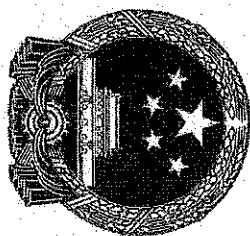


证据目录和清单

附件一：	申请人社会团体法人登记证书及授权委托书
附件二：	关于干玉米酒糟生产企业会员单位的情况
附件三：	会议决议
附件四：	律师指派书和律师执业证明
附件五：	关于我国干玉米酒糟生产情况的说明
附件六：	美国干玉米酒糟生产企业名单
附件七：	中华人民共和国进出口税则（2012 年—2015 年版）
附件八：	中华人民共和国海关总署干玉米酒糟产品进出口数据统计
附件九：	海运费和保险费报价
附件十：	世界银行集团关于美国出口产品的境内环节费用报告
附件十一：	美国农业部关于干玉米酒糟的价格统计
附件十二：	美国农业部关于玉米的价格统计
附件十三：	美国干玉米酒糟使用手册摘选
附件十四：	金谷能源有限责任公司审计报告（节选）
附件十五：	补贴部分的证据
附件十五（1）：	白羽肉鸡产品反补贴案件最终裁决（节选）
附件十五（2）：	美国《2014 年农业法》（节选）
附件十五（3）：	农作物保险补贴明细表
附件十五（4）：	CHS 公司介绍
附件十五（5）：	美国玉米产量统计表
附件十五（6）：	联邦附加增值生产者资助项目介绍
附件十五（7）：	联邦乙醇税收减免项目介绍
附件十五（8）：	联邦燃料乙醇小企业税收减免项目介绍
附件十五（9）：	出口信贷担保项目介绍
附件十五（10）：	国外市场开发项目介绍
附件十五（11）：	市场进入项目介绍
附件十五（12）：	农场贷款项目介绍
附件十五（13）：	阿拉巴马州生物燃油生产企业税收减免项目介绍
附件十五（14）：	阿肯色州投资和就业创造激励项目介绍
附件十五（15）：	阿肯色州替代燃油发展基金项目介绍
附件十五（16）：	科罗拉多州替代燃油基础设施税收减免项目介绍

- 附件十五（17）： 乔治亚州替代燃油生产企业税收减免项目介绍
- 附件十五（18）： 夏威夷乙醇生产企业税收减免项目介绍
- 附件十五（19）： 伊利诺伊州生物燃油生产企业补贴项目介绍
- 附件十五（20）： 伊利诺伊州相关税收减免项目介绍
- 附件十五（21）： 印第安纳州乙醇生产税收减免介绍
- 附件十五（22）： 爱荷华州高质就业项目介绍
- 附件十五（23）： 爱荷华州替代能源周转性贷款项目介绍
- 附件十五（24）： 爱荷华州增值农产品贷款项目介绍
- 附件十五（25）： 堪萨斯州乙醇生产激励项目介绍
- 附件十五（26）： 肯塔基州乙醇生产税收减免项目介绍
- 附件十五（27）： 肯塔基州农用生物燃料生产奖励项目介绍
- 附件十五（28）： 缅因州生物燃油生产税收减免项目介绍
- 附件十五（29）： 马里兰州生物燃油生产激励项目介绍
- 附件十五（30）： 密西西比州生物燃油生产激励项目介绍
- 附件十五（31）： 密苏里州燃料乙醇生产激励项目介绍
- 附件十五（32）： 蒙大拿州乙醇生产激励项目介绍
- 附件十五（33）： 蒙大拿乙醇生产设施财产税减免项目介绍
- 附件十五（34）： 北卡罗来纳州乙醇生产设备税收减免项目介绍
- 附件十五（35）： 北达科他州生物燃油贷款项目介绍
- 附件十五（36）： 北达科他州乙醇生产激励项目介绍
- 附件十五（37）： 北达科他州新产业公司税收减免项目介绍
- 附件十五（38）： 俄勒冈州替代燃油贷款项目介绍
- 附件十五（39）： 俄勒冈州生物燃油生产资产税减免项目介绍
- 附件十五（40）： 南卡罗来纳州生物燃油生产设备税收减免项目介绍
- 附件十五（41）： 南达科他州乙醇生产激励项目介绍
- 附件十六： 美元兑人民币汇率表
- 附件十七： 申请人会员单位财务报表和资料

附件一：申请人社会团体法人登记证书及授权委托书



代码: 50001084-6

名称: 中国酒业协会

业务范围: 行业管理 行业交流 业务培训
书刊编辑 国际交流 咨询服务
展览展示 行业统计

住所: 北京市西城区阜外大街乙22号

法定代表人: 王延才

活动地域: 全国

注册资金: 壹拾万元整

业务主管单位: 国务院国有资产监督管理委员会

社会团体法人

登记证书

(副本)

社证字第 3266 号

发证机关: 中华人民共和国民政部

发证日期: 2013年 05月 07日

(有效期限: 自2013年05月07日至2018年05月07日)

授权委托书

委托人：中国酒业协会

被委托人：北京市博恒律师事务所

委托事由：委托人特此全权委托北京市博恒律师事务所代表委托人对相关进口干玉米酒糟产品提出贸易救济调查申请事宜。

北京市博恒律师事务所的代理权限为：全权代理。具体权限包括但不限于：

- 1、认真履行职责，及时依法保护委托人合法权益；
- 2、基于贸易救济调查申请事宜为委托人或协助委托人搜集和整理有关证据和材料；
- 3、起草贸易救济调查申请书；
- 4、代表委托人签署贸易救济调查申请书并向中华人民共和国商务部提出贸易救济调查的书面申请；
- 5、代表委托人向中华人民共和国商务部提供相关证据和材料，并依法查阅与案件有关的证据和材料；
- 6、代表委托人参加题述案件的审理、陈述会和听证会；
- 7、如经中国政府和委托人的同意，且有必要和可能，代表委托人参加中华人民共和国商务部与国外出口商或出口国政府可能进行的价格承诺和协商的谈判；
- 8、代表委托人按照中华人民共和国商务部所规定的时间内提供补充材料；
- 9、代表委托人进行贸易救济调查申请所需的其他工作。

