



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

April 9, 2013

MR. WARD KENNEDY, TREASURER
WESTERN GROWERS POLITICAL ACTION
COMMITTEE
17620 FITCH STREET
IRVINE, CA 92614

Response Due Date
05/14/2013

IDENTIFICATION NUMBER: C00193979

REFERENCE: APRIL QUARTERLY REPORT (01/01/2012 - 03/31/2012)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 2 item(s):

1. Schedule A of your report discloses one or more contributions which appear to be from corporations (see attached). 2 U.S.C. §441b(a) prohibits the receipt of contributions from corporations unless made from a separate segregated fund established by the corporation. Limited liability companies (LLC's) that choose to be treated as corporations under the Internal Revenue Service rules, or have shares that are traded publicly, are considered corporations. In the event that the LLC is treated as a partnership under IRS rules, the aforementioned contributions are to be attributed to each member in direct proportion to his or her share of the LLC's profit or by agreement of its members. Each member who has contributed in excess of \$200 for the calendar year should be identified by name, address, amount of contribution, name of employer, occupation and aggregate total on Schedule A. (11 CFR §110.1(g) (1) through (5))

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

If you have received a prohibited contribution(s), you may have to make a refund. If within 30 days of receipt you (1) transferred the prohibited amount to an account not used to influence federal elections, and (2) provided written

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notice to the person making the contribution of the option of receiving a refund, you may retain the contribution in an account not used to influence federal elections. Any request from a donor for a refund must be honored.

If the foregoing conditions for transfers to a non-federal account were not met within 30 days of receipt, the prohibited amount must be refunded. (11 CFR §103.3(b)(1) and (3))

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for the transfer-out or refund. In addition, any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report covering the period during which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, prompt action by your committee to transfer-out or refund the amount will be taken into consideration.

2. Schedule B of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(a) prohibits a multicandidate committee and its affiliates from making a contribution to a candidate for federal office in excess of \$5,000 per election.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

If any contribution you made exceeds the limits, you must request a refund of the excessive amount or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund of the excessive amount. (11 CFR §103.3(b)(1) and (3))

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on

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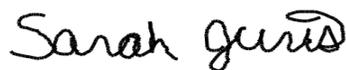
Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. (11 CFR §110.1(b))

Although the Commission may take further legal action regarding the excessive contribution(s), your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1175.

Sincerely,



Sarah Juris
Campaign Finance Analyst
Reports Analysis Division

**Excessive, Prohibited, and Impermissible Contributions
Western Growers Political Action Committee (C00193979)**

Contributions from Possible Prohibited Entities (Corporations, Labor Organization, LLCs)

Contributor Name	Date	Amount	Report
D M CAMP & SONS	2/28/12	\$1,000.00	2012 April Quarterly
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THE LOPEZ CO	2/28/12	\$1,000.00	2012 April Quarterly
DV CUSTOM FARMING, LLC	3/12/12	\$1,000.00	2012 April Quarterly
BETTERAVIA FARMS LLC	3/20/12	\$1,000.00	2012 April Quarterly
BENGARD HARVESTING	3/29/12	\$1,000.00	2012 April Quarterly

Excessive Contributions to Candidate Committees

Recipient Name	Date	Amount	Election	Report
FEINSTEIN FOR SENATE	6/8/09	\$2,500.00	*P2012	2009 Mid-Year
FEINSTEIN FOR SENATE	5/12/10	\$1,000.00	**P2012	2010 July Quarterly
FEINSTEIN FOR SENATE	1/13/12	\$2,500.00	P2012	2012 April Quarterly
FEINSTEIN FOR SENATE	3/8/12	\$500.00	P2012	2012 April Quarterly
STABENOW FOR US SENATE	2/13/08	\$1,000.00	***P2012	2008 April Quarterly
STABENOW FOR US SENATE	3/6/08	\$1,000.00	***P2012	2008 April Quarterly
STABENOW FOR US SENATE	8/26/09	\$1,000.00	**P2012	2009 Year-End
STABENOW FOR US SENATE	8/10/11	\$1,000.00	P2012	2011 October Quarterly
STABENOW FOR US SENATE	2/22/12	\$3,500.00	P2012	2012 April Quarterly
JIM COSTA FOR CONGRESS	8/2/11	\$2,500.00	P2012	2011 October Quarterly
JIM COSTA FOR CONGRESS	12/8/11	\$2,500.00	P2012	2011 Year-End
JIM COSTA FOR CONGRESS	3/28/12	\$1,000.00	P2012	2012 April Quarterly

*Schedule B of your report discloses this contribution as designated to the 2009 Convention election; however, this candidate did not participate in a Convention election in 2009. Therefore, this contribution has been attributed to the next scheduled Federal election for this candidate, the 2012 Primary (11 CFR §110.2(b)(ii)).

**Schedule B of your report discloses this contribution as designated to the 2010 Primary election; however, this candidate did not participate in a Primary election in 2010. Therefore, this contribution has been attributed to the next scheduled Federal election for this candidate, the 2012 Primary (11 CFR §110.2(b)(ii)).

***Schedule B of your report discloses this contribution as designated to the 2008 Primary election; however, this candidate did not participate in a Primary election in 2008. Therefore, this contribution has been attributed to the next scheduled Federal election for this candidate, the 2012 Primary (11 CFR §110.2(b)(ii)).