



Agricultural Marketing Service

Creating Opportunities for American Farmers and Businesses

American Pecan Promotion Board February 1, 2022

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U.S. DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service • Specialty Crops Program

Thanks Peter. Like Peter said, I'm Alex Caryl and I'm a USDA specialist that oversees the American Pecan Promotion Board.

I'm so glad you're able to join us and are interested in learning more about this new program.

I've really enjoyed learning about your industry these past couple of months and hearing from you all.

Today's Objectives

1. Discuss roles of pecan stakeholders
2. Walk-through of forms
3. Answer questions

There are three main components to our meeting today. I'll discuss the roles producers, importers, and first handlers play in the program, I'll provide a walk-through of the forms, and at the end I'll answer questions that come up in the chat.

What is the APPB?



Research & Promotion Program



Producer/importer funded



Formed at request of industry

First thing's first. What is the American Pecan Promotion Board? Broadly speaking it is a research and promotion program whose goal is to strengthen the position of pecans in the marketplace, expand markets for pecans, and also develop new uses for pecans.

It is funded by producers and importers through a mandatory assessment and was formed at the request of the industry in 2020.



Many other commodities have programs like this, as a matter of fact there's 22 of them in total, and sometimes they're known as checkoff programs. Here are a handful of examples of some of these programs' campaigns. You've got fluid milk's got milk campaign, pork's the other white meat, beef it's what's for dinner, and of course avocados from Mexico. Hopefully you recognize one or two of them.

Assessments

- Inshell: **\$0.02/ lb.**
- Shelled: **\$0.04/lb.**
- Domestic remitted by first handler
- Importers remit their own
- Repercussions for non-compliance apply



The APPB is funded through a mandatory assessment, which began on October 1st of last year. The assessment is 2 cents per pound on inshell pecans and 4 cents per pound on shelled pecans. This is a producer and importer funded program, but the domestic assessments are remitted by the first handler. This means first handlers will take 2 cents out of producers' checks and send it to the APPB but unpaid assessments are the responsibility of the producers.

Importers, on the other hand, remit their own assessments and, like producers, are responsible if the assessments aren't paid. Repercussions for non-compliance may include late fees and Federal debt collection.

We'll go over how first handlers remit assessments later on in the presentation.

Annual Exemptions

Inshell: < 50,000 lbs.

Shelled: < 25,000 lbs.

USDA-certified organic

There are exemptions to this program, which I'm sure many of you are eager to hear about.

People who produce or import less than 50,000 pounds of inshell pecans or 25,000 pounds of shelled pecans annually, or whose product is USDA-certified organic, qualify for an exemption.

When a producer or importer gets an exemption, they are not required to pay the assessment. We'll go into much more detail on how to request an exemption in a minute.

Roles of Pecan Stakeholders

So let's get into the meat of the webinar and start with the roles of pecan stakeholders.

The Regulation defines...

7 CFR Part 1223 - Pecan Promotion, Research, and Information Order



Producer is synonymous with grower and means any person engaged in the production and sale of pecans in the US who owns, or who shares in the ownership and risk of loss of such pecans.



Importer means any person who imports pecans into the US as a principal or as an agent, broker, or consignee of any person who produces or handles pecans outside of the US for sale in the US, and who is listed in the import records as the importer of record for such pecans.



First handler means any person who receives, shells, cracks, accumulates, warehouses, roasts, packs, sells, consigns, transports, exports, or ships (except as a common or contract carrier of pecans owned by another person), or in any other way puts inshell or shelled pecans in the stream of commerce. The term first handler includes a producer who handles or markets pecans of the producer's own production.