本授权书所规定的权限在授权事宜完成时终结。

委托人：中国酒业协会 (盖章)

二〇一五年八月十二日



附件二：关于干玉米酒糟生产企业会员单位的情况

中国酒业协会

我会关于干玉米酒糟生产企业会员单位的情况

中国酒业协会酒精分会负责会员单位酒精以及联产品干玉米酒糟的行业宏观管理工作。目前,中国酒业协会共有 37 家干玉米酒糟生产企业,这些企业规模较大,合计产量占国内干玉米酒糟总产量的主要部分,在行业中具有代表性和影响力。下表是具体会员名单:

序号	企业名称	序号	企业名称
1	中粮生物化学(安徽)股份有限公司 ✓	20	桦川县慧丰酒业有限公司 ✓
2	安徽安特食品股份有限公司 ✓	21	吉林省博大生化有限公司 ✓
3	秦皇岛天马酒业有限公司 ✓	22	东丰县华粮生化有限公司 ✓
4	承德避暑山庄企业集团有限责任公司 ✓	23	吉林省新天龙实业股份有限公司 ✓
5	邢台春雨工贸有限公司 ✓	24	辽源市巨峰生化科技有限责任公司 ✓
6	天冠集团新乡乙醇有限公司 ✓	25	梅河口市阜康酒精有限责任公司 ✓
7	河南辉县市酒精有限责任公司 ✓	26	吉林省酒精工业集团 ✓
8	河南太行鸿昌酒精有限责任公司 ✓	27	吉林燃料乙醇有限责任公司
9	林州市酒精酿造有限责任公司	28	江苏花厅生物科技有限公司
10	漯河天冠生物化工有限公司 ✓	29	赤峰瑞阳化工有限公司 ✓
11	焦作市河阳酒精实业有限公司 ✓	30	内蒙百业成酒精有限公司
12	孟州市华兴酒精有限公司 ✓	31	内蒙古利牛生物化工有限责任公司 ✓
13	河南天冠企业集团有限公司 ✓	32	潍坊英轩实业有限公司 ✓
14	大庆博润生物科技有限责任公司 ✓	33	山西纪元玉米产业有限公司
15	哈尔滨中国酿酒有限责任公司 ✓	34	西安商惠酒精有限公司 ✓
16	黑龙江兴汇酒业集团 ✓	35	绵竹金盛源生物化工有限责任公司 ✓
17	佳木斯阳光生化有限公司 ✓	36	天津亿泰弘丰酒精有限公司
18	黑龙江盛龙酒精有限公司 ✓	37	新疆博圣酒业酿造有限责任公司)
19	中粮生化能源(肇东)有限公司)		

根据各会员单位报告的数据统计,2012 年至 2015 年 1-9 月我会会员单位干玉米酒糟的合计产量如下表所示:

期 间	会员单位合计产量(万吨)
2012 年	290

2013 年	310
2014 年	302
2014 年 1-9 月	219
2015 年 1-9 月	211

以上情况，特此说明。



附件三：会议决议

附件三 非保密性概要

本附件为申请人内部对美国干玉米酒糟提起反倾销和反补贴贸易救济调查申请专题讨论会的会议纪要和确认书。鉴于会议纪要和确认书涉及申请人的内部表决表决程序、反倾销和反补贴贸易救济调查申请工作方案、聘请律师事务所、律师费支付事宜以及对内对外保密工作等事宜，属于内部保密资料，只在协会及会员内部传印，对外披露将对申请人的日常管理运作以及会员单位的生产经营造成不便或其他不利影响，故申请保密处理，不予全文对外公开披露。但是，申请人提供非保密性概要如下：

根据《中国酒业协会章程》的有关规定和年度工作安排，申请人召开会议，本次会议会员单位应到 36 家，实到 36 家，符合协会章程的有关规定。

会议就近年来美国干玉米酒糟大量进口的变化情况以及进口对国内 DDGS 产业造成的冲击进行了交流和总结。经参会单位共同讨论和决议，一致同意由中国酒业协会代表国内干玉米酒糟产业向商务部提起对原产于美国的进口干玉米酒糟的反倾销和反补贴调查申请，以维护国内干玉米酒糟产业的合法权益。

附件四：律师指派书和律师执业证明

干玉米酒糟反倾销和反补贴调查申请

律师指派书

为中国干玉米酒糟产业对原产于美国的进口干玉米酒糟产品提请反倾销和反补贴调查申请之目的，中国酒业协会授权北京市博恒律师事务所作为其全权代理人，代理题述案件的申请及调查工作。

北京市博恒律师事务所根据上述委托，特指派本所郭东平律师、蓝雄律师和贺京华律师共同代理，处理上述委托的与题述案件有关的全部事宜。

北京市博恒律师事务所

二〇一五年九月十日

律师事务所 执业许可证

(副本)

