



North Carolina Department of Agriculture and Consumer Services  
Steve Troxler, Commissioner

## **2009 Poultry Loss Contract Grant Assistance Program (PGAP)**

### **GUIDANCE & INFORMATION DOCUMENT**

1. **What is the Purpose?**

To provide financial assistance to eligible poultry growers who suffered a financial loss, as a result of their poultry growing arrangement being terminated by a bankrupt live poultry dealer between May 1, 2008, and July 1, 2010.

2. **Who May Apply?**

Poultry growers whose poultry growing arrangement was with a live poultry dealer that filed proceedings under chapter 11 of title 11, United States Code, in United States Bankruptcy Court during the 30-day period beginning on December 1, 2008 was terminated.

3. **What are the Eligibility Requirements?**

To meet the basic PGAP eligibility a poultry grower must meet the criteria listed below.

- A poultry grower who has suffered a financial loss, as a result of a bankrupt live poultry dealer terminating its poultry growing arrangement with the poultry grower between May 1, 2008, and July 1, 2010.
- A poultry grower that did not enter into a poultry growing arrangement with any live poultry dealer for one (1) month following the termination of their poultry growing arrangement with a bankrupt live poultry dealer.
- A poultry grower that was in compliance with the highly erodible land and wetland provisions.
- A poultry grower that did not have an average adjusted gross non-farm income, with respect to USDA, Farm Service Agency programs for calendar year 2009, that exceeded \$500,000 for calendar years 2005-2007.
- A poultry grower must submit program loss documents as outlined in Number 4. below.

4. **Required Documentation to Meet Eligibility Requirements**

To be deemed eligible a poultry grower must attach to this application the documents and/or documentation outlined below.

- The most recent 12-months production/receipts from a bankrupt live poultry dealer from which the poultry grower had a growing arrangement terminated between May 1, 2008, and July 1, 2010.
- The most recent poultry growing arrangement with a bankrupt live poultry dealer before the termination of the growing arrangement that was terminated between May 1, 2008, and July 1, 2010.
- A copy of the termination letter from a bankrupt live poultry dealer, which was sent to the poultry grower.

- A copy of the poultry grower's current poultry growing arrangement with a live poultry dealer (if applicable).
- An applicant must have the following verifiable documents on file at the local Farm Service Agency county office:
  - AD-1026 – “Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certifications”
  - CCC-901 – “Member’s Information – 2009 and Subsequent Years” if an entity
  - CCC-926 – “Adjusted Gross Income Statement”

5.

**What are the Program Requirements and/or Restrictions?**

The following requirements and/or restrictions apply to the PGAP.

- An eligible grower must have the following documents on file at the local Farm Service Agency county office that shows:
  - That its average adjust gross non-farm income does not exceed \$500,000 for calendar years 2005 – 2007, as calculated under regulations in 7 CRF Part 1400; and
  - Compliance with the conservation compliance eligibility provisions for other programs in accordance with 7 CFR Part 12.
- Access must be provided to records as needed to assure compliance with the PGAP.
- The total amount of assistance that an individual or legal entity may receive, directly or indirectly, from financial assistance made available under the PGAP application and any other state’s applications shall not exceed \$100,000 in aggregate, except. for general partnerships and joint ventures, in which case assistance shall not exceed \$100,000 times the number of members that constitute the partnership or joint venture. Business structures, other than individuals, must obtain a DUNS number. Exhibit 5 provides instructions on how to secure a DUNS number.
- The payment limitation of \$100,000 shall be applied to an applicant based on the applicant’s business structure as it existed during calendar year 2009.
- The amount of assistance provided to eligible poultry growers shall be based upon the poultry grower’s most recent 12 month production/receipts obtained from the poultry grower’s Settlement Sheets issued by the bankrupt live poultry dealer with which the eligible poultry grower had a poultry growing arrangement.
- State and Federal-owned poultry farming operations are not considered an eligible poultry grower.
- Financial assistance will be provided to eligible poultry growers in the form of cash payments directly to eligible poultry growers.
- Assistance shall only be provided to an eligible poultry grower that submits acceptable documentation, as determined by the North Carolina Department of Agriculture and Consumer Services – Marketing Division, which establishes at a minimum, the eligibility requirements outlined in number 3 above.
- The PGAP “Certifications and Assurances” document, which is part of the application process, must be signed, dated, and on file with the NCDA&CS – Marketing Division.
- Eligible growers must be willing to enter into a contractual agreement with the NCDA&CS – Marketing Division.
- Eligible growers must obtain a NCID number by accessing the North Carolina Office of State Budget & Managements electronic reporting system at NCGrants.gov. Exhibit 1 provides instructions on how to obtain an NCID number.
- Eligible growers must file annual, electronic reports with the North Carolina Office of State Budget & Management (NCGrants.gov), until all awarded funds are expended. Exhibit 1 provides information on how access and enter data into the electronic report format.

