NEW YORK STATE | Department of Agriculture and Markets

KATHY HOCHUL
Governor

RICHARD A. BALL
Commissioner

January 28, 2026

Re: Agricultural Producers Security Program
Article 20 - Farm Products Dealer License - Renewal Application

Dear Farm Product Dealer:

Enclosed is the NY Farm Products Dealer License Program (FPDL) renewal application and instructions for the license period of **May 1, 2026 - April 30, 2027**. If subject to the license, your completed application and payment of the Agricultural Producers Security Fund fee are required to be filed with the New York State Department of Agriculture and Markets (Department) by **April 1, 2026.**

If subject to the license, complete and return the enclosed application, together with payment of the Agricultural Producers Security Fund Fee, by **April 1, 2026**, to the following address:

Attention: Division of Agricultural Development, FPDL
NYS Department of Agriculture and Markets
10B Airline Drive
Albany, NY 12235

Instructions are enclosed to assist you in completing the application. If you do not think you are subject to the requirements for this license, we ask that you contact our office by email FPDL@agriculture.ny.gov so we can update our record and answer any questions you have.

If you have any questions, please call (518) 457-7076 or email FPDL@agriculture.ny.gov.

Best Regards,

Jacqueline F. Boyer, MPH
Manager, Agricultural Producers Security Program

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Instructions for Completing the Application

1. Applications are due **April 1, 2026**. Failure to renew your license may result in enforcement action. Complete all questions, include financial statements, if required, and sign the application. Incomplete applications may not be approved until all required information is provided. Upon approval, your license will be mailed to the mailing address provided on your application.

2. "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; and shall also include "commission merchants", "net-return dealers", "brokers" and "processors".

    a. A "commission merchant" means any person engaged in the business of receiving farm products for sale on commission, however computed.

    b. A "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.

    c. A "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.

    d. A "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, provided.

3. Complete the application if your annual dollar volume of purchases from **New York producers** is expected to exceed **$20,000** this year; exclusions apply. If you do not meet the $20,000 threshold, you may not be subject to the license this year, and you may not need to renew your license. Determinations are made annually. If you are not subject to the license this year, we would appreciate an email to FPDL@agriculture.ny.gov so we can update our records, and answer any of your questions.

    Retail Exclusions: Sale at Retail to the Ultimate Consumer
    A person who buys farm products only for sale, including sale in a processed form, at retail to the ultimate consumer shall not be deemed a dealer for purposes of this article. Sale at retail to the ultimate consumer shall not include sales to industrial, institutional, commercial or agricultural users. When calculating your expected annual dollar volume of farm product purchases from New York producers, exclude purchases intended for sale at retail by you to the ultimate consumer.

    Farm Product Exclusions: Timber, Dairy, Eggs
    The definition of farm products shall not include eggs, dairy products or timber products. When calculating your expected annual dollar volume of farm product purchases from New York producers, exclude timber, dairy and egg purchases. A person who deals exclusively in timber, dairy or eggs need not apply for a farm product dealer license.

4. After your application is received and reviewed, you may be contacted by the Department

regarding your surety bond or irrevocable letter of credit. Please respond promptly to any communication from the Department, as applications may not be approved until all security requirements are met.

Surety Bonds or Irrevocable Letters of Credit
All applicants must file a surety bond or irrevocable 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. Surety bonds can be obtained by contacting an insurance company while letters of credit are issued by a financial institution. The bond or letter of credit shall be upon a form prescribed by the commissioner. Our surety bonds are continuous and remain in full force until cancelled. Applicants choosing to utilize an irrevocable letter of credit coverage must remain in full force for **one-year after the license period** (e.g., for license period 5/1/2026 – 4/30/2027, expiry day cannot be earlier than 4/30/2028).

See the Department's website for surety bond and letter of credit forms.
https://agriculture.ny.gov/licenses/farm-products-dealer-licensing

5. It shall be unlawful for any dealer to reject or fail to account and make prompt payment, without reasonable cause, for any farm products, bought or contracted to be bought or negotiated to be bought by such dealer.

Prompt Payment
"Prompt payment" means payment within thirty days of the date farm products sold by a producer to a dealer are delivered to such dealer, or other person as the purchaser may designate, or such other period of time as otherwise agreed upon in a writing signed by the dealer and the producer on or before delivery of said farm products, provided that in no event shall such period exceed one hundred twenty days from said date of delivery.

Written Payment Agreements
Please note, the length of your written agreement will increase your security requirement obligation because extended payment agreements increase the Agricultural Protection Security Fund's exposure in the case of a default of payment.

Cash-on-Delivery (COD)
Cash, or cash equivalent, includes only certified or bank check, money order, electronic funds transfer, or by debit card.

6. A person required to file and maintain a mandatory surety under the federal packers and stockyards act with respect to their transactions regulated under that act are not required to obtain a license as a farm product dealer with respect to those same transactions.

7. **Question?** Email: FPDL@agriculture.ny.gov Phone: (518) 457-7076

NEW YORK STATE | Department of Agriculture and Markets

Rev 1/27/2026

FARM PRODUCTS DEALER LICENSE PROGRAM

LICENSE RENEWAL APPLICATION FORM

License Period: May 1, 2026 - April 30, 2027

Instructions:

- **Application Due Date:** April 1, 2026
- Read the application instructions to ensure you are subject to the license and the application is completed properly.
- Complete all questions. Incomplete applications may not be approved until all required information is provided.
- Make check or money order payable to "NYS Department of Agriculture and Markets" and mail to address below.