证号: 21101200310423105

北京市博恒

律师事务所,

符合《律师法》及《律师事务所管理办法》
规定的条件, 准予设立并执业。

发证机关: 北京市司法局

发证日期: 2013 年 04 月 22 日

执业机构 北京市博恒律师事务所

执业证类别 专职律师

执业证号 11101200310402136

法律职业资格证书 01200077020736
或律师资格证

发证机关 北京市司法局

发证日期 2013 年 4 月 22 日



持证人 郭东平

性 别 男

身份证号 532721197702012418

执业机构 北京市博恒律师事务所

执业证类别 专职律师

执业证号 11101199510115344

法律职业资格
或律师资格证号 (京) 司律证字 3805 号

发证机关 北京市司法局

发证日期 2013 年 04 月 22 日



贺京华 11101199510115344

持证人 贺京华

性 别 男

身份证号 110108196209012299

执业机构 北京市博恒律师事务所

执业证类别 专职律师

执业证号 11101200310817778

法律职业资格
或律师资格证明 019774120007

发证机关 北京市司法局

发证日期 2013 年 04 月 22 日



持证人 蓝勋

性别 男

身份证号 352624197412221617

附件五：关于我国干玉米酒糟生产情况的说明

中国轻工业联合会

关于我国干玉米酒糟生产情况的说明

干玉米酒糟是以玉米为主要原料在发酵制取酒精（乙醇）过程中对糟液进行加工处理后而获得的酒精糟及残液干燥物。干玉米酒糟不仅含有丰富的蛋白质、氨基酸、维生素、脂肪、发酵蒸馏过程中生成的未知生长因子，还富含有利于动物生长的多种矿物质，不含抗营养因子，已成为国内外饲料生产企业广泛应用的一种新型蛋白饲料原料，适合喂养家禽、家畜、水产品及特种动物。

根据我会统计，2012年至2015年1-9月期间国内干玉米酒糟的总产量情况如下表所示：

期 间	全国总产量（万吨）
2012 年	340
2013 年	350
2014 年	335
2014 年 1-9 月	240
2015 年 1-9 月	225

特此说明。

中国轻工业联合会信息统计部

2015 年 10 月

附件六：美国干玉米酒糟生产企业名单

美国干玉米酒糟供应商信息

数据来源于美国谷物协会官方网站

网页链接:

<http://www.grains.org/buyingselling/ddgs/ddgs-suppliers>

正文内容:

DDGS Suppliers **(DDGS 供应商)**

1、 Abengoa Bioenergy **Trading U.S.**

联系人 **Contact:** Jacob Hinrichs

电话 **Phone:** 636-519-3688

传真 **Fax:** 636-728-1148

Email

16150 Main Circle Drive

Suite 300

Chesterfield, MO 63017

<http://www.abengoabioenergy.com/>

2、 Ace Ethanol LLC

Contact: Neal Kemmet

Phone: (715) 644-2909

Fax: 715-644-2707

Email

815 W. Maple St.

Stanley, WI 50768

<http://www.aceethanol.com>

3、 Advanced BioEnergy **South Dakota, LLC**

Contact: Ty Weisendanger

Phone: 763-226-2701

Fax: 763-226-2725

Email

8000 Norman Center Drive

Suite 610

Bloomington, MN 55437

<http://www.advancedbioenergy.com/>

4、 AG Processing, Inc (AGP)

Contact:

Craig Pietig

Phone:

402-492-3322

Fax:

402-496-6686

Email

12700 W. Dodge Rd.

P.O. Box 2047

Omaha, NE 68103-2047

<http://www.agp.com>

5、 AgMotion

Contact: Tim Carlson

Phone: 612-486-3880

Fax: 612-486-3998

Email

700 U.S. Trust Building

730 2nd Ave S.

Minneapolis, MN 55402

<http://www.agmotion.com>

6、 Agniel Commodities, LLC

Contact: Lucien Agniel

Phone: 401-248-2086

Fax: 401-248-2087

Email

11 S. Angell St.

Suite 352

Providence, RI 02906

<http://www.agnielcommodities.com>

7、 Agrident, Inc.

Contact: Tjapko Poppens

Phone: 248-539-4040

Fax: 248-539-3070

Email

28580 Orchard Lake Rd

Suite 205

Farmington Hills, MI 48334

<http://www.agridient.com>

**8、 Archer Daniels Midland
Company (ADM)**

Contact: John Cowell

Phone: 217-451-8162

Fax: 217-451-4120

Email

P.O. Box 1470

Decatur, IL 62525

<http://www.adm.com>

9、 Aurora Cooperative

Contact: Chad Carlson

Phone: (402) 691-2106

Email

2225 Q St.

Aurora, NE 68818

www.auroracoop.com

**10、 Aventine Renewable
Energy, Inc.**

Contact: Seth A. King

Phone: 309-347-9277

Fax: 309-347-1174

Email

1300 South 2nd Street

Dunlap, IL, 61525

<http://www.aventinereei.com/>

**11、 Badger State Ethanol,
LLC**

Contact: Erik Huschitt

Phone: 608-329-3900

Fax: 608-329-3866

Email

820 W. 17th Street

P.O. Box 317

Monroe, WI 53566

<http://www.badgerstateethanol.com>

12、 Big River Resources

Contact: Raymond Defenbaugh

Phone: 319-753-1100

Fax: 319-753-1103

Email

211 N. Gear Ave

Suite 200

West Burlington, IA 52655

<http://www.bigriverresources.com>

13、 Blue Flint Ethanol, LLC

Contact: David Spickler

Phone: 701-442-7500

Fax: 701-442-7590

Email

2841 3rd Street SW

Underwood, ND 58576

<http://www.blueflintethanol.com>

14、 Bunge North America

Phone: 314-292-2000

Fax: 314-292-4000

Email

11720 Borman Drive

St. Louis, MO 63146-1000

<http://www.bungenorthamerica.com>

15、 C&D (USA) Inc.

Contact: Thomas Tan

Phone: 630-928-1180

Fax: 630-928-1190

Email

1100 Jorie Blvd.

Suite 173

Oak Brook, IL 60523

<http://www.chinacnd.com>

16、 Carbon Green BioEnergy, LLC

Contact: Gabe Corey

Phone: (616) 374-4000

Email

<http://www.cgbioenergy.com/>

17、 Cardinal Ethanol, LLC

Contact: Jeff Painter

Phone: 888-293-1640

Fax: 765-964-3349

Email

1554 N 600 E

Union City, IN 47390

<http://www.cardinalethanol.com>

18、 Cargill, Inc.

