



HANDLER REGULATORY & REPORTING COURSE

March 5, 2018



HANDLER REGULATORY & REPORTING COURSE OVERVIEW

A MESSAGE FROM KAREN CROW

The goal of this course is to provide education and training for compliance activities required by

Federal Marketing Order 986, to include:

Reporting Forms | Handler Visits | Handler Audits

In addition we have provided a few introductory tools to assist with navigating the
AmericanPecan.com website, as well as Image Use & Social Sharing.

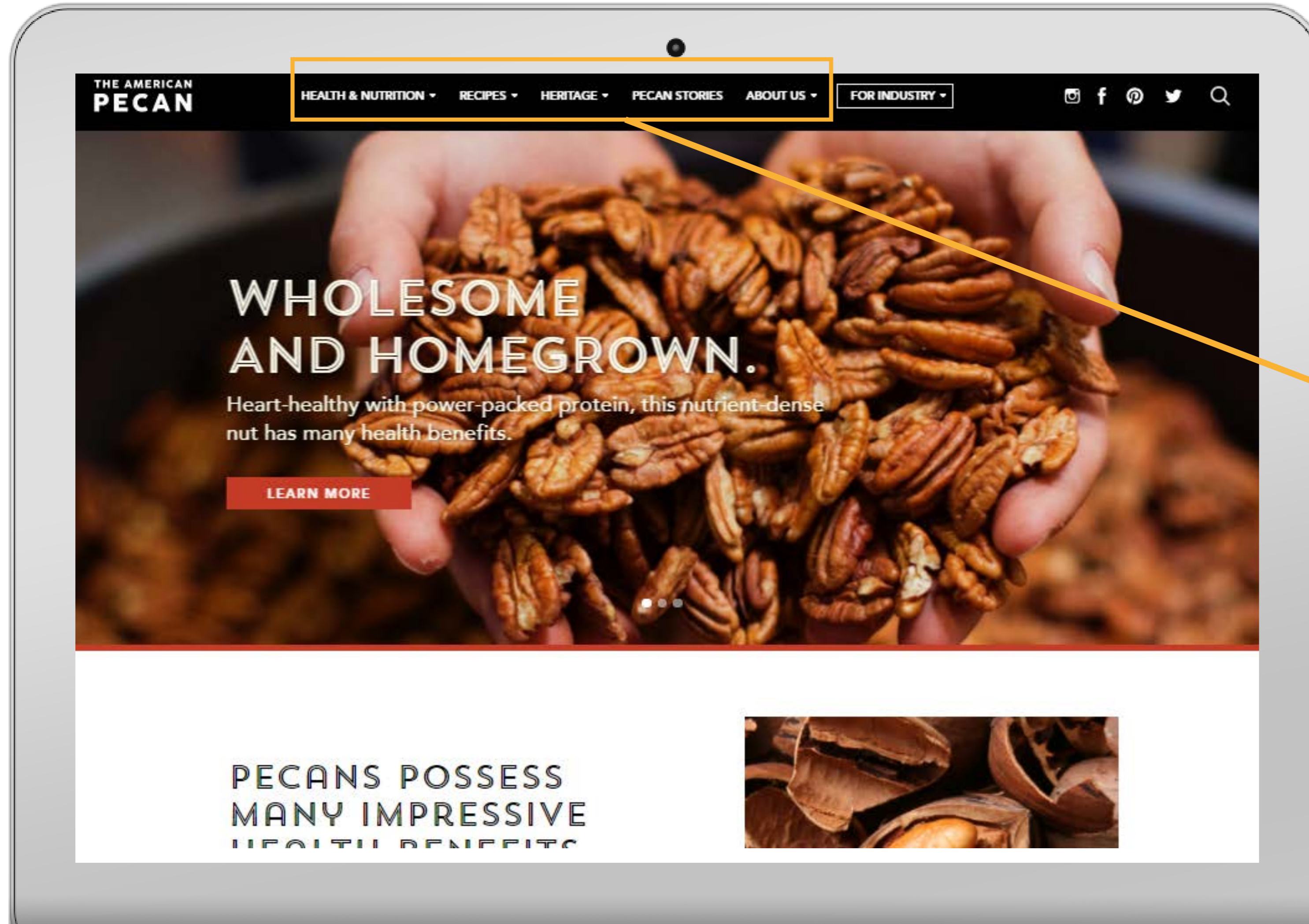
THANK YOU!

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WEBSITE TOUR

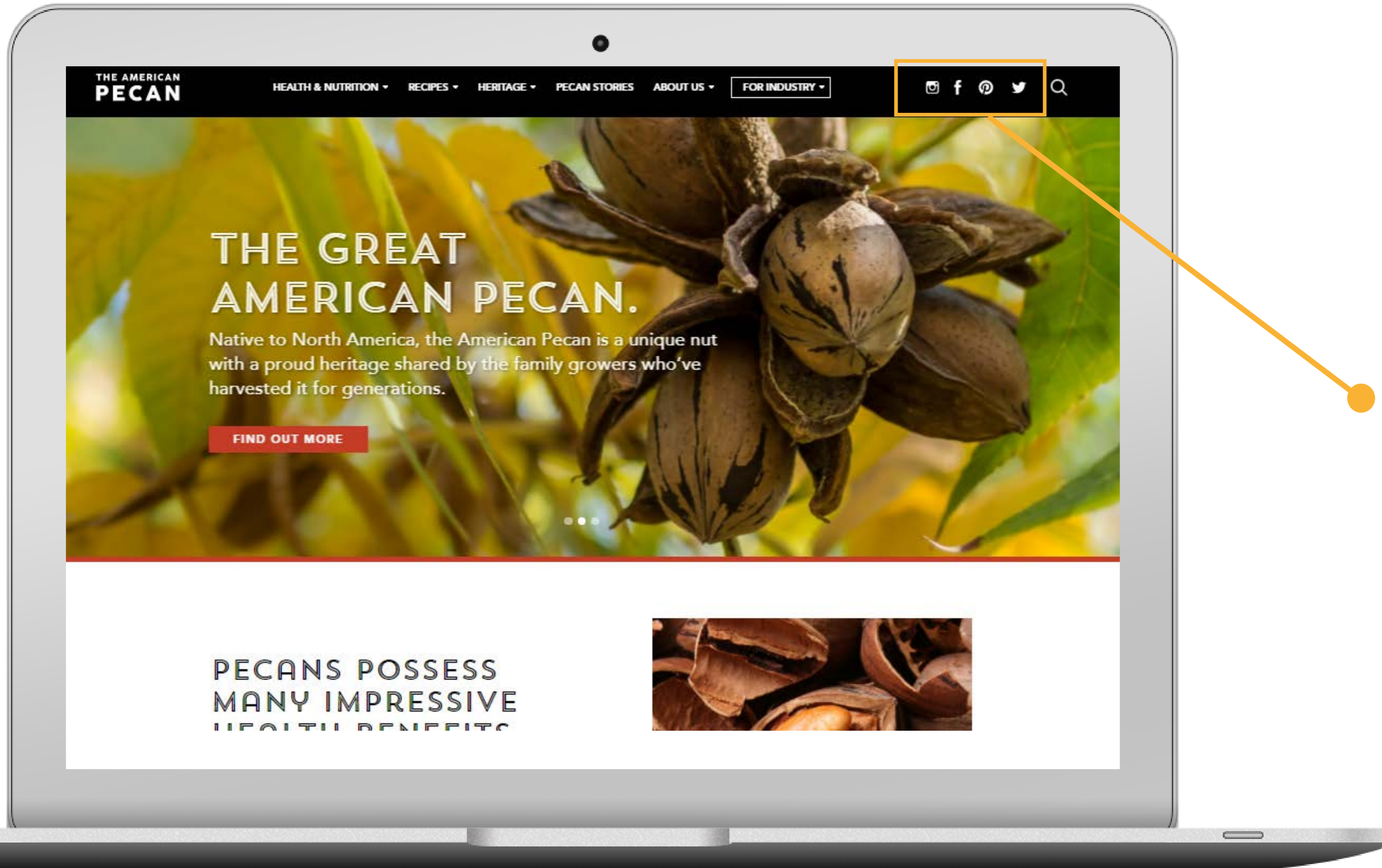


The black navigation bar at the top of AmericanPecan.com will allow you to determine which section you want to view

