

For: State and County Offices

**Michigan and Washington Concord Grapes Certified for Trade Adjustment Assistance (TAA)
Software Delays for Entry of FY 2006 TAA Applications**

Approved by: Acting Deputy Administrator, Farm Programs



1 Overview

A Background

FAS certified separate petitions for Michigan concord grapes and Washington concord grapes for marketing year 2004. Producers represented by these petitions are eligible to apply for TAA benefits. These petitions do **not** have a common payment rate.

Currently, only FY 2005 applications can be entered or edited in TAA application software. Until TAA software has been revised, no FY 2006 TAA applications can be recorded through the TAA software.

B Purpose

This notice provides:

- information about the Michigan and Washington petitions certified by FAS
- instructions for accepting and processing TAA applications under the new FY 2006 programs
- information about the future entry of FY 2006 TAA applications into the application software.

2 Provisions Common to the Michigan and Washington Concord Grape Petitions

A Original Petition Certification for Marketing Year 2004

On March 16, 2006, FAS announced the certification of separate petitions for TAA benefits for Michigan and Washington producers. The petitions request benefits for concord grape producers for the 2004 marketing year that is August 1, 2004, through July 31, 2005.

Disposal Date	Distribution
December 1, 2006	State Offices; State Offices relay to County Offices

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2 Provisions Common to the Michigan and Washington Concord Grape Petitions (Continued)

B Eligible Producers

For purposes of this petition, an eligible applicant is a producer as defined according to 1-PL, subparagraph 110 A who:

- commercially produced concord grapes in Michigan or Washington
- directly or indirectly shared in the risk of such production.

C Application Period and Documentation Requirements

Producers covered by these new petitions may apply for benefits from March 27 through June 26, 2006, at their closest FSA County Office or USDA Service Center. During this 90 calendar day period, applicants **must** submit both a completed FSA-229 and evidence of production.

Note: If either FSA-229 or the production evidence is received after June 26, 2006, then the application will **not** be approved for cash benefits.

Production evidence must verify concord grape production in Michigan or Washington between August 1, 2004, and July 31, 2005.

Other application documentation that must be submitted by COB September 29, 2006, is:

- documentation that the applicant's net farm income was lower in marketing year 2004 than in marketing year 2003
- documentation of having met the CSREES training requirement
- CCC-502, CCC-526, AD-1026, and either SF-1199A or FFAS-12.

County Offices shall encourage, **but not require**, applicants to submit the required forms and income documentation within the 90-calendar-day application period. This earlier submission will allow County Offices to establish subsidiary files before the September 2006 rollover. FSA cannot require submission of these forms any earlier because regulations allow producers to submit these forms through September 29, 2006. However, delays in payment can occur if rollover is completed before the producer submits the documentation.

Because the CSREES training certification is not entered into the subsidiary files, there is less urgency in having it submitted within the 90-calendar-day application period. However, the sooner an application is completed, the sooner it can be approved for payment.

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2 Provisions Common to the Michigan and Washington Concord Grape Petitions (Continued)

D Years for Net Income Comparison

Applicants must provide documentation that their net income from farming was less in 2004 than it was in 2003. See 1-SP, paragraph 54 for the documentation requirements. The documentation may be for either the 2003 and 2004 calendar years or the tax years most closely associated with the petition marketing year as explained in 1-SP, subparagraph 54 D.

E Eligible Production and Quantity for Payment

The quantity of concord grapes eligible for payment must:

- have been produced in Michigan or Washington from August 2004, through July 2005

Note: Concord grapes produced in any other State but marketed in Michigan or Washington are **not** eligible production for TAA benefits.

- be verified by production evidence such as sales receipts or other marketing evidence from the buyer.

Concord grapes are commonly marketed in short **tons of 2000 pounds**. For TAA software to correctly calculate payments, enter the eligible quantity of tons on FSA-229, item 1G and in the application software.

F CSREES Training Period

Applicants under the concord grape petitions **must** obtain technical assistance from CSREES to be eligible for cash benefits. Producers of concord grapes may take the CSREES training even if they may not meet all the requirements to receive a TAA cash payment. CSREES provides applicants who take the training with a certification of training form (see 1-SP, Exhibit 5).

To be eligible for a cash payment, applicants must provide documentation of the training from CSREES to their County Office no later than September 29, 2006.

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3 Preliminary Payment Rates

A Payment Rate for Michigan

The preliminary payment rate applicable to the 2004 marketing year petition for Michigan concord grapes is \$9.80 per ton.

B Payment Rate for Washington

The preliminary payment rate applicable to the 2004 marketing year petition for Washington concord grapes is \$18.10 per ton.

4 Delayed Availability of TAA Application Software

A Delayed Entry of FY-2006 Applications

The web-based TAA application software currently accepts entries (new applications or revisions) only for FY 2005 applications. The software will **not** accept any FY 2006 applications until the software has been revised; this includes applications for Florida avocados, Indiana snapdragons, and Michigan and Washington concord grapes.

The TAA software will be revised to accept new applications or application edits without regard to the FY of the application. This software revision is not expected to be completed, tested, and released for at least 8 to 12 weeks (late June or July 2006).

5 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 appropriate, through over-the-counter discussions, newsletters, and articles in local newspapers
- encourage all applicants to submit all forms other than the CSREES training certificate within the 90-calendar-day application period.

Note: TAA regulations provide that documentation supporting a TAA application (excluding production evidence) must be submitted no later than September 30. For 2006, September 30 falls on a Saturday which is not an FSA workday. Therefore, for FY 2006, the deadline for submitting supporting documentation (excluding production evidence) is established by FAS to be September 29, 2006. Usual FSA policy of extending the deadline to the next FSA workday does **not** apply to TAA.

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5 Action (Continued)

B Entering and Revising FY 2006 Applications

County Office staff shall enter FY 2006 applicant information into:

- SCIMS and appropriate subsidiary file as soon as possible upon receiving the information from the applicant

Note: All subsidiary files **must** be established before the **September 2006 rollover**. After rollover subsidiary files **cannot** be entered or edited by County Office staff for the 2004 crop year. County Offices are reminded that subsidiary files **must** be established for the individual members of joint operations, partnerships, and corporations that may apply for TAA payments.

- TAA application software as soon as possible after the software is revised to accept FY 2006 applications.

Note: A notice will be issued when the software has been revised.