and absentee ballot (Form LS-62) and certify that:

- (i) they or the entity they represent were producers, feeders, or importers during the specified representative period,
- (ii) if voting on behalf of an entity referred to in subsection § 1280.652, they are authorized to do so; and

(iii) the volume of production listed is a true and accurate representation.

(3) A producer, feeder, or importer, after completing the absentee voter registration form and the ballot, shall remove the ballot portion of the combined registration and absentee ballot form (Form LS–62) and seal the completed ballot in a separate envelope marked "SHEEP BALLOT" (Form LS–61–1) and place the sealed envelope in a second envelope marked "SHEEP REFERENDUM" (Form LS–62–1) along with the signed registration form.

Producers, feeders, and importers shall legibly print their names on the envelope marked "SHEEP REFERENDUM" (Form LS-62-1), and mail or hand deliver it to the local county CES office of the county in which they reside or the county CES office serving the county in which they reside. In the case of a partnership, corporation, estate, or other entity, the registration form and ballot must be mailed or hand delivered to the county CES office in the county in which its main office is located or the county CES office in the county serving the county in which its main office is located.

(4) Absentee ballots must be received in the county CES office by the close of business, 2 business days before the date of the referendum. Absentee ballots received after that date shall be counted as invalid ballots. Upon receiving the "SHEEP REFERENDUM" envelope containing the registration form and ballot, the county CES agent or designee shall place it, unopened, in a secure ballot box. The county CES agent or designee shall record receipt of the absentee vote on the absentee voter request list (Form LS-62-2).

(5) A person who casts an absentee ballot that is not recorded as being received or that is received after the deadline specified in this section may vote in person at the appropriate county CES office on the day of the referendum.

## §1280.657 List of registered voters.

The voter registration list (Form LS–61–3) and the absentee voter request list (Form LS–62–2) shall be available for inspection on the day of the referendum at the county CES office and subsequently at the CFSA county office. They shall be posted during regular office hours in a conspicuous public

location at the CFSA county office on the second business day following the date of the referendum.

## § 1280.658 Challenge of voters.

(a) Challenge period. On the day of the referendum, the names of voters challenged shall be reported to the CES county agent, who will refer them to the CFSA county office. After that, the names of the challenged voters shall be referred directly to the CFSA county office. A challenge may be made no later than the close of business on the second business day after the date of the referendum.

(b) Who may challenge. Any person may challenge a voter. Any person who wants to challenge must do so in writing and must include the full name of the individual or other entity being challenged. Each challenge of a voter must be made separately and each challenge must be signed by the challenger. The Secretary may issue other guidelines as the Secretary deems necessary.

(c) Determination of challenges. The CFSA County Committee or its representative, acting on behalf of the Administrator, shall make a determination concerning the challenge and shall notify challenged producers, feeders, or importers as soon as practicable, but no later than five business days after the date of the referendum. If the CFSA County Committee or its representative, acting on behalf of the Administrator, is unable to determine whether a person was a producer, feeder, or importer during the representative period, or verify a voter's recorded volume of production, it may require the person to submit records such as sales documents, import documents or other similar documents to prove that the person was a producer, feeder, or importer for the representative period and to verify that the recorded volume of production was accurately

(d) Challenged ballot. The registration form/envelope (Form LS-61-2) containing the ballots cast by producers, feeders, or importers voting in person who are challenged shall be removed from the ballot box and placed in a separate box until the challenge has been resolved. The SHEEP REFERENDUM envelopes (Form LS-62-1) containing absentee voter registration forms and absentee ballots of challenged absentee voters also shall be removed from the ballot box and placed in the box containing ballots of challenged producers, feeders, and importers. A challenge to a ballot shall be deemed to have been resolved if the determination of the CFSA County Committee or its

representative is not appealed within the time allowed for appeal or there has been a determination by CFSA after an

(e) Appeal. A person declared to be ineligible to register and vote or whose recorded volume of production has been questioned by the CFSA County Committee or its representative, acting on behalf of the Administrator, may file an appeal at the CFSA county office within three business days after notification of such decision. Such person may be required to provide documentation such as sales documents, import documents, or similar documents in order to demonstrate his or her eligibility or verify the recorded volume of production. An appeal shall be determined by the CFSA County Committee as soon as practicable, but in all cases not later than the ninth business day after the date of the referendum. The CFSA County Committee's determination on an appeal is final.

## §1280.659 Receiving ballots.

A ballot shall be considered to have been received during the voting period if:

(a) it was cast in person in the county CES office prior to the close of business on the day of the referendum; or

(b) it was cast as an absentee ballot, and was received in the county CES office not later than the close of business within two business days before the date of the referendum.

## §1280.660 Canvassing ballots.

(a) Counting the ballots. The county CES agent or designee shall deliver the sealed ballot box, the voter registration list (Form LS-61-3) and the absentee voter request list (Form LS-62-2) to the CFSA county office by the close of business on the first business day following the date of the referendum. CFSA county Executive Director and the county CES agent or designee shall check the registration forms and ballots for all voters against the voter registration list (Form LS-61-3) and the absentee voter request list (Form LS-62-2) to determine properly registered voters. The ballots of producers, feeders, and importers voting in person whose names are not on the voter registration list (Form LS-61-3), shall be declared invalid. Likewise, the ballots of producers, feeders, and importers voting absentee whose names are not on the absentee voter request list (Form LS-62-2) shall be declared invalid. All ballots of challenged voters declared ineligible or invalid shall be kept separate from the other ballots and the envelopes