Contact: Rob Robuck

Phone: 952-742-4557

Email

Contact: Todd Nicklaus

Phone: 952-742-2000

Email

15407 McGinty Road W.

MS #19

Wayzata, MN 55391

<http://www.cargill.com>

19、 Cenex Harvest States (CHS)

Contact: Clayton Haupt (Vessel)

Phone: 651-355-6804

Email

Contact: Scott Thiel (Container)

Phone: 800-769-1066

Email

Contact: Sean Broderick (For prices FOB ethanol plants and delivered points in the U.S., Canada, and Mexico)

Phone: 800-769-1066

Email

5500 Cenex Drive

Inver Grove Heights, MN 55077

<http://www.chsinc.com>

20、 Chief Ethanol Fuels, Inc.

Contact: Duane Kristensen

Phone: 402-460-3261

Email

4225 E South St

Hastings, NE 68901

<http://www.chiefethanol.com>

21、 Commonwealth Agri-Energy

Contact: Mick Henderson

Phone: 270-475-4415

Fax: 270-475-4416

Email

P.O. Box 766

4895 Pembroke Rd.

Hopkinsville, KY 42241-0766

<http://www.commonwealthagrienergy.com>

22、 Consolidated Grain and Barge Co.

Contact: Lucas Blaustein

Phone: 1-800-897-3098

Email

Container / Feed Ingredients Sales and

Marketing Manager
7305 Illinois Hwy 26
Princeton, IL 61356
<http://www.cgb.com/>

23、 DeLong Co., Inc.

Contact: Brian Arnold
Phone: 608-676-3039
Fax: 608-676-4176
Email
P.O. Box 552
214 Allen St.
Clinton, WI 53525
<http://www.delongcompany.com>

24、 Didion, Inc

Contact: John Didion
Phone: 920-348-6888
Fax: 920-699-3628
Email
P.O. Box 400
Johnson Creek, WI 53038
<http://www.didionmilling.com>

25、 Enerfo USA, Inc.

Contact: Jeremy Frandson
Phone: 402-401-6300
Fax: 402-401-6324
Email
Contact: Brady Hess
Phone: 402-401-6300
Fax: 402-401-6324
Email
www.enerfousa.com

26、 Flint Hills Resources LLC

Contact: Ryan Sauer
Phone: 515-817-2987
Email

Contact: Sarah Pirolli
Phone: 515-817-2929
Email
4111 E. 37th St.
Wichita, KS 67220
<http://www.fhr.com>

27、 Fornazor International Inc.

Contact: John Fornazor, Jr.
Phone: 201-664-4000
Fax: 201-664-3222
Email
455 Hillsdale Ave
Hillsdale, NJ 07642
<http://www.fornazor.com>

28、 Furst-McNess Company

Contact: Kevin Gyland
Phone: 800-435-5100
Fax: 815-232-9716
Email
Contact: Jamie Williams
Phone: 815-232-9850
Fax: 815-232-9716
Email
120 E Clark St.
Freeport, IL 61032
<http://www.mcness.com>

29、 Gavilon

Contact: Tomas Elvir
Phone: 402-889-4000
Fax: 402-978-5506
Email
11 ConAgra Drive
Suite 5022
Omaha, NE 68102
<http://www.gavilon.com>

30、 Golden Grain Energy

Contact: Walter Wendland

Phone: 641-423-8525

Fax: 641-421-8457

Email

1822 43rd St. SW

Mason City, IA 50401

<http://www.ggecorn.com>

31、 Heron Lake BioEnergy, LLC

Contact: Eric Baukol

Phone: 507-793-0077

Fax: 507-793-0078

Email

91246 390th Ave

Heron Lake, MN 56137

<http://www.heronlakebioenergy.com>

32、 Homeland Energy Solutions

Contact: Walter Wendland

Phone: 563-238-5555

Fax: 563-238-5557

Email

<http://www.homelandenergysolutions.com>

33、 Illinois Corn Processing, LLC

Contact: Matt Keech

Phone: 309-478-4426

Email

1301 South Front Street

Pekin, IL 61555

34、 International Feed

Contact: Adel Yusupov

Phone: 952-249-9818

Fax: 952-249-9818

Email

P.O. Box 280

2075 Daniels St

Long Lake, MN 55356

<http://www.internationalfeed.com>

35、 Iroquois Bio-Energy Company, LLC

Contact: Gunner Greene

Phone: 219-866-2927

Email

P.O. Box 218

751 West State Road 114

Rensselaer, IN, 47978

<http://www.ibecethanol.com/>

36、 J.D. Heiskell Gold

Contact: Mark Neher (Containers)

Phone: 503-410-1854

Email

Contact: Chris Ludwig (Rail and barges)

Phone: 515-289-9403

Fax: 515-965-2404

Email

Contact: Mark Abbas (Trucks and logistics)

Phone: 515-289-9436

Fax: 515-965-2404

Email

2501 SE Tones Drive

Suite 500

Ankeny, IA 50021

<http://www.heiskell.com>

37、 Lakeview Energy, LLC

Contact: Jim Galvin

Phone: 312-386-5894

Email

300 West Adams Street
Suite 830
Chicago, IL, 60606
<http://lakeviewenergyllc.com>

38、 Lansing Trade Group

Contact: Steven J. Speck
Phone: 419-897-3182
Fax: 913-748-4403
Email

10975 Benson Drive
Suite 400
Overland Park, KS 66210
<http://www.lansingtradegroup.com>

39、 Lincolnland Agri-Energy LLC

Contact: Eric Mosbey
Phone: 618-552-3802
Fax: 618-586-2430
Email
<http://www.lincolnlandagrienergy.com>

40、 Living Water Integra Trade Inc.

Contact: Jerry Wang
Phone: 630-560-4520
Fax: 630-560-4520
Email

1000 Jorie Blvd
Suite 365
Oak Brook, IL 60523

41、 Louis Dreyfus Commodities Inc.

