USDA Agricultural Marketing Service
U.S. DEPARTMENT OF AGRICULTURE

Applying for Designation Under the United States Grain Standards Act

Updated: March 7, 2025

FGIS Quality Assurance & Compliance Division

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Overview

- The following instructions outlines the Federal Grain Inspection Service (FGIS) online designation application process, designation criteria and requirements for applicants seeking to apply for designation in a new geographic area or previous applicants seeking to apply to their current designated geographic area.
- These instructions also cover how to update and view a currently approved designation application and how to edit or delete an in-process application.
- Any person, State, or local government may apply for designation as an official agency to perform official inspection and/or weighing services.
- Section 79(f)(1)(A) of the USGSA lists the conditions and criteria for designation, and Section 79(f)(1)(B) says that an applicant must be better able to provide service than any other applicant for designation.

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Establish an Identify Verified Account

All new users to the ***FGISonline*** / ***MyFGIS*** system must have a Login.gov account.

1. To gain a Login.gov, navigate to: https://fgisonline.ams.usda.gov/default_home_FGIS.aspx
2. Click Login in the upper right corner
3. Select the appropriate User Type: Other Federal Employee/Contractor OR Customer
4. Select the Login.gov option
5. Toggle the Login.gov option to Create an Account and follow the prompts

If you are unable to successfully complete the online identity verification process, you must create a helpdesk ticket at https://www.eauth.usda.gov/eauth/b/usda/helpdesk/requesthelp.

You may also reference Login.gov Frequently Asked Questions (FAQs): https://www.eauth.usda.gov/eauth/b/usda/faq

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Create a *MyFGIS* Account

- As a new entity applying for designation, the next thing you will need to do is create a *MyFGIS* account and register with FGIS using our *FGISonline* internet-based system.

- Go to https://fgisonline.ams.usda.gov/default_home_FGIS.aspx and click on **View Customer Guide**. The Customer Guide instructs you how to log into *MyFGIS* and how to request a new *MyFGIS#* for your organization. Your *MyFGIS#* will be linked to all of your organizational activities conducted through *FGISonline*.

- Once your organization is set up and your *MyFGIS#* is assigned, you will be able to request access to the Delegations, Designations, and Export Registrations system where our online designation application process is administered.

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Request Access to DDR

- Next you will need to request access to the DDR system through *FGISonline*.
- The DDR system can be accessed at the following link: https://fgisonline.ams.usda.gov/. Click on **Delegations/Designations and Export Registrations (DDR)**.
- Upon initial request, you will be prompted to complete and submit an online form to request access to the *FGISonline* resource. It may take up to 24 hours for your access request to be reviewed and granted.
- Once access is granted, you will have the ability to complete an online application for designation, but only when an Opportunity for Designation notice has been published in the Federal Register for the area you would like to apply and when FGIS has opened the area for application within the online system.

Federal Register Notices

- All Opportunities for Designation are published in the *Federal Register* and viewable by the public, whenever a geographic area is open for applications.

- In many cases, the application acceptance period will open the same day the opportunity is published and will close following the date specified in the notice (usually 30 days). Some application periods will open on a later date specified in the notice, usually when multiple opportunities under different designation periods are consolidated into one single publication.

- The *Federal Register* may be accessed at the following link: https://www.federalregister.gov/

- To be notified when an opportunity is published, sign up for a subscription at the link above using your e-mail account and entering the keyword **'FGIS'** in your subscription preferences.

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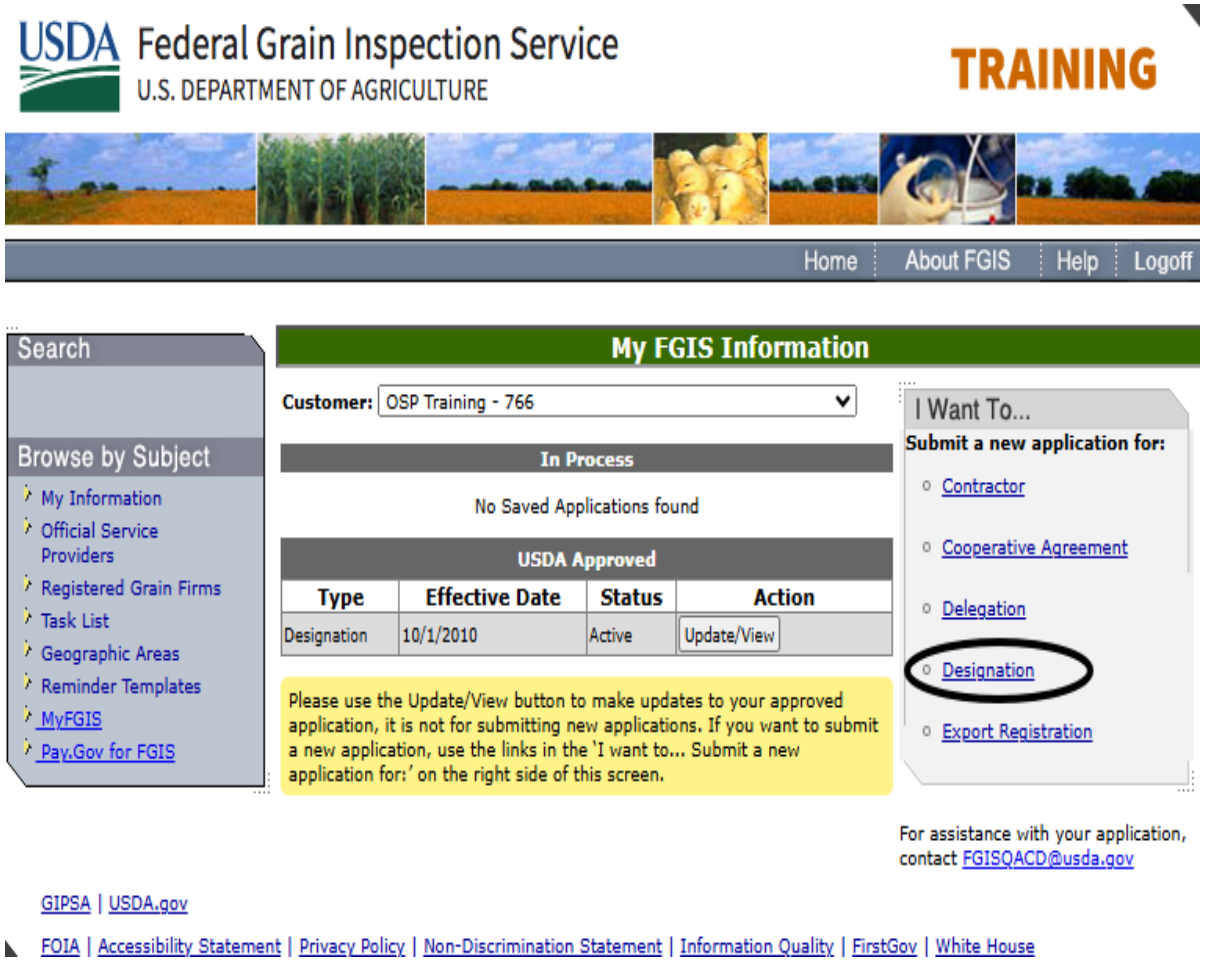
Apply Online Using DDR

- Once the Opportunity for Designation you have been waiting for has published, and the announced application period has started, you must log into DDR at https://fgisonline.ams.usda.gov/. Click on **Delegations/Designations and Export Registrations (DDR)**.

