
**UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
DAIRY PROGRAM**

**2020 APPLICATION FOR QUALIFICATION OF
DAIRY PRODUCT PROMOTION, RESEARCH, OR
NUTRITION EDUCATION PROGRAMS**

Application Contents:

- I. Deputy Administrator's Letter
- II. Attachment A – Form DA-15-CG
- III. Attachment B – Additional Instructions for Form DA-15-CG
- IV. Attachment C – Useful Links



1400 Independence Avenue, SW.
Room 2968-S, STOP 0225
Washington, DC 20250-0225

December 19, 2019

TO: State, Regional and Importer Qualified Dairy Product
Promotion, Research, or Nutrition Education Programs

SUBJECT: Application for Continued Qualification of Dairy Product Promotion, Research,
or Nutrition Education Programs as provided by the Dairy Promotion and
Research Order (7 CFR 1150.101 et seq.)

Enclosed is an Application Package for Continued Qualification of Dairy Product Promotion,
Research, or Nutrition Education Programs (Form DA-15-CG) for submission of program
information and financial data for calendar year 2019. Please complete and return
Form DA-15-CG (Attachment A) and required enclosures by **April 30, 2020** to:

AGRICULTURAL MARKETING SERVICE – DAIRY PROGRAM
PROMOTION, RESEARCH & PLANNING DIVISION
1400 INDEPENDENCE AVENUE, SW
ROOM 2958, STOP 0233
WASHINGTON, D.C. 20250-0233

Form DA-15-CG is also available for download at <http://www.ams.usda.gov/resources/dal15-cg>.

In order for your program to continue its qualified status under the Dairy Promotion and
Research Order, Qualified Program submissions should include: annual reports, CPA audits,
financial statements, and other supporting materials when completing the application.
Qualified Programs must submit certification packages and supporting documents via email to
john.galbraith@usda.gov or by postal/express mail delivery.

The Agricultural Marketing Service's (AMS) Dairy Program will utilize aggregated information
from the completed Form DA-15-CG submissions. The information provided will be aggregated
with information from other Qualified Programs and included in the Department of Agriculture's
*"Annual Report to Congress on the National Dairy Promotion and Research Program and the
National Fluid Milk Processor Promotion Program."* Information from individual Qualified
Programs will be kept confidential to the extent allowable under the Freedom of Information
Act.

AMS is responsible for the oversight of all commodity research and promotion programs, and
emphasizes the importance of administrative expenses for all programs remaining at the
lowest level necessary for the efficient and effective operation of each program. Also, all
programs must have internal controls in place to ensure the funds, property, and other assets
are safeguarded against fraud, waste, and unauthorized use.



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Please note Form DA-15-CG continues to account for income and expenditures associated with the Unified Marketing Plan (UMP) coordinated through Dairy Management Inc. Only those Qualified Programs participating in the UMP need to include the requested information as noted on the form and described in the additional instructions.

If you have any questions regarding the attachments or their completion, please contact John Galbraith, Dairy Program, via email: john.galbraith@usda.gov; phone: (202) 720-6909; or fax: (202) 720-0285.

Sincerely,

A handwritten signature in black ink, appearing to read "Dana H. Coale".

Dana H. Coale
Deputy Administrator
Dairy Program

Enclosures: Form DA-15-CG (Attachment A)
Additional Instructions for Form DA-15-CG (Attachment B)
Useful Links (Attachment C)

UNITED STATES DEPARTMENT OF AGRICULTURE
 AGRICULTURAL MARKETING SERVICE
 DAIRY PROGRAM

APPLICATION FOR INITIAL OR CONTINUED QUALIFICATION
 OF DAIRY PRODUCT PROMOTION, RESEARCH,
 OR NUTRITION EDUCATION PROGRAM
 (Under Dairy Production Stabilization Act of 1983)

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 0581-0093. The time required to complete this information collection is estimated to average 3 hours 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.

The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.)

USDA, AMS, DAIRY PROGRAM
 PROMOTION, RESEARCH AND PLANNING DIVISION
 STOP 0233, ROOM 2958-S
 1400 INDEPENDENCE AVENUE, SW
 WASHINGTON, D.C. 20250-0233

Information is collected in order to determine initial or continued qualification of dairy product promotion, research or nutrition education programs (7 CFR 1150.153). Application is voluntary but qualification is necessary to receive a benefit. Information from organizations is held confidential in the manner set forth in 7 CFR 1150.173, except for any release required under the Freedom of Information Act.