It wouldn't be a government webinar without a reference to a regulation or wordy definitions, so here we are. The regulation that created the APPB and dictates how it works defines the following terms:

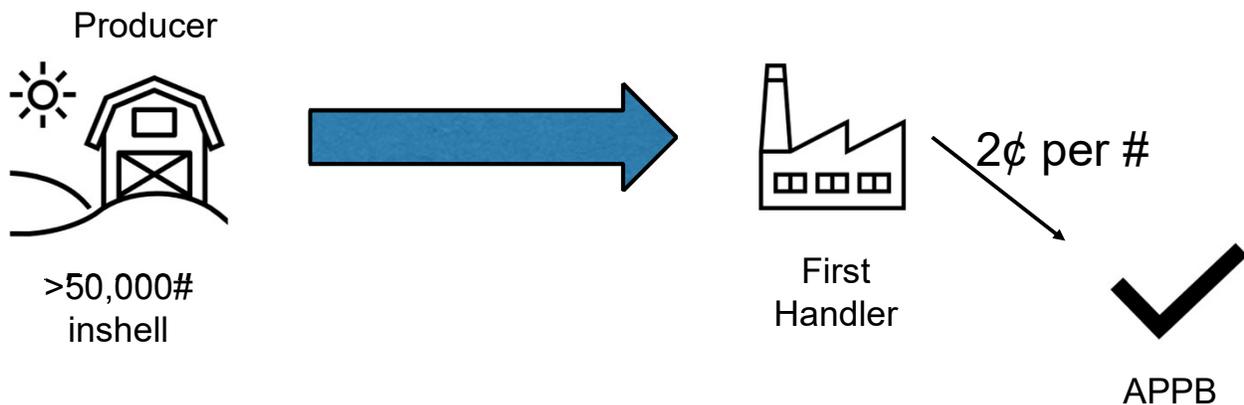
Producer is synonymous with grower and means any person engaged in the production and sale of pecans in the US who owns, or who shares in the ownership and risk of loss of such pecans. Now really keep this definition in mind as we talk about landowner/harvester relationships later on in the webinar.

Importer means any person who imports pecans into the US as a principal or as an agent, broker, or consignee of any person who produces or handles pecans outside of the US for sale in the US, and who is listed in the import records as the importer of record for such pecans.

First handler means any person who receives, shells, cracks, accumulates, warehouses, roasts, packs, sells, consigns, transports, exports, or ships (except as a common or contract carrier of pecans owned by another person), or in any other way puts inshell or shelled pecans in the stream of commerce. The term first handler includes a producer who handles or markets pecans of the producer's own production.

As we're going through the rest of the presentation, please keep these definitions in the back of your head.

Scenario 1:



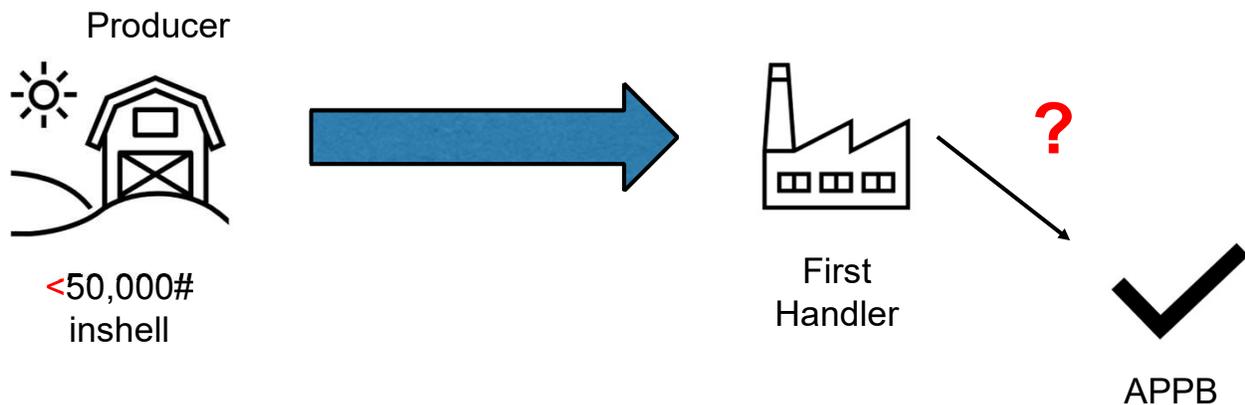
OK! Now that we've got the jargon out of the way, let's go through some scenarios to see how this all plays out in the real world. For the sake of simplicity, let's just assume all pecans this universe are inshell.

Here in Scenario 1 Jane Doe is a producer who produces 100,000 pounds a year. She's a large operation. She sells her pecans to a facility that cleans and cracks pecans, this is her first handler. Her assessment is collected by the facility and it sends the money and reports to the APPB

on her behalf.