- On the DDR home page, click on **My Information,** then select I want to submit a new application for **Designation.**

- Alternatively, if you have the Organization Manager Role, you may click on Designations in *MyFGIS*. This will take you to the DDR home page where you can click on **My Information**.



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Apply Online Using DDR

Each of the pages within the DDR application is numbered. When you start or resume an application, a progress bar will appear at the top of each page. To navigate to different pages within the form, click the appropriate circled number, or click Finish to review all information. The circles also indicate the status of the information you are entering:

- Grey circles indicate a page where you have not entered any data.
- Grey with black border indicates the current page.
- Green circles indicate a page where you have entered data that was saved into the form.
- Red circles indicate partially completed pages or invalid data. You may only submit an application if you provide the minimum required data.
- For additional navigation within the form, use the buttons at the bottom of the page:
  - **Cancel**, to stop the application process and return to the My Information page without saving your data. This option is only available on the first page of the form. **Previous**, to navigate back to a previously viewed page of the form.
  - **Save and Exit**, to save a partially completed application and return to finish it at another time. You will return to the My Information page, where your new application will be listed under Saved Applications.
  - **Save and Continue**, to save the current page's data and continue to the next page.
  - Do not use the back button on your browser to navigate through the form. Use the circled numbers, the control buttons, or the left-hand Browse by Subject menu panel.

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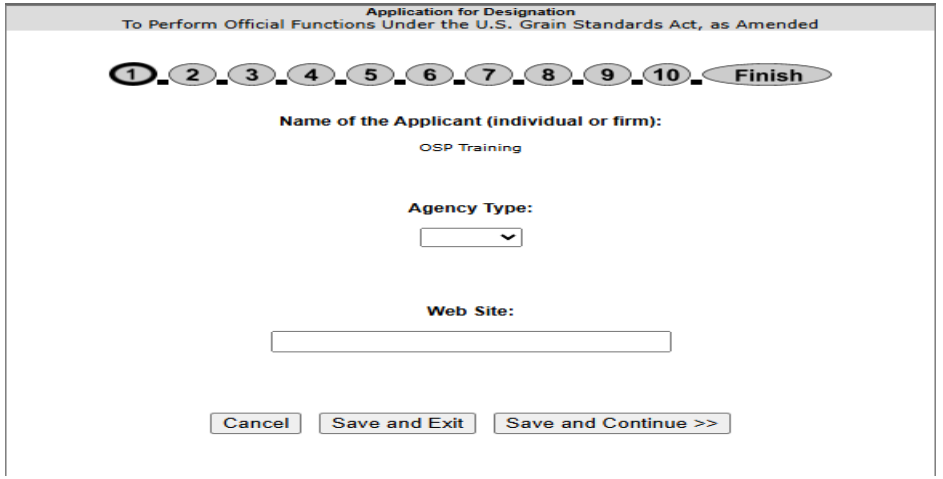
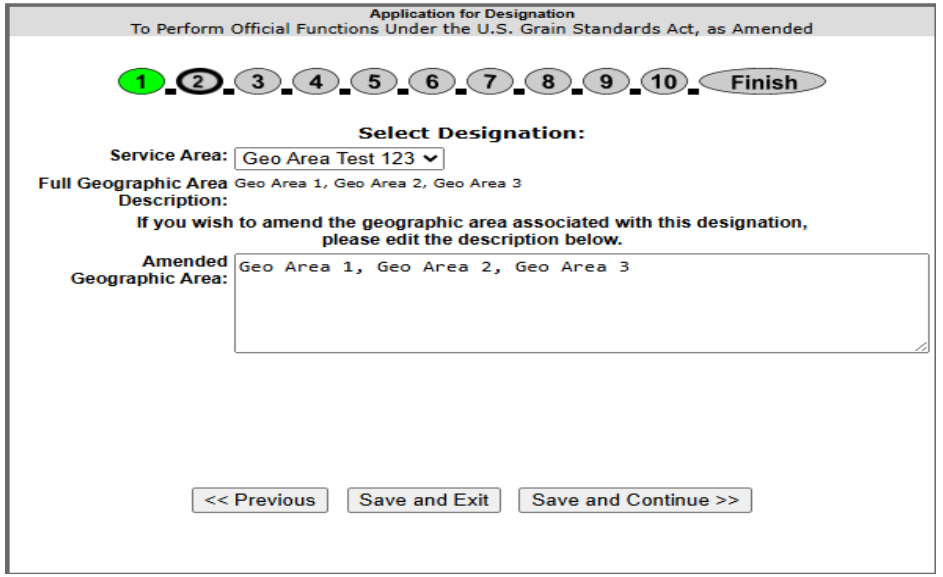
Apply Online Using DDR

- **Step 1**. Your MyFGIS account name will show on the screen. Select your **Agency Type**. Include your web site address, if any. Click **Save and Continue**.
- **Step 2**. Use the drop list to select the designation for which you are applying. You can only select a designation which is currently unassigned and accepting applications. Once you select a designation, the following information will appear on the screen:
  - *Geographic Area.* The FGIS definition of the geographic area in read-only format.
  - *Amended Geographic Area.* You can choose to apply for the designation as currently defined, or you can request that the designation be amended to include or exclude counties, areas, service points or other facilities, or services (such as inspections or weighings). ***If you are NOT changing the geographic area of the designation, do NOT enter any changes to the text. Simply select your designation from the drop list and then save and continue (or save and exit).***