(1) Legal Business Name:	(1a) Phone Number: ( ) (1b) Fax Number: ( )		
(1c) Doing Business As (d/b/a):	(1d) E-Mail:		
(1e) Principal Place of Business – Street:	City:	State:	Zip Code:
(2) Mailing Address (if different from above) – Street:	City:	State:	Zip Code:
(3) Federal ID Number:	(3a) Bank Name:		

(4) Business Type: ____ Sole Proprietor ____ Partnership ____ Corporation ____ Cooperative ____ LLC ____ LLP

(4a) Please list sole proprietor and all officers of a corporation or cooperative. If applicant is a partnership, LLC, or LLP, list partners/members (attach list if necessary). If applicant is a non-public corporation, list shareholders (attach list if necessary):

Name (Please Print):	Title:	Address (Street, Street #, City, State, Zip):

(5) State Incorporated and Date (e.g., New York, 10/20/2024):

(5a) Is the applicant a foreign or out-of-state sole proprietor, partnership, or corporation: ___Yes ___No
If yes, provide date of filing in New York State:

(5b) If out-of-state, the applicant agrees to accept service of process by first class mail to the designated individual at this address which shall constitute good and proper service process.
Designated: Address:

(6) Has the business, applicant or any partner, officer, director or shareholder (if non-public corporation) been convicted of, or pleaded guilty to, a felony in any court in the United States? ___Yes ___No If yes, attach a **Certificate of Conviction.**

(7) Please list the names, addresses, and telephone numbers for any branch locations, separate processing plants or agents where farm products are received or purchased from New York State producers (attach list if necessary):

(8) Is the applicant a grape processor: ___Yes ___No

(9) Is the applicant a New York producer that grows farm products: ___Yes ___No

(10) List all specific farm products that you deal in from New York producers:

FARM PRODUCTS DEALER LICENSE PROGRAM
LICENSE RENEWAL APPLICATION FORM

(11) Does the applicant sell New York farm products at **retail directly to the ultimate consumer**? ____ Yes ____ No

(12) Fill in below the **dollar volume** of farm product purchases (or dealings as a broker) **from New York producers.** (As per the instructions, do not include purchases from New York producers intended for sale at retail by you to the ultimate consumer. Sale at retail to the ultimate consumer does not include sales to industrial, institutional, commercial or agricultural users.)

(12a) Last Calendar Year (2025): (e.g., $60,000): $	(12b) Largest Calendar Month (2025): (e.g., October):	(12c) Largest Month (2025): (e.g., $6,000): $
(12d) Expected This Year (2026) (e.g., $60,000): $	(12e) Largest Calendar Month (2026): (e.g., October):	(12f) Largest Month (2026): (e.g., $6,000): $

(13) If you are a broker, are you responsible for paying New York producers: ___Yes ___No ___N/A

(13a) If yes, what percentage of your annual dollar volume of dealings with NY producers reported in question 12a are you responsible for making payment on:_____%. If no, attach a list of those responsible for payment including name/address/phone.

Agricultural Producers Security Fund Fee: use the annual dollar volume reported in question 12a together with the table to the right to determine the Producers Security Fund Fee due and enter that amount here:

Agricultural Producers Security Fund Fee: $_____

MAKE CHECK PAYABLE TO:
NYS Department of Agriculture and Markets

AGRICULTURAL PRODUCERS SECURITY FUND FEE TABLE

Annual Volume	Fee
$5,000,000 – and over	$2,500
$3,000,000 - $4,999,999	$1,750
$1,000,000 - $2,999,999	$1,000
$500,000 - $999,999	$750
$300,000 - $499,999	$500
$50,000 - $299,999	$300
$20,000 -$49,999	$200
$0.00 - $19,999	No Fee

(14) Select payment terms or methods used for farm products producers (In no event can payment terms exceed 120-days from sale and delivery of farm product.):
____ Cash-on-Delivery (COD) ____ 15 Days ____ Payment within 30 Days ____ 45 Days ___ 90 Days ___120 Days
Other:

(15) Is the applicant in violation (i.e. past due) of the payment terms listed in question 14? ___Yes ___No
If yes, please provide the producer's name, address, telephone number and the amount owed (attach list if necessary):

(16) If the applicant deals in livestock, is the applicant registered and bonded under the Packers and Stockyards (P&S) Act administered by the U.S. Department of Agriculture, Packers and Stockyards Division? ___Yes ___No ___N/A

(17) Financial information provided as of (date):_____. All applicants must complete this section. If any amounts are zero, enter zero on the line. Applicants who report more than $1 million in annual purchases (question 12a), must also submit their most recent audited Financial Statements, including the Balance Sheet, Income & Expense Statement and Statement of Cash Flows.

(17a) Total Current Assets: $	(17b) Total Current Liabilities: $
(17c) Total Assets: $	(17d) Total Equity: $

Submit complete applications and payment together to:

Attention: Division of Agricultural Development
NYS Department of Agriculture and Markets
10B Airline Drive
Albany, NY 12235

If you have any questions about this application or payment, email FPDL@agriculture.ny.gov

"I understand that the statements made in this application will be accepted for all purposes as the equivalent of an affidavit and that any false statements made herein, in addition to being the possible basis for a revocation of any license issued as a result of this application, may be punishable as a misdemeanor under the provisions of section 210.45 of the Penal Law of the State of New York"

Print Name:	Signature:	Title:	Date:

The authority to request the information contained in this document is found in Section 16 of the NYS Agriculture and Markets Law and the specific section or sections of that Law which relate to the license which you seek. Your application for license is subject to denial and/or revocation if, after a hearing, it is determined that this applicant, licensee, officer, director, partner or share/stockholder, has been convicted of, or has pled guilty to, a felony in any court of the United States or any State or territory thereof, with respect to an offense involving, Article 20 of New York State Agriculture and Markets Law.