The Dairy Promotion and Research Order (7 CFR 1150.101 *et seq.*) provides in §1150.153 that any organization that conducts a dairy product promotion, research, or nutrition education program may request qualification of its program from the Secretary of Agriculture. Producers or importers contributing to a qualified program (QP) may receive credit for contributions to such program pursuant to §1150.152 of the Order. To be eligible for initial or continued qualification, the program must:

- a. Be engaged in dairy product promotion, research, or nutrition education activities that are intended to increase consumption of milk and dairy products generally.
- b. Except for programs operated under the laws of the United States or any State, and except for importer programs, have been active and ongoing before November 29, 1983.
- c. Be financed primarily by producers, either individually or through cooperative associations, or for importer programs, be financed primarily by importers.
- d. Not use a brand or trade name in its advertising and promotion of dairy products unless approved by the National Dairy Promotion and Research Board and the Secretary.
- e. Certify to the Secretary that any requests from producers or importers for refunds under its programs will be honored by forwarding to the Board or to the qualified program designated by the producer or importer that portion of the refund equal to the amount of the credit given to the producer or importer because of his/her participation in the program. The amount of such credit may not exceed 10 cents per hundredweight for a producer and 2.5 cents per hundredweight or equivalent thereof, for an importer.
- f. Not use program funds for the purpose of influencing governmental policy or action.

The following information is to be submitted by each organization requesting initial or continued qualification of its dairy product promotion, research, or nutrition education program(s). If additional space is required, provide an additional attachment identified by item number.

1. CURRENT NAME AND ADDRESS OF ORGANIZATION (COMPLETE MAILING ADDRESS):

Name: _____ Telephone No.: _____
 Address: _____ Fax Number: _____
 Address: _____ Email Address: _____
 City: _____ State: _____ Zip: _____

2. DOES YOUR ORGANIZATION CONDUCT OR FUND A DAIRY PRODUCT: (CHECK ALL THAT APPLY)

A. Promotion Program? B. Research Program? C. Nutrition Education Program?

3. IS YOUR ORGANIZATION PRIMARILY FINANCED (50% OR MORE) DIRECTLY BY PRODUCERS, COOPERATIVE ASSOCIATIONS AND/OR IMPORTERS? Yes No

4. ARE CONTRIBUTIONS BY PRODUCERS OR IMPORTERS REFUNDABLE TO SUCH PRODUCERS OR IMPORTERS? Yes No

5. DOES YOUR PROGRAM UTILIZE A BRAND OR TRADE NAME IN ITS ADVERTIZING AND PROMOTION OF DAIRY PRODUCTS? Yes No

6. DOES YOUR ORGANIZATION USE PROGRAM FUNDS FOR THE PURPOSE OF INFLUENCING GOVERNMENTAL POLICY OR ACTION? Yes No

7. IF YOUR PROGRAM OPERATES UNDER STATE LAW, WHAT IS THE MANDATORY ASSESSMENT RATE PER HUNDREDWEIGHT UNDER THAT PROGRAM? PLEASE LIST THE AMOUNT OF THE STATE ASSESSMENT OR N/A (NOT APPLICABLE).
 _____ CENTS PER HUNDREDWEIGHT

8. PROVIDE THE FOLLOWING INFORMATION ON ANNUAL INCOME AND EXPENDITURES FOR THE CALENDAR YEAR ENDING:

(REFERENCE THE ACCOMPANYING ADDITIONAL INSTRUCTIONS FOR FORM DA-15-CG.)

(YEAR)

SOURCES OF TOTAL ANNUAL INCOME:

CARRYOVER FROM PREVIOUS YEAR (This should be the same as last year's reported "Total Funds Available for Future Year Programs.")	\$	_____
CURRENT YEAR INCOME (Provide total income for each line item. Separately, attach a schedule of income and/or your accounting system for all sources of current year income. List each separate source and amount of income. DO NOT list individual producers or importers. List funds received from and transferred to each QP and for the Unified Marketing Plan Equalization Fund separately.)		_____
PRODUCER REMITTANCES		_____
ADD: PAYMENTS RECEIVED FROM OTHER QPS	+	_____
ADD: PAYMENTS RECEIVED FROM UNIFIED MARKETING PLAN EQUALIZATION FUND	+	_____
SUBTRACT: PAYMENTS TRANSFERRED TO OTHER QPS	(-)	_____
SUBTRACT: PAYMENTS TRANSFERRED TO UNIFIED MARKETING PLAN EQUALIZATION FUND	(-)	_____
OTHER INCOME SOURCES		_____
TOTAL ADJUSTED ANNUAL INCOME ^{8.1/}	\$	=====

EXPENDITURES:

(Provide total expenditures spent directly by your organization for each line item. Separately, attach a schedule of expenses and/or your accounting system reports for each expenditure category, including a project description(s) and related costs. If no funds were spent in a line item, indicate zero.)

