

For: Flue-Cured Tobacco State and County Offices

Revised Instructions For Tobacco Producers

Approved by: Acting Deputy Administrator, Farm Programs



1 Overview

A

Background

Each year, farm operators are sent a reminder letter on the use of farm marketing cards. This letter has been revised to include a statement regarding nested tobacco and the USDA's HOTLINE number for reporting tobacco program violations.

B

Purpose

This notice:

- provides instructions to County Offices for sending the **revised** reminder letter to farm operators on use of farm marketing cards, in lieu of the letter in 9-TB SCOAP, Exhibit 26

Note: See suggested letter in Exhibit 1.

- advises that 9-TB SCOAP will be amended to incorporate the revised letter.

2 Action

A

**County Office
Action**

County Offices shall reproduce and mail the revised letter in to each flue-cured tobacco farm operator, in lieu of the letter in 9-TB SCOAP, Exhibit 26.

<p>Disposal Date</p> <p>December 1, 1999</p>	<p>Distribution</p> <p>Flue-Cured Tobacco State Offices; State Offices relay to applicable County Offices</p>
---	--

Reminder to Farm Operator on Use of Farm Marketing Cards

Date:-----

Dear Producer:

Your tobacco marketing card is for use in marketing tobacco produced on the farm for which the marketing card is issued. If any entry is incorrect, please return the card for correction. It is important that you know the following information in marketing your tobacco crop.

1. Pounds marketed above 103 percent of the farm quota are subject to a marketing quota penalty and are not eligible for price support. All tobacco (sold, given away, or traded) must be recorded on your marketing card. Any tobacco left at the warehouse is considered marketed and subject to penalty even though you are not paid for the tobacco.
2. Tobacco marketed above 100 percent of your farm quota will be deducted from the farm quota for the following year. Likewise, undermarketings, up to 100 percent of basic farm quota, will be added to the farm's quota for the following year.
3. Do not permit anyone to market tobacco produced on another farm on your card.
4. You must present your marketing card at the warehouse when your tobacco is weighed in. The card must remain in custody of the warehouse until payment is made or until your tobacco is removed from the warehouse.
5. You must pick up your marketing card from the warehouse at the time you receive payment for your tobacco. There is only one exception to this requirement. If the warehouse has a written agreement with FSA accepting certain responsibilities and agreeing to certain recordkeeping requirements, the operator may elect to leave his marketing card at the warehouse.
6. You should examine your marketing card and sale bills after each sale to see if the sale was correctly recorded. Report any error to the FSA marketing recorder at the warehouse or to your local FSA County Office. If an unreported error results in your selling above 103 percent of your farm quota, you will be held responsible for payment of marketing quota penalties at _____ cents per pound.
7. If the marketing card is used to market tobacco produced on another farm or if tobacco produced on this farm is identified on the marketing card for another farm, the persons involved may be subject to prosecution under Title 18, Section 1001 of the U.S. Criminal Code, which provides for a fine of not more than \$10,000 or imprisonment for not more than 5 years or both, and the quotas on both farms may be reduced.
8. As soon as you complete your marketing, you must return your marketing card to the FSA County Office.
9. If you plan to destroy more than 500 pounds of tobacco that is produced and not marketed, you are required to notify the FSA County Office to witness the disposition of the tobacco. This does not include green tobacco (tobacco not harvested), scrap, or leaves of poor quality that accumulate during the process of curing, grading, or preparing tobacco for marketing.
10. Producers who fail to account for production and disposition of tobacco, file false reports, or falsely identify tobacco are subject to criminal, civil, and administrative penalties in addition to farm allotment and quota reductions.
11. All lots of tobacco offered for price support must be sound, in merchantable condition and not nested as defined in 7-CFR part 29. Farms on which the tobacco is determined to have been "knowingly" nested, will be ineligible for price support and all price support advances must be refunded.
12. In order to protect the integrity of your Tobacco Program, please report violations of law and regulations to the Office of Inspector General at 1-800-424-9121.

Sincerely,

John White, Chairman
Scott County FSA Committee

Enclosure