

American Pecan Promotion Board (APPB)

Q&A

Updated October 1, 2021

Who pays for the APPB assessment?

Producers and importers who produce and import, on average over the past four years, more than 50,000 pounds of inshell pecans and 25,000 pounds of shelled pecans pay the APPB assessment. Handlers will remit assessments on behalf of the producers. Importers will remit their own assessments.

Did the assessments start on October 1, 2021?

Yes, but the assessments are not due until November 10, 2021.

How do I pay my assessment for the APPB?

Currently the APPB is getting together the pieces necessary to receive payments for assessments. Stay tuned for updates on this. Once everything is in place, handlers and importers will fill out a form, and, along with their checks, mail it to the APPB at a provided address.

Will Customs collect assessments on imports?

Customs is not collecting assessments for the APPB at this time. Once the APPB is ready to receive assessments, importers, like domestic producers, will fill out a form and mail it with a check to the APPB.

Where can I get the assessment forms and how will I be notified of updates?

Forms for collections and updates will be posted to the AMS website. A letter to producers, handlers and importers will also be distributed. <https://www.ams.usda.gov/rules-regulations/research-promotion/pecan>

Can I pay my APPB assessment through the American Pecan Council's (APC) portal?

No. APPB and APC are different entities with different collection requirements. APC will not collect assessments on behalf of the APPB. You will need to remit the assessments separately.

Will the total that I pay in assessments to the APPB and the APC change?

The APPB's assessment rate is \$.02 per pound for inshell pecans, and \$.04 per pound for shelled pecans. The APC's assessment rate is still \$.03 but is working to reduce the assessment to \$.01. Contact APC staff for an update on the changes to the assessment.

What is the difference between the APPB and APC?

See the chart below for an explanation of the differences between the two groups.

What information do I need to provide when I remit my assessments to the APPB?

The Pecan Promotion, Research, and Information Order requires the following:

§ 1223.60 Reports.

- a) Each first handler, producer, or importer subject to this subpart shall be required to provide to the Board periodically such information as required by the Board, with the approval of the Secretary, which may include but not be limited to the following:
 - 1) First handler must report or producer acting as its own first handler:
 - i. Number of pounds handled;
 - ii. Number of pounds on which an assessment was collected;
 - iii. Name, address and other contact information from whom the first handler has collected the assessments on each pound handled; and
 - iv. Date collection was made on each pound handled.
 - 2) Unless provided by Customs, importer must report:
 - i. Number of pounds imported;
 - ii. Number of pounds on which an assessment was paid;
 - iii. Name, address, and other contact information of the importer; and
 - iv. Date assessment was paid on each pound imported.
- b) These reports shall accompany the payment of the collected assessments.

How do I request an exemption from paying the assessment?

If you produce or import, on average over the past four years, less than 50,000 on inshell pecans or 25,000 shelled pecans, or are certified USDA organic, you are eligible to be exempt from paying the APPB assessment. To request an exemption, you will submit a form on an annual basis to the Board. Like the other forms, the form will be available at the AMS website: <https://www.ams.usda.gov/rules-regulations/research-promotion/pecan>.

Comparison Chart Between the Pecan Marketing Order and the Pecan Research and Promotion

Name	American Pecan Council (APC)	American Pecan Promotion Board (APPB)
Type of Organization	Federal Marketing Order	Research & Promotion Program
Authorizing Statute	Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674.)	Commodity, Promotion, Research, and Information Act of 1996 (7 U.S.C. 7411-7425)
Order	Pecans grown in AL, AR, AZ, CA, FL, GA, KS, LA, MO, MS, NC, NM, OK, SC, (7 CFR 986)	Pecan Promotion, Research, and Information Order (7 CFR 1223)
Board	17 Members & Alternates – 9 growers, 6 shellers, 1 accumulator, & 1 public member	17 Members – 10 producers & 7 importers
Authorities Regulating Handling	Grade, size, qualities, pack, and inspection	No authority
Authorized Programs	Promotion and Research, including paid advertising	Promotion, research, and information
Import assessment collection	No	Yes
Who Pays Assessment	Handlers	Producers are assessed and the assessment is collected by first handlers. Importers also pay the assessment
Assessment Rate	\$0.03 per pound for pecans classified as improved, \$0.02 per pound for pecans classified as native and seedling, and \$0.02 per pound for pecans classified as substandard pecans	\$0.02 per pound on all inshell pecans and \$0.04 per pound on all shelled pecans
Exemptions	Less than 1,000 inshell lbs. and 500 shelled lbs.; Relief or charity and experimental purposes.	Less than 50,000 lbs. inshell and 25,000 lbs. shelled on a 4-yr avg; USDA-certified organic
USDA Oversight	Southeast Region Branch, Market Development Division, Specialty Crops Program, Agricultural Marketing Service, Marketing & Regulatory Programs	Mid-Atlantic Region Branch, Market Development Division, Specialty Crops Program, Agricultural Marketing Service, Marketing & Regulatory Programs
Government User Fees Assessed	No	Yes