



STATE OF NEW YORK  
DEPARTMENT OF AGRICULTURE AND MARKETS  
10B Airline Drive  
Albany, New York 12235

Division of Agricultural Protection  
and Development Services  
518-457-7076  
Fax 518-457-2716

Re: Agricultural Producers Security Program  
Applying for an Article 20 - Farm Products Dealer License

Dear Prospective Dealer:

Thank you for your inquiry to obtain a Farm Products Dealer License to deal in farm products from New York producers that is required under Article 20 of the Agriculture and Markets Law.

**Please note, if your annual purchases or dealings do not exceed \$10,000 or you buy farm products only for sale, including sale in a processed form, at retail to the ultimate consumer (sale at retail to the ultimate consumer shall not include sales to industrial, institutional, commercial or agricultural users) or you will not be purchasing or dealing in New York farm products, a Farm Products Dealer License is not required and there is no need to complete an application. If so, please complete and return the bottom portion of this letter.**

If you are subject to the license, please download and complete the application form, application supplement describing how business is conducted with New York producers and the application supplement requesting copies of your Workers' Compensation and Disability Benefits Certificates for the license year beginning May 1, 2009 and ending April 30, 2010. Forms and a copy of the law can be downloaded from the Department's website at [www.agmkt.state.ny.us/programs/apsf.html](http://www.agmkt.state.ny.us/programs/apsf.html). Please complete the application and application supplements by answering all questions which pertain to your operation and return together with payment of the \$20 license fee plus the producers' security fund fee and copies of the Workers' Compensation and Disability Benefits certificates. Incomplete applications will be returned which could delay the issuance of your license and the WP and DB Certificates must be submitted in order to approve your application.

Type of Operation(s)

All applicants must check (✓) type of operation (question 1):

**"Dealer"** means any person who buys or receives farm products from a producer for resale, or arranges, facilitates or brokers the sale of farm products from a producer to a dealer or any other person.

**"Commission Merchant"** means any person engaged in the business of receiving farm products for sale on commission, however computed.

**"Net-return Dealer"** means a dealer who solicits or receives shipments of farm products under a promise to pay for the same on the basis of current market prices on receipt or at a price bearing some specified premium above or below established market quotations.

**"Broker"** means any person engaged in the business of negotiating sales and purchases of farm products for or on behalf of the vendor or the purchaser.

"Processor" means any person who bakes, brines, bottles, cans, concentrates, dehydrates, dresses, dries, freezes, juices, packages, pickles, preserves, presses or waxes and/or encloses such stabilized farm products, or their derivative products, in any container, whether or not hermetically sealed

License Fees

All applicants must submit the annual \$20 license fee. In addition, an Agricultural Producers Security Fund (APSF) fee may be required and should be determined from the table on the application form. The APSF fee is not required if the applicant provides security of ninety percent of annual purchases from New York producers based on question 9c or 10c on the application or if the applicant is a dealer who is not looked to for payment by New York producers for product sold on the producer's behalf (question 10e on application).

Bonds and Letters of Credit

All applicants must file a bond or letter of credit in an amount determined by the Department unless they are notified by the Department that they are not required to do so. Upon review of your application, you will be notified whether security will be required, which may range from \$3,000 to \$400,000.

**Please note, it is unlawful for you to handle farm products from New York producers exceeding \$10,000 annually until licensed.**

For further information on the Agricultural Producers Security Program, please check the Department's website at [www.agmkt.state.ny.us/programs/apsf.html](http://www.agmkt.state.ny.us/programs/apsf.html).

Please call 518-457-1954 if you need assistance or have any questions. Thank you for your cooperation.

Sincerely,



Manager, Agricultural Producers Security Program

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My annual purchases or dealings with New York producers will not exceed \$10,000 annually.

My purchases or dealings with New York producers are for sale at retail only to the ultimate consumer.

Effective May 1, 2009, I will not be purchasing or handling farm products from New York producers as a Dealer (includes Commission Merchant, Net-Return Dealer, Broker and Processor).

\_\_\_\_\_  
Name of Prospective Dealer

\_\_\_\_\_  
Authorized Person & Title (print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name and Address of Succeeding Business, if any