

For: State and County Offices

Coronavirus Food Assistance Program (CFAP) 75 Percent Farm AGI Certifications

Approved by: Deputy Administrator, Farm Programs



1 Overview

A Background

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act; Pub. L. 116-136) was signed into law on March 27, 2020, to provide relief for individuals and businesses that have been negatively impacted by the COVID-19 pandemic.

CFAP is authorized to provide direct support to eligible farmers, ranchers, and dairy operations that have suffered losses because of price and market declines and supply chains impacted by COVID-19.

To be eligible for payment, a person or legal entity (including members, stockholders, or partners of the legal entity) must have an average AGI for program year 2020 that does not exceed the \$900,000 limitation, unless at least 75 percent of the person's or legal entity's average AGI is derived from farming, ranching, or forestry operations.

B Purpose

This notice provides the following:

- definition of average adjusted gross farm income
- sources of income
- formula for computing average adjusted gross farm income
- CCC-942 (05-19-2020) (Exhibit 1)
- example CPA/Attorney Certification Statement (Exhibit 2).

Disposal Date	Distribution
January 1, 2021 6-1-20	State Offices; State Offices relay to County Offices

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2 Average Adjusted Gross Farm Income

A Definition of Average Adjusted Gross Farm Income

Average adjusted gross farm income of a person or legal entity means income or benefits derived from the following sources.

Income Related to Livestock and Crops	Other Types of Income
Production of livestock, including but not limited to: <ul style="list-style-type: none"> • cattle, sheep, goats, swine • elk, reindeer, bison, deer • horses • poultry • fish and other aquaculture products used for food • honeybees. 	The sale of land that has been used for agriculture. The sale of easements and development rights to: <ul style="list-style-type: none"> • farmland, ranchland, or forestry land • water or hunting • environmental benefits.
The feeding, rearing, or finishing of livestock.	The rental or lease of land or equipment used for farming, ranching, or forestry operations, including water or hunting rights.
Products produced by or derived from livestock.	
Production of crops, specialty crops, and unfinished raw forestry products.	Any payment or benefit, including benefits from risk management practices, crop insurance indemnities, and catastrophic risk protection plans.
The processing, packing, storing, shedding, and transporting of farm, ranch, and forestry commodities, including renewable energy.	Payments and benefits authorized under any program made applicable to payment eligibility and payment limitation rules.
	Production of farm-based renewable energy.
Any other activity related to farming, ranching, or forestry as determined by the Deputy Administrator.	
Any income reported on IRS Schedule F or other schedule used by the person or legal entity to report income from farming, ranching, or forestry operations to IRS.	
The sale of equipment used to conduct farm, ranch, or forestry operations and the provision of production inputs and services to farmers, ranchers, foresters, and farm operations, if the average adjusted gross farm income is at least 66.66 percent of the average AGI.	

Note: Wages earned through employment by a farming operation are **not** farm income.

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2 Average Adjusted Gross Farm Income (Continued)

B Definition of Income From Fishing

Income from fishing means income derived from catching, taking, harvesting, cultivating, or farming aquatic resources, such as fish, shellfish, crustacea, and other aquatic forms of animal or vegetable life according to IRS Publication 595 or other applicable IRS instructions.

C Sources of Income Data

Income from farming, ranching, forestry operations, and related activities is:

- recorded on IRS Schedule F, Form 4835, or comparable form
- any other schedule as allowed by applicable IRS tax code to report farming, ranching, forestry operations, and related activity income
- reflected in and attached to IRS-1040 or other appropriate IRS income tax return filed by the person or legal entity with the IRS for tax purposes.

Income from fishing is:

- recorded on IRS Schedule C or Schedule C-EZ, as allowed by applicable IRS tax code
- reflected in and attached to IRS-1040 or other appropriate IRS income tax return filed by the person or legal entity for IRS tax purposes.