Step 1



Step 2

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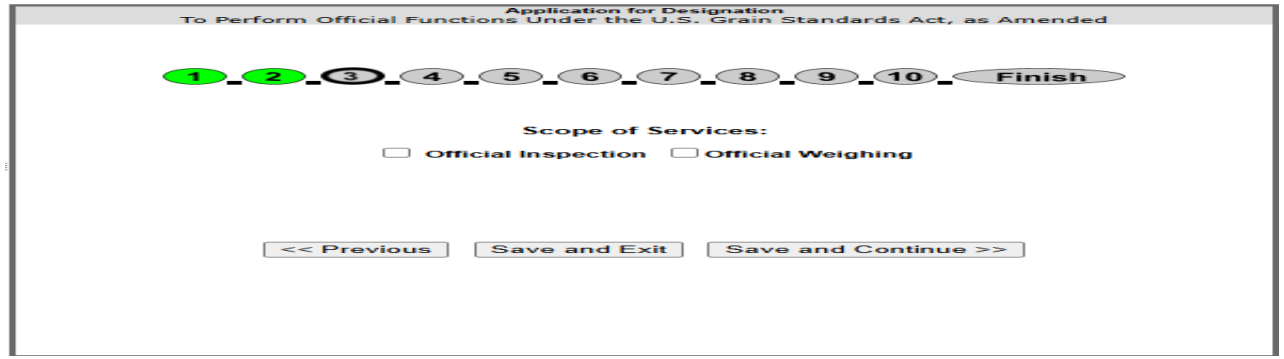
Apply Online Using DDR

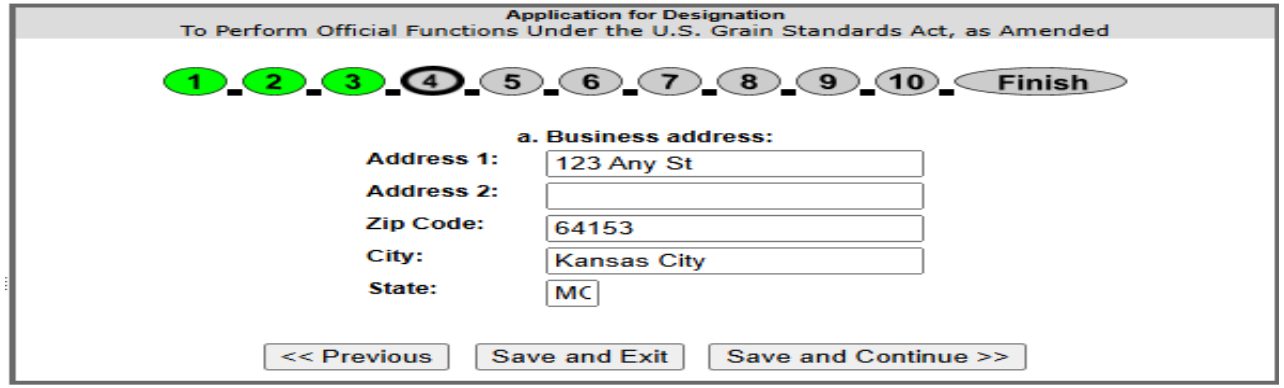
- **Step 3**. Indicate your scope of services by clicking the checkboxes for inspection, weighing, or both.

- **Step 4**. The business address from your MyFGIS account will be displayed. If changes need to be made do NOT hit the Enter key. Use the tab key or mouse to advance to a new field.

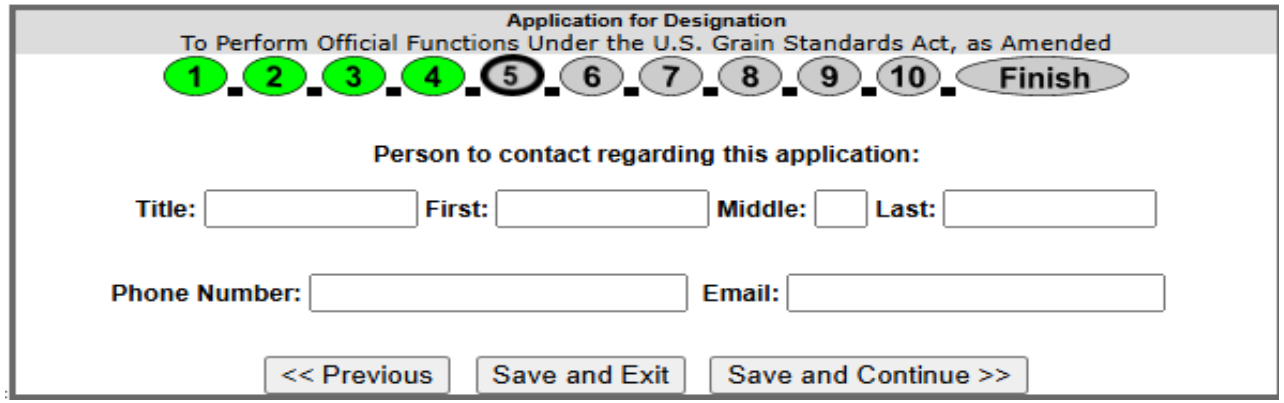
- **Step 5**. Enter the business title, name, phone number, and email address of the person who can be contacted regarding your application.



Step 3



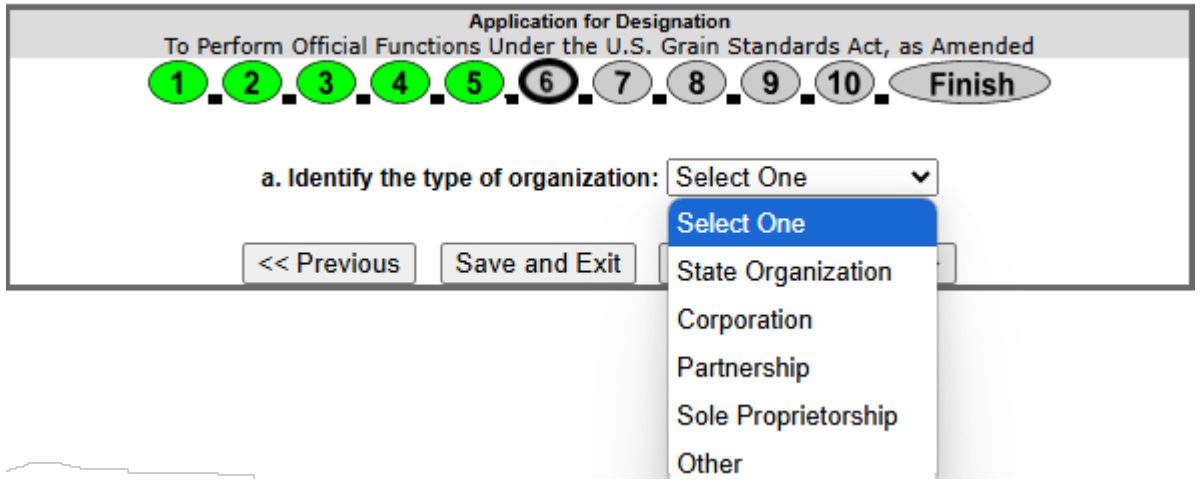
Step 4



Step 5

Apply Online Using DDR

- **Step 6**. Select your organization type from the drop list. DDR will require different information for different organizations.