Contact: Mitchell Hansen
Phone: 515-738-2800
Email

1050 K St. NW
Suite 325

Washington, D.C., 20001
<http://www.louisdreyfus.com>

42、 Marquis Grain Inc.

Contact: Thom Rossmanith
Phone: 815-925-9590
Fax: 815-925-9504
Email

11953 Prairie Industrial Parkway
Hennepin, IL 61327
<http://www.marquisenenergy.com>

43、 Mirasco Inc.

Contact: Diaa Ghaly
Phone: 770-956-1945
Fax: 770-956-0308
Email

900 Circle 75 Parkway
Suite 200
900 Circle 75 Parkway
<http://www.mirasco.com>

44、 Murex LLC

Contact: Ramon Saldana
Phone: (832) 212-7275
Email

45、 NuGen Energy, LLC

Contact: Aaron Riedell
Phone: 605-648-2100
Fax: 605-648-2190
Email
27283 447th Ave.
Marion, SD 57043
<http://www.nugenmarion.com>

46、 One Earth Energy

Contact: Steven Kelly
Phone: 217-784-5321
Fax: 217-784-5332

Email

202 N. Jordan Drive
Gibson City, IL 60936

<http://www.oneearthenergy.com>

47、 Patriot Renewable Fuels

Contact: Judd Hulting

Phone: 309-935-5700

Fax: 309-935-5702

Email

101 Patriot Way

P.O. Box 560

Annawan, IL 61234

<http://www.patriotrenewablefuels.com>

**48、 Perdue Grain & Oilseed,
LLC**

Contact: John Cassidy

Phone: 410-543-3839

Email

6909 Zion Church Rd

Salisbury, MD 21804

<http://www.perdueagribusiness.com>

**49、 Phoenix Commodities
USA LLC**

Contact:

Michelle Taylor

Phone: (312) 283-8057

Email

661 Hopewell Drive

Heath, OH 43056

<http://www.pclworld.net>

50、 POET Nutrition

Contact: Michael Skuodas

Phone: (605) 965-6208

Email

4615 N. Lewis

Sioux Falls, SD 57104

<http://www.Dakotagold.com>

<http://www.poet.com>

**51、 Purina Animal Nutrition
LLC**

Contact: Darian Carpenter

Phone: 425-653-4237

Fax: 425-653-4202

Email

P.O. Box 64284-MS 5300

St. Paul, MN 55134-0281

<http://www.ddgsnutrition.com>

**52、 Quality Technology
International, Inc.**

Contact: Dan Hammes

Phone: 815-526-3289

Fax: 847-649-9309

Email

<http://qtitechnology.com/>

**53、 Rail Transfer
Incorporated**

Contact: Todd Nimmo

Phone: 651-487-1713

Fax: 651-487-1743

Email

800 Grotto St. N.

St. Paul, MN 55106

<http://www.railtransferinc.com>

**54、 Renewable Products
Marketing Group (RPMG)**

Contact: Jim Montbriand

Phone: 952-465-3248

Fax: 952-465-3221

Email

Contact: Trevor Kallop

Email

1157 Valley Park Drive S.

Suite 100
Shakopee, MN 55379
<http://www.rpmgllc.com>

55、 The Scoular Company

Contact: Justin Cauley
Phone: 612-851-3740
Fax: 612-335-8770
Email

Contact: Jennifer Li
Phone: 612-252-3533
Fax: 612-335-8770
Email
250 Marquette Ave
Suite 1050
Minneapolis, MN 55401
<http://www.scoular.com>

56、 Tharaldson Ethanol Plant I, LLC

Contact: Keith E. Finney
Phone: 701-347-4000
Fax: 701-347-4044
Email
3549 153rd Ave SE
Casselton, ND 58012
<http://www.tharaldsonethanol.com>

57、 Tricon Energy, Ltd.

Contact: Eric Woodie
Phone: 713-963-0373
Fax: 713-985-6190
Email
777 Post Oak Blvd.
Suite 550
Houston
www.triconenergy.com

58、 Western New York Energy

Contact: Andrew Buck (Marketing
Manager – Distillers Grains)

Phone: 585-798-9693

Fax: 585-798-6699

Email

P.O. Box 191

Medina, NY 14103

<http://www.wnyenergy.com>

59、 YangXiang ZhongMu American Trading Corp.

Contact: Ben Huang

Phone: 651-340-4499

Email

1611 County Rd B West

Suite 204

St. Paul, MN 55113

<http://www.yangxiang.com>

60、 Zeeland Farm Services

Contact: Darwin Rader (International
Sales Manager)

Phone: 616-748-1819

Fax: 616-748-3919

Email

2525 84th Ave

P.O. Box 290

Zeeland, MI 49464

<http://www.zfsinc.com>

附件七：中华人民共和国进出口税则（2012 年—2015 年版）

中华人民共和国 海关进出口税则

十位编码·监管条件·申报目录·出口退税·政策法规·海关代征税一览表

2012年中英文对照版(附光盘)

中华人民共和国海关进出口税则 编委会 编

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of the People's Republic of China

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Economic Daily Press

第二十三章
食品工业的残渣及废料;
配制的动物饲料

Chapter 23
Residues and waste from the food
industries; prepared animal fodder

注释:

税目 23.09 包括其他税目未列号的配制动物饲料,这些饲料是由动、植物原料加工而成的,并且已改变了原料的基本特性,但加工过程中的植物废料、植物残渣及副产品除外。

子目注释:

子目 2306.41 所称“低芥子酸油菜籽”,是指第十二章子目注释一所定义的油菜籽。

Note:

Heading No. 23.09 includes products of a kind used in animal feeding, not elsewhere specified or included, obtained by processing vegetable or animal materials to such an extent that they have lost the essential characteristics of the original material, other than vegetable waste, vegetable residues and by-products of such processing.