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2 Average Adjusted Gross Farm Income (Continued)

D Source of Income

Pass-through income received by a person from an interest held in a legal entity may be considered income from farming, ranching, or forestry if all of the following are met:

- the legal entity is a subchapter-S corporation or similar legal entity in which all the income passes through to the interest holders
- a person who is an interest holder reports income received from the legal entity as income from farming, ranching, or forestry to the IRS
- the legal entity is primarily engaged in farming, ranching, or forestry activities.

Note: Wages or dividends received from a legal entity are not considered income from farming, ranching, or forestry activities. The disbursements are made by a legal entity to the interest holders regardless of the nature of the legal entity's business activities.

Exception: Dividends earned through an IC-DISC may be considered farm income for CFAP purposes. That portion of the dividend that is derived from sources defined in this paragraph to be from farming, ranching, or forestry activities may be considered farm income when calculating if at least 75 percent of the applicant's AGI is derived from farming, ranching, or forestry operations.

3 Computing Average Adjusted Gross Farm Income

A Formula for Calculating Average Adjusted Gross Farm Income

Adjusted gross farm income is not the same as the gross farm income reported to IRS. Adjusted gross farm income for FSA purposes is comparable to the net income from farming and related operations. In many cases, this may be the same as the "Net Farm Profit" or "Loss" determined on Schedule F of IRS-1040.

FSA's definition of adjusted gross farm income also includes income from the sale of items, such as agricultural-related land, breeding livestock, and agricultural/conservation easements.

Additionally, it is important to consider if income was received from the sale of farm-related equipment and if income was received from the sale of production inputs and services. Usually, income from these items is not considered farm income. However, if the income from farming is at least 66.66 percent of the total AGI from all sources, both farm income and nonfarm income, a special rule applies and income from these items **must** be included in the adjusted gross farm income.

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3 Computing Average Adjusted Gross Farm Income (Continued)

A Formula for Calculating Average Adjusted Gross Farm Income (Continued)

The following worksheet provides the formula for calculating average adjusted gross farm income.

Step	Action	Result												
1	Enter the total AGI (both nonfarm and farm) for the 3 complete taxable years preceding the most immediately preceding complete taxable year of the year for which program benefits are requested. <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; text-align: center;">Year</td> <td style="width: 20%; text-align: center;">\$ Amount</td> <td style="width: 60%; text-align: center;">Specify Where Information Was Obtained (i.e. IRS-1040, Line 37)</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> </table>	Year	\$ Amount	Specify Where Information Was Obtained (i.e. IRS-1040, Line 37)	_____	_____	_____	_____	_____	_____	_____	_____	_____	
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_____	_____	_____												
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_____	_____	_____												
2	Total the dollar amounts from step 1.	\$												
3	Calculate the average AGI by dividing the result of step 2 by the number of years in step 1.	\$												
4	Enter AGI for the same 3 years in step 1 that was derived from all activities related to farming, ranching, and forestry operations. <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; text-align: center;">Year</td> <td style="width: 20%; text-align: center;">\$ Amount</td> <td style="width: 60%; text-align: center;">Specify Where Information Was Obtained (i.e. IRS-1040, Line 37)</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> </table>	Year	\$ Amount	Specify Where Information Was Obtained (i.e. IRS-1040, Line 37)	_____	_____	_____	_____	_____	_____	_____	_____	_____	
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5	Total the dollar amounts in step 4.	\$												
6	Calculate the average adjusted gross farm income by dividing the result of step 5 by the number of years in step 4.	\$												
7	Divide the amount from step 6 by the amount in step 3 to obtain the percentage of AGI that is derived from farming, ranching, and forestry operations. Note: This percentage must be 75 percent or more to qualify for benefits from programs subject to the calculation.	%												
8	If the result of step 7 is 66.66 percent or more, and AGI derived from equipment sales and input services are not already included in steps 4, 5, and 6, enter the total AGI derived from equipment sales and input services for the same 3 years in step 1. <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; text-align: center;">Year</td> <td style="width: 20%; text-align: center;">\$ Amount</td> <td style="width: 60%; text-align: center;">Specify Where Information Was Obtained (i.e. IRS-1040, Line 37)</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> </table>	Year	\$ Amount	Specify Where Information Was Obtained (i.e. IRS-1040, Line 37)	_____	_____	_____	_____	_____	_____	_____	_____	_____	
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9	Total the dollar amounts in step 8.	\$												
10	Calculate the average AGI from equipment sales and input services by dividing the result of step 8 by the number of years in step 1.	\$												
11	If step 6 does not already include AGI derived from equipment sales and input services in steps 4 and 5, calculate the average adjusted gross farm income including equipment sales and input services by adding the result of step 10 to step 6.	\$												
12	Calculate the percentage of the average adjusted gross farm income from the average AGI by dividing the result of step 11 by the result of step 3, and multiply by 100.	%												