In this scenario, Jane must pay the assessment because she produces over 50,000 annually, but in turn she has the opportunity to serve on the Board that oversees the research and promotion program and can vote in a couple of years if she wants to keep the APPB or not.

Scenario 2:



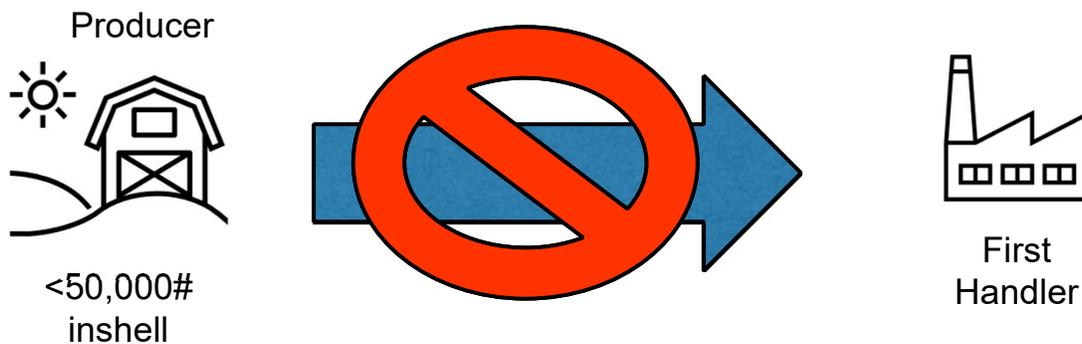
What if Jane produces perhaps 25,000 pounds? This is scenario 2. Here, Jane still sells her pecans to the cleaning and cracking facility but what happens with the assessment?

In this instance Jane can do one of two things.

She can request a certificate of exemption from the APPB that she'll show the facility when she goes to sell her pecans. Until she has this certificate, however, the facility will continue to remit assessments on her pecans.

Let's say Jane absolutely hates paperwork and will do anything to get out of it. Lucky for Jane, she doesn't have to request an exemption from the assessments, she can keep everything the way it is and the facility will keep on paying the 2 cents on her pecans. She doesn't have to do anything, but she would have to pay the assessment.

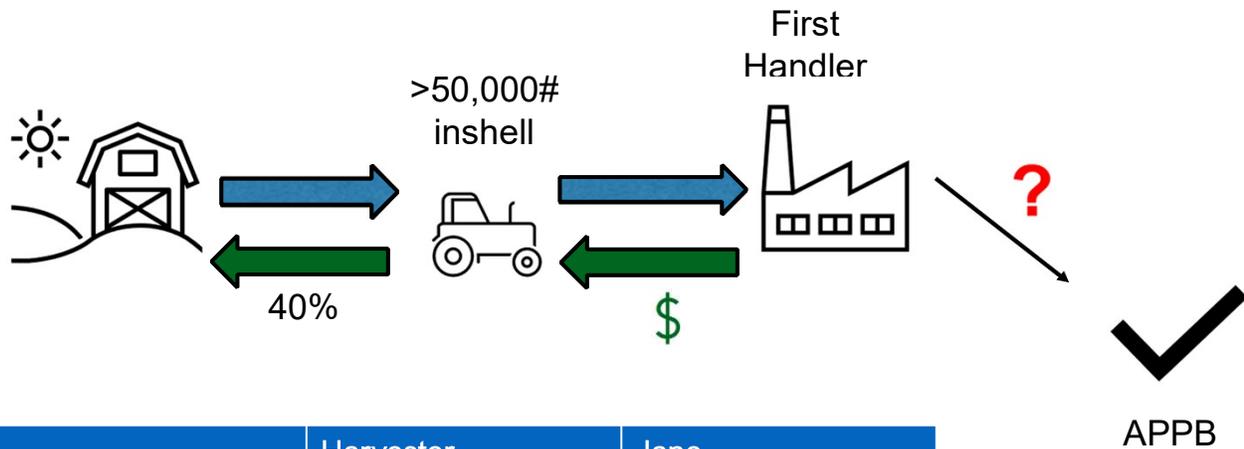
Scenario 3:



In Scenario 3, Jane has just a couple of trees. Her harvest is spotty and in good years she's able to collect enough to give to her neighbors as Christmas presents. She doesn't sell her pecans to a facility or anybody else for that matter.

