

For: State and County Offices

**Concord Grapes Marketed in New York, Ohio, and Pennsylvania  
Certified for Trade Adjustment Assistance (TAA)**

Approved by: Deputy Administrator, Farm Programs



**1 Overview**

**A Background**

FAS has certified a new petition for New York, Ohio, and Pennsylvania concord grapes for marketing year 2003. Producers represented by this petition are eligible to apply for TAA benefits.

**B Purpose**

This notice provides:

- information about the New York, Ohio, and Pennsylvania petition certified by FAS
- instructions to provide benefits to eligible concord grape producers.

**2 Provisions of New York, Ohio, and Pennsylvania Fresh-Market Concord Grape Petition**

**A Original Petition Certification for 2003**

A petition for TAA benefits was originally filed for New York, Ohio, and Pennsylvania concord grape producers by Lilley Farms of North East, Pennsylvania. The petition requested benefits for concord grapes for the 2003 marketing year. FAS announced the certification of this petition on March 28, 2005.

**B Preliminary Payment Rate for New York, Ohio, and Pennsylvania Concord grapes**

The preliminary payment rate applicable to the 2003 marketing year petition for New York, Ohio, and Pennsylvania concord grapes is \$3.06 per ton (2000 pounds).

<b>Disposal Date</b>	<b>Distribution</b>
December 1, 2005	State Offices; State Offices relay to County Offices

## Notice SP-39

### 2 Provisions of New York, Ohio, and Pennsylvania Concord Grape Petition (Continued)

#### C Application Period and Documentation Requirements

Producers covered by this new petition may apply for benefits by submitting a completed FSA-229 starting March 28, 2005, through June 27, 2005, at their closest FSA County Office or USDA Service Center. FSA-229's received late cannot be approved for cash benefits.

Acceptable production evidence must be submitted at the time of application, but no later than June 27, 2005. This evidence must verify concord grape marketings in New York, Ohio, and Pennsylvania from August 2003, through July 2004. All other required application documentation must be submitted by COB September 30, 2005. This includes the following:

- documentation that the applicant's net farm income was lower in 2003 than in 2002
- documentation of having met the CRSEES training requirement.

County Offices are reminded to encourage all applicants to submit all documentation as early as possible. This allows for payments under all TAA petitions to be processed sooner and reduces ineligibility because of incomplete documentation.

#### D Eligible Producers

For purposes of this petition, an eligible applicant is a concord grape producer as defined according to 1-PL, subparagraph 110 A, who commercially marketed concord grapes in New York, Ohio, and Pennsylvania and directly or indirectly, as determined by the Secretary, shared in the risk of producing concord grapes.

#### E Years for Net Income Comparison

Applicants must provide documentation that their net income from farming was less in 2003 than it was in 2002. See Notice SP-35, paragraph D for determining the tax year most closely associated with the petition marketing year.

#### F Eligible Production

The quantity of concord grapes eligible for payment must:

- have been produced in New York, Ohio, or Pennsylvania and marketed there from August 2003, through July 2004
- be verified by sales receipts or other marketing evidence from the buyer.

## Notice SP-39

### 2 Provisions of New York, Ohio, and Pennsylvania Concord Grape Petition (Continued)

#### G CSREES Training Period

Applicants under the concord grape petition must obtain the technical assistance from CSREES no later than September 27, 2005, to be eligible for cash benefits.

Applicants must provide documentation of the training from CSREES to their County Office.

### 3 Action

#### A State and County Office Action

State and County Offices shall:

- inform potential applicants about enrollment and eligibility requirements by mailing FSA-230 (see 1-SP, paragraph 30) to producers thought to be eligible and, as considered appropriate, through:
  - over-the-counter discussion
  - newsletters and articles in local newspapers
  - other methods of communication
- accept FSA-229's.

#### B Software Reminders

Inquiries about TAA application and payment software may be directed to Joseph Doleski, PSD, 202-720-8401.

Application software at item 6B, that asks "Is the applicant a ship Captain/Skipper", must be allowed to default to "No" for TAA applications under all petitions. This allows item 7A also to default to "No". These questions will be removed from application software because there is no FSA-229-A.