- Funds can not be disbursed to eligible growers until the following documents have been submitted:
  - Notarized “Statement of No Over Due Tax Debts” (two originals); and
  - “Conflict of Interest Policy Statement”.
- Eligible growers must submit to the NCDA&CS – Marketing Division – an annual financial report not later than 90 days after the grower’s fiscal year end.
- All documents related to the PGAP shall be maintained by eligible growers for a period of five years after their final financial report has been submitted or until final resolution of any audit findings or litigation claims relating to the distribution of funds.
- Separate applications must be filed for each farm location, including any farms that may be located out-of-state.
- Poultry growers must agree to provide access to the NCDA&CS, USDA, and other branches of both levels of government to facilities and records as needed to assure compliance with the PGAP.
- Any funds paid to an eligible poultry grower in excess of the amount to which the grower is finally determined to be entitled shall constitute a debt to the State of North Carolina. If the debt is not paid within 60 days upon a formal request for repayment or a mutually agreed upon schedule the NCDA&SC may reduce the debt by:
  - making an administrative offset against other requests for reimbursements;
  - withholding any payments otherwise due to the poultry grower; and/or
  - taking other action permitted by law.
- Failure of a poultry grower to provide access to documents necessary to assure full compliance with all PGAP requirements shall result in that portion of the grant to NCDA&CS from FSA to have been improperly made and the poultry grower shall be responsible for a full refund to the NCDA&CS, plus interest from the date of initial disbursement to the poultry grower.
- Failure to furnish and submit to the IRS the information requested in the applicable forms listed below will result in a determination of ineligibility for PGAP financial assistance:
  - CCC-927 – “Consent to Disclosure of Tax Information – Individual” and/or
  - CCC-928 – “Consent to Disclosure of Tax Information – Legal Entity”.

Forms are available at county FSA offices. FSA staff will be available to provide assistance in completing these forms, if needed.

- Payments to all poultry growers are subject to the availability of funds and any requirements of law that may apply.

6.

## Definitions

**Bankrupt Live Poultry Dealer:** A live poultry dealer that filed proceedings under chapter 11 of title 11, United States Code, in the United States Bankruptcy Court during the 30-day period beginning on December 1, 2008.

**DUNS Number:** The Data Universal Numbering System, abbreviated as DUNS or D-U-N-S, is a system developed and regulated by Dun & Bradstreet (D&B) that assigns a unique numeric identifier, referred to as a DUNS number, to a single business entity. All applicants are now required to have a Dun and Bradstreet (DUNS) number to apply for a grant or cooperative agreement from the Federal Government.

Live Poultry Dealer: An individual or entity engaged in the business of obtaining live poultry, pullets, breeder hens, or eggs under a poultry growing arrangement.

Eligible Poultry Grower: A poultry grower that meets the requirements outlined in Number 3 above.

Financial Loss: Loss in income suffered by a poultry grower as a result of the termination of its poultry growing arrangement with a bankrupt live poultry dealer.

Poultry Grower: An individual or entity engaged in the business of raising and caring for live poultry for slaughter, pullet production, breeder hen production, or egg production from live poultry, whether the poultry or eggs are owned by such person or another, but not an employee of the owner of such poultry.

Poultry Growing Arrangement: A grow out contract marketing agreement, or other arrangement under which a poultry grower raises and cares for live poultry for delivery in accordance with another's instructions for slaughter pullet production, breeder hen production, or egg production from live poultry.

NCID: North Carolina Identity Service (NCID) is a standard identity management and access service to State, local, business and citizen users. The NCID is a service that provides a login user ID and password that allows access to certain applications, such as the NC Grants Program developed and maintained by the Office of State Budget & Management..

NCGrants.gov: An electronic grant contract tracking system maintained by the Office of State Budget and Management for the transparency and accountability of the State's financial resources being awarded to non-governmental entities.