Subheading Note:

For the purposes of subheading No. 2306.41, the expression "low erucic acid rape or colza seeds" means seeds as defined in Subheading Note 1 to Chapter 12.

税则号列	货 品 名 称	最惠 (%)	普通	增值 税率	出口 退税	计量 单位	监管 条件	Article Description
23.01	不适于供人食用的肉、杂碎、鱼、甲壳动物、软体动物或其他水生无脊椎动物的渣粉及团粒;油渣: -肉、杂碎的渣粉及团粒;油渣: ---肉骨粉: ---含牛羊成分的 ---其他 ---油渣 ---其他 -鱼、甲壳动物、软体动物或其他水生无脊椎动物的渣粉及团粒: ---饲料用鱼粉 ---其他							Flours, meals and pellets, of meat or meat offal, of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption; greaves: -Flours, meals and pellets, of meat or meat offal; greaves: ---Flours and meals, of meat bones: ---Of bovine and sheep ---Other ---Greaves ---Other -Flours, meals and pellets, of fish or of crustaceans, molluscs or other aquatic invertebrates: ---Flours and meals of fish, of a kind used in animal feeding ---Other
2301.10.11	---含牛羊成分的	2	11	13	15	千克	AB	---Of bovine and sheep
2301.10.19	---其他	2	11	13	15	千克	AB	---Other
2301.10.20	---油渣	5	50	13		千克	AB	---Greaves
2301.10.90	---其他	5	30	13		千克	AB	---Other
2301.20.10	---饲料用鱼粉	2	11	13		千克	AB	---Flours and meals of fish, of a kind used in animal feeding
2301.20.90	---其他	5	30	13		千克	AB	---Other
23.02	谷物或豆类植物在筛、碾或其他加工过程中所产生的糠、麸及其他残渣,不论是否制成团粒:							Bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals or of leguminous plants:
2302.10.00	-玉米的	5	30	13		千克	AB	-Of maize (corn)
2302.30.00	-小麦的	3	30	13		千克	AB	-Of wheat
2302.40.00	-其他谷物的	5	30	13		千克	AB	-Of other cereals
2302.50.00	-豆类植物的	5	30	13		千克	AB	-Of leguminous plants
23.03	制造淀粉过程中的残渣及类似的残渣,甜菜渣、甘蔗渣及制糖过程中的其他残渣,酿造及蒸馏过程中的糟粕及残渣,不论是否制成团粒:							Residues of starch manufacture and similar residues, beet-pulp, bagasses and other waste of sugar manufacture, brewing or distilling dregs and waste, whether or not in the form of pellets:
2303.10.00	-制造淀粉过程中的残渣及类似的残渣	5	30	13		千克	AB	-Residues of starch manufacture and similar residues
2303.20.00	-甜菜渣、甘蔗渣及制糖过程中的其他残渣	5	30	13	0.5	千克	AB	-Beet-pulp, bagasses and other waste of sugar manufacture
2303.30.00	-酿造及蒸馏过程中的糟粕及残渣	5	30	13		千克	AB	-Brewing or distilling dregs and waste
2303.30.00.10	玉米酒糟	5	30	13		千克	7AB	Distiller's grains with or without Solubles
2303.30.00.90	其他酿造及蒸馏过程中的糟粕及残渣	5	30	13		千克	AB	Other brewing or distilling dregs and waste
23.04	提炼豆油所得的油渣饼及其他固体残渣,不论是否碾磨或制成团粒:							Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soyabean oil:
2304.00.10	---油渣饼	5	30	13	13	千克	7AB	---Oil-cake
2304.00.90	---其他	5	30	13	13	千克	7AB	---Other

中华人民共和国 海关进出口税则

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2013年中英文对照版(附光盘)

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配制的动物饲料

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industries; prepared animal fodder

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税目 23.09 包括其他税目未列号的配制动物饲料，这些饲料是由动、植物原料加工而成的，并且已改变了原料的基本特性，但加工过程中的植物废料、植物残渣及副产品除外。

子目注释：

子目 2306.41 所称“低芥子酸油菜籽”，是指第十二章子目注释一所定义的油菜籽。

Note:

Heading No. 23.09 includes products of a kind used in animal feeding elsewhere specified or included, obtained by processing vegetable or animal materials to such an extent that they have lost the essential characteristics of the original material, other than vegetable waste, vegetable residues or by-products of such processing.

Subheading Note:

For the purposes of subheading No. 2306.41, the expression “low acid rape or colza seeds” means seeds as defined in Subheading No. 1206.41, Chapter 12.