The CONSUMER portion of the website includes sections focused on HEALTH & NUTRITION, TASTE, HERITAGE, PECAN STORIES & ABOUT US

Click on any of these sections to learn about the American Pecan

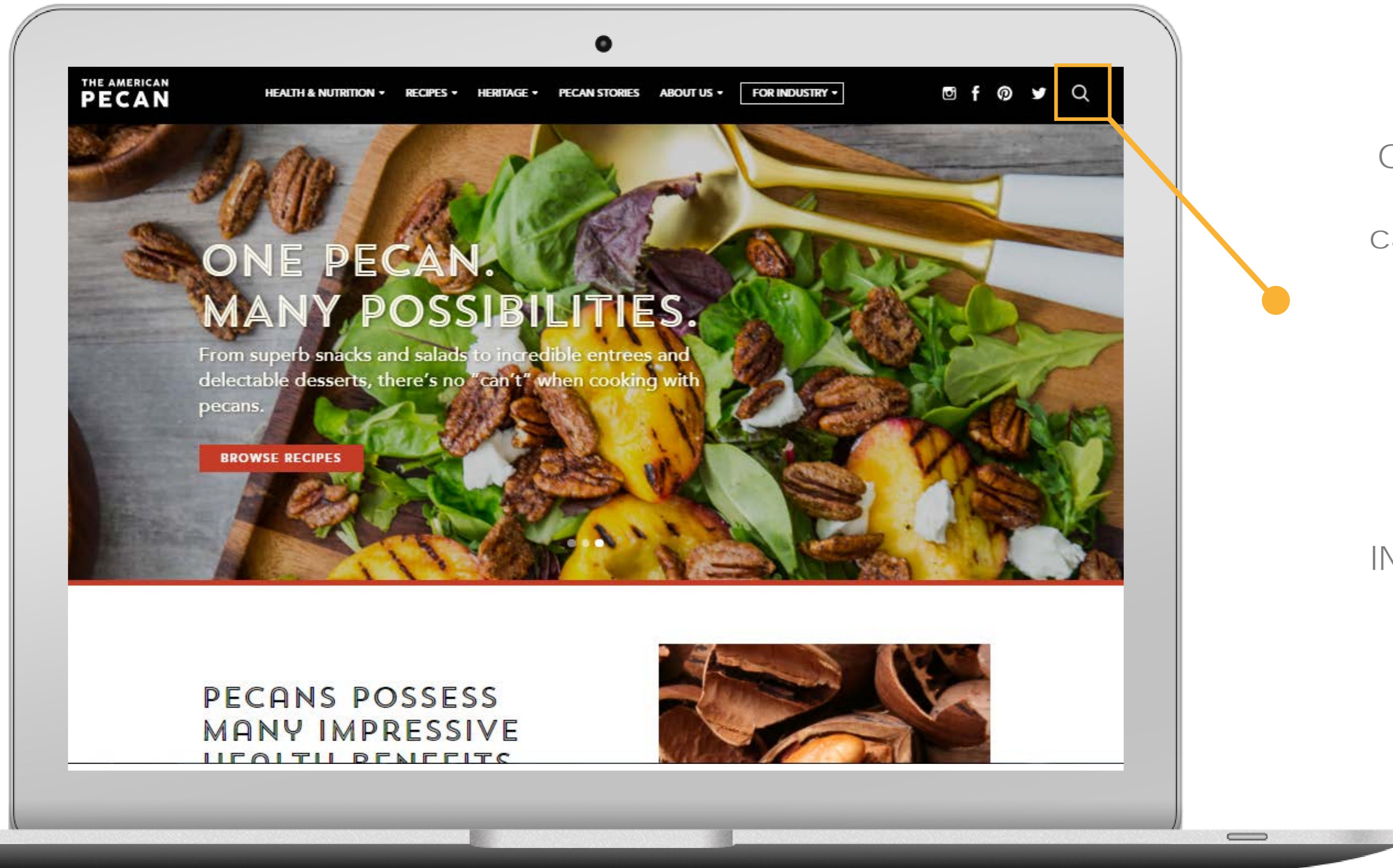
SOCIAL HANDLES



On the upper right-hand side of the page, you can find icons that link to the American Pecan social handles

Click on any of the accompanying pages and you will be redirected to our INSTAGRAM, FACEBOOK, PINTEREST or TWITTER pages respectively