## NCID and NCGrants - Exhibit 1

*Excerpts from the NCGrants Online Reporting User's Manual*

### **I. NCID - What is an NCID?** you may register by going to the NCGrants login page and clicking the link "Don't have an NCID?"

Offered by the State Office of Information Technology Services, the North Carolina Identity Service (NCID) is a standard identity management and access service to State, local, business and citizen users.

NCID enables its customers to achieve an elevated degree of security and access control to real-time resources such as customer based applications and information retrieval. Simply put, the NCID is a service that provides a login user ID and password that allows you to access certain applications, such as the Grants Information Center program being developed and maintained by the Office of the It will allow you to manage your State grant reporting requirements in one central location.

#### **Do I need an NCID password to do an inquiry from NCGrants?**

Yes, you need an NCID to enter and access data from NCGrants. Information on grants is available to the public through the NC OpenBook website at <http://www.ncopenbook.gov/>.

#### **How often will I be required to change my NCID?**

NCID will require you to change **only** your password every 90 days. The NCID system will send you an e-mail alerting you when it is time to change. Remember, you cannot re-use a password. Make sure that your NCID password has not expired before attempting to log in to NCGrants.

#### **Do I need to obtain a new NCID if I previously had access to the system when it was operated by the Office of the State Auditor as the Grants Information Center (GIC)?**

No. While OSBM has made some changes to the reporting application, it is the same system and prior users will be able to access the NCGrants reporting function using the same NCID and password they previously used for the GIC.

#### **Why do I need to provide personal information in order to report on a grant?**

You are not providing any personal information for grant purposes. You are asked to provide personal information to obtain your NCID. This data is NOT used by NCGrants or seen by anyone related to the grants. It is maintained in the NCID system, administered by the State's Information Technology Services group, for identification purposes only.

#### **Is there another security level after logging into NCGrants using my NCID?**

There is no other log in required for NCGrants. After receiving an email from the NCGrants technical administrator granting you access to NCGrants, the next time you log in, NCGrants will automatically pull up your summary sheet (dashboard). For grantors, after receiving access to NCGrants from the NCGrants technical administrator, the next time you log in, NCGrants will automatically allow you to access your agency's grantee data.

#### **Who should I contact if I have a question about NCID or NCGrants?**

You should contact the NCID help desk at (919) 754-6000 or toll free at (800) 722-3946.

## II. NCGrants.gov - Data Entry for Grantees

Make sure to have your NCID and password. Questions: Contact the NCID Help Desk at 1-800-722-3946. If you do not have an NCID, **you may register by going to the NCGrants login page and clicking the link “Don’t have an NCID?”**

Access NCGrants by going to <http://www.ncgrants.gov> and clicking on the link to “login” for online reporting. Once logged in, you will be able to enter your organization’s required annual reports.

Log in with NCID (login and password). The first time you login into NCGrants, you will be directed to a form to request access to NCGrants. Enter required data and click “submit”. If you have successfully submitted your request for access you will see a screen indicating that you will receive a confirmation email from the NCGrants administrator when you have been granted access—usually within a few hours.

After receiving your email from the NCGrants administrator; log back in to NCGrants. Once you have logged in, you should see your “Successful Grantor login” page and your dashboard (see example below).

Once you have received your email confirming that you have been granted access, log back in using your NCID login and password. This will open your “dashboard” also called the “Grantee Summary / Data Entry Screen”. Please check the top of the screen to confirm you are logged in with the correct user name and organization – federal tax identification number (Ex: Logged in as absmith: ABC Nonprofit: 123456789)

**EXAMPLE:** Logged in as absmith (ABC Nonprofit - 123456789)

2008 - Level 2					
Agency	Grant	Certification Form	State Grants Compliance Reporting: >= \$25,000	Program Activities and Accomplishments Report	Schedule of Receipts and Expenditures
Social Services	At Risk Afterschool Program	Approved	Not Submitted	Not Submitted	Not Submitted
Public Instruction	Dropout Prevention	Approved	Approved	Approved	Approved

Your summary screen will identify your correct level of reporting (i.e. 1, 2 or 3) based on the State grant funds reported disbursed to your organization during each of your fiscal years.