- **State Organization** (next slide): Enter the names and titles of all agency officials (i.e., Commissioner, Director, Bureau Chief, Official Agency Manager), and provide a chart of your organizational structure. For this page you can manually enter the records, upload a file, or email the information.
- **Corporation** (next slide): Use the Add New button to manually enter the names of all stockholders, officers, and directors. Also indicate each stockholder's percent of ownership.
- **Partnership** (next slide): Use the Add New button to manually enter each partner's name and percent of ownership.
- **Sole Proprietorship** (next slide): type in the owner's name.

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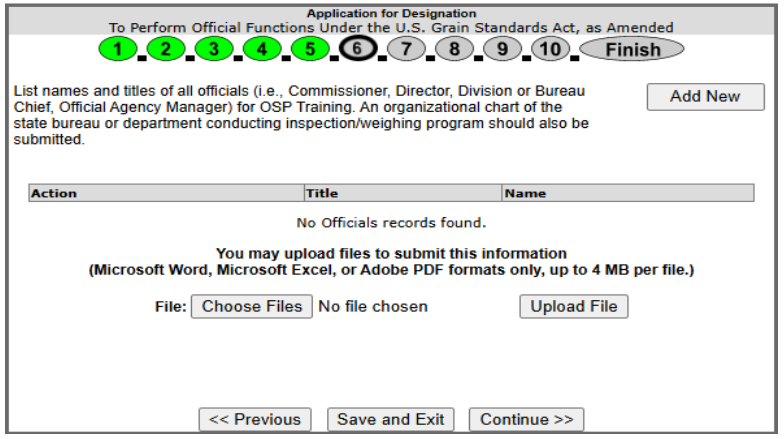
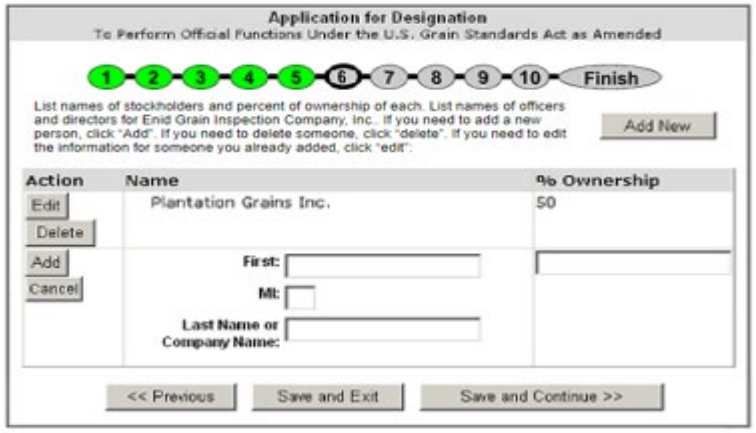
Apply Online Using DDR

- On screens 6, 7, 8, and 9, you can manually add information by clicking the **Add New** button. Once the information is added, you can edit by clicking the **Edit** button and delete by clicking the **Delete** button.
- You can also upload one or more files in Microsoft Word, Adobe PDF, or Microsoft Excel file containing the required information. To upload a file, click **Browse**, select the correct file(s) from your computer hard drive or local network, and click **Upload File**. To view a previously uploaded file, you may click **View** next to the file and to delete the file, click **Delete**.
- **NOTE:** Do not edit an existing officer, stockholder, trustee, etc. if a previous individual has left and you are adding a new individual. Delete the previous individual and add a new individual.
- For example, if you need to add a new trustee or stockholder, click **Add New**. Add the trustee's information, then click **Add**. If a trustee or officer has left, click **Delete** next to the trustee's name. If you need to edit the name of a trustee or officer, click **Edit** next to the name.



State Organization



Corporation

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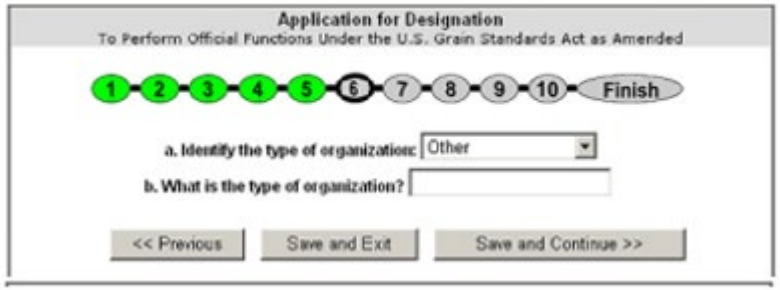
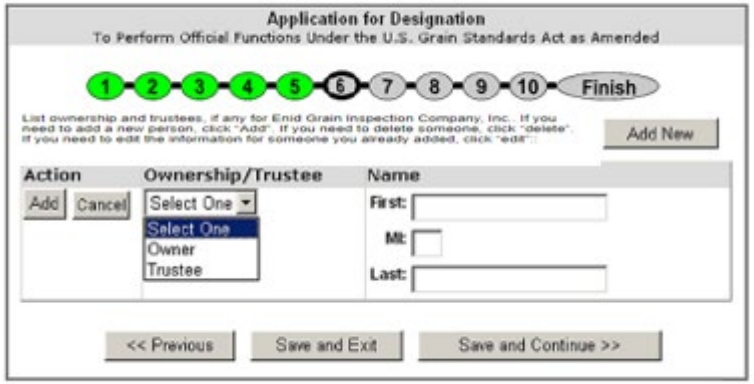
Partnership

Sole Proprietorship

○**Other**: Enter a text description of the organization (such as Cooperative). On the next page, manually enter the full name of all ownerships and trustees.