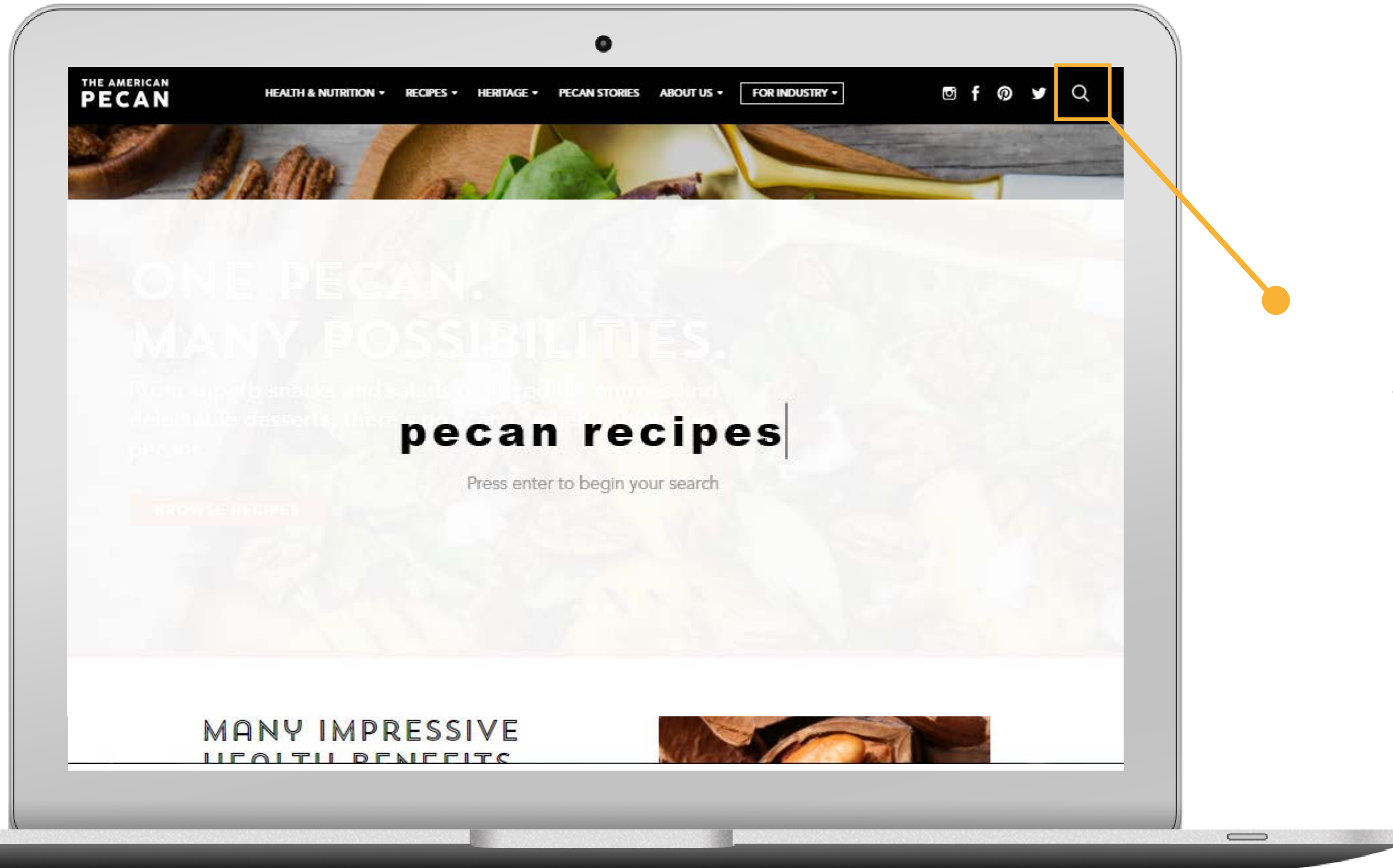
WEBSITE SEARCH



On the upper right-hand side of the page, you can find icons that link to the American Pecan social handles

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WEBSITE SEARCH

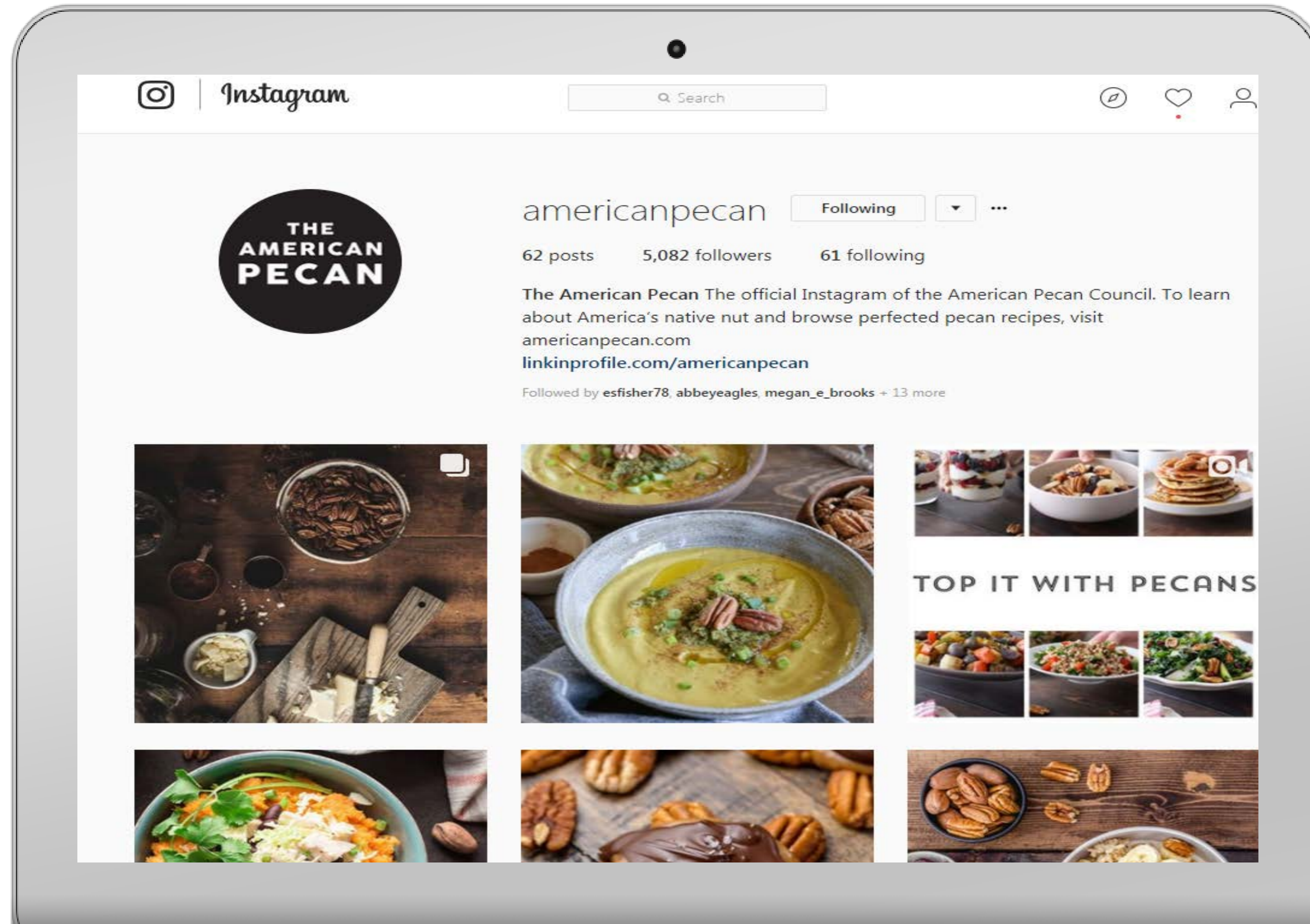


A SEARCH box will pop-up and allow you to search for any relevant topic

You will be given links within the site based on various search results

Click on the link that best fits your selection

SHARING ON SOCIAL



The content that is created on our social channels is for YOUR USE in your own promotional materials and social channels.

