

For: Peanut State and County Offices

2000 Peanut Poundage Quota Transfer Provisions

Approved by: Deputy Administrator, Farm Programs



1 Overview

A

Background

1-PN, subparagraph 202 B, provides for the transfer of peanut quota by sale or lease to farms administratively located within the same State.

B

Purpose

This notice instructs State and County Offices in accepting and approving FSA-375's (Peanuts) for the transfer of peanut poundage quota out-of-county for the 2000 crop year.

C

2000 Procedures

For the 2000 crop year:

- producers interested in transferring peanut quota out-of-county will be required to register by signing FSA-377 during the period February 9, 2000, through February 23, 2000
- permanent transfers of peanut quota will **not** be given priority in selection and approval
- a random drawing will be used to select producers eligible for transfer when the county's transfer limitation is exceeded according to 1-PN, subparagraph 202 C

Continued on next page

<p>Disposal Date</p> <p>October 1, 2000</p>	<p>Distribution</p> <p>Peanut State Offices; State Offices relay to applicable County Offices</p>
--	--

Notice PN-638

1 Overview (Continued)

C

2000 Procedures (Continued)

- when the county's transfer limitation is exceeded, producers selected must file a properly executed FSA-375 (Peanuts) by COB March 31, 2000

Note: If selected producers do **not** file a properly executed FSA-375 (Peanuts) by the specified date, County Offices shall notify the next eligible producers from the log established in subparagraph 3 A, step 8, until the county's transfer limitation has again been met.

- when the county's limitation is not exceeded and a random selection is not required, producers signing FSA-377 must file a properly executed FSA-375 (Peanuts) by COB March 15, 2000

Note: If peanut quota is still available for transfer after March 15, 2000, County Offices shall accept FSA-375 (Peanuts) from any eligible producer for out-of-county transfer of peanut quota on a first-come-first-served basis, until the county transfer limitation is met or July 31, 2000, whichever event first occurs.

- FSA-375 (Peanuts) accepted on a first-come-first-served basis will:
 - **not** have priority for permanent transfers
 - be accepted from all producers whether they previously signed FSA-377 or not
 - be considered accepted and filed when:
 - all required signatures are obtained
 - FSA-375 (Peanuts) is returned to the County Office.

Any requests to transfer peanut quota out-of-county by filing FSA-375 (Peanuts) or signing FSA-377 before February 9, 2000, shall be canceled.

Notice PN-638

2 Peanut Quota Transfer Limitations

A

**State and County
Limitations**

See 1-PN, subparagraph 202 B, to determine which States can transfer peanut quota across county lines with or without limitations.

The amount of quota transferred from the county in each crop year shall not exceed the percentage in 1-PN, subparagraph 202 C, minus the previous years' out-of-county transfers by sale.

B

**Percentage of
Quota To Be
Transferred**

The cumulative amount of peanut quota transferred out-of-county for the 2000 crop year cannot exceed 40 percent. Determine the county's transfer limitation according to subparagraph 3 A, step 1.

C

**Within-County
Transfers**

Poundage quota may be transferred to any other farm in the same county without regard to the limitations in 1-PN, subparagraph 202 C.

D

**Fall-Quota
Transfers**

The limitations in 1-PN, subparagraph 202 C, do not apply to temporary fall transfers.

E

**Owner and
Operator
Transfers**

Provisions of 1-PN, subparagraph 202 D, will remain applicable for owner and operator transfers.

Notice PN-638

3 County Office Action

A

Action

County Offices shall take the following actions upon receiving this notice.

Step	Action
1	Determine the amount of quota eligible to be transferred from the county according to 1-PN, subparagraph 202 C. If subparagraph 202 C is applicable, determine the limitation amount for the 2000 crop year and post in the County Office. For the 2000 crop year, multiply 40 percent times the 1996 preliminary quota obtained from Report ID: MPK100-R001, "Report of Decreased Quota", and from this product subtract the total of all permanent out-of-county transfers for the 1996 through 1999 crop years. The 1996 preliminary quota would be the quota in effect for the county on January 1, 1996, based on a national quota of 1,350,000 tons.
2	Mail the suggested letter (Exhibit 1) to all peanut farm owners and operators by February 8, 2000.
3	Prepare a secured container according to 1-PA, paragraph 50.
4	<p>Allow owners or operators to register by signing FSA-377 during the period February 9, 2000, through February 23, 2000, if they are interested in transferring quota out-of-county. The person signing FSA-377 shall:</p> <ul style="list-style-type: none"> • complete a 3- x 5-inch index card or similar paper, indicating the name, FSN, type of transfer, amount of quota, or percentage of quota to be transferred • sign the card • place the card in the container. <p>Do not allow producers to sign FSA-377 more than once for each type of transfer per farm. The total quota indicated for a farm, permanent and temporary combined, may not exceed 100 percent of the basic quota for the farm.</p> <p>Note: Owner-to-owner or operator-to-operator transfers to contiguous counties shall not be entered on FSA-377 if the requirements of 1-PN, subparagraph 202 D, have been met.</p>

Continued on the next page

Notice PN-638

3 County Office Action (Continued)

A
Action
(Continued)

