

<p>CCC-441 Income U.S. DEPARTMENT OF AGRICULTURE (02-24-00) Commodity Credit Corporation</p> <p style="text-align: center;">NONINSURED CROP DISASTER ASSISTANCE PROGRAM CERTIFICATION OF INCOME ELIGIBILITY</p>	<p>1. RETURN TO: County FSA Office Name and Address</p> <p>Telephone No. (area code)</p>
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<p>2. Name and Address of Person</p> <p>TO:</p>	<p>3. Crop Year</p>		
	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; padding: 5px;">4. Farm No.</td> <td style="width:50%; padding: 5px;">5. Unit No.</td> </tr> </table>	4. Farm No.	5. Unit No.
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If mailing in a window envelope the name and address must be placed above this text.

- Instructions:**
- **Complete Part A and sign in the area indicated.**
 - **Read the information relating to false certification in Part B.**
 - **RETURN THIS FORM to the address in item 1 above. YOU MUST RETURN THIS FORM BEFORE YOUR APPLICATION FOR BENEFITS CAN BE APPROVED.**

PART A - CERTIFICATION OF INCOME (Revenue definitions are included on Page 2 of this form)

I certify that for the most recent tax year preceding the crop year for which benefits are requested.

Fifty percent of my gross annual revenue (receipts) was received from farming; ranching and forestry operations and that my gross annual revenue (receipts) from these operations was not in excess of \$2 million.

Less than fifty percent of my gross annual revenue (receipts) was received from farming, ranching, and forestry operations and that my gross annual revenue (receipts) from all agricultural and nonagricultural sources was not in excess of \$2 million.

<p>Person Sign Here:</p>	<p>Date (MM-DD-YYYY)</p>
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PART B - PENALTY FOR FALSE CERTIFICATION

Evidence that may be required to validate certification may include tax records, accountant's certification, or other documentation that provides the information required. The penalty for false certification is loss of all benefits for the disaster crop year in which the false certification was made.

NOTE: *The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a), and the Paperwork Reduction Act of 1980, as amended. The Federal Agriculture Improvement and Reform Act of 1996, and the regulations at 7 CFR Part 1437 authorize the collection of the information required by this certification. The information will be used to establish income eligibility in accordance with the requirements of the law for applicants who are requesting Noninsured Crop Disaster Assistance Program assistance. Providing this information is voluntary; however failure to furnish the requested information will result in a determination of ineligibility for Noninsured Crop Disaster Assistance Program assistance. This information may be used by and provided to other agencies, IRS, Department of Justice, other State or Federal law enforcement agencies, and in response to orders of a court, magistrate, or administrative tribunal. The provisions of criminal and civil fraud statutes, including 18 USC 286, 287, 371, 641, 651, 1001; 15 USC 714m; and 31 USC 3729, may be applicable to the information provided.*

*According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0560-0175. The time required to complete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. **RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.***

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REVENUE DEFINITIONS

Gross revenue (receipts) from farming, ranching, and forestry means the gross revenue (receipts) the person received from all agricultural sources. There shall be no adjustments or reductions made in determining gross revenue (receipts) from farming, ranching, and forestry, including nursery operations.

Gross revenue (receipts) from all agricultural and nonagricultural sources means the total revenue received by the person for the tax year from wages, rents, royalties, sales, or any other type of income. This figure must be the gross revenue before ANY adjustments or reductions. For example, if a person buys feeder cattle, fattens them, and sells them, the gross revenue would be the total revenue received when the cattle were sold. There shall be no reduction for such things as the purchase price of the cattle or for feed costs.

EXAMPLES FOR DETERMINATIONS QUALIFYING GROSS REVENUE (RECEIPTS)

Example 1

- Situation** Farmer or rancher, A. Bravo's, gross annual revenue from the sale of agriculture production was \$50,000. Production expenses for producing these products was \$30,000. A. Bravo's gross revenue from farming, ranching and forestry operations is \$50,000.
- A. Bravo also owns 51 percent of A.B. Grain Co., Inc. The grain company purchased grain from producers for \$3,000,000 and sold the grain for \$3,050,000. A. Bravo's gross revenue for A.B. Grain Co., Inc., is \$3,050,000.
- Determination** Less than a majority of A. Bravo's annual revenue was from farming, ranching, and forestry operations; therefore, A. Bravo's qualifying gross revenue is the gross revenue from all sources.
- A. Bravo is ineligible for disaster benefits because the qualifying gross revenues exceed \$2,000,000 (\$50,000 plus \$3,050,000 equals \$3,100,000).

Example 2

- Situation** When a husband and wife are considered one person, the gross revenue from both must be included. C. Doe's gross revenue from farming is \$1,000,000. His wife sold clothing costing \$600,000 for a total of \$1,600,000. Overhead expenses were \$150,000. The husband and wife had investment revenue (stocks, bonds, and savings accounts) of \$100,000. The qualifying gross revenue is \$2,700,000 (\$1,000,000 plus \$1,600,000 plus \$100,000).
- Determination** Less than a majority of the producer's gross revenue was from farming, ranching and forestry operations. Therefore, qualifying gross revenue is gross revenue (receipts) from all agricultural and nonagricultural sources. The entity is ineligible to receive disaster benefits.

Example 3

- Situation** Shady Farms, Inc., had gross revenues of \$1,900,000 from farming. All of this revenue was from the production of grain and livestock. The corporation is owned by Earl E. Floyd and Thelma Floyd, his wife. Earl E. Floyd also had controlling interest in Aerial Application, Inc., an aerial spraying and seeding business. Aerial Applications, Inc., had a gross revenue of \$150,000.
- Determination** Since a majority of the annual revenue of Shady Farms, Inc., was from farming, ranching, and forestry operations the qualifying gross revenue is \$1,900,000.
- Shady Farms, Inc., is eligible to receive disaster benefits.

Example 4

- Situation** The auction house sold livestock for \$30,000. The \$30,000 was deposited in a special account set up by the auction house and designated a "Custodial Account for Shippers Proceeds." Funds in this account are trust funds. The only checks that may be written on this account are checks to the sellers of the livestock and checks to the general account of the auction house for marketing charges. To offset the \$30,000 deposit, the sellers were paid \$29,400 for their livestock, and the auction house was paid \$600 for commissions.
- Determination** Include only \$600 from commissions as gross income for the auction house. Because funds in the custodial account are trust funds, they are not considered gross income for the auction house. The custodial account must be set up according to the Packers and Stockyards Administration regulations.