

# **VEGETABLE CONTRACTOR LICENSE APPLICATION**

For the Year Ending January 31,

☐ ORIGINAL ☐ RENEWAL

## Mail check and application to:

Wisconsin Dept. of Agriculture, Trade and Consumer Protection Producer Security Section PO Box 93598 Milwaukee, WI 53293-0598

FOR OFFICE USE ONLY
License No.
Date Issued:

Wis. Stat. ch. 126, Subchapter VI

In compliance with Wis. Stat. § 15.04(1)(m), the following notice is provided: This form is authorized by Wis. Stat. § 126.56(3). A person desiring a vegetable contractor's license must apply for the license on this form. Some personally identifiable information provided on this form may be subject Wisconsin's Public Records Law, Wis. Stat. §§ 19.31 to 19.37, and therefore may be used for purposes other than for which it was originally collected. DATCP will keep personally identifiable information provided on this form confidential to the extent permitted by law. Under Wis. Stat. § 126.84(1), a contractor's financial statements and a contractor's purchase, storage, and procurement records are not open to public inspection under Wis. Stat. § 19.35.

LEGAL NAME:

TRADENAME:

TRADENAME:									
ENTITY TYPE:	☐ Individual	☐ Corporation [	LLP	LLC	☐ Partnership	☐ Cooperative	☐ Trust		
Check one	☐ Other				State of Formation				
MAILING LOCAT	ION								
CONTACT PERS	SON:								
ADDRESS:	STREET:		C	CITY:		STATE:	ZIP:		
PRIMARY PHONE	Ξ: ( )	- FAX:	(	) -	EMAIL:				
List ALL Corp	oration or Co	operative Office	ers, Par	tners, Tru	ıstees, Manage	rs, Members, Ow	ners		
NAME					TITLE				

Attach additional lists if necessary.

# **VEGETABLE CONTRACTOR BUSINESS LOCATION INFORMATION**

PRI	MARY LOCATION:										
	Street Address	City	State	Zip	County	Contact Person		Phon	e #	Email A	Address
							(	)	-		
ADE	DITIONAL LOCATIO	NS		<u>I</u>	<u> </u>		<u>I</u>				
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Sec	tion A – License Fe										
		•	consin	are: Heartl	and Agricultui	al Marketing, Ir	nc. aı	nd He	eartland	d Farms,	Inc.*
1.	Currently recognized producer agents in Wisconsin are: Heartland Agricultural Marketing, Inc. and Heartland What were your total contract obligations (paid and unpaid) for vegetables, grown in Wisconsin from producers and producer agents*, that became payable during the license holder's most recently completed fiscal year:							ers	\$		
	(estimate if no prior	*									
2.	Were all of the contract obligations reported on line 1 made under written contracts where payments were require no more than 30 days after taking custody or control of the vegetables?							quired	☐ Yes	□No	
3.	Under a contract with the department, did the department grade all of the graded vegetables you procured from vegetable producers or producer agents*?							om	☐ Yes	□No	
4.										\$ 25	.00
5.	License Fee								\$ 25	.00	
6.	Enter the amount ent	ered on line 1: ti	mes .0	000875		enter the a	amou	nt he	re→	\$	
7.	If question 3 is yes,	enter the amount ent	ered o	on line 1:	times 00	01 as a credit.	amou	nt he	re→	\$ (	)
8.	• •	tion is not received prior termined by the departm eceding four years.		•		•			. §	\$	
	Are potatoes the only	vegetable you purchase	e from	Wisconsin gro	wers?					☐ Yes	□No
	If you answered "Ye	es": Do you elect not	to par	ticipate in the	e Producer S	ecurity Fund?				☐ Yes	☐ No
9.	Wis. Stat. § 126.59 fund, enter the less	rticipate in the fund, ir 5(1). If you answered ser of \$2,025.00 or th t available if RENEW	"Yes' e total	' to both que I of lines 4 th	stions, and el ru 6	ect not to partic Enter the an	ipate	in th	ie	\$	
10.	Surcharge of \$500.00 if operating as a vegetable contractor without a license within 365 days before submitting application, <i>Wis. Admin. Code § ATCP 101.23(4)</i> .							ing	\$		
11.	License surcharge of \$100 for failure to RENEW license by license expiration date of January 31								\$		
12.	2. Surcharge of \$100 if a required financial statement was filed late and surcharge has not been paid.								\$		
13.	Total License Fee ( lines 9 thru 12.)	Add lines 4 thru 8 and	d 10 th			are Yes and Ye .00 must be en				\$	