If you'd like to leverage American Pecan content, we ask that you adhere to the guidelines outlined below:

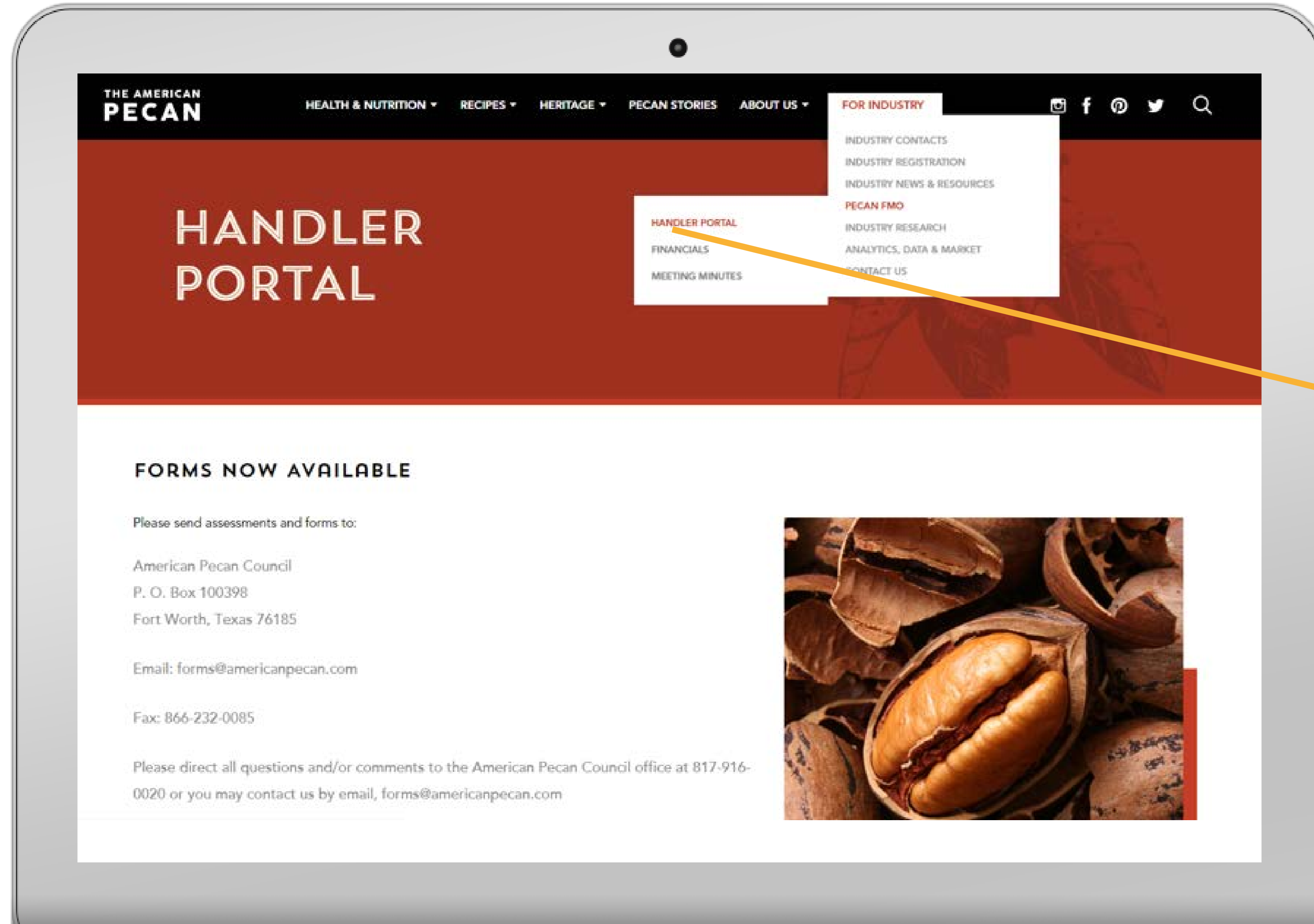
- Any use of videos or image content must be clearly in conjunction with the promotion of American Pecans.
- Please credit American Pecan for all content that is published.
- If leveraging content on social channels, please be sure to tag the MLMC social handles:
 - @americanpecan (Instagram)
 - @americanpecan (Facebook)
 - @americanpecan (Pinterest)
 - @americanpecan (Twitter)

For all social content, please use the #americanpecan hashtag

IMAGE RIGHTS

If you would like to acquire additional image rights based on photos from americanpecan.com, please reach out to info@americanpecan.com.

HANDLER FORMS



Click on the FOR INDUSTRY TAB

Scroll down to the PECAN FMO section

Select HANDLER PORTAL to view the forms

FORMS NOW AVAILABLE

Please send assessments and forms to:

American Pecan Council
P. O. Box 100398
Fort Worth, Texas 76185

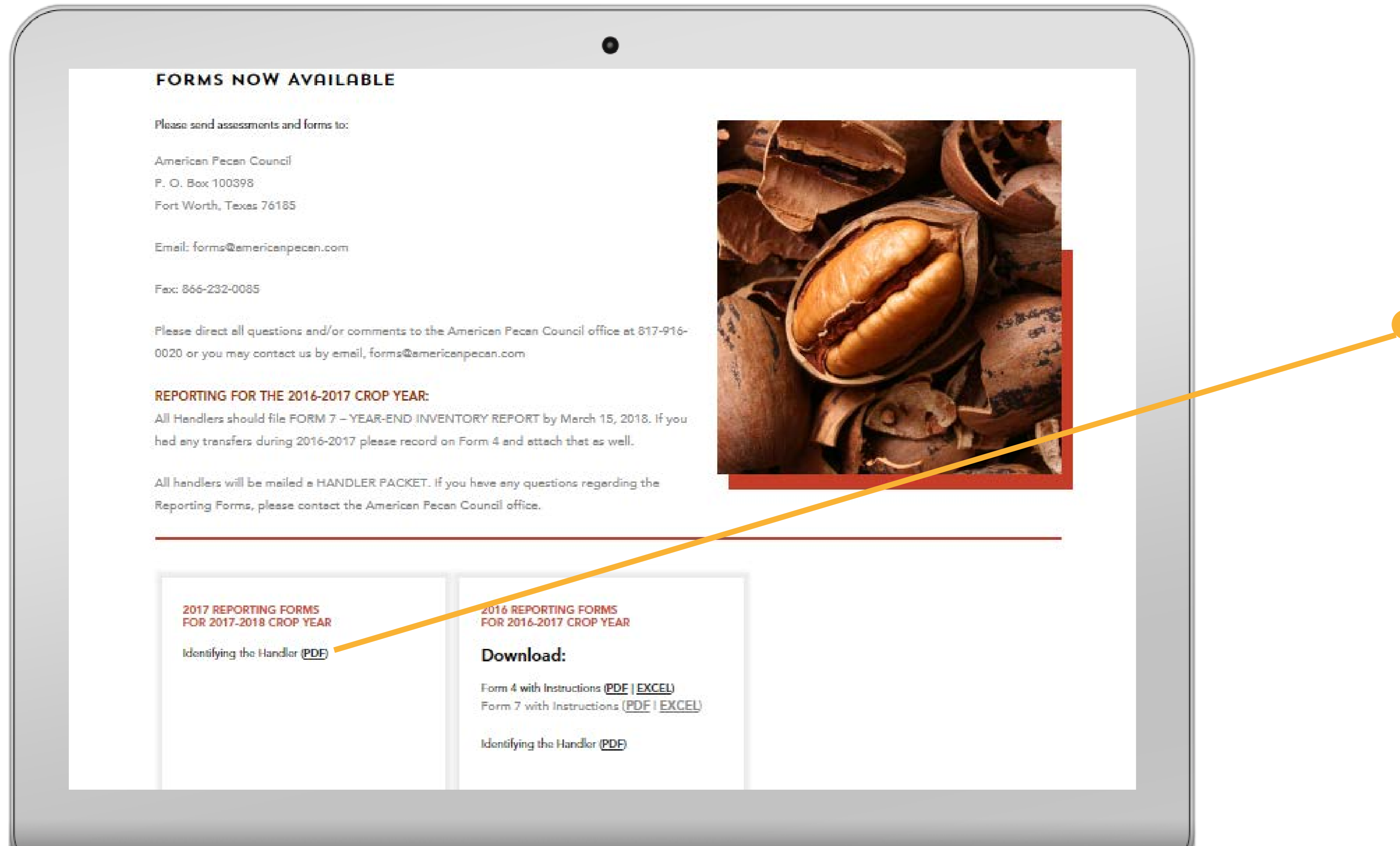
Email: forms@americanpecan.com

Fax: 866-232-0085

Please direct all questions and/or comments to the American Pecan Council office at 817-916-0020 or you may contact us by email, forms@americanpecan.com