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4 Farm AGI Certification Requirements

A CPA or Attorney Certification Requirements

Persons, legal entities (including members, stockholder, or partners), and members of joint operations seeking to qualify for program benefits subject to a calculation of the 75 percent AGI derived from farming, ranching, and forestry operations must provide a certification from a licensed CPA or attorney affirming the calculation.

Certifications from a licensed CPA or attorney may be provided to FSA by either:

- signing CCC-942
- a written statement affirming the person's or legal entity's percent of AGI from farming, ranching, and forestry operations.

CPA or attorney statements must contain all required elements as outlined in the AGI Enclosure 1 found in 5-PL, subparagraph 294 C.

Note: See Exhibit 2 for an example CPA/Attorney Certification Statement.

B Recording 75 Percent Farm AGI Certifications

Record certifications in Subsidiary according to 3-PL (Rev. 2) only after the producer has completed the applicable form **and** either a CPA's or attorney's signature has been provided on the form or a written certification statement from the CPA or attorney has been received.

5 Action

A State Office Action

State Offices will:

- immediately notify County Offices of the contents in this notice
- contact Paul Hanson, Program Manager, in the National Office with questions about this notice by either:
 - e-mail to paul.hanson@usda.gov
 - telephone at 202-720-4189.

B County Office Action

County Offices will:

- review the provisions as provided in this notice
- contact their State Office with any question about this notice.

CCC-942, Certification of Income From Farming, Ranching and Forestry Operations

The following is an example of CCC-942.