Sec	tion B - License Information				
14.	What was the largest amount owed to vegetable producers and producer agents* at any one time during the applicant's last completed fiscal year?	\$			
15.	What is the amount of unpaid contract obligations at the time of application?	\$			
	The amount of unpaid obligations due prior to January 31?	\$			
	The amount of unpaid obligations that are under deferred payment contracts? (Due after January 31) [Wis. Stat. §§ 126.55(8) and 126.63(4) and (5)]	\$			
16.	Will you pay cash on delivery under all vegetable contracts during the license year for which you are applying? (Payment on delivery means cash payment of the full agreed price for vegetables when the vegetable is tendered or delivered to a contractor, or cash payment of the full agreed price within 72 hours if the vegetable is graded.) ["Cash Payment" defined in <i>Wis. Stat.</i> § 126.55(2).]	☐ Yes ☐ No			
17.	Do you have fire and extended coverage insurance that covers, at its full market value, all vegetables in your possession, custody, and control as required by <i>Wis. Stat.</i> § 126.57.	☐ Yes ☐ No			
18.	List species of vegetables to be purchased or contracted for from Wisconsin growers:				
19.	Will you and your affiliates or subsidiaries collectively grow more than 10% of the acreage of any vegetable species grown or procured during the registration year for which application is made?	☐ Yes ☐ No			
	If yes, which species?				
20.	Are you a producer-owned cooperative or organization doing business on a cooperative pooling basis with its producer-owners?	☐ Yes ☐ No			
	If you answered "Yes", do you plan to procure any vegetables from producers who are not producerowners?	☐ Yes ☐ No			
21.	Are you a producer agent?	☐ Yes ☐ No			
22.	List Applicant's fiscal year-end date: (month and day)				
Sec	tion C – Vegetable Contractor Default Claim Waiver				
23.	Has the license applicant attached to the application or already filed with WDATCP Agricultural Producer Security Section, a Vegetable Contractor Default Claim Waiver (Waiver) filed by a producer/producer agent who has greater than 50% ownership in the producer/producer agent and a greater than 50% ownership in the license applicant? If yes, please complete questions 23 through 28. If previously filed, then provide a copy of the Waiver.	☐ Yes ☐ No			
24.	Date that vegetable producer or producer agent filed a written waiver under Wis. Stat. § 126.70(1)(c).				
25.	Has there been any change in ownership percentages from the waiver filed with WDATCP? If yes, provide a listing of ownership percentages in producer/producer agent and license holder.	☐ Yes ☐ No			
26.	Enter total contract obligations (from Section A, question 1)	\$			
27.	Enter the amount included in line 26 that was procured from a producer/producer agent that has filed a waiver.	\$			
28.	Subtract line 27 from line 26. (This amount will be used for determining Assessments and type of Financial Statement to be filed.)	\$			
the I	nse holder agrees to indemnify the Wisconsin Agricultural Producer Security Fund (hereafter "Fund") for any and all Fund under <i>Wis. Stat. § 126.71</i> as a result of a recovery proceeding <i>under Wis. Stat. ch. 126, Subchapter VII</i> conducer because of license holder's default. License holder also agrees to indemnify any surety for any and all money a set as a result of license holder's default and a recovery proceeding under <i>Wis. Stat. ch. 126, Subchapter VII</i> .	ted against license			
*** If any lines in the following section are left blank, this application is invalid. ***					
The applicant has authorized the undersigned person to execute this application. All statements contained in this application are true, complete and accurate. The undersigned authorized person fully understands that if any statement contained in this certification is not true, complete, or accurate or is false or misleading, the applicant and the authorized person signing this application may be in violation of <i>Wis. Stat. § 126.63</i> , and subject to the provisions of <i>Wis. Stat. ch. 126, Subchapter VIII.</i> The person signing the application must be listed as an officer for this application.					
	Signature Type or Print – First Name and Last Name: Po	sition/Title			

# Wis. Stat. ch. 126, Subchapter VI - Vegetable Contractors

Vegetable Contractor License Fees and Surcharges Wis. Admin. Code § ATCP 101.23

#### Wis. Admin. Code § ATCP 101.23, Vegetable Contractor license fees.

A person or business entity applying for an annual vegetable contractor license under *Wis. Stat.* § 126.56, shall pay all of the following license fees and surcharges, rather than license fees and surcharges provided in *Wis. Stat.* § 126.56(4):

- 1. A nonrefundable license processing fee of \$25.
- 2. A fee of \$25 plus 8.75 cents for each \$100 in contract obligations reported under Wis. Stat. § 126.56(9)(a), less any fee credits for which the vegetable contractor qualifies under Wis. Stat. § 126.56(6). This subsection does not apply to a processing potato buyer that has elected under Wis. Stat. § 126.595(1), not to participate in the fund.
- 3. For a processing potato buyer that has elected under Wis. Stat. § 126.595(1), not to participate in the fund, a fee equal to the lesser of the following amounts:
  - a) \$25 plus 8.75 cents for each \$100 in contract obligations reported under Wis. Stat. § 126.56(9)(a).
  - b) \$2,000
- 4. A surcharge of \$500 if, within 365 days before submitting the license application, the applicant operated as a vegetable contractor without a license in violation of Wis. Stat. § 126.56(1). The applicant shall also pay any license fees, license surcharges, and fund assessments that are still due for the license year in which the applicant violated Wis. Stat. § 126.56(1).
- 5. A surcharge of \$100 if, within 365 days before submitting the license application, the applicant failed to file an annual financial statement required under Wis. Stat. § 126.58(1)(b), by the applicable deadline.
- 6. A surcharge of \$100 if a renewal applicant fails to renew a license by the license expiration date of January 31

### Vegetable Contractors; DEFERRED CONTRACTS

Under *Wis. Stat.* § 126.55, "Deferred payment contract" means a vegetable procurement contract in which the vegetable producer or a producer agent agrees to accept payment after January 31 for processing vegetables harvested during the previous calendar year.

Before a vegetable contractor offers a deferred payment contract the vegetable contractor shall put the deferred payment contract to a vote of vegetable producers as provided in Wis. Stat. § 126.63(5).

You may visit the following websites to see the applicable statutes & rules:

Wis. Stat. ch. 126 http://www.legis.wisconsin.gov/statutes/statutes/126.pdf
Wis. Admin. Code ch. ATCP 101 - http://www.legis.wisconsin.gov/rsb/code/atcp/atcp101.pdf
Producer Security Fund under Dept. of Agriculture, Trade and Consumer Protection
http://datcp.wisconsin.gov/Business/Agricultural Producer Security/index.aspx

If the entity is a sole proprietor or individual, we are required to collect your social security number. We will call you if this is the case.