In this scenario, Jane doesn't have to do anything. The program isn't applicable to her and she can disregard the letter and forms she received in the mail.

Scenario 4:



	Harvester	Jane
% Ownership	60%	40%
90,000 pounds	54,000 pounds	36,000 pounds
Exemption?	No	Yes

As I've talked to more pecan producers, I've learned there are many different business arrangements in this industry. I'm not going to go into each one of them, but I'll go through one in scenario 4.

Jane inherited a pecan grove from her folks a while ago but it's far away from where she lives now. Since she lives so far away, she can't come back to harvest the pecans and take care of the acreage.

Instead of leaving the pecans on the ground, she decided to let her neighbor harvest them for her. The harvester picks up the pecans and takes them to the cleaning and cracking facility.

In return for his work, the harvester takes 60% of the profits and Jane takes 40%.

Let's say it was a great year and the harvester retrieved a total of 90,000 pounds of pecans from Jane's land. Under the 60/40 arrangement, the harvester would have ownership of 54,000 pounds while Jane would only own 36,000 pounds.

This means the harvester does not qualify for an exemption because he is over that 50,000-pound level but Jane actually would because she's below that level.

There are many different iterations of this arrangement that I won't cover here, but if you're unclear how this works for your operation, please reach out to us and we'll walk through it with you.

Scenario 5:



Importer
>50,000#

2¢ per #



APPB

HTS Codes:

0802.90.10.00

0802.90.15.00

We've been talking about domestic pecan business now let's move on to the importers.

Scenario 5 is quite straightforward. We have an importer, who imports more than 50,000 pounds a year into the US. This importer will remit their own assessments to the APPB.

Just like Scenario 1, importers who pay assessments can serve on the Board that oversees the research and promotion program and also vote to keep or get rid of

the program.

Importers pay assessments on pecans that fall under these two HTS codes on the slide.

As a side note, the APPB is not using Customs to collect assessments, but they are using Customs data to ensure imports are accounted for.

Scenario 6:



Importer
<50,000#

Requests
exemption



APPB

In Scenario 6, an importer imports less than 50,000 pounds into the US. Just like with the producers, the importer will request a certificate of exemption from the APPB.

Forms Walk-Through

With the hypothetical scenarios covered, let's go over how to do some of the things we just discussed and walk-through the forms.

Exemptions for Producers

Step 1: Fill out paperwork and mail to APPB

Step 2: APPB issues certificate and mails to you

Step 3: You show certificate to first handler

Step 4: First handler reports certificate number and pounds

First up is exemptions.

If you, a producer, want to request an exemption, you'll fill out the exemption form and mail it to the APPB with documentation proving you qualify for the exemption.

Once the APPB receives the paperwork and determines you are eligible, they'll mail you a certificate of exemption.

When you go to sell your pecans you'll show the first handler this certificate and they'll make a note of how

many pecans you sold and your certificate number in the First Handler and Importer Report.

Exemptions for Importers

Step 1: Fill out paperwork and mail to APPB

Step 2: APPB issues certificate and mails to you

Step 3: APPB cross-checks with Customs data

Exemptions are, again, simpler for importers.

If you're an importer and you want a certificate of exemption, you'll fill out the paperwork, send it to the APPB, and they'll issue you a certificate of exemption.

As your imports come into the US, the APPB will cross reference Customs data with what you provided in your

paperwork.

How to fill out Exemption

Form Approved OMB 0581-0328

AMERICAN PECAN PROMOTION BOARD APPLICATION FOR EXEMPTION FROM ASSESSMENT

In accordance with 7 CFR 1223.53 of the Pecan Promotion, Research, and Information Order (Exemption Procedures):

Any producer who produces or importer who imports less than 50,000 pounds of inshell pecans (25,000 pounds of shelled pecans) on average for four fiscal periods (the fiscal period for which the exemption is claimed and the previous three fiscal periods) for which the exemption is claimed may apply for exemption from the American Pecan Promotion Board. The fiscal period is defined as: October 1 to September 30.