<p>This form is available electronically.</p>		<p>OMB No. 0560-0292 OMB Expiration Date: 04/30/2022</p>	
<p>CCC-942 (05-19-20)</p> <p style="text-align: center;">U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation</p> <p style="text-align: center;">CERTIFICATION OF INCOME FROM FARMING, RANCHING AND FORESTRY OPERATIONS</p>		<p>1. PROGRAM YEAR:</p> <p>2. Return completed form to (Name and address of FSA county office or USDA Service Center):</p>	
<p>NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a – as amended). The authority for requesting the information identified on this form is Sec. 5 of the Commodity Credit Corporation Act [15 U.S.C. 714 et seq.]. The information will be used to determine eligibility for program benefits. The information collected on this form may be disclosed to other Federal, State, Local government agencies, tribal agencies, and nongovernment entities that have been authorized to respond to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated).</p> <p>Public Burden Statement (Paperwork Reduction Act): Public reporting burden for this collection is estimated to average 5 minutes per response, including reviewing instructions, gathering and maintaining the data needed, completing (providing the information), and reviewing the collection of information. You are not required to respond to the collection or FSA may not conduct or sponsor a collection of information unless it displays a valid OMB control number. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</p>			
<p>3. Name and Address of Individual or Legal Entity (Including Zip Code) (If general partnership or joint venture, complete only for each member)</p>		<p>4. Last (4) Digits - Taxpayer Identification Number (TIN) (Social Security Number for Individual; or Employer Identification Number for Legal Entity)</p>	
PART A – CERTIFICATION OF FARM INCOME			
<p>5. Individuals and Legal Entities exceeding the \$900,000 AGI limitation may otherwise qualify for certain program benefits, when the program authorizes the individual or legal entity to qualify based on following conditions:</p> <ul style="list-style-type: none"> • at least 75 percent of the individual's or legal entity's average adjusted gross income (AGI) for the 3 taxable years preceding the most immediately preceding complete taxable year was derived from farming, ranching or forestry operations. For example, if the program year is 2019, then the 3-year period for the calculation will be the taxable years of 2017, 2016 and 2015. • a certification from a licensed CPA or an attorney is submitted to the FSA/USDA Service Center identified in Item 2, attesting that at least 75 percent of the individual's or legal entity's average AGI for the 3 taxable years preceding the most immediately preceding complete taxable year was derived from farming, ranching, or forestry operations. The CPA or Attorney may meet this requirement by completing Part C below or providing a similar statement that is acceptable to FSA. 			
PART B – CERTIFICATION BY INDIVIDUAL OR ENTITY			
<p>By signing this form:</p> <ul style="list-style-type: none"> - I acknowledge the average AGI for the applicable program year exceeds the \$900,000 statutory AGI limitation for the individual or legal entity identified in Item 3. - I acknowledge that I have read and reviewed all definitions and requirements on Page 2 of this form; - I certify that all information contained in a certification from a CPA or attorney is true and correct, and is consistent with the tax returns filed with the IRS for myself or the legal entity that is seeking to qualify for program benefits subject to a certification of farm income; - I acknowledge that failure to provide the certification referenced in Part A to FSA will result in being ineligible for the applicable program benefit; - I certify that I am authorized under applicable state law to sign this certification on behalf of the legal entity identified in Item 3 (for legal entity only). 			
<p>6. Signature (By)</p>		<p>7. Title/Relationship of the Individual if Signing in a Representative Capacity</p>	<p>8. Date (MM-DD-YYYY)</p>
PART C – CERTIFICATION BY CERTIFIED PUBLIC ACCOUNTANT / ATTORNEY			
<p>By signing this form:</p> <ul style="list-style-type: none"> - I acknowledge that I have read and reviewed all definitions and requirements on Page 2 of this form; - I certify the producer identified in Items 3 and 4 has met the minimum requirements specified in Part A for the program year identified in Item 1. 			
<p>9. Signature</p>	<p>10. Title (CPA/Attorney)</p>	<p>11. State/License Number</p>	<p>12. Date (MM-DD-YYYY)</p>
<p><small>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.</small></p> <p><small>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.</small></p> <p><small>To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html 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; or (3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.</small></p>			

CCC-942, Certification of Income From Farming, Ranching and Forestry Operations (Continued)

CCC-942 (05-19-20)

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HOW TO DETERMINE ADJUSTED GROSS INCOME

Adjusted Gross Income (AGI) is the individual's or legal entity's IRS-reported adjusted gross income or equivalent (see below) consisting of both farm and nonfarm income.

Individual – Internal Revenue Service (IRS) Form 1040 filers, specific lines on that form represent the adjusted gross income

Trust or Estate – the adjusted gross income equivalent is the total income and charitable contributions reported to IRS

Corporation – the adjusted gross income equivalent is the total of the final taxable income and any charitable contributions reported to IRS

Limited Partnership (LP), Limited Liability Company (LLC), Limited Liability Partnership (LLP) or Similar Entity – the adjusted gross income is the total income from trade or business activities plus guaranteed payments to the members as reported to the IRS

Tax-exempt Organization – the adjusted gross income is the unrelated business taxable income excluding any income from non-commercial activities as reported to the IRS.

HOW TO DETERMINE INCOME FROM FARMING, RANCHING, AND FORESTRY OPERATIONS

Income received or obtained from the following sources:

<i>Production of crops, specialty crops, and raw forestry products.</i>	<i>Feeding, rearing, or finishing of livestock.</i>
<i>Production of livestock, aquaculture products used for food; honeybees; and products produced by or derived from livestock.</i>	<i>Payments of benefits, including benefits from risk management practices, crop insurance indemnities, and catastrophic risk protection plans.</i>
<i>Production of farm-based renewable energy.</i>	<i>Sale of land that has been used for agricultural purposes.</i>
<i>Sale, including easements and development rights, of farm, ranch, and forestry land, water or hunting rights, or environmental benefits.</i>	<i>Payments and benefits authorized under any program made available and applicable to payment eligibility and payment limitation rules.</i>
<i>Rental or lease of land or equipment used for farming, ranching, or forestry operations, including water or hunting rights.</i>	<i>Any other activity related to farming, ranching, and forestry, as determined by the Deputy Administrator of FSA.</i>
<i>Processing, packing, storing, and transportation of farm, ranch, forestry commodities including renewable energy.</i>	<i>Any income reported on Schedule F or other schedule used by the person or legal entity to report income from such operations to the IRS.</i>

