapes in order to provide adequate and equitable levels of income to the producers, and

WHEREAS, state and federal support for commercially applicable applied agricultural research required to improve production efficiency and product quality, and to reduce economic waste in marketing of products, is declining while the need for such research to provide for the development of a viable, competitive grape industry continues to increase, and

WHEREAS, other agricultural commodities have developed research and development orders to fund research to help maintain production levels and product quality in order to remain competitive, and

WHEREAS, the evaluation of new varieties and rootstocks that might require less pesticide, production practices that will improve yield efficiency and quality, and other applied research should result in greater returns to growers, maintenance of the grape industry in New York, and assure the availability of high quality grape products to consumers that are produced in an environmentally sound manner,

NOW, THEREFORE, the under signed grape growers submit the following petition to the Commissioner of the Department of Agriculture & Markets of the State of New York:

A proposal for the promulgation of a research and development program to provide for the collection of monies from all commercial producers of grapes for use in grape juice and wine production in New York State for the purposes of improving grape production efficiency and fruit quality, and to contract with persons or organizations or agencies including Cornell University's College of Agriculture and Life Sciences for such purposes.

We, pursuant to Section 294 of Article 25 of the Agriculture and Markets Law of the State of New York, hereby petition the Commissioner:

- a) To call a public hearing for the purpose of reviewing evidence to be submitted by or on behalf of the New York grape industry showing the need for research into grape production efficiency and fruit quality in order to maintain and expand the grape industry in New York State, pursuant to the provisions of Section 294 of Article 25 of the Agriculture and Markets Law.
- b) To review the objectives and acceptability of the proposed research and development program submitted herewith to accomplish the aforesaid purposes.

c) In the event, as a result of said hearing, the Commissioner shall consider that a referendum of grape growers is appropriate and calls for the same, the Commissioner shall promulgate a research and development program if a vote to approve meets the standard in paragraph (i), or paragraph (ii), or paragraph (iii) of subdivision (2) of Agriculture & Markets law Section 294, and said research and development program shall provide for:

- (1) The collection from commercial grape growers of up to 0.5% (one half of one percent) of the farmgate value of grapes processed.
- (2) The appointment of an industry-nominated Advisory Board to advise and assist the Commissioner in the operation of said research and development program.
- (3) Contracting with such persons, organizations, agencies, including Cornell University's College of Agriculture and Life Sciences, as the Commissioner, with advice of the Advisory Board feels will capably conduct such programs for purposes of research and development and for the expenditure of funds collected for these purposes.

Facts and conditions and necessities warranting a research and development program for purposes as stated will more particularly appear from the evidence adduced at public hearings requested by this petition.

Proof will be taken at said hearings, to the above petition and the proposed order, and any person interested in the matter may appear and be heard.

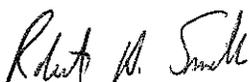
Eligibility to participate in the referendum will be restricted to grape growers who, in the next preceding marketing season, produced or caused to be produced, for any market, grapes in the State of New York.

Respectfully submitted

Trent Preszler  
Grape grower and  
Chairman of the Board  
NY Wine & Grape Foundation

Peter Martini  
Grape grower and  
President  
NYS Wine Grape Growers

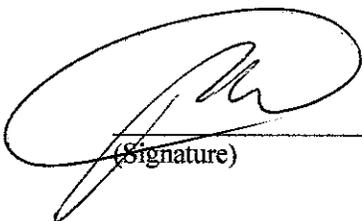
Robert Smith  
Grape grower and  
President  
Lake Erie Regional Group

  
\_\_\_\_\_  
(Signature)

9/20/16  
\_\_\_\_\_  
(Date)

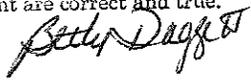
On this day, September 20, 2016,  
appeared before me personally, Robert  
Smith, whose signature witnessed.  
Notary: Rosanne M. Cole  
Chautauque County  
State of New York

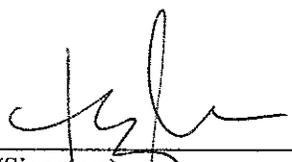
ROSEANNE M. COLE  
Notary Public, State of New York  
No. 4957125  
Qualified in Chautauque County  
Commission Expires 10/10/2017

  
\_\_\_\_\_  
(Signature)

9/27/16  
\_\_\_\_\_  
(Date)

**OATH OF AFFIRMATION**  
State of New York - County of Yates  
On this 27 day of Sept. 2016 before me personally  
appeared Peter Martini to me known or personally  
satisfactory evidence to be the individual named,  
herein, who solemnly swore/affirmed that the contents of  
this instrument are correct and true.

  
BETTY M. DAGGETT  
Notary Public State of New York  
Yates County # 01DA6066162  
Comm. Expires November 5, 2017

  
\_\_\_\_\_  
(Signature)  
PETER J. GUNDERSEN  
NOTARY PUBLIC STATE OF NEW YORK  
No. 01G06331394  
Qualifies in Sullivan County  
 10.3.16