CERTIFICATION

(To Be Signed and Dated by Applicant)

I hereby certify that my total level of domestic pecan production or imported pecans to the United States is less than 50,000 pounds of inshell pecans (25,000 pounds of shelled pecans) for fiscal years 2018/2019, 2019/2020, 2020/2021, and 2021/2022. I therefore request a Certificate of Exemption from the American Pecan Promotion Board for the fiscal year 2021/2022.

Signature _____ Date: _____

Please Print
Name of Applicant: _____

Company Name (if applicable): _____

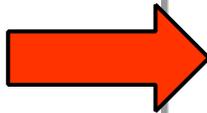
Street Address: _____

City: _____ State: _____

Zip Code: _____ Phone: _____ E-mail: _____

Please send this completed Application for Exemption from Assessment and supporting documentation to verify production or importation to the American Pecan Promotion Board (APPB) at the following address:

APPB
P.O. Box 71
San Angelo, TX 76902
(325) 653-6854



And this is the exemption form...it's kind of small so I hope you all can see it.

It's a relatively simple form that just asks for general information about you.

ANIMATION I do want to point out the text at the bottom of the form here.

That text is asking for documentation that proves you produce USDA-certified organic pecans or produce under

50,000 pounds.

Documentation

Any producer who produces or importer who imports less than 50,000 pounds of inshell pecans (25,000 pounds of shelled pecans) on average for four fiscal periods (the fiscal period for which the exemption is claimed and the previous three fiscal periods) for which the exemption is claimed may apply for exemption from the American Pecan Promotion Board. The fiscal period is defined as October 1 to September 30.

For FY22 Exemption	Production, inshell
Oct 2021 – Sep 2022 (estimate)	40,000
Oct 2020 – Sep 2021	50,000
Oct 2019 – Sep 2020	60,000
Oct 2018 – Sep 2019	10,000
Sum	160,000

Average = $160,000/4 = 40,000$
 Qualifies for exemption in FY2022



For FY23 Exemption	Production, inshell
Oct 2022 – Sep 2023 (estimate)	55,000
Oct 2021 – Sep 2022	42,000
Oct 2020 – Sep 2021	50,000
Oct 2019 – Sep 2020	60,000
Sum	207,000

Average = $207,000/4 = 51,750$
 Does not qualify for exemption in FY2023



This documentation can be anything that explicitly shows how many pounds you produced. It can be pay stubs you get from your buyer, records from your insurance, spreadsheet from your accountant. Anything that shows how much you produced.

The exemption is calculated by taking an average of the last three fiscal periods with your projection or estimation of the current fiscal period.

I know that's a dense statement and it gets a bet

confusing here so stick with me here.

The APPB regulation says the fiscal period is between October 1 through September 30 of each year.

So when you go to request your exemption for this fiscal period and you go to pull your records, you need get documentation that dates back to October 2018.

The left chart here shows the fiscal years' records you will need to request an exemption for the fiscal period 2022, the current period.

To see if you're exempt, you would take a simple average of the four years. In other words, you would take the production from the four years, add them up, and then divide it by four. In this example, the producer qualifies for an exemption because the average is below 50,000 pounds.

The chart on the right is an example for next fiscal period. You'll see the production number for fiscal periods 2020 and 2021 are the same, but you'll see fiscal period 2022's production is different. That's because last year the producer actually produced 2,000 more pounds than expected. You'll also see the estimate production for fiscal year 2023.

You'll need to file an exemption every year before the beginning of the next fiscal period.

CLARIFICATION!

- If you file now, you're filing for fiscal period 2022
- NEED to file again before Sep 30, 2022 for next fiscal period

Clarification!

Since this is the APPB's first year and we're just now getting forms out to producers, if you're filing for an exemption now or soon after the recording of this webinar, you're filing for the fiscal period that started in October of 2021 and goes through September of 2022. You'll need to file again later this year for the next fiscal

period.

Reimbursement Form

APPLICATION FOR REIMBURSEMENT OF ASSESSMENT

PECAN PROMOTION, RESEARCH
AND INFORMATION ORDER
(7 CFR PART 1223)

The following statements are made in accordance with the Privacy Act of 1974 (U.S.C. 522a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting this information to be supplied on this form is from the applicable commodity legislation for research and promotion programs. Furnishing the requested information is necessary for the administration of this program. Submission of Tax Identification Number (TIN) or importer identification number is mandatory and will be used to determine affiliation or entity identity.