Other



Other

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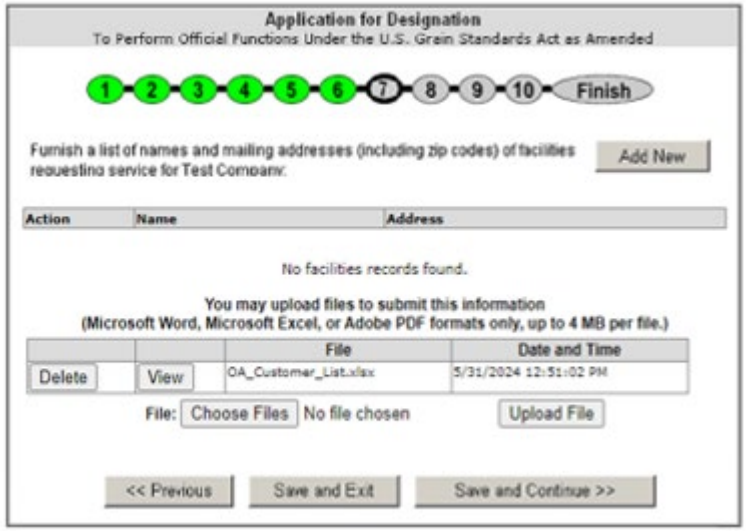
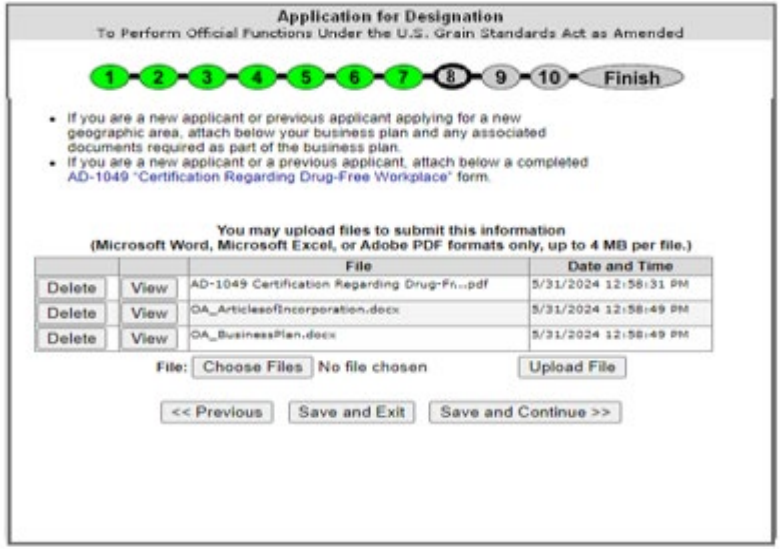
- **Step 7**. Provide the names and addresses of the facilities requesting service for your organization. This information is not required since as a new applicant, you may not have facilities requesting service yet.



Step 7



Step 8

- **Step 8**.
  - Attach your business plan and any associated documents required as part of the business plan. See more information on business plan requirements in preceding slides.
  - Attach a signed AD-1049 https://www.ams.usda.gov/sites/default/files/media/ad1049.pdf See more information on promoting a drug-free workplace in preceding slides.

AD-1049 Download Instructions: ❖Copy and Paste Link ❖Try both Chrome and Edge browsers. If Chrome doesn't work, try Edge, or vice versa. ❖Save the file to your computer. ❖Open it and complete the form.

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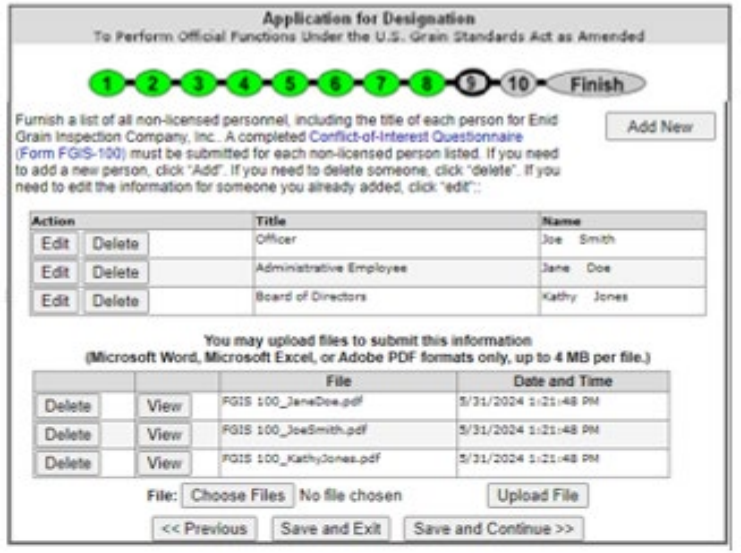
- **Step 9.**
  - Provide the name and business title of all non-licensed personnel who work for your organization. This includes the individuals you listed in step 6 such as officers, stockholders, partners, owners, trustees, board of directors. Also include non-licensed managers, administrative staff, other employees, etc.
  - Attach a completed Conflict-of-Interest Questionnaire (Form FGIS-100) for each non-licensed person listed on this page. See more information on conflict of interest in preceding slides.
  - Attach a signed AD-1049 https://www.ams.usda.gov/sites/default/files/media/ad1049.pdf See more information on promoting a drug-free workplace in preceding slides.
- **Step 10**. Enter the name and title of the manager of your organization's grain program. Indicate if this person is also the official who oversees your grain program; if not, enter the responsible official's name on the next screen.



Step 9

Step 10

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Submit a Business Plan

- Please include the following in your business plan:
  - State where you will set up office and inspection laboratories and your arrangements for obtaining such spaces.
  - State how you will obtain the necessary grain inspection equipment to perform official services.
  - State how you will obtain the required computer hardware, software, and internet access.
  - Explain your plans to get the persons licensed to perform inspection functions, as necessary, to provide service to the customer base.
  - Describe your proposed management and supervision structure. Include how you plan to conduct supervision of employee official duties.
  - Submit a copy of your organizations Articles of Incorporation and any by-laws.
  - Submit proof of financial solvency and necessary capital required to effectively conduct business as an official service provider.
  - Submit a list of official services you intend to provide and a proposed fee structure for those official services in accordance with FGIS Directive 9100.7 Fees for Official Service Provider Services. DIRECTIVE 9100.7 (usda.gov)
  - If considered a 'conflict' organization, or owned by an unofficial inspection organization, describe how you plan maintain separation from the 'conflict' or 'unofficial' organization. Identify any persons serving as Trustees or Board of Directors members between the 'conflict' or 'unofficial' organization and the proposed 'official' entity. See next slide for more information.
  - Provide any additional details or information to assist FGIS in determining your organizations fitness for designation.

"Conflict" Organization

- **Conflict of Interest Agencies**
  - Conflict agencies are owned by the trade and are required to have a board of directors or trustees that act as a buffer between the owners and the agency. The owners of a conflict agency have a financial interest in the grain and the final outcome of inspections.
  - Owners of conflict agencies cannot participate in the management decisions and provide only public relation type support (information on grain grading awareness, etc.) They should be careful as to not give the perception of being involved with the inspection/weighing of the grain.
  - The trustees over see management of the business and are paid for their work and reimbursed for expenses. They approve major expenses; assist with certain management decisions; decide on office additions/deletions, etc.

- **Official Agencies owned by an Unofficial Agency**
  - The main difference between a conflict-of-interest agency and an unofficially owned agency is that the unofficial agency does not own the grain or have any interest in the final outcome of the inspection as does the owner of a conflict agency. Unofficially owned agencies are also required to have a buffer (Directors or Trustees) between the agency and owners.

