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Date: November 13, 2025
To: Jason Cole, Chair, and the Board of the California Avocado Commission
From: Norm Kachuck, MD FAAN, for the American Avocado Farmers
Re: **Grievance submission** for immediate board action on validation of producer voter eligibility and independent audit of the election process

Dear Jason and Members of the Board:

As a longstanding Commission producer and member, I submit this formal GRIEVANCE to request immediate remedial action and transparency concerning material governance and election integrity issues. These issues have been raised repeatedly by me in board meetings, and in correspondence with Jason Cole, Board Chair, and with my regional board representatives and concerned fellow growers through email, printed materials distributed at board meetings, and discussions. It was one of six components of a California Public Records Act Request submitted to the CAC Board on July 14, 2024. **No action on these issues has been documented, and is a violation of the CPRA requirements for such.**

Ascertainment of producer board seat eligibility

The Commission's current definitions of "producer" and "person who causes to produce" fail to ensure that ballots and candidate eligibility are limited to assessment-paying owners of record. These definitions permit proxy voting by hired employees or third-party contractors and allow persons who are not assessment-paying voters to qualify as candidates for Board positions, creating a heightened risk of conflicts of interest. Beyond the "10,000 lbs/yr production in the year prior to membership," as ascertained by the grower's packer/shipper, the Board has not published the criteria or documentary standards it applies to verify a person's standing as a producer or to establish a candidate's eligibility to hold a Board seat.

There has been no public disclosure of the Commission's procedures or results for confirming that ballots are mailed only to legal owners or properly authorized representatives, or that duplicate ballots were not issued to the same legal owner who holds multiple named groves, parcel numbers, or separate legal entities. Repeated requests that the Board commission an independent third-party audit of the election process remain unanswered.

The eligibility for board candidates and our present seat holders has been the grounds for the previous grievance submission dated November 5, 2025. In that grievance, the standard timeline of the Board's actions in response to the requests were to be modified in view of the need to establish a board that would not continue to see ongoing recusals due to self-identifying conflicts of interest in the context of what has become an escalating crisis in the U.S avocado market's sourcing of its fruit.

Accordingly, I request that the Board do the following without delay:

1. The creation and seating of a Grievance Committee, as per the Grievance Procedure guidelines approved March 17, 2016.
2. Due to the need for expediting the discovery and reporting process in light of the calendaring of the current board election, and the permissions for them to do so in the Bylaws pertaining to their rights to make such adjustments, the Committee should establish deadlines to accommodate the timeline for completion of the Committee's work and reporting to ensure its timely use now. As such, they should include in their report the recommendation to delay the closing of the current election balloting period until adjudication of these grievances is complete.
3. Within 30 days, provide a written report describing the Commission's current process for verifying that persons designated as "producers" or "persons who cause to produce" are the legal owners or otherwise legally eligible voters, including the documentary standards accepted (for example, recorded deed, current county property tax bill, assessment payment receipt, certified corporate/LLC resolution, or notarized power of attorney).
4. Within the same 30-day period, provide a written accounting of whether and how the Commission identifies single legal owners that hold multiple named groves, multiple parcel numbers, or multiple legal entities, and whether duplicate ballots have been issued to such owners without correction. This accounting may be redacted for privacy but should indicate the methods used and any instances identified.
5. Immediately commission an independent third-party audit of the most recent election process. The audit should cover voter roll compilation and sources, owner identity verification methods, ballot issuance and distribution, ballot receipt and tabulation, chain of custody for ballots, and candidate eligibility verification. Provide the audit firm's scope of work, timeline, and a public date by which the audit report will be delivered. Have this report submitted within 60 days.
6. Publish the Commission's verification procedures and candidate eligibility criteria and certify that, prior to seating any elected director, the Board will verify and record that each board member meets the ownership and assessment-payment requirements.

If the Board declines to provide the requested reports or commission an audit, please state the legal basis and identify the person or body making that determination.

Please acknowledge receipt of this letter and provide the date on which the Commission will respond. The Board's willingness to act now will protect both the Commission's statutory mission and the practical interests of U.S. producers who fund and rely on the Commission. I appreciate the Board's prompt consideration and request that the Chair place this matter on the agenda of a convened meeting not later than 7 days from the date of this request.

Respectfully submitted,



Norm Kachuck, MD FAAN
For the American Avocado Farmers