PLEASE READ THE INSTRUCTIONS AT BOTTOM OF APPLICATION
BEFORE COMPLETION (PLEASE TYPE OR PRINT)

Name of Producer/Importer Applicant		Title		Business Telephone No. (include Area code)	
Name of Business			Unique Identifier		
Business Address		City	State		Zip
(Importer No. or Broker No.)		(Certificate of Exemption No.)			
Name & Address of First Handler who received Producer's Domestic Pecans OR		Date that assessments were paid on Domestic Pecans OR	Pounds of Domestic or Imported Pecans which assessments were paid	Amount of Assessment Collected	
Port of Entry and Entry No. for Imported Pecans		Entry Date of Imported Pecans			

If you have paid assessments and you have obtained a certificate of exemption, you can request a reimbursement of those assessments.

You'll use this form to ask for the reimbursement. For the sake of time I'm not going to go through it, but if you have any issues filling it out please reach out.

First Handler/Importer Report

AMERICAN PECAN PROMOTION BOARD
 PECAN PROMOTION, RESEARCH, AND INFORMATION ORDER (7 CFR 1223)
 FIRST HANDLER/IMPORTER REPORT FOR 2021
PLEASE READ THE INSTRUCTIONS ON THE THIRD PAGE BEFORE COMPLETING REPORT

OMB No. 0581-0328

ASSESSMENTS DUE MONTHLY

Mail Report and Payment to:
 American Pecan Promotion Board (APPB)
 P.O. Box 71
 San Angelo, TX 76902

PART A: REPORT FOR _____ 2021 SUBMITTED BY:

(MONTH)

(Name of Individual Completing This Report) _____ (Telephone No., Include Area Code) _____

(Name of Business/Company) _____ (Unique Identifier) _____

(Address) _____ (E-mail Address) _____

(City) _____ (State) _____ (Zip) _____

PART B: HANDLER/IMPORTER ASSESSMENT CALCULATION. (You may attach your own separate sheet)

LIST BELOW THE NAME AND ADDRESS OF PRODUCERS FOR WHOM YOU RECEIVED/HANDLED PECANS AND THE AMOUNT RECEIVED/HANDLED

NAME & ADDRESS OF DOMESTIC PRODUCER BY STATE OF ORIGIN/ COUNTRY OF ORIGIN FOR IMPORTERS	UNIQUE IDENTIFIER	TOTAL POUNDS In-shell PECANS X \$0.02	TOTAL POUNDS Shelled PECANS X \$0.04	ASSESSMENT/Amount Owed
NAME: _____ ADDRESS: _____				
NAME: _____ ADDRESS: _____				
NAME: _____ ADDRESS: _____				
NAME: _____ ADDRESS: _____				
NAME: _____ ADDRESS: _____				
NAME: _____ ADDRESS: _____				

TOTAL ASSESSMENT COLLECTED BY HANDLER/IMPORTER AND DUE ADDD _____

Due 10th of every month

Let's move on to the First Handler and Importer report.

As the name implies, it is to be completed by the first handlers when they remit the assessments on behalf of the producers.

Importers also complete this when they're sending in their assessments.

It's a monthly report that's due before the 10th of every month.

This is what the report looks like. Let's go through it part-by-part.

First Handler/Importer Report

ASSESSMENTS DUE MONTHLY

Mail Report and Payment to:
American Pecan Promotion
Board (APPB)
P.O. Box 71
San Angelo, TX 76902

PART A: REPORT FOR _____ 2021 SUBMITTED BY:
(MONTH)

(Name of Individual Completing This Report)

(Telephone No., Include Area Code)

(Name of Business/Company)

(Unique Identifier)

(Address)

(E-mail Address)

(City)

(State)

(Zip)

Part A requests general information about the first handler or importer filling out the form. It's fairly self-explanatory, but I will elaborate on the unique identifier.

This is anything that identifies the company moving the pecans. For first handlers it generally is an EIN number from federal forms or for an importer it is a number from Customs.

Please note the address you'll send the form to in the top right-hand corner.

