

For: Tobacco State and County Offices

Provisions for Indicated Violations for 2004 Crop Year

Approved by: Deputy Administrator, Farm Programs



1 2004 Violation Guidance

A Background

The Fair and Equitable Tobacco Reform Act of 2004 (the Act), signed by the President on October 22, 2004, terminated the Federal Tobacco Marketing Quota and Price Support Loan Programs effective with the 2005 and subsequent crops of tobacco. Therefore, no annual calculations for 2005 will be performed.

B Purpose

This notice provides the following guidance to COC and STC for indicated violations for the 2004 crop year.

- Review records to discover indicated violations as required in the applicable handbook for all kinds of tobacco.
- For violations requiring allotment/quota reductions, COC shall review and conduct hearings, if determined appropriate, and close case without processing MQ-85.
- For violations that require penalty to be assessed (such as false identification and marketing above 103 percent of quota), COC shall determine whether or not penalty is due and make recommendation to STC.
- If it is determined that penalty is due, after STC concurrence, assess the penalty. The penalty becomes an offset to any payments due including the tobacco transition payment.
- Record all indicated violations on MQ-102 and forward to State Office.

Disposal Date July 1, 2005	Distribution Tobacco State Offices; State Offices relay to applicable County Offices
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