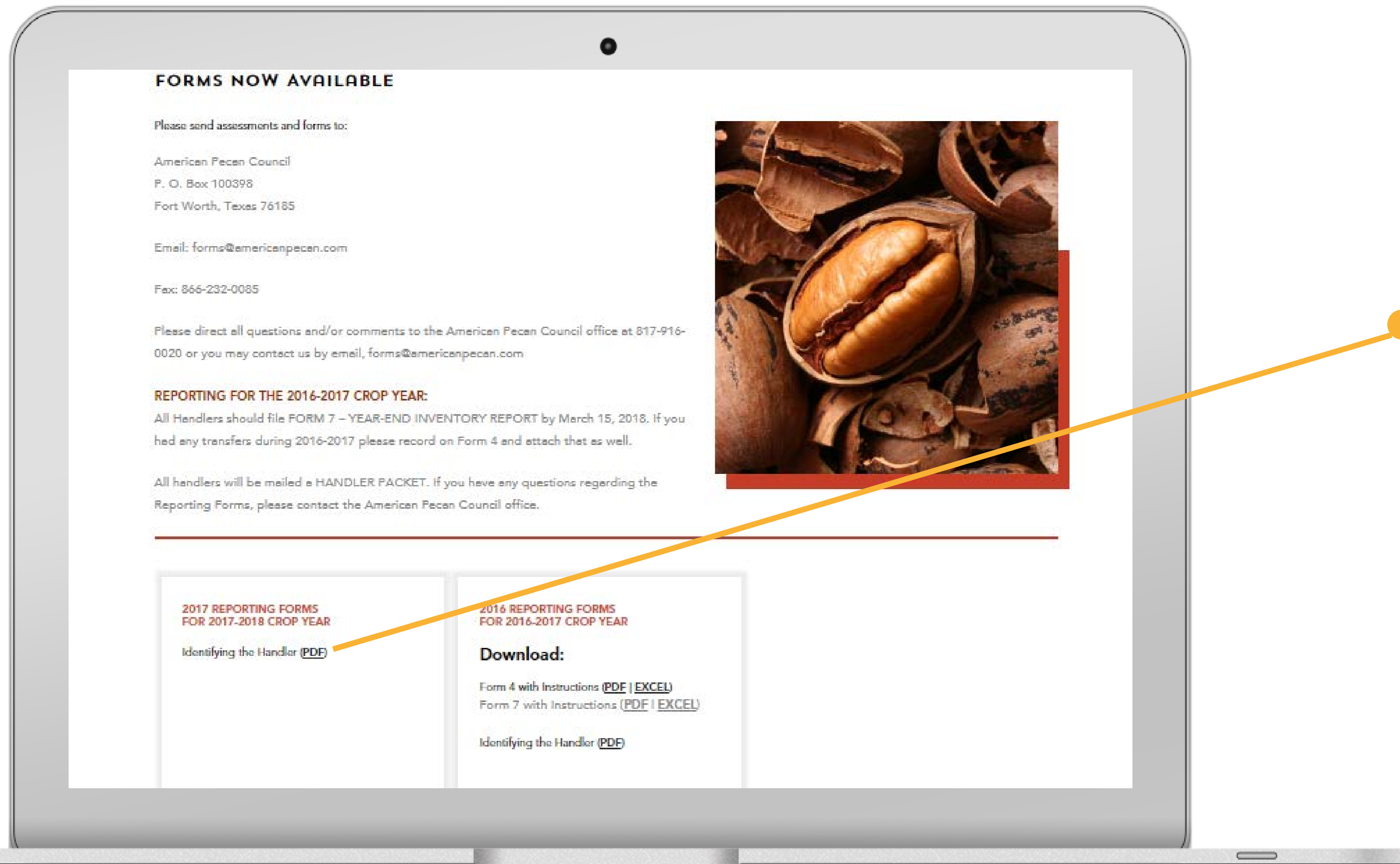
FAQ's – Forms | Assessments



Scroll down on the HANDLER PORTAL tab to view the forms

Select FAQ's Forms & Assessments

IDENTIFYING THE HANDLER



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P. O. Box 100398
Fort Worth, Texas 76185

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REPORTING FOR THE 2016-2017 CROP YEAR:

All Handlers should file FORM 7 – YEAR-END INVENTORY REPORT by March 15, 2018. If you had any transfers during 2016-2017 please record on Form 4 and attach that as well.

All handlers will be mailed a HANDLER PACKET. If you have any questions regarding the Reporting Forms, please contact the American Pecan Council office.



2017 REPORTING FORMS FOR 2017-2018 CROP YEAR

[Identifying the Handler \(PDF\)](#)

2016 REPORTING FORMS FOR 2016-2017 CROP YEAR

Download:

Form 4 with Instructions ([PDF](#) | [EXCEL](#))
Form 7 with Instructions ([PDF](#) | [EXCEL](#))

[Identifying the Handler \(PDF\)](#)

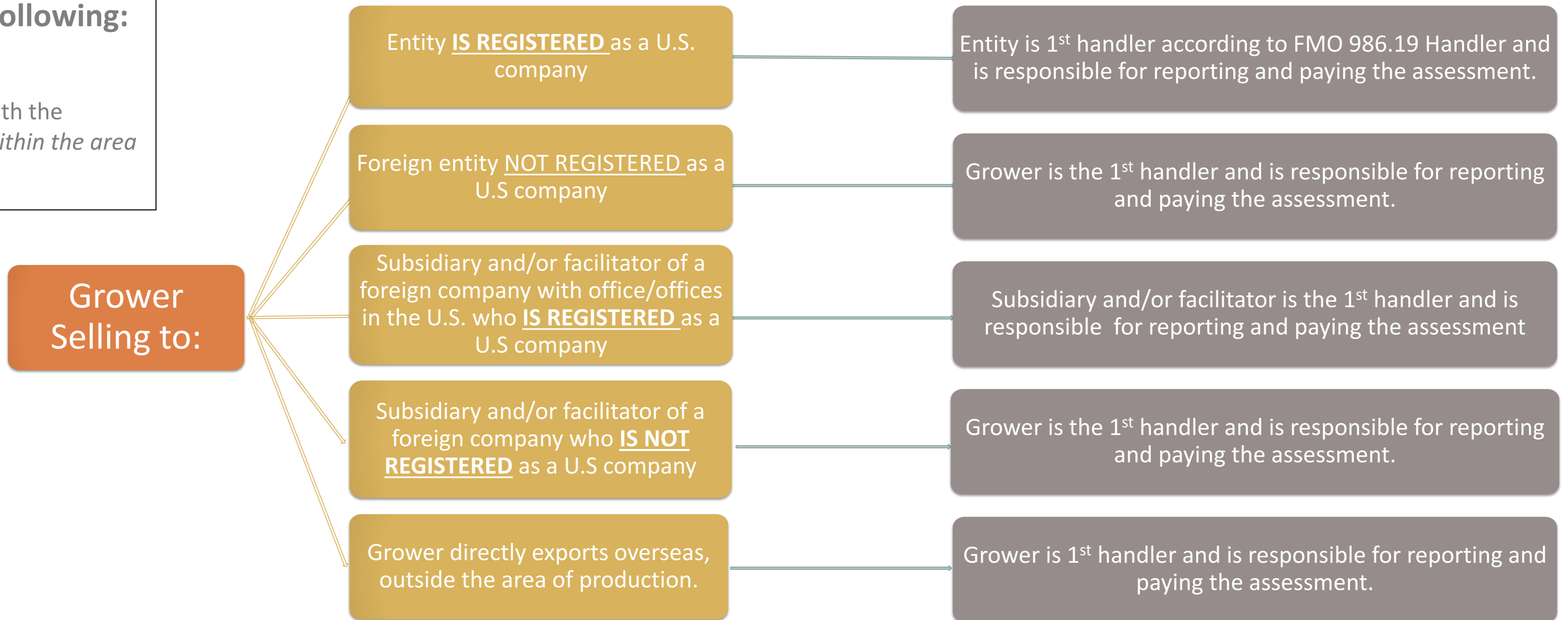
Scroll down on the HANDLER PORTAL tab to view the forms