- In both cases above, a separate entity owned by the conflict or unofficial organization that applies for designation under the USGSA, must have its own management, employees, facilities, and equipment.
- If such entity is designated under the USGSA, the entity cannot represent itself to customers and the general public as being part of the conflict or unofficial agency. This includes, but is not limited to, items such as job announcements, advertisements, apparel, websites, billing invoices, and any other correspondence or dealings with customers and the general public.
- The unofficial agency may only promote use of the "official system" and may not advertise or promote use of the unofficial agency. It also may offer its assistance with certain human resource, procurement, and administrative functions that will not jeopardize the integrity of or public confidence in the designation.

Conflicts of Interest

- Section § 87. of 7 USC Ch. 3: GRAIN STANDARDS (house.gov) of the USGSA prohibits:
  - Any person licensed or authorized by the Secretary to perform official functions from being financially interested (directly or otherwise) in any business entity owning or operating any grain elevator or warehouse or engaged in the merchandising of grain, or be in the employment of, or accept gratuities from, any such entity, or be engaged in any other kind of activity specified by regulation of the Secretary as involving a conflict of interest.
  - An official agency or State agency from engaging in any activity specified within this section or by regulation.

- FGIS implemented the USGSA conflict of interest statutory requirements in regulations at eCFR :: 7 CFR 800.187 -- Conflicts of interest and in Directive 9070.3.
- All licensed, nonlicensed and authorized personnel are responsible for reporting and eliminating conflict-of-interest situations or the appearance thereof.
- All licensed personnel must submit a conflict-of-interest questionnaire (FGIS-944) and declaration through the FGIS Official Service Provider Licensing (FOL) program when initially applying for a license, during a license renewal, and anytime there is a new change in conflict of interest or circumstances status.

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Drug Free Workplace

- Official personnel and warehouse samplers must maintain high standards of honesty, integrity, and impartiality to assure proper performance of their duties andresponsibilities and to maintain public confidence in the services provided by them.

- FGIS requires all applicants for designation to complete and submit a new or updated form AD-1049 with every new application.

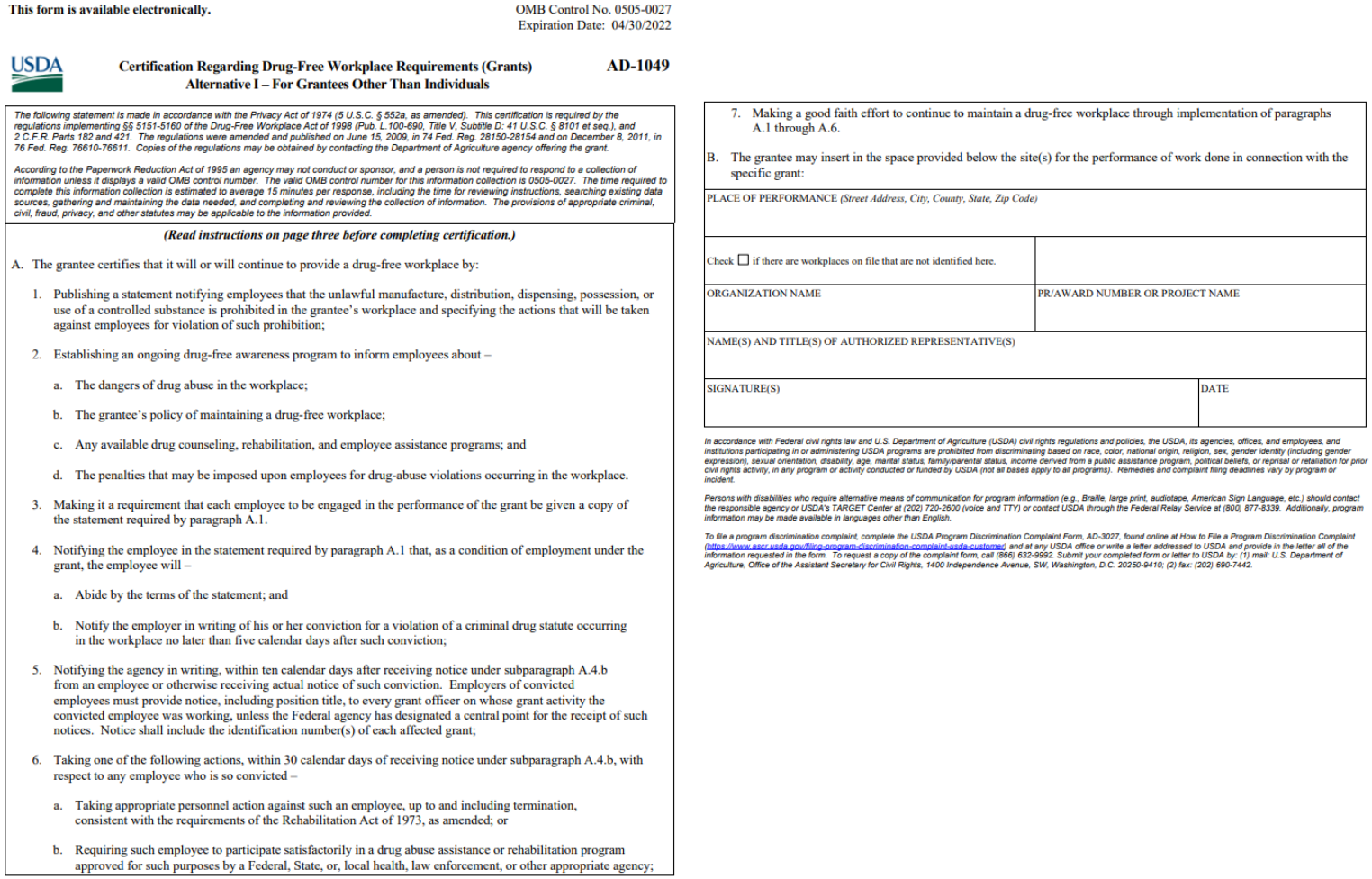
AD-1049 Download Instructions:

❖**Copy and Paste Link - https://www.ams.usda.gov/sites/default/files/media/ad1049.pdf**

❖**Try both Chrome and Edge browsers. If Chrome doesn't work, try Edge, or vice versa.**

❖**Save the file to your computer.**

❖**Open it and complete the form.**



This form is available electronically.

OMB Control No. 0505-0027
Expiration Date: 04/30/2022

USDA

Certification Regarding Drug-Free Workplace Requirements (Grants)
Alternative I – For Grantees Other Than Individuals

AD-1049

The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. § 552a, as amended). This certification is required by the regulations implementing §§ 5151-5160 of the Drug-Free Workplace Act of 1998 (Pub. L.100-690, Title V, Subtitle D; 41 U.S.C. § 8101 et seq.), and 2 C.F.R. Parts 182 and 421. The regulations were amended and published on June 15, 2009, in 74 Fed. Reg. 28150-28154 and on December 8, 2011, in 76 Fed. Reg. 76610-76611. Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the grant.