Note: Income from wages or dividends (except IC-DISC dividends derived from farm, ranch or forestry activities) earned through a farming operation is NOT farm income.

HOW TO DETERMINE PERCENTAGE OF AVERAGE AGI FROM FARMING, RANCHING, AND FORESTRY OPERATIONS

- 1) Determine the total AGI and the total income from farming, ranching, and forestry for each of the 3 taxable years preceding the most immediately preceding complete taxable year for which benefits are requested.
- 2) Total the AGI (both farm and nonfarm income) from all 3 years.
- 3) Total the income from farming, ranching and forestry from all 3 years.
- 4) Calculate the percentage of average adjusted gross farm income by dividing the result of step 3 by the result of Step 2. The percentage calculated must be equal to; or greater than 75 percent to qualify for program benefits.

This form can only be signed by the individual authorized under state law to sign as a representative of the legal entity identified in Item 3.

INSTRUCTIONS FOR COMPLETION OF CCC-942

Item No./Field name	Instruction(s)
1. Program Year	Enter the year for which program benefits are being requested. The program year entered determines the 3-year period used for the calculation of the average adjusted gross income (AGI) for payment eligibility.
2. Return Completed Form To	Enter the name and address of the FSA county office or USDA service center where the completed CCC- 942 will be submitted.
3. Individual or Legal Entity's Name and Address	Enter the individual's or legal entity's name and address.
4. Taxpayer Identification Number	Enter the <u>Last 4 Digits of the</u> taxpayer identification number for the individual or legal entity identified in Item 3.
5. Signature	Read the acknowledgments, responsibilities and authorizations, <i>before</i> signing. (INDIVIDUAL OR ENTITY)
6. Title/Relationship	Enter title or relationship to the legal entity identified in Item3.
7. Date	Enter the signature date in month, day and year.
8. Signature	Read the acknowledgments, responsibilities and authorizations, <i>before</i> signing. (CPA or Attorney Only).
9. Title	Identify Certified Public Accountant (CPA) or Attorney as applicable.
10. State/License Number	Enter applicable State the CPA or attorney is licensed to practice in, followed by the associated individual license number.
11. Date	Enter the signature date in month, day and year.

CCC-942, Certification of Income From Farming, Ranching and Forestry Operations (Continued)

The following are instructions for completing CCC-942.

Item No./Field Name	Instructions
1. Program Year	Enter the year for which program benefits are being requested. The program year entered determines the 3-year period used for the calculation of the average adjusted gross income (AGI) for payment eligibility.
2. Return Completed Form To	Enter the name and address of the FSA County Office or USDA Service Center where the completed CCC-942 will be submitted.
3. Individual or Legal Entity's Name and Address	Enter the individual's or legal entity's name and address.
4. Taxpayer Identification Number	Enter the last 4 digits of the taxpayer identification number for the individual or legal entity identified in item 3.
5. Signature	Read the acknowledgments, responsibilities, and authorizations before signing. (<i>INDIVIDUAL OR ENTITY</i>)
6. Title/Relationship	Enter title or relationship to the legal entity identified in item 3.
7. Date	Enter the signature date in month, day, and year.
8. Signature	Read the acknowledgments, responsibilities, and authorizations before signing. (<i>CPA or Attorney Only</i>).
9. Title	Identify Certified Public Accountant (CPA) or attorney as applicable.
10. State/License Number	Enter the applicable State in which the CPA or attorney is licensed to practice, followed by the associated individual's license number.
11. Date	Enter the signature date in month, day, and year.