Step	Action	
5	All persons registering before COB February 23, 2000, shall be considered timely filed. County Offices shall not permit additional registrations after February 23, 2000.	
6	Review FSA-377's on February 25, 2000. Convert the percentage of quota requested to be transferred on FSA-377, column 3, if applicable, into pounds and enter in column 4. Conversion shall be based upon the farm's 1999 basic quota.	
7	Determine whether the amount of quota requested to be transferred from the county exceeds the county's transfer limitation.	
	IF the amount requested to be transferred on FSA-377 does...	THEN...
	exceed the county's limitation determined in step 1	complete steps 8 through 13.
not exceed the county's limitation determined in step 1	notify all applicants who signed FSA-377 to complete the filing of their FSA-375 (Peanuts) by March 15, 2000. Complete steps 11 and 14. After March 15, 2000, allow all producers to file FSA-375's until July 31, 2000, or until the county's limitation is met.	
8	County Office shall create a log for all producers selected in the random drawing.	
9	COC shall conduct a random drawing, open to the public, on February 28, 2000. COC shall randomly select index cards from the secured container until the county's transfer limitation is met. After each drawing, a COC representative shall enter the selected farm representative's name, FSN, and amount of quota requested to be transferred on the log created in step 8 in the order drawn.	
10	COC representative shall select entries from the log, in the order entered. If the last selection causes the total amount of quota selected for transfer to exceed the county's limitation, the County Office shall notify the owner or operator of the amount that can be approved without exceeding the limit.	

Continued on the next page

Notice PN-638

3 County Office Action (Continued)

A
Action
(Continued)

Step	Action
11	Post a copy of FSA-377 and the log in the County Office until August 4, 2000. All entries on FSA-377 and the log shall be verified by COC, placed in a sealed envelope, and kept until January 31, 2001.
12	Notify all parties, by mail, as to whether or not their request to transfer peanut quota out-of-county was selected. By March 15, 2000, notify each producer eligible to transfer that they will have until COB March 31, 2000, to file a properly executed FSA-375 (Peanuts) with the transferring County Office.
13	If a properly executed FSA-375 (Peanuts) is not filed in the transferring County Office by COB March 31, 2000, COC shall select additional applicants until the county's transfer limitation is again met. The newly selected applicants shall be notified, by mail, of the selection and given until COB July 31, 2000, to execute and file FSA-375 (Peanuts).
14	If a random selection is not needed to determine which producers are eligible to transfer peanut quota out-of-county, County Offices shall accept FSA-375 (Peanuts) to transfer peanut quota out-of-county up to the county transfer limitation on a first-come-first-served basis through July 31, 2000. All properly executed FSA-375 (Peanuts) accepted by the County Office must be marked with the date and time received to properly identify FSA-375 (Peanuts) accepted according to this step.

Note: Signing FSA-377 shall not be required for transfers requested according to step 14.

Suggested Letter to Owner or Operator

**United States Department of Agriculture
Farm Service Agency
Peanut County FSA Committee
El Campo, TX 12345-6789**

January xx, 2000

Dear Farm Owner or Operator,

The Federal Agriculture Improvement and Reform Act of 1996 provides for the transfer of peanut poundage quota across county lines. For the 1996 and subsequent crops, peanut poundage quota transfers across county lines are subject to approval based upon certain limitations. For the 2000 crop year, no more than 40 percent of the basic quota allocated to the county, less quota permanently transferred out-of-county in the 1996 through 1999 crop years, may be transferred by sale or lease from (county name). Owner/operator transfers to contiguous counties if the farm had a basic quota in 1999, and fall transfers are not subject to this limitation. All requests to transfer peanut quota out-of-county by filing FSA-375 or signing FSA-377 before February 9, 2000, are hereby canceled.

If you wish to transfer peanut quota from the county for the 2000 crop year, you must visit the County Office to sign FSA-377, Register of Tentative Out-of-County Peanut Poundage Quota Transfers, February 9, 2000, through February 23, 2000, indicating your farm number, percentage or pounds of peanut quota you wish to transfer out-of-county, and type of transfer (sale or lease). The signing of the register does not indicate approval of the transfer of peanut quota.

If the total amount of quota listed on the county's FSA-377 does not exceed the county's limitation, no random selections will be conducted. You and any other producer in the county will be allowed to file FSA-375 requesting to transfer peanut quota out-of-county March 15 through July 31, 2000, on a first-come-first-served basis until the county transfer limitation is met.

If the total amount of quota listed on FSA-377 exceeds the limit allowed to be transferred from the county, transfers up to the limit will be randomly selected on February 28, 2000, at the County FSA Office. COC will randomly select all requests to transfer from a secured container. The selection process will be open to the public, and COC will not give priority to permanent peanut quota transfers.

If a random selection is required for the county, you will be notified by mail whether or not your request to transfer peanut quota out-of-county has been selected. If your request to transfer peanut quota is selected, you must return to the County Office to execute FSA-375 (Peanuts), Transfer of Peanut Quota, and obtain the signature of all interested parties by March 31, 2000. If a properly executed FSA-375 is not filed by March 31, 2000, beginning on April 3, 2000, COC will select additional entries until the county's limitation is met or July 31, 2000, whichever event comes first.

If a random selection is not required for the county, you will be notified by mail that your request to transfer peanut quota out-of-county has been authorized. You must return to the County Office to execute FSA-375 (Peanuts), Transfer of Peanut Quota, and obtain the signature of all interested parties by March 15, 2000. If a properly executed FSA-375 is not filed by March 15, 2000, you must request to transfer of peanut quota out-of-county on a first-come first-served basis. The COC will accept FSA-375's requesting to transfer peanut quota out-of-county on a first-come first-served basis March 16 through July 31, 2000, or until the county limitation is met, whichever event comes first.

The _____ County Office will maintain a register of producers wishing to transfer peanut quota out-of-county.

If you have any questions about the procedures relating to the transfer of peanut poundage quota, please contact this office at (telephone number). (Add discrimination statement.)

Sincerely,

County Executive Director