税则号列	货 品 名 称	最惠 (%)	普通	增值 税率	出口 退税	计量 单位	监管 条件	Article Description
23.01	不适于供人食用的肉、杂碎、鱼、甲壳动物、软体动物或其他水生无脊椎动物的渣粉及团粒；油渣； --肉、杂碎的渣粉及团粒；油渣； --肉骨粉； ---含牛羊成分的 ---其他 --油渣 ---其他						AB	Flours, meals and pellets, of meat or meat of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption; greaves; --Flours, meals and pellets, of meat or meat of greaves; ---Flours and meals, of meat bones; ----Of bovine and sheep ---Other ---Greaves ---Other
2301.1011		2	11	13	15	千克	AB	
2301.1019		2	11	13	15	千克	AB	
2301.1020		5	50	13		千克	AB	
2301.1090		5	30	13		千克	AB	
	鱼、甲壳动物、软体动物或其他水生无脊椎动物的渣粉及团粒； ---饲料用鱼粉 ---其他							Flours, meals and pellets, of fish or of crustaceans, molluscs or other aquatic invertebrates; ---Flours and meals of fish, of a kind used in animal feeding ---Other
2301.2010		2	11	13		千克	AB	
2301.2090		5	30	13		千克	AB	
23.02	谷物或豆类植物在筛、碾或其他加工过程中所产生的糠、麸及其他残渣，不论是否制成团粒； --玉米的 --小麦的 --其他谷物的 --豆类植物的							Bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals or of leguminous plants; -Of maize (corn) -Of wheat -Of other cereals -Of leguminous plants
2302.1000		5	30	13		千克	AB	
2302.3000		3	30	13		千克	AB	
2302.4000		5	30	13		千克	AB	
2302.5000		5	30	13		千克	AB	
23.03	制造淀粉过程中的残渣及类似的残渣，甜菜渣、甘蔗渣及制糖过程中的其他残渣，酿造及蒸馏过程中的糟粕及残渣，不论是否制成团粒； --制造淀粉过程中的残渣及类似的残渣 --甜菜渣、甘蔗渣及制糖过程中的其他残渣 --酿造及蒸馏过程中的糟粕及残渣 --玉米酒糟 --其他酿造及蒸馏过程中的糟粕及残渣							Residues of starch manufacture and similar residues, beet-pulp, bagasses and other waste of sugar manufacture, brewing or distilling dregs and waste, whether or not in the form of pellets; -Residues of starch manufacture and similar residues -Beet-pulp, bagasses and other waste of sugar manufacture -Brewing or distilling dregs and waste -Distiller's grains with or without Solubles -Other brewing or distilling dregs and waste
2303.1000		5	30	13		千克	AB	
2303.2000		5	30	13	5.0	千克	AB	
2303.3000		5	30	13		千克	AB	
2303.3000.10		5	30	13		千克	AB	
2303.3000.90		5	30	13		千克	AB	
23.04	提炼豆油所得的油渣饼及其他固体残渣，不论是否碾磨或制成团粒； --油渣饼 --其他							Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soyabean oil; --Oil-cake --Other
2304.0010		5	30	13	13	千克	7AB	
2304.0090		5	30	13	13	千克	7AB	

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	—肉、杂碎的渣粉及团粒；油渣；							—Flours, meals and pellets, of meat or meat of greaves;
	—肉骨粉；							—Flours and meals, of meat bones;
2301.1011	—含牛羊成分的	2	11	13	15	千克	AB	—Of bovine and sheep
2301.1019	—其他	2	11	13	15	千克	AB	—Other
2301.1020	—油渣	5	50	13		千克	AB	—Greaves
2301.1090	—其他	5	30	13		千克	AB	—Other
	—鱼、甲壳动物、软体动物或其他水生无脊椎动物的渣粉及团粒；							—Flours, meals and pellets, of fish or of crustaceans, molluscs or other aquatic invertebrates;
2301.2010	—饲料用鱼粉	2	11	13		千克	AB	—Flours and meals of fish, of a kind used in animal feeding
2301.2090	—其他	5	30	13		千克	AB	—Other
23.02	谷物或豆类植物在筛、碾或其他加工过程中所产生的糠、麸及其他残渣，不论是否制成团粒；							Bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals or of leguminous plants;
2302.1000	—玉米的	5	30	13		千克	AB	—Of maize (corn)
2302.3000	—小麦的	3	30	13		千克	AB	—Of wheat
2302.4000	—其他谷物的	5	30	13		千克	AB	—Of other cereals
2302.5000	—豆类植物的	5	30	13		千克	AB	—Of leguminous plants
23.03	制造淀粉过程中的残渣及类似的残渣，甜菜渣、甘蔗渣及制糖过程中的其他残渣，酿造及蒸馏过程中的糟粕及残渣，不论是否制成团粒；							Residues of starch manufacture and similar residues, beet-pulp, bagasses and other waste of sugar manufacture, brewing or distilling dregs and waste, whether or not in the form of pellets;
2303.1000	—制造淀粉过程中的残渣及类似的残渣	5	30	13		千克	AB	—Residues of starch manufacture and similar residues
2303.2000	—甜菜渣、甘蔗渣及制糖过程中的其他残渣	5	30	13	5.0	千克	AB	—Beet-pulp, bagasses and other waste of sugar manufacture
2303.3000	—酿造及蒸馏过程中的糟粕及残渣	5	30	13		千克	AB	—Brewing or distilling dregs and waste
2303.3000.10	—玉米酒糟	5	30	13		千克	AB	—Distiller's grains with or without Solubles
2303.3000.90	—其他酿造及蒸馏过程中的糟粕及残渣	5	30	13		千克	AB	—Other brewing or distilling dregs and waste
23.04	提炼豆油所得的油渣饼及其他固体残渣，不论是否碾磨或制成团粒；							Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soyabean oil;
2304.0010	—油渣饼	5	30	13	13	千克	7AB	—Oil-cake
2304.0090	—其他	5	30	13	13	千克	7AB	—Other

中华人民共和国 海关进出口税则

十位编码·监管条件·申报目录·出口退税·政策法规·海关代征税一览表

2015年中英文对照版(附光盘)

中华人民共和国海关进出口税则 编委会 编

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of the People's Republic of China

Decade Coding of HS, Customs Control Conditions, Declares Contents,

Export Drawback, Regulations, Detailed Customs Duties Levied on Commission Basis

Compiled by the Editorial Department of the Customs

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第二十三章

食品工业的残渣及废料；

配制的动物饲料

Chapter 23

Residues and waste from the food
industries; prepared animal fodder

Note:

Heading No. 23.09 includes products of a kind used in animal feeding, not elsewhere specified or included, obtained by processing vegetable or animal materials to such an extent that they have lost the essential characteristics of the original material, other than vegetable waste, vegetable residues and by-products of such processing.

Subheading Note:

For the purposes of subheading No. 2306.41, the expression "low erucic acid rape or colza seeds" means seeds as defined in Subheading Note 1 to Chapter 12.