Part B: First Handler Example

PART B: HANDLER/IMPORTER ASSESSMENT CALCULATION. (You may attach your own separate sheet)

LIST BELOW THE NAME AND ADDRESS OF PRODUCERS FOR WHOM YOU RECEIVED/HANDLED PECANS AND THE AMOUNT RECEIVED/HANDLED

NAME & ADDRESS OF DOMESTIC PRODUCER BY STATE OF ORIGIN/ COUNTRY OF ORIGIN FOR IMPORTERS	UNIQUE IDENTIFIER	TOTAL POUNDS In-shell PECANS X \$0.02	TOTAL POUNDS Shelled PECANS X \$0.04	ASSESSMENT/Amount Owed
NAME: Jane Doe ADDRESS: 1234 Main Street New York, NY	22-234	35,000	0	700
NAME: Marcus Aurelius ADDRESS: 1600 Pennsylvania Ave NW	22-366	0	15,000	600
NAME: ADDRESS:				

TOTAL ASSESSMENT COLLECTED BY HANDLER/IMPORTER AND DUE APPB \$ 1,300

Moving on to Part B, you'll see places to fill in information.

For first handlers, you'll put the name of the producer, their address, and any unique identifier you have available.

The unique identifier is useful on the APPB's compliance side to track assessments.

You will fill out how many pounds this producer sold to you, and you'll calculate how much in assessments is

being remitted. You'll do this for each producer who sells pecans to you without a certificate of exemption.

Part B: Importer Example

PART B: HANDLER/IMPORTER ASSESSMENT CALCULATION. (You may attach your own separate sheet)

LIST BELOW THE NAME AND ADDRESS OF PRODUCERS FOR WHOM YOU RECEIVED/HANDLED PECANS AND THE AMOUNT RECEIVED/HANDLED

NAME & ADDRESS OF DOMESTIC PRODUCER BY STATE OF ORIGIN/ COUNTRY OF ORIGIN FOR IMPORTERS	UNIQUE IDENTIFIER	TOTAL POUNDS In-shell PECANS X \$0.02	TOTAL POUNDS Shelled PECANS X \$0.04	ASSESSMENT/Amount Owed
NAME: Mexico ADDRESS:	PD657956425	75000		15000
NAME: Mexico ADDRESS:	GH46897565		40000	1600
NAME: South Africa ADDRESS:	DQA984678		5000	200
NAME: ADDRESS:				

TOTAL ASSESSMENT COLLECTED BY HANDLER/IMPORTER AND DUE APPB \$ 16800

Unique identifier is the “Entry Number” from the Entry Summary (CBP Form 7501)

It’s a similar deal for the importers except the names and address of the producers aren’t necessary. Instead, put the country of origin.

In the unique identifier you can use the entry number from the Entry Summary (CBP Form 7501). You’ll do this for each load you import.

Part C: First Handler Example

PART C: HANDLER/IMPORTER NON-ASSESSED, EXEMPT ORGANIC PECANS OR BELOW 50,000 POUNDS IN-SHELL (25,000 POUNDS SHELLED) RECEIVED AND NO ASSESSMENT HAS BEEN PAID. (You may attach your own separate sheet)
LIST BELOW THE NAME AND ADDRESS OF PRODUCERS FOR WHOM YOU HANDLED/IMPORTED ORGANIC PECANS OR BELOW THE THRESHOLD AND THE AMOUNT HANDLED

NAME & ADDRESS OF EXEMPT DOMESTIC PRODUCER BY STATE OF ORIGIN/COUNTRY OF ORIGIN FOR IMPORTERS	UNIQUE IDENTIFIER	TOTAL POUNDS In-shell	TOTAL POUNDS Shelled	Exemption Certification #
NAME: Benjamin Franklin ADDRESS: 2877 Milk St. Boston, MA	AB22-36045	100		22-0064
NAME: Thomas Jefferson ADDRESS: 1800 Monticello Way, Monticello VA	BC23-7894	500		22-0065

First handlers record exempted pecans in Part C.

The form fields are the same as Part B except you'll include the certification exemption number in the far-right column.

That being said, to be able to log a producer's pecans in this section, they need to show you a current certificate of exemption they've received from the APPB. Certificates from previous years cannot be used.