- b. The summary will show all the grants contained in NCGrants that have been awarded to you or your organization for which disbursements have been made. If there is an active grant for which no disbursements have been made for your fiscal year, the grant name will be listed but will say “no disbursements.”
- c. The program will automatically provide links to the reports that correspond to your reporting level, and only those reports, for each grant. Check to make sure that the grant(s) shown in the system correspond(s) with what you show as having received from each agency FOR YOUR FISCAL YEAR. **DO NOT ENTER ANY DATA UNTIL ALL YOUR GRANTS ARE SHOWING AND THE RECEIPTS SHOWN MATCH YOUR RECORDS.**

## Reporting Levels:

- a. If you received less than \$25,000, to check your receipts, click on the red X under the column headed “State Grants Compliance Report”. Go to question # 8.a to see the receipts as reported by your funding agencies.
- b. If you received more than \$25,000 but less than \$500,000, click on the red X under the column headed “Receipts and Expenditures”. Section a. shows the receipts as reported by your funding agencies.
- c. If you received \$500,000 or more, click on the column headed “Audit” to see a listing of the receipts reported by your funding agencies.
- d. If you have questions, please contact your funding agency or click the link to send an e-mail to the NCGrants administrator.

If the receipts shown for your fiscal year are correct, you are now ready to begin data entry.

**NOTE: A “Users’ Manual is located at the NCGrants.gov website.**

Select the report from your summary screen (dashboard) to complete by clicking on the “Not Submitted” folder icon. The form will be pulled up by the program, with your identifying information filled in. **CHECK ALL THE INFORMATION TO BE SURE IT IS CORRECT.** It is vital that you have a contact person and contact e-mail address listed.

If you need to make changes to any of the data, go to the bottom of the form, select “Click here to send request to the NCGrants administrator.” Explain in the e-mail that will be generated what needs to be changed and why. The NCGrants administrator will contact you for more information if needed. If all information needed is in your email, the administrator will make the changes and notify your funding agencies to update their records. You may still complete the form even if some of your identifying data needs to be changed.

Complete each form just as you would have done previously for the hard-copy versions (with the exception of the Certification and Sworn Statement, it should be completed last).

Each report requires that **ALL** data entry fields be completed before the program will allow the report to be submitted. If you miss a data field, the program will not let you submit the form until that field has been completed.

If you input some of your data but do not have the time or information to complete all fields, then you have the option to “save work in progress” by clicking the button at the bottom of each form. You may edit or revise reports that you save as “**Work in Progress.**” To make sure that you do not lose any data due to your server timing you out, we recommend that you save your work at least every 10 minutes. You also have the option to “clear all” which will delete any previously entered data.

Submit each report (by clicking the “submit” button at the bottom of the form), **BUT ONLY** after it has been completed in its entirety and you have verified the information entered. Once they have been submitted on-line you cannot make changes unless your funding agency rejects the form.

Once a report has been submitted, you will be taken back to your Grantee Summary Screen (dashboard) and the report you just submitted will show “**Submitted**” to indicate it has been received into the system. You may continue completing reports at this time, or you may log out and then log in another time to continue.

Please use the link at the bottom of the screens to contact the NCGrants administrator regarding any questions you may have about your reports or your organization’s information as it exists in the system.

## REQUESTING A DUNS NUMBER - (Exhibit 2)

Dun & Bradstreet (D&B) provides a DUNS Number, a unique nine digit identification number, for each physical location of your business.

D-U-N-S Number assignment is FREE for all businesses required to register with the US Federal government for contracts or grants.

### DUNS Request by Email

To request your DUNS Number via the Web: If one does not exist for your business location, it can be created within **1 business day**. <http://fedgov.dnb.com/webform>

For technical difficulties, contact [govt@dnb.com](mailto:govt@dnb.com)

### DUNS Request by Phone

**1-866-705-7511**

#### For U.S., Puerto Rico, and US Virgin Islands Requests only

Contact the D&B Government Customer Response Center  
**U.S. and U.S Virgin Islands: 1-866-705-5711**  
**Alaska and Puerto Rico: 1-800-234-3867 (Select Option 2, then Option 1)**  
Monday - Friday 7 AM to 8 PM C.S.T.

The process to request a D-U-N-S® Number by telephone takes between **5 and 10 minutes**.

You will need to provide the following information:

- Legal Name
- Tradestyle, Doing Business As (DBA), or other name by which your organization is commonly recognized
- Physical Address, City, State and Zip Code
- Mailing Address (if separate)
- Telephone Number
- Contact Name
- SIC Code (Line of Business)
- Number of Employees at your location
- Headquarters name and address (if there is a reporting relationship to a parent corporate entity)
- Is this a home-based business?