Select IDENTIFYING THE HANDLER for details on determining Handler status

IDENTIFYING THE HANDLER

Ask yourself the following:

- 1) Who am I selling to?
- 2) What are they doing with the product? (e.g. handling within the area production or exporting?)



Federal Marketing Order §986.19 Handler - *Handler* means any person who handles inshell or shelled pecans in any manner described in § 986.20.

Federal Marketing Order §986.20 To handle - *To handle* means to receive, shell, crack, accumulate, warehouse, roast, pack, sell, consign, transport, export, or ship (except as a common or contract carrier of pecans owned by another person), or in any other way to put inshell or shelled pecans into any and all markets in the stream of commerce either within the area of production or from such area to any point outside thereof. The term “to handle” shall not include: Sales and deliveries within the area of production by growers to handlers; grower warehousing; custom handling (except for selling, consigning or exporting) or other similar activities paid for on a fee-for-service basis by a grower who retains the ownership of the pecans; or transfers between handlers.

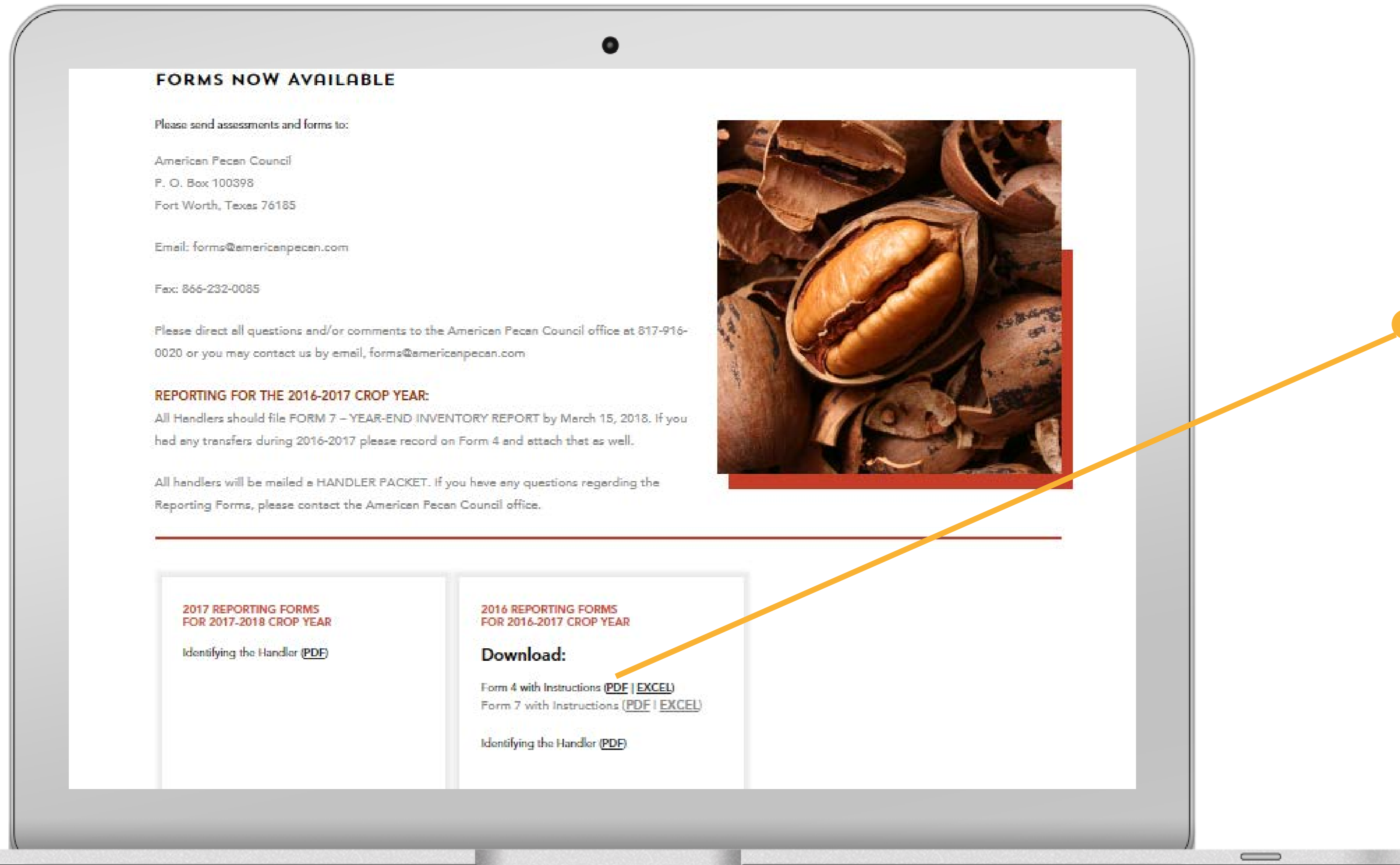
***Federal Marketing Order § 986.20 Exemptions**

- (a) Any handler may handle inshell pecans within the production area free of the requirements of this part if such pecans are handled in quantities not exceeding 1,000 inshell pounds during any fiscal year.
- (b) Any handler may handle shelled pecans within the production area free of the requirements of this part if such pecans are handled in quantities not exceeding 500 shelled pounds during any fiscal year.
- (c) Mail order sales are not exempt sales under this part.



2016 REPORTING FORMS

CROP YEAR 2016-2017



Scroll down on the HANDLER PORTAL tab to select the forms to view

Select FORM 4 and 7 both of which are available in either a PDF or EXCEL format, whichever you prefer


Download the form and either complete on your desktop and print (EXCEL) or print the PDF and complete]

FORM 4 INSTRUCTIONS & FORM



OMB No. 0581-0291

American Pecan Council
P. O. Box 18078
Fort Worth, Texas 76161
(817) 946-8822
forms@americanpecan.com


AMERICAN PECAN COUNCIL

REPORT OF INTER-HANDLER TRANSFER OF PECANS Form 4 - Instructions

This report is submitted pursuant to 7 CFR 986.62 and reporting requirements 7 CFR 986.77 and 986.78, and is subject to audit verification by the American Pecan Council pursuant to 7 CFR 986.79. The completed form must be delivered to the American Pecan Council no later than the tenth day of the month following the transfer.

