

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:

Onions Grown in South Texas;
Hearing on Proposed Amendments to
Marketing Order No. 959

AO Docket No. 25-J-0088
AMS-SC-24-J-0070

ORDER CERTIFYING TRANSCRIPT

Appearances:¹

For the U.S. Department of Agriculture:

Rupa Chilukuri, Esq., and Michelle McMurtray, Esq., Attorneys for the Agricultural Marketing Service, Office of the General Counsel, United States Department of Agriculture, Washington, DC

For the South Texas Onion Committee:

Dante Galeazzi, Manager, South Texas Onion Committee, Mission, TX

Pursuant to 5 U.S.C. § 553 and notice published in the Federal Register,² a hearing on proposed amendments to Marketing Order No. 959, which regulates the handling of onions grown in South Texas, was held on February 3 and 4, 2026, in Mission, Texas. In total, two proposals for transcript corrections were filed with the Hearing Clerk's Office. Each proposal is addressed below.

1. On March 25, 2026, the South Texas Onion Committee filed proposed corrections to the record transcript of the hearing. Upon my review, those proposed corrections are hereby **ADOPTED** by reference, EXCEPT where **REJECTED** ("R") as set forth below:

Date	Page	Line	Proposed Correction	Rejected
2/3/26	81	1	Change "are" to "and"	R

¹ This appearances list comprises only the representatives for participants who filed proposed transcript corrections.

² Marketing Order for Onions Grown in South Texas (M.O. No. 959); Hearing, 91 Fed. Reg. 2881 (Jan. 23, 2026).

2. On March 25, 2026, the Agricultural Marketing Service (“AMS”) filed proposed corrections to the record transcript of the hearing. Upon my review, those proposed corrections are hereby **ADOPTED** by reference, EXCEPT where **REJECTED** (“R”) as set forth below:

Date	Page	Line	Proposed Correction	Rejected
2/3/26	37	9	Change “Pff” to “out”	R
2/3/26	39	6	Change “start” to “to start”	R
2/3/26	41	20	Insert “and the rest” after “us”	R
2/3/26	44	25	Change “Mark” to Marc”	R
2/3/26	50	24	Change “League” to “Committee”	R
2/3/26	53	19	Change “and” to “for”	R
2/3/26	71	25	Change “had had” to “Industry members had”	R
2/3/26	72	8	Change “of” to “or”	R
2/3/26	75	2	Delete “?”	R
2/3/26	77	22	Change “when USDA conducts a referendum” to “when USDA conducts a second referendum”	R
2/3/26	81	1	Change “and are” to “and/or”	R
2/3/26	86	21	Change “in” to “and”	R
2/3/26	104	7	Change “end April” to “end of April”	R
2/3/26	111	20	Insert “to” before “your”	R
2/3/26	119	13	Change “959.950” to “959.50”	R
2/3/26	119	14	Change “9B9.950” to “989.50”	R
2/3/26	162	1	Strike “also”	R
2/3/26	167	25	Change “votes” to “voters”	R
2/3/26	170	9	Change “less” to “low”	R
2/3/26	181	22	Change “been” to “seen”	R
2/3/26	215	22-25	“Is he saying that he grows a lot of commodities or not? Is there a word missing there?”	R
2/3/26	221	6	Change “til” to “during”	R
2/3/26	221	14	Change “added” to “these are”	R
2/3/26	233	10	Change “Not could super housing” to “Just South Texas onions”	R
2/3/26	234	5-6	“Not sure what is being said here”	R
2/3/26	238	8	Insert “it” after “easier”	R
2/3/26	242	21	Strike “Hand foot”	R
2/3/26	249	20	Change “blitzkrieg of” to	R

			“about”	
2/3/26	261	12	Change “me” to “my”	R
2/3/26	262	13	Insert “Lost” before “most”	R
2/3/26	289	8	Change “important of celebrating the season” to “importance of the celebrated season”	R
2/4/26	4	24	Change “Termination” to “Amendments”	R
2/4/26	85	11	Change “in” to “has”	R
2/4/26	149	23	Change “plantology” to “pathology”	R
2/4/26	151	20	Change “TDA” to “Specialty”	R
2/4/26	152	8	Change “TDA” to “Specialty”	R
2/4/26	189	5	Change “agencies” to “matrices”	R
2/4/26	204	25	Change “on” to “in”	R
2/4/26	210	23	Change “market” to “marketing”	R
2/4/26	213	20	Change “smaller” to “voting”	R
2/4/26	223	6	Change “Eankey” to “pankey”	R
2/4/26	249	7	Insert “deciding factor” after “that”	R
2/4/26	251	6	Change “Number” to “Exhibit”	R

In addition, the undersigned has, *sua sponte*, identified corrections to be made to the record transcript, which are hereby **ADOPTED** as follows:

Date	Page	Line	<i>Sua Sponte</i> Correction
2/3/26	37	9	Change “off” to “out”
2/3/26	39	6	Insert “to” after “start”
2/3/26	41	20	Strike “through us” and insert “though the rest”
2/3/26	45	17	Change “Mark” to “Marc”
2/3/26	71	25	Strike “had” from “had had”
2/3/26	72	8	Strike “of”
2/3/26	81	1	Strike “are”
2/3/26	104	13	Insert “of” between “end” and “April”
2/3/26	119	13	Change “9B9.950” to “959.50”
2/3/26	162	2	Strike “also”
2/3/26	238	8	Insert “it” before “easier”

2/3/26	242	21	Insert “and” between “hand” and “foot”
2/3/26	262	13	Insert “lost” before “most”
2/4/26	85	10	Change “is” to “has”
2/4/26	152	8	Change “specific” to “specialty”
2/4/26	207	10	Strike “in”
2/4/26	209	23	Change “market” to “marketing”
2/4/26	223	6	Change “Eankey” to “Pankey”

I hereby certify that to the best of my knowledge and belief, the transcript of the testimony given during the hearing is a true rendition of the testimony, except for any remaining obvious or immaterial spelling and any typographical or grammatical errors, and with the corrections as adopted hereinabove.³

I further certify that the record includes the following exhibits, which were admitted into evidence:

February 3, 2026

<u>Exhibit</u>	<u>Description</u>	<u>Offered</u>	<u>Admitted</u>
1	Notice of Hearing: Federal Register, Vol. 91, No. 15	18	19
2	Certificate of Mailing	18	19
3	Certificate of News Release	19	19
4	Certificate of Officials Notified	19	19

³ In this age of electronic communication, I find that it would be counterproductive for the Hearing Clerk to note the corrections on the “hard copy” of the transcript; therefore, the Hearing Clerk need not follow the specifications set forth to that effect in 7 C.F.R. § 900.10. The above-referenced corrections that are adopted herein are deemed to be a part of the transcript as if the Hearing Clerk had physically noted those corrections on a hard copy, and a copy of this Order Certifying Transcript shall accompany any and all official copies of the transcript in this matter.

5	Testimony of Marc McFetridge	21	22
6	Texas Onions, Crop Years: 2014-2024	21	22
7	Testimony of Jed Murray	27	27
8	Testimony of Dante Galeazzi	52	52
9	Section 959.84(d), Termination	107	150
10	7 CFR Part 959 (1/28/2026)	120	150
11	Testimony of Bret Erickson	206	206
12	Testimony of Michael Davis	206	206
13	Testimony of Kristen Davis	304	304

February 4, 2026

<u>Exhibit</u>	<u>Description</u>	<u>Offered</u>	<u>Admitted</u>
14	Testimony of Sabrina Fisher	71	71
15	Testimony of Steve Cargil	71	71
16	Testimony of Melinda Goodman	95	95
17	Testimony of Dr. Juan Anciso	111	111
18	Testimony of Dr. Sabas Malla	146	146
19	Budget & Nominations Minutes (June 8, 2023)	172	172
20	Budget & Nominations Minutes (June 18, 2023)	172	172
21	Nominations Marketing Subcommittee Minutes (August 19, 2024)	177	177
22	Budget & Nominations Minutes (June 3, 2025)	177	177
23	Minutes, Organizational Meeting (October 23, 2025)	177	177
24	Request for Termination	177	177
25	Proposed Amendment to CFR Part §959 (Continuation/Termination Language)	177	177
26	Proposed Amendment to CFR Part §959 (Paid Advertisements)	177	177

27	Proposed Amendment to CFR Part §959 (Contributions)	177	177
28	Proposed Amendment to CFR Part §959 (Public Member from Allied Industry)	177	177
29	South Texas Onions: Provisional Regulatory Text Amendments	177	177
30	Testimony of Dr. Will Beckwith	196	196

Pursuant to the briefing schedule that was established during the hearing, all briefs shall be filed with the Hearing Clerk's Office no later than 4:30 p.m. Eastern on **Friday, May 1, 2026**, which is 30 calendar days after the transcript is certified.⁴

Copies of this Certification of Transcript shall be served upon the parties by the Hearing Clerk.

Done at Washington, D.C.,
this 1st day of April 2026,

Tierney Carlos

Tierney Carlos
Administrative Law Judge

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Washington, D.C. 20250-9203
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SM.OHA.HearingClerks@USDA.GOV

⁴ See Feb. 4, 2026 Tr. at 253.

CERTIFICATE OF SERVICE

Federal Marketing Order for South Texas Onion

Docket: 25-J-0088

I HEREBY CERTIFY that a true and correct copy of the ***ORDER CERTIFYING TRANSCRIPT*** has been furnished and was served upon the following parties on ***April 1, 2026***, by the following:

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Respectfully Submitted,

Marilyn T. Kennedy

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