Example of CPA/Attorney Certification Statement

The following is an example of a CPA/Attorney Certification Statement.

<p><i>[Insert Name]</i> <i>[Insert street and/or mailing address]</i> <i>[Insert city, State ZIP Code]</i></p>
<p><i>[insert date]</i></p>
<p><i>[insert State Office name]</i> <i>[insert street and/or mailing address]</i> <i>[insert city, State ZIP Code]</i></p>
<p>I, [insert name], am <i>[insert “a certified public accountant (CPA)” or “an attorney” as appropriate]</i> practicing in <i>[insert city, State]</i>. My license identification number is <i>[insert license number]</i> in <i>[State]</i>.</p>
<p>I have been asked by <i>[insert name of producer]</i> to certify that <i>[insert name of producer]</i>'s average AGI from farming, ranching, and forestry operations is 75 percent or more of the total AGI as reported to IRS.</p>
<p>For purposes of this letter and my representations below, my “certification” is limited only to my knowledge of <i>[insert name of producer]</i>'s federal income tax returns based upon either my preparation of such returns or my readings of those returns that I did not prepare. The preparation or review of these returns was based upon the information provided by <i>[insert name of producer]</i>. <i>[insert name of producer]</i> has represented to me that the information supplied to me is, to the best of <i>[his/her/its]</i> knowledge, true, correct, and complete. In accordance with Treasury Department Circular No. 230, section 10.34 (d), I relied in good faith without verification upon the information provided by <i>[insert name of producer]</i>; however, I did not ignore the implications of information furnished to, or actually known by me, and I made reasonable inquiries if the information as furnished appeared to be incorrect, inconsistent with an important fact or another factual assumption, or was incomplete. This “certification” does not include any representations or assurances as to the accuracy or completeness of the information contained in <i>[insert name of producer]</i>'s federal income tax returns or imply that I have performed procedures beyond those required under Circular No. 230. In addition, this “certification” does not include any representations or assurances as to the accuracy or completeness of the information contained in <i>[insert name of producer]</i>'s federal income tax returns that I did not prepare.</p>
<p>I acknowledge that I have read, understand, and agree to the terms and conditions of the AGI Enclosure 1 with the following conditions:</p>
<ul style="list-style-type: none"> • I am relying on the information made known to me as noted above. I take no responsibility for information outside of the tax return preparation process, unless I relied upon outside information as noted in the end of this prepared statement or attachment. • I have not been engaged to continually monitor the tax law for this client or to continually monitor factors related to the client's AGI or other tax calculations for the relevant years. Therefore, I am not in a position to notify the Government of changes to facts or circumstances (whether or not material) that would make this certification no longer accurate. • Under Internal Revenue Code Section 7216 and other confidentiality standards, I may only provide client information upon specific written authorization from the client to release such information, including tax return information, to a third party.
<p>Continued.</p>

Example of CPA/Attorney Certification Statement (Continued)

The following are correct statements:

- Based on a representation provided by *[insert name of producer]*, or the confirmations of *[his/her/its]* e-filed federal income tax returns *[insert the applicable tax return form number]*, the *[enter the applicable 3-year period i.e. 2015, 2016, and 2017 (for 2019)]* federal income tax returns were timely filed.
- I am not aware of subsequently filed federal income tax returns, whether superseding or amended, other than those identified above related to the tax years identified above.
- I am not aware of any adjustments made by the Internal Revenue Service or any state taxing authority to the federal income tax returns identified above.
- I understand that the average adjusted gross income means the adjusted gross income as defined under 26 U.S.C. 62, or comparable measure, of the person or legal entity over the 2013, 2014, and 2015 tax years.
- According to the most recent returns filed for the years identified above, *[insert name of producer]*'s:
 - reported average AGI was at least 75 percent derived from farming, ranching, or forestry based on the tax returns for the 3 applicable tax years.

___ yes
___ no

I declare that the statements made herein, to the best of my knowledge and belief, are true, correct, and complete.

Signed

[insert name of CPA or attorney, as applicable], [insert title, "CPA" or "Attorney", as applicable]

Dated: *[insert date]*