According to the Paperwork Reduction Act of 1995 an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0505-0027. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of appropriate criminal, civil, fraud, privacy, and other statutes may be applicable to the information provided.

(Read instructions on page three before completing certification.)

A. The grantee certifies that it will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about –
   a. The dangers of drug abuse in the workplace;
   b. The grantee's policy of maintaining a drug-free workplace;
   c. Any available drug counseling, rehabilitation, and employee assistance programs; and
   d. The penalties that may be imposed upon employees for drug-abuse violations occurring in the workplace.
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph A.1.
4. Notifying the employee in the statement required by paragraph A.1 that, as a condition of employment under the grant, the employee will –
   a. Abide by the terms of the statement; and
   b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph A.4.b from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph A.4.b, with respect to any employee who is so convicted –
   a. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
   b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or, local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs A.1 through A.6.

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

PLACE OF PERFORMANCE *(Street Address, City, County, State, Zip Code)*	
Check ☐ if there are workplaces on file that are not identified here.	
ORGANIZATION NAME	PR/AWARD NUMBER OR PROJECT NAME
NAME(S) AND TITLE(S) OF AUTHORIZED REPRESENTATIVE(S)	
SIGNATURE(S)	DATE

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

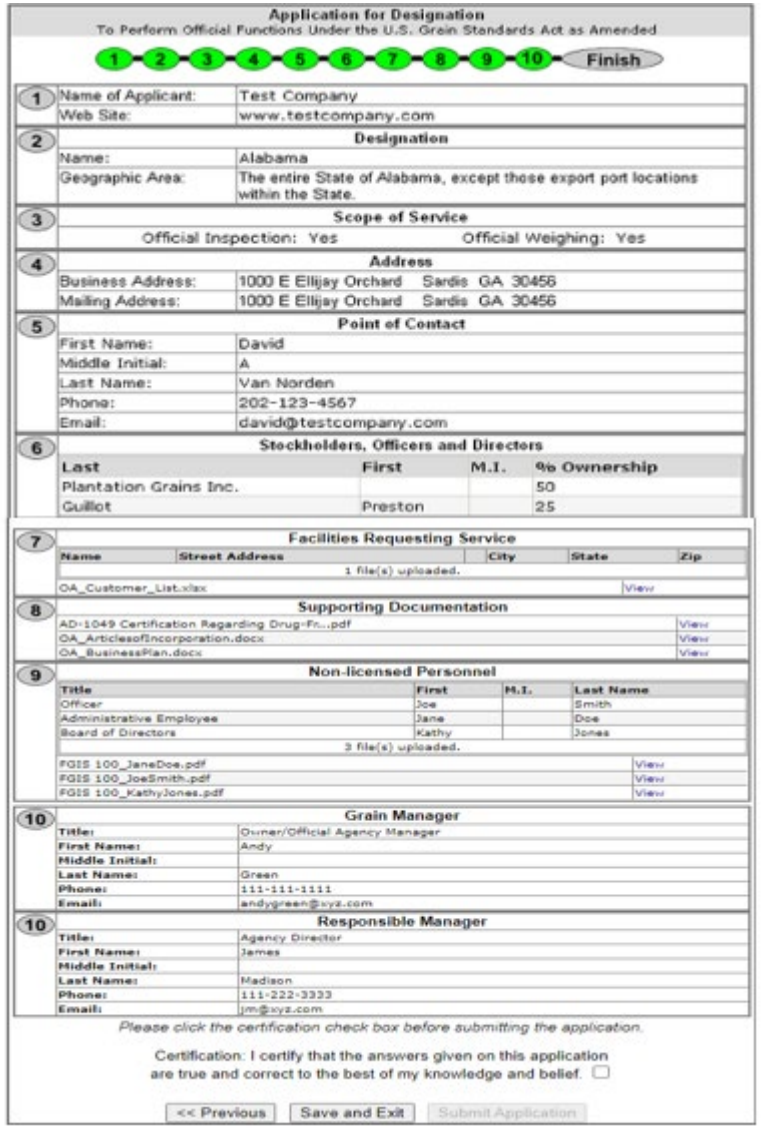
Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at How to File a Program Discrimination Complaint (https://www.ascr.usda.gov/filing-program-discrimination-complaint-usda-customer) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442.

Apply Online Using DDR

- **Finish**. Review the information you submitted for each part of the application. If you need to edit any section, click the corresponding page number at the top of the form, or use the Previous and Continue buttons to scroll through the application.

- To submit the application, check the certification button at the button of the page. Click **Submit Application** to submit your electronic application to FGIS. When you return to the My Information page, your application will be listed under In Process.



Finish

Review, Recommendation, and Awards

- After your online application and all requested documentation have been submitted and the application period has ended, your application and any *Federal Register* public comments will be reviewed by the FGIS Quality Assurance and Compliance Division (QACD).

- If only one application is received, QACD will review all aspects of the application to determine if the applicant meets the designation criteria and qualifies for designation as defined in the USGSA.

- If more than one application is received, QACD must review all aspects of all applications and perform a comprehensive comparison to help determine which applicant is better able than any other applicant to provide official inspection service, for the geographic area. In scenarios involving new applicants and/or multiple applicants QACD publishes a second *Federal Register* notice requesting public comments about the applicants for designation.

- Once AMS has made a final decision, QACD will contact each applicant to notify them of the outcome of the decision. If an applicant is to be awarded the designation, QACD will notify the applicant to confirm the terms for which the designation will be awarded and to verify the selected applicant's agreement to accept the terms.

- When all applicants have been notified of the outcome. QACD will begin the process to publish a final *Federal Register* notice announcing the designation award. This announcement may be consolidated with other designation award notices.

USGSA Designation Criteria

- Review the USGSA Designation Criteria in the **United States Grain Standards Act (As Amended)**.
  - See § 79(f)(1)(A) for the conditions and criteria for designation
  - See § 79(f)(1)(B) that says that an applicant must be better able to provide service than any other applicant for designation.
  - See §87b. Prohibited acts.

- Review the USGSA Designation Criteria in Part 800 Regulations under the United States Grain Standards Act.
  - See § 800.196 Designations.
  - See § 800.185 Duties of official personnel and warehouse samplers.
  - See § 800.186 Standards of conduct.