Please note: If completing electronically, you need only insert data in the blank WHITE cells. The form will calculate any information in the "SHADED" cells. Once the information is entered, the column totals will calculate automatically. If completing the form by hand, please calculate totals manually.

The following are instructions for completing Form 4 - Report of Inter-Handler Transfer of Pecans:
Month of Transfer: Enter the month pecans were sold to receiving handler.
Handler Numbers: Leave blank, will be used by APC staff.
Inter-handler transfers (in pounds)

1. Enter the weight of inshell pecans transferred for each type of pecan transferred.
2. If completing the form by hand, total the amount of assessment for each type transferred.
3. Check the box indicating which handler is responsible for paying the assessment and reporting volume on Form 7.

UPON COMPLETION: Read the Certification Statement at the bottom of the form and write/type the Handler/Company name. Then sign and date the form in the spaces provided. Each party in the transfer is to retain a copy of the form then fax or email to **AMERICAN PECAN COUNCIL: Fax (866) 232-0083; Email - forms@americanpecan.com.**

986.81 - Confidential Information: All reports and records submitted by handlers to the Council staff, which include data or information constituting a trade secret or disclosing the trade position, or financial condition or business operations of the handler, shall be kept in the custody of one or more employees of the Council and shall be disclosed to no person except the Secretary of Agriculture.

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 0581-0291. The time required to complete this information collection is estimated to average 18 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.

Form 4 (2/2018)

OMB No. 0581-0291

REPORT OF INTER-HANDLER TRANSFERS OF PECANS - FORM 4

This report is submitted pursuant to 7 CFR 986.62 and reporting requirements 986.77 and 986.78, and is subject to audit verification by the American Pecan Council pursuant to 7 CFR 986.79.

Month _____

Handler Number: _____ (office use)

INTER-HANDLER TRANSFERS (in pounds)			
Type of Pecan	Assessment Rate	Inshell Pounds transferred	Assessment/Amount Owed
Inshell	\$0.03		\$0.00
Nutty Shelling	\$0.02		\$0.00
Substandard	\$0.00		\$0.00
TOTALS		0.00	\$0.00

Who is responsible for paying the assessment and reporting volume on Form 7 (check appropriate box):
 Transferring Handler Receiving Handler

This report of pecans transferred between handlers is submitted in compliance with the requirements of 7 CFR 986.62. **Completion of this form does not exempt either handler from reporting inventory on Form 7.** In executing this form, both handlers respectively certify to the Council, and to the U.S. Department of Agriculture, the correctness and completeness of their statements.

To be completed by Transferring Handler **To be completed by Receiving Handler**

(Name of Handler/Company)

Signature

Date

(Name of Handler/Company)

Signature

Date

Certification Statement: The making of any false statements or representations in any matter within the jurisdiction of any agency of the United States, knowing it to be false, is a violation of title 18, section 1001, of the United States Code, which provides for a penalty of a fine for individuals and for organizations or imprisonment, or both.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political belief, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 726-3890 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <http://www.usda.gov/complaint>, filing, and mail and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (800) 833-8992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 490-7412; or (3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.

Form 4 (2/2018)

REPORTING FOR THE 2016-2017 CROP YEAR:


If you had any transfers during 2016-2017 record on Form 4. For 2016-2017 Crop year you may complete one Form 4 for each supplier.

FORM 7 INSTRUCTIONS & FORM



OMB No. 0581-0291

American Pecan Council
P. O. Box 10078
Fort Worth, Texas 76118
(817) 915-0250
forms@americanpecan.com


AMERICAN PECAN COUNCIL

YEAR-END INVENTORY REPORT APC Form 7 - Instructions

This report is submitted pursuant to 7 CFR 986.77 and 986.78 and is subject to audit verification by the American Pecan Council pursuant to 7 CFR 986.79. The completed form and assessments due must be delivered to the American Pecan Council no later than **MARCH 15, 2018**.

Please note: If completing the form electronically, you need only insert data in the blank WHITE cells. Once the information is entered, the column totals will be calculated automatically. If completing the form by hand, please calculate totals on the form manually.

The following are instructions for completing Form 7 – Year-End Inventory Report
Date Completed: Enter the date the form is being completed.
Crop Year: Enter the Crop Year being reported upon.

Pecans in Inventory and Handled Throughout the Year:

- In the top section of the form, enter the total weight of inshell remaining in inventory, broken down by type (i.e. Improved, Native and Substandard), as well as how much of the inventory is committed/contracted, but not shipped, for both export and domestic commitments. The "Total Pounds" figure includes all inshell in inventory **REGARDLESS OF COUNTRY OF ORIGIN**.
- In the second section of the form, enter the total amount of Shelled Meats remaining in inventory, as well as what is committed/contracted, but not shipped, for both export and domestic commitments, **REGARDLESS OF COUNTRY OF ORIGIN**, whether improved, native or substandard.
- Enter the breakdown of the Shelled Meats remaining in inventory by halves, pieces and work in process (WIP). The total of the three must equal the total Shelled Meat figure. Enter how much of the Shelled Meats inventory has been contracted/committed, but not shipped, for both export and domestic commitments.
- If completing by hand, total the pounds of inshell inventory and the inshell equivalent of shelled inventory in the third section. Shelled meats are converted to inshell by multiplying shelled weight by 2.
- In the bottom section of the form, enter the total amount of U.S. Inshell handled throughout the year broken down by type (i.e. Improved, Native and Substandard). **IN THIS SECTION, REPORT ONLY U.S. INSHELL HANDLED.**
- In the final column of the bottom section, enter any assessments paid prior to submitting this report. If completing by hand, calculate the remaining assessments due.

UPON COMPLETION: Read the Certification Statement at the bottom of the form and write/type the Handler/Company name. Then sign and date the form in the spaces provided and fax or email to **AMERICAN PECAN COUNCIL: Fax (866) 232-0085; Email - forms@americanpecan.com.**

(2018) Confidential Information: All reports and records submitted by handlers to the Council staff, which include data or information constituting a trade secret or disclosing the trade position, or financial condition or business operations of the handler, shall be kept in the custody of one or more employees of the Council and shall be disclosed to no person except the Secretary of Agriculture.

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 OMB 0581-0291. 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.

Form 7 (2/2018)

OMB No. 0581-0291

Report of Year-End Inventory - FORM 7

Handler Number: _____ (if for use)

INSHELL IN INVENTORY ON AUGUST 31				
Type of Inshell	Total Pounds	Committed, not shipped - Export	Committed, not shipped - Domestic	Uncommitted
Improved				0.00
Natives/Seedlings				0.00
Substandard				0.00
Total Inshell	0.00	0.00	0.00	0.00

SHELLED MEATS IN INVENTORY ON AUGUST 31				
Type	Total Pounds	Committed, not shipped - Export	Committed, not shipped - Domestic	Uncommitted
Total Shelled Meats				0.00
Breakdown of Total Meats/Work in Process	Halves			0.00
	Pieces			0.00
	WIP			0.00
Math Check (Must = 0)	0.00	0.00	0.00	0.00

TOTAL INVENTORY (INSHELL BASIS) ON AUGUST 31				
Type	Total Pounds	Committed, not shipped - Export	Committed, not shipped - Domestic	Uncommitted
Total Inventory (Inshell + Shelled*)	0.00	0.00	0.00	0.00

*NOTE: Shelled Meats are converted to inshell using a ratio of 50% (multiplying the shelled meats by 2). The form automatically makes this calculation.