ADVERTISING, PROMOTION, AND SALES (AP&S) EXPENDITURES FOR:

FLUID MILK AP&S	_____
CHEESE AP&S	_____
BUTTER AP&S	_____
FROZEN DAIRY PRODUCTS AP&S	_____
OTHER AND MULTI-PRODUCT AP&S EXPENDITURES	_____

SUBTOTAL FOR AP&S

NUTRITION EDUCATION EXPENDITURES

NUTRITION RESEARCH

DAIRY PRODUCT RESEARCH

MARKET AND ECONOMIC RESEARCH

PUBLIC AND INDUSTRY COMMUNICATIONS

UNIFIED MARKETING PLAN

ADMINISTRATIVE ^{8.2/}

OTHER EXPENDITURES

TOTAL ANNUAL EXPENDITURES

UDIA MEMBERSHIP DUES (Only)

TOTAL ANNUAL EXPENDITURES AND UDIA DUES

TOTAL FUNDS AVAILABLE FOR FUTURE YEAR PROGRAMS ^{8.3/} \$ =====

8.1/ Total Adjusted Annual Income equals the total of all Sources of Income minus Payments Transferred to Other QPs and/or the Unified Marketing Plan Equalization Fund.

8.2/ Section 1150.151 (a) of the Order states that the administrative expenses incurred by the National Dairy Board shall not exceed 5 percent of the projected revenue of that fiscal year. In this regard, we urge you to keep the administrative expenses of your organization to a minimum.

8.3/ Total Funds Available for Future Year Programs equals Total Annual Expenditures and UDIA dues subtracted from Total Adjusted Annual Income.

9. HAVE YOU PROVIDED YOUR ANNUAL AUDIT? IF NOT, EXPLAIN WHY.
Yes No

10. HAVE YOU PROVIDED YOUR ANNUAL REPORT?
Yes No

11. PROVIDE YOUR AUDITOR'S LETTER OF COMMENTS THAT ADDRESSES THE FIVE CRITERIA (ITEMS A-E) OF THE ACCOMPANYING GUIDANCE FOR FORM DA-15-CG.

I hereby certify that the information provided above is true, complete, and correct to the best of my knowledge. If producers or importers are eligible to receive a refund of their contributions, I also certify that the producer's or importer's refund requests will be handled in accordance with the Order. The Secretary of Agriculture may examine our books, records, files, and facilities to verify any of the information submitted and may procure other information to verify this organization's eligibility for qualification.

I agree to notify AMS, Dairy Programs of any changes in our organizational structure, including merger or other types of consolidation; changes that may affect our program's continued qualification (see items 2 through 6); or if our program is discontinued.

NAME	TITLE
SIGNATURE	DATE



ATTACHMENT B – 2020 ADDITIONAL INSTRUCTIONS FOR FORM DA-15-CG

PURPOSE: The Dairy Promotion and Research Order (Dairy Order) provides that dairy producers can receive a credit up to 10 cents, against the 15-cent per hundredweight national assessment, and dairy importers can receive up to 2.5 cents against the 7.5 cent per hundredweight or equivalent thereof, for contributions to Qualified State, Regional or Importer Organizations to conduct dairy product promotion, research, or nutrition education programs (Qualified Programs). Qualified Programs must apply for continued qualification on an annual basis in order to utilize these funds and for dairy producers and dairy importers to continue to receive the credit. The objective of the application process for Qualified Program Certification is program integrity and compliance with the Dairy Act, Dairy Order and other applicable regulations.