USDA Agricultural Marketing Service
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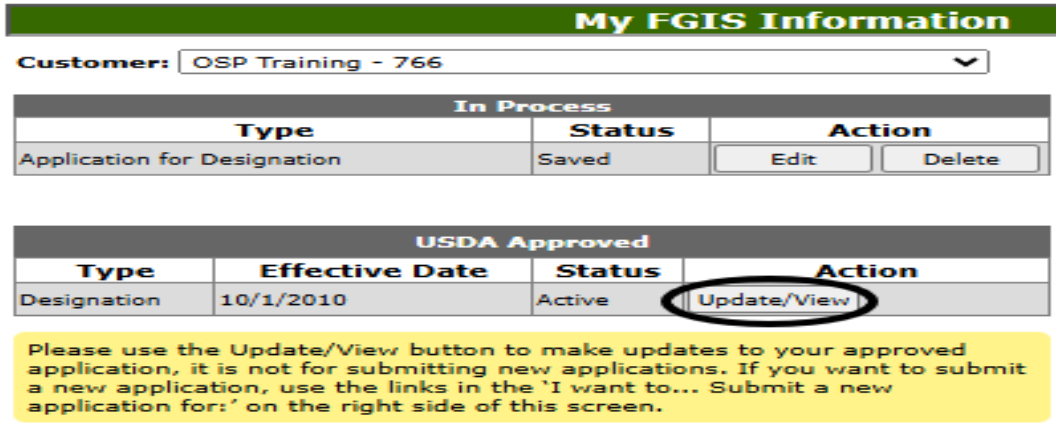
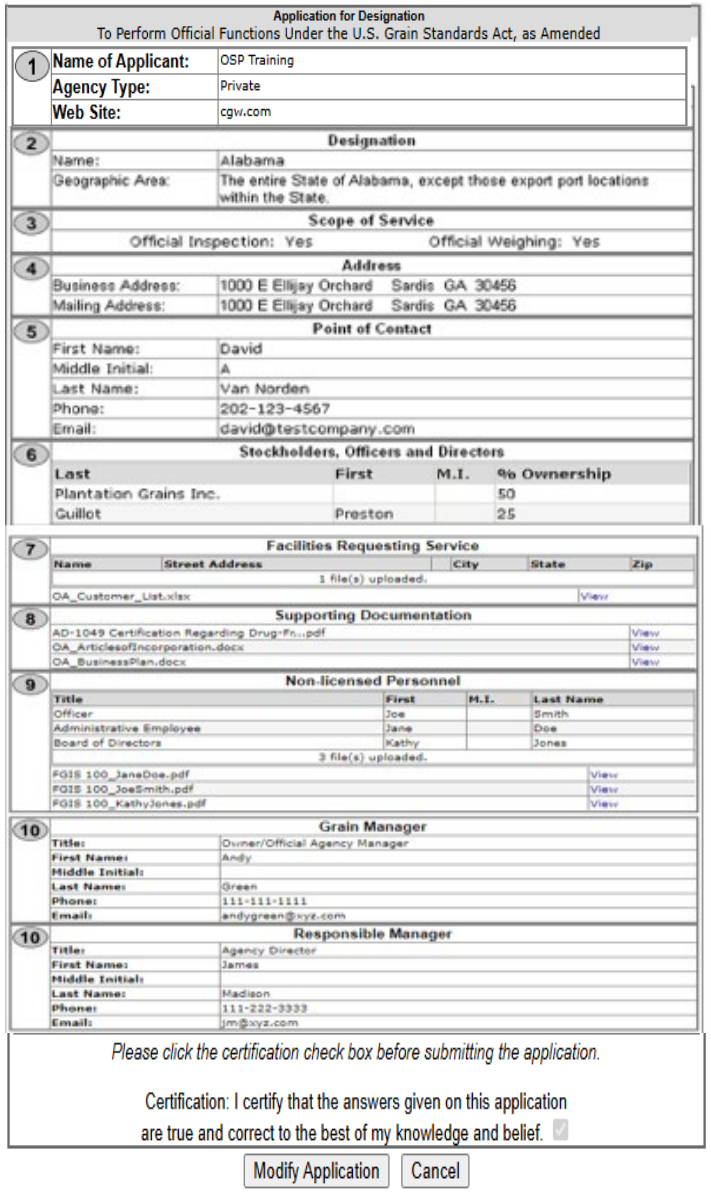
Edit USDA Approved Application

- After you submit your application, you will see your **My Information** screen includes your submitted **In Process** application as well as your current **USDA Approved** application.



- To View your **USDA Approved** application, click **Update/View.** You will see your submitted application. From this screen you can select **Modify Application**.
- Once changes are made, click the the acknowledge box after the **Certification** statement at the bottom of the screen then **Submit Changes**.



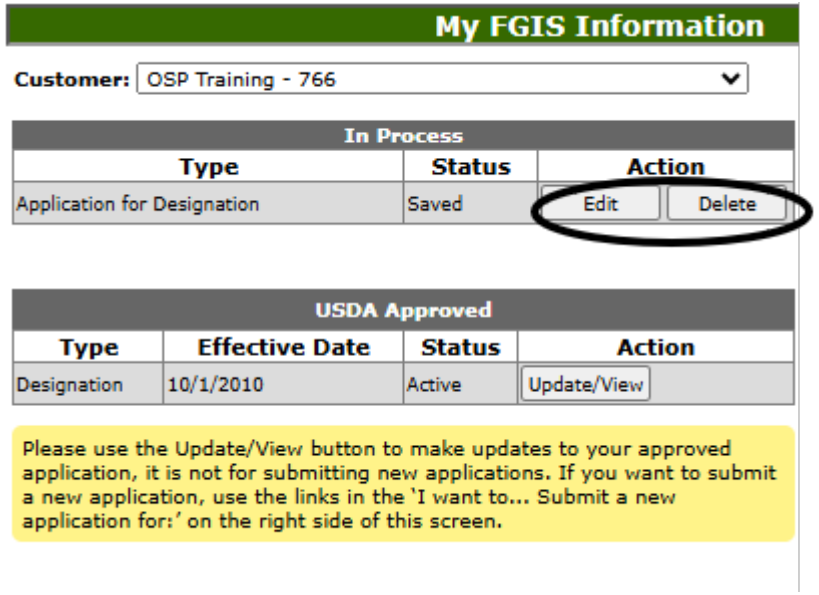
USDA Approved Application

USDA Agricultural Marketing Service
U.S. DEPARTMENT OF AGRICULTURE

Edit or Delete In Process Application

- To edit your **In Process** Application, click **Edit.** Make the edits, then click on the acknowledge box on the **Finish** screen after the **Certification** statement at the bottom of the screen, then click on **Submit Changes**.

  NOTE: If you edit a USDA Approved application and you submitted a new application listed under In Process, make sure you make the same edits in both applications, so your most recent application is up to date.



- To delete your **In Process** Application, click **Delete.** You will be asked if you are sure you want to delete this application. Click **OK** or **Cancel**.