US PECANS HANDLED THROUGHOUT THE YEAR				
Pecans	Total Pounds	Assessed Rate	Total Assessment Owed For the Crop Year**	Assessment PAID to Date
Improved		\$0.00	\$0.00	
Natives/Seedlings		\$0.00	\$0.00	
Substandard		\$0.00	\$0.00	
TOTAL	0.00		\$0.00	\$0.00

** Total Pounds multiplied by Assessed Rate

Remaining Assessment Due \$0.00

Handler/Company _____
Address _____
Signature _____ Date _____

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In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or receipt or non-receipt of prior civil rights activities, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

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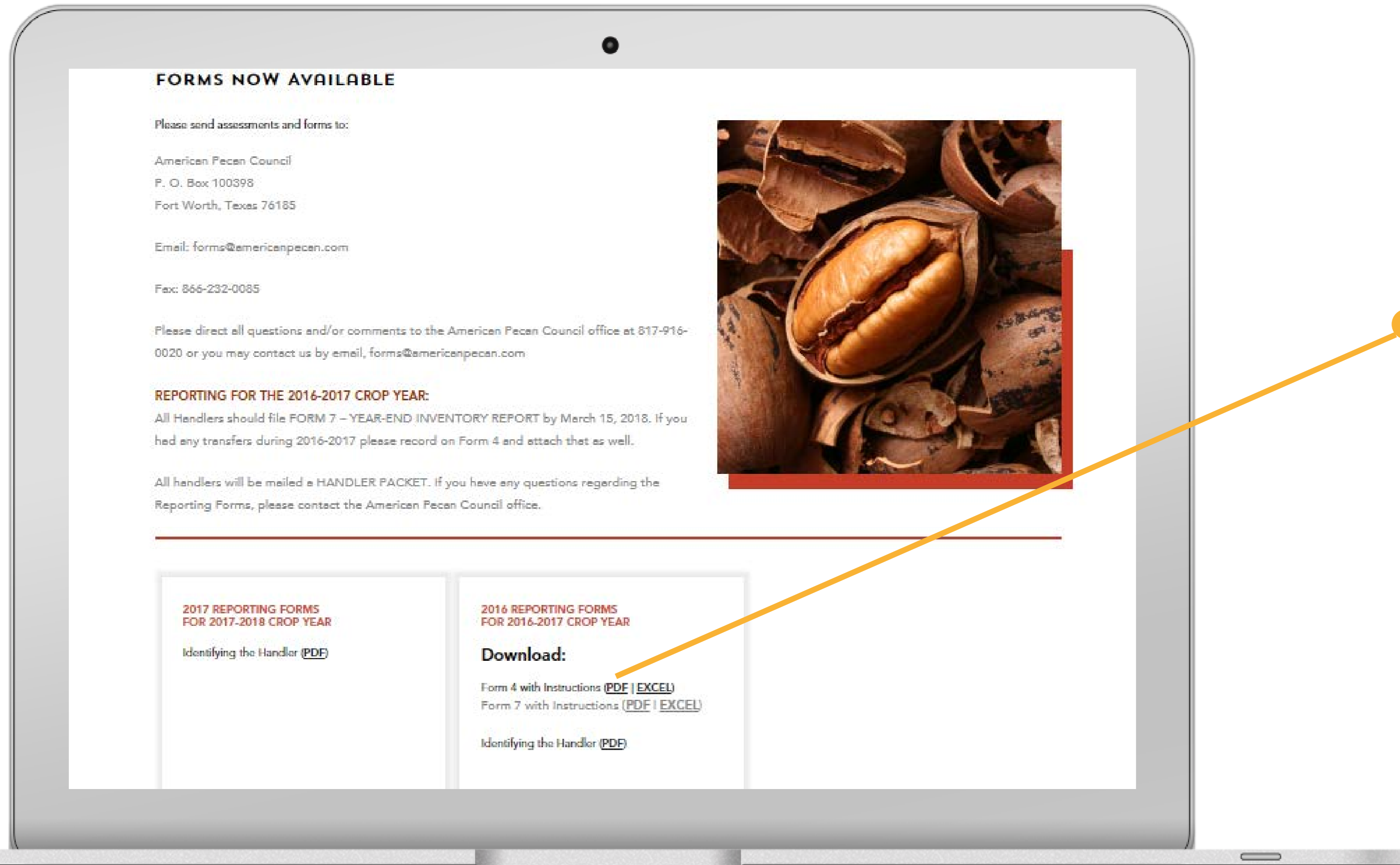
Form 7 (2/2018)

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2017 REPORTING FORMS

CROP YEAR 2017-2018



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Identifying the Handler ([PDF](#))

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Form 7 with Instructions ([PDF](#) | [EXCEL](#))

Identifying the Handler ([PDF](#))

Scroll down on the HANDLER PORTAL tab to select the forms to view

Select FORM 1, 2, 3, 4, 5, 6 for Monthly Report Forms. Select FORM 7 to Report Year-End Inventory. Forms are available in PDF and EXCEL.

HANDLER VISITS

WHAT TO EXPECT

- On-site training and review processes and procedures
- Visits are schedule and performed by APC Staff
- Observe operations of handlers on a scheduled basis
- Update Handler Information
- This compliance activity is a required action of the American Pecan Council
- Documented during handler visit:
 - Date and time of visit
 - Who we met with while on-site
 - Summary of conversation
 - Note discrepancies, if any and resolution

HANDLER AUDITS

WHAT TO EXPECT

PRIOR TO VISIT:

- Auditor will contact handler for site visit and will provide day and approximate time. Auditor will attempt to provide handler with two weeks' notice.
- Auditor will confirm appointment via email or US mail.
- Auditor will send selected handler general questionnaire via email or US mail. The purpose of questionnaire is to gather an understanding of the handler's process for reporting, supporting documentation, accounting system and employees/owners responsible for the accuracy of the reporting.
- Auditor will request questionnaire to be completed and sent to auditor 3 days prior to site visit.

VISIT:

- Handler should have available supporting documentation, such as receiving reports, shipping records, bills of lading, reconciliations or other applicable documentation that supports assessments report to the American Pecan Council.
- Handler should have one designated member of management as main point of contact for the review.
- Auditor will reconcile Reporting Forms to supporting documentation.

CONCLUSIONS:

- Review preliminary results from the procedures with the responsible/designated employee.
- Follow up with handler, while on site any additional documentation necessary to conclude on the results
- Unresolved discrepancies, along with handler comments will be reviewed with management of APC.
- Prepare final report for APC and handler.

QUESTIONS?

Please do not hesitate to reach out to Karen Crow, Acting Executive Director, or Emma Garner, with questions or concerns at 817-916-0020.

You can also e-mail us with general questions at info@americanpecan.com.

Questions about the Handler forms? E-mail us at forms@americanpecan.com.