

STATE OF NEW YORK  
DEPARTMENT OF AGRICULTURE AND MARKETS

---

In the Matter of Resuming Activities under the Sour Cherry  
Marketing Order Pursuant to Sections 16-Y and 16-Z of Urban  
Development Corporation Act 174/68 and Section 202.13 of  
Title One of the Official Compilation of Codes, Rules  
and Regulations of the State of New York

---

**NOTICE OF  
SUSPENSION  
REMOVAL**

---

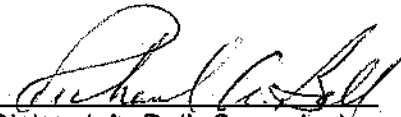
As provided in section 16-Y(3)(e) of the Urban Development Corporation Act 174/68 ("UDCA"), the Commissioner of the Department of Agriculture and Markets, pursuant to a delegation of authority issued by the president of Empire State Development ("ESD"), issued an order suspending the activities of the Sour Cherry Marketing Order ("SCMO") for a period through the 2021-22 growing and marketing season.

The Commissioner of the Department of Agriculture and Markets, pursuant to that same delegation of authority, is authorized to lift such a suspension prior to the conclusion of such growing and marketing season and resume SCMO activities if, in consultation with the SCMO Advisory Committee, it is deemed appropriate.

**FINDINGS AND ORDER**

After consulting with the SCMO Advisory Committee, I hereby find that SCMO activities should be resumed prior to July 1<sup>st</sup>, 2022 to conduct marketing activities prior to the end of the previously ordered suspension period to permit the use of unspent SCMO funding for the benefit of New York's sour cherry industry.

**BASED UPON THE FOREGOING**, I, Richard A. Ball, duly delegated by the President of ESD to make the following determination pursuant to UDCA section 16-Y (3)(e), hereby lift the current suspension of the operation of the Sour Cherry Marketing Order.

  
Richard A. Ball, Commissioner

Dated: Albany, New York  
May \_\_, 2022