Allowable Expenditures for Promotion and Research Assessment Funds: The Dairy Order defines three categories of acceptable expenditures – promotion, research and nutrition education. Section §1150.114 defines Promotion as “actions such as paid advertising, sales promotion, and publicity to advance the image and sales of, and demand for, dairy products generally.” Section §1150.115 defines Research as “studies testing the effectiveness of market development and promotion efforts, studies relating to the nutritional value of milk and dairy products, and other related efforts to expand demand for dairy products.” Section §1150.116 defines Nutrition Education as “those activities intended to broaden the understanding of sound nutritional principles, including the role of milk and dairy products in a balanced diet.” The Dairy Order’s Section §1150.153(b)(6) provides Qualified Programs “Not use program funds for the purpose of influencing governmental policy or action.”

The Dairy Order’s Section §1150.153(b)(4) states Qualified Programs “Not use a private brand or trade name in its advertising and promotion of dairy products unless the Board recommends and the Secretary concurs that such preclusion should not apply.” All Qualified Programs requests to use and/or expend assessment funds for branded advertising must be submitted to:

National Dairy Promotion and Research Board
C/O Dairy Management, Inc.
10255 W. Higgins Rd. Suite 900
Rosemont, Illinois 60018-5616

Upon the National Dairy Promotion and Research Board’s approval to use branded advertising, quarterly (calendar year) branded advertising reports will be submitted to USDA via email to john.galbraith@usda.gov or by postal delivery to the address listed for submission of the annual certification packages.



DA-15-CG INSTRUCTIONS:

Please complete and return Form DA-15-CG (Attachment A) and supporting documents by **April 30, 2020**. A fillable Form DA-15-CG is available for download at <http://www.ams.usda.gov/resources/da15-cg>.

Qualified Programs may deliver certification packages and supporting documents via email to john.galbraith@usda.gov or by postal delivery.

Agricultural Marketing Service – Dairy Program
Promotion, Research & Planning Division
1400 Independence Avenue, SW
Room 2958, Stop 0233
Washington, D.C. 20250-0233

ITEMS 1-7: Items 1-7 must be completed as noted on the form. For Item 7, if a Qualified Program (QP) does not operate under a State law, please respond with Not Applicable or N/A.

ITEMS 8-10: If line items equal zero, use a - 0 - in the appropriate space. Insert numbers for all line items.

ITEM 8 – SOURCES OF TOTAL ANNUAL INCOME INCLUDES:

- **Carryover from Previous Year:** The amount reported for the line item "CARRYOVER FROM PREVIOUS YEAR" should agree with the amount reported as last year's "TOTAL FUNDS AVAILABLE FOR FUTURE YEAR PROGRAMS." This line item consists of unused, available and/or uncommitted funds as a combined total. If this amount does not match provide a written explanation.
- **Current Year Income:** List separate sources and amounts of income in an attached Schedule of Income. A list of individual producers/importers is not requested. Funds received directly from cooperative associations, other organizations, or producers/importers should be listed separately.
- **Add: Payments Received from other QPs.** All funds received from other QPs should be listed separately in an attached schedule. This schedule should identify the QP and the total funds received.
- **Add: Payments Received from Unified Marketing Plan Equalization Fund (UMPEF).** All funds received from the UMPEF should be listed separately in unified marketing plan receipts and expenditures reports.

- Less: Payments Transferred to other QPs. All funding transferred to other QPs should be listed separately in an attached schedule. This schedule should identify the QP and the total funds transferred.
- Add: Payments Transferred to UMPEF. All funding transferred to the UMPEF should be listed separately in Unified Marketing Plan (UMP) receipts and expenditures reports.
- Other Income Sources: Examples include total interest earned, sales of supplies and materials, refunds from overpaid expenditures, contributions from various organizations, gains on sale of property and equipment, and miscellaneous items. These items should be listed separately in an attached Schedule of Other Income.
- Total Adjusted Annual Income: This line item equals the total of all Sources of Total Annual Income minus Payments Transferred to Other QPs/UMPEF.