Part C: Importer Example

PART C: HANDLER/IMPORTER NON-ASSESSED, EXEMPT ORGANIC PECANS OR BELOW 50,000 POUNDS IN-SHELL (25,000 POUNDS SHELLED) RECEIVED AND NO ASSESSMENT HAS BEEN PAID. (You may attach your own separate sheet)

LIST BELOW THE NAME AND ADDRESS OF PRODUCERS FOR WHOM YOU HANDLED/IMPORTED ORGANIC PECANS OR BELOW THE THRESHOLD AND THE AMOUNT HANDLED

NAME & ADDRESS OF EXEMPT DOMESTIC PRODUCER BY STATE OF ORIGIN/COUNTRY OF ORIGIN FOR IMPORTERS	UNIQUE IDENTIFIER	TOTAL POUNDS In-shell	TOTAL POUNDS Shelled	Exemption Certification #
NAME: Mexico ADDRESS: [REDACTED]	ABC3604522		25,000	22-0226
NAME: South Africa ADDRESS: [REDACTED]	BFG237894	1000		22-2650

Since Customs isn't collecting assessments at this time, importers will only use Part C to report USDA organic pecans.

ANIMATION I want to point out some fine print here that might help you with this record keeping.

The form allows you to attach your own sheet instead of filling out the form. So if you have spreadsheets of your own, or even hand written notebooks that already have this information, you can send that in with the form

instead of filling it out.

Mail all forms, documentation and checks to...

P.O. Box 71

San Angelo, TX 76902

Contact Maggie Pepper for ACH banking information
mpepper@armstrongbackus.com

- All forms and checks should be mailed to this PO Box here. If you prefer to wire the funds, contact Maggie to get the banking information.

Forms available at:

www.ams.usda.gov/APPB

All the forms we discussed today are on the APPB's webpage at this address.

Confidentiality

[§ 1223.62 Confidential treatment.](#) All information obtained from books, records, or reports under the Act and this part shall be kept confidential by all persons, including all employees and former employees of the Board, all officers and employees and former officers and employees of contracting and subcontracting agencies or agreeing parties having access to such information. Such information shall not be available to Board members, producers, importers, or first handlers. Only those persons having a specific need for such information to effectively administer the provisions of this subpart shall have access to such information. Only such information so obtained as the Secretary deems relevant shall be disclosed by them, and then only in a judicial proceeding or administrative hearing brought at the direction, or on the request, of the Secretary, or to which the Secretary or any officer of the United States is a party and involving this subpart. Nothing in this section shall be deemed to prohibit:

- (a) The issuance of general statements based upon the reports of the number of persons subject to this subpart or statistical data collected therefrom, which statements will not identify the information furnished by any person; and
- (b) The publication, by direction of the Secretary, of the name of any person who has been adjudged to have violated this subpart, together with a statement of the particular provisions of this subpart violated by such person.

These forms ask for a lot of information, some of which you might even consider proprietary.

We know that confidentiality is a major concern in your industry, as it is in most other industries.

That's why the regulation has a whole section discussing confidentiality, which you can see on the slide here.

I won't read it but I'll give you the highlights.

The only people who will have individuals' information

provided on these forms and the checks are the staff processing the assessments and, if requested, USDA.

Board members do not see the forms, databases, nor bank statements that show who paid and how much.

Currently the APPB has a third-party accounting firm receiving and processing the assessments and documentation.

Under no circumstance will the individual information you provide be shared.

If you suspect a violation of confidentiality:

Contact:

USDA Market Development Division – (202) 720-9915

USDA Office of Inspector General – (800) 494-9121

If you suspect a violation of confidentiality by any party, please contact my office, the USDA Market Development Division or USDA's Office of Inspector General.

Thank you!

That concludes the end of the stakeholder role and forms discussion. Up next is Q&A. And for that I'll hand it back over to Peter.

Send assessments and forms to:

Maggie Pepper

PO Box 71

San Angelo, TX 76902

(325) 653-6854

mpepper@armstrongbackus.com

General Questions Contact:

Alex Caryl

(202) 253-4768

Alexandra.Caryl@usda.gov

Important Link

www.ams.usda.gov/APPB

- Forms
- Updates
- Meeting materials
- Q&A
- Recording of this webinar