ITEM 8 – EXPENDITURES:

For QPs participating in the UMP, all UMP expenditures should be provided in the line entitled *Unified Marketing Plan*. Local expenditures outside the UMP must be provided and listed accordingly. Expenditures should also include any purchases of materials from other QPs. A separate Schedule of Expenditures by each project and corresponding project description(s) and their related costs should be included. This item includes expenditures in the categories of:

- Advertising, Promotion, and Sales (APS): List expenditures with appropriate schedules for each subcategory (Fluid Milk, Cheese, Butter, Frozen Dairy Products, Other APS Expenditures) on which your organization expended income. Schedules should provide, if possible, a breakout of the type of media used. Include a description of each activity and examples of locally produced items. Please identify if you utilize advertisements or other materials created by Dairy Management Inc. (DMI), or other promotion organizations.
- Other APS Expenditures: List other advertising and promotional expenses not categorized by individual product categories and includes such things as calcium, nonfat dry milk, "Real Seal," holiday, and multi-product advertising and promotion programs.
- Nutrition Education, Nutrition Research, Dairy Product Research, Market and Economic Research, Public and Industry Communications, and Administrative: List expenditures for each category, along with their appropriate Schedule of Expenditures. Include individual project titles and descriptions for research expenditures.
- UMP: QPs participating in the UMP may attach DMI UMP expenditure reports and supplemental information.



- **Other Expenditures:** All other expenditure items not included in the specific expenditure category line items should be placed in this category on the form and identified. This category consists of capital expenses, purchase of miscellaneous materials, etc.
- **Total Annual Expenditures:** This line item is the sum of all expenditure categories and subcategories.
- **United Dairy Industry Association (UDIA) dues:** List only UDIA membership dues. All other monies paid to UDIA over the membership dues should be included in the appropriate line item expenditures described above.
- **Total Annual Expenditures and UDIA dues:** This line item is the sum of "TOTAL ANNUAL EXPENDITURES" and "UDIA DUES."
- **Total Funds Available for Future Year Programs:** This line item is obtained by subtracting "TOTAL ANNUAL EXPENDITURES AND UDIA PAYMENTS" from "TOTAL ADJUSTED ANNUAL INCOME." This calculation should be done on a calendar year basis.

ITEMS 9, 10 and 11 - Required Copies of Annual Audit, Financial Statements and Auditor's Letter of Comments.

These items are required annually. The audit and annual report may correspond to your organization's fiscal year (identify FY) and does not need to be for calendar year. If your program does not have an annual report, indicate this in the submitted materials.

The audit must be prepared according to either the Generally Accepted Audit Standards issued by the American Institute of Certified Public Accountants OR the Government Auditing Standards ("Yellow Book") issued by the Comptroller General of the United States.

The auditing firm must address the following five items in a letter to AMS or in their audit report:

- A.** Is the organization engaged in dairy product promotion, research, or nutrition education?
- B.** Are the organization's activities financed primarily (more than 50 percent) by dairy producers, either individually or through cooperative associations; or except for importer programs, be financed primarily by importers?
- C.** Does the organization use a brand name or trade name in its advertising and promotion of dairy products?
- D.** Does the organization use funds for the purpose of influencing governmental policy or actions?



- E. Does the organization have in place internal controls that provide reasonable assurance funds, property, and other assets are safeguarded against fraud, waste, and unauthorized use?

QPs considered State Governmental Agencies should have their Audit or State Agriculture Department address the five items in a letter to AMS or in their audit report.

Promotion, Research and Education Material Examples: All advertising, promotion, research and education materials must be developed in accordance with the Dairy Act, Dairy Order and USDA policies and guidelines including USDA's MyPlate, the U.S. Dietary Guidelines for Americans, the Nutritional Labeling and Education Act, and Federal Trade Commission's policies and regulations.

If you have any questions regarding the 2020 application package, please contact John Galbraith, Dairy Program, via email: john.galbraith@usda.gov; phone: (202) 720-6909; or fax: (202) 720-0285; or mail:

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ATTACHMENT C – USEFUL LINKS

USDA, AMS, Dairy Program:

<https://www.ams.usda.gov/about-ams/programs-offices/dairy-program>

USDA, AMS, Research and Promotion Programs:

<https://www.ams.usda.gov/rules-regulations/research-promotion>

USDA, Choose My Plate: <https://www.choosemyplate.gov/>

USDA, FNS, Dietary Guidelines for Americans:

<https://www.fns.usda.gov/cnpp/dietary-guidelines-americans>

USDA, Nutrition.gov: <https://www.nutrition.gov/>

USDA, National Agriculture Library, Food and Nutrition Information Center:

<https://www.nal.usda.gov/fnic>

U.S. Federal Trade Commission, Advertising and Marketing:

<https://www.ftc.gov/tips-advice/business-center/advertising-and-marketing>

U.S. Food and Drug Administration, Labeling & Nutrition Guidance Documents & Regulatory Information:

<http://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/LabelingNutrition>