税目 23.09 包括其他税目未列号的配制动物饲料,这些饲料是由动植物原料加工而成的,并且已改变了原料的基本特性,但加工过程中的植物废料、植物残渣及副产品除外。

目注释:

子目 2306.41 所称“低芥子酸油菜籽”,是指第十二章子目注释一所定义的油菜籽。

税则号列	货 品 名 称	最惠 (%)	普通	增值 税率	出口 退税	计量 单位	监管 条件	Article Description
23.01	不适于供人食用的肉、杂碎、鱼、甲壳动物、软体动物或其他水生无脊椎动物的渣粉及团粒;油渣:							Flours, meals and pellets, of meat or meat offal, of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption; greaves:
	—肉、杂碎的渣粉及团粒;油渣:							—Flours, meals and pellets, of meat or meat offal; greaves:
	---肉骨粉:							---Flours and meals, of meat bones:
2301.1011	---含牛羊成分的	2	11	13	15	千克	AB	----Of bovine and sheep
2301.1019	---其他	2	11	13	15	千克	AB	---Other
2301.1020	---油渣	5	50	13		千克	AB	---Greaves
2301.1090	---其他	5	30	13		千克	AB	---Other
	鱼、甲壳动物、软体动物或其他水生无脊椎动物的渣粉及团粒:							—Flours, meals and pellets, of fish or of crustaceans, molluscs or other aquatic invertebrates:
2301.2010	---饲料用鱼粉	2	11	13		千克	AB	---Flours and meals of fish, of a kind used in animal feeding
2301.2090	---其他	5	30	13		千克	AB	---Other
23.02	谷物或豆类植物在筛、碾或其他加工过程中所产生的糠、麸及其他残渣,不论是否制成团粒:							Bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals or of leguminous plants:
2302.1000	—玉米的	5	30	13		千克	AB	—Of maize (corn)
2302.3000	—小麦的	3	30	13		千克	AB	—Of wheat
2302.4000	—其他谷物的	5	30	13		千克	AB	—Of other cereals
2302.5000	—豆类植物的	5	30	13		千克	AB	—Of leguminous plants
23.03	制造淀粉过程中的残渣及类似的残渣,甜菜渣、甘蔗渣及制糖过程中的其他残渣,酿造及蒸馏过程中的糟粕及残渣,不论是否制成团粒:							Residues of starch manufacture and similar residues, beet-pulp, bagasses and other waste of sugar manufacture, brewing or distilling dregs and waste, whether or not in the form of pellets:
2303.1000	—制造淀粉过程中的残渣及类似的残渣	5	30	13		千克	AB	—Residues of starch manufacture and similar residues
2303.2000	—甜菜渣、甘蔗渣及制糖过程中的其他残渣	5	30	13	5.0	千克	AB	—Beet-pulp, bagasses and other waste of sugar manufacture
2303.3000	—酿造及蒸馏过程中的糟粕及残渣	5	30	13		千克	AB	—Brewing or distilling dregs and waste
2303.3000.10	—玉米酒精	5	30	13		千克	AB	—Distiller's grains with or without Solubles
2303.3000.90	—其他酿造及蒸馏过程中的糟粕及残渣	5	30	13		千克	AB	—Other brewing or distilling dregs and waste
23.04	提炼豆油所得的油渣饼及其他固体残渣,不论是否碾磨或制成团粒:							Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soyabean oil:
2304.0010	---油渣饼	5	30	13	13	千克	7AB	---Oil-cake
2304.0090	---其他	5	30	13	13	千克	7AB	---Other

附件八：中华人民共和国海关总署干玉米酒糟产品进出口数据统计

干玉米酒糟进口数据统计
税则号: 23033000

期	国别	数量 (吨)	金额 (美元)	单价 (美元/吨)	数量 (吨)	金额 (美元)	单价 (美元/吨)	数量 (吨)	金额 (美元)	单价 (美元/吨)
2012年	中国总进口	2,382,070	774,240,151	325.03		100.00%	-		-	
	美国	2,381,470	772,640,553	324.44		99.97%	-		-	
	中国总进口	4,001,531	1,405,610,077	351.27		100.00%	67.99%		8.07%	
2013年	美国	4,000,230	1,404,177,376	351.02		99.97%	67.97%		8.19%	
	中国总进口	5,413,123	1,762,830,409	325.66		100.00%	35.28%		-7.29%	
2014年	美国	5,411,156	1,761,694,987	325.57		99.96%	35.27%		-7.25%	
	中国总进口	5,076,775	1,657,613,182	326.51		100.00%	-		-	
2014年1-9月	美国	5,074,911	1,656,555,802	326.42		99.96%	-		-	
	中国总进口	5,275,853	1,584,147,930	300.26		100.00%	3.92%		-8.04%	
2015年1-9月	美国	5,273,911	1,583,165,977	300.19		99.96%	3.92%		-8.04%	

注: 数据来源于海关总署信息中心.

我国干玉米酒糟出口数据统计
税则号：23033000

期间	数量 (吨)	金额 (美元)	价格 (美元/吨)
2012年	56,419	12,957,623	229.67
2013年	54,431	11,229,763	206.31
2014年	33,361	6,733,245	201.83
2014年1-9月	30,632	6,142,814	200.53
2015年1-9月	11,271	3,164,242	280.74

注： 数据来源于海关总署信息中心。

20150611-0003-10141201212

3287

2012年12月进口八位商品/国别量值表

单位: 美元

八位商品 国别	计 量 单 位	1至12月累计	
		数 量	金 额
23033000 酿造及蒸馏过程中的糟粕及残渣	千克	2,382,070,043	774,240,151
116 日本		33	1,870
143 台澎金马关税区		26,690	10,676
305 法国		123,400	85,300
343 摩尔多瓦		20,002	7,889
352 捷克		230,040	1,246,623
410 巴西		200,000	247,240
502 美国		2,381,469,878	772,640,553

报表提供: 全国海关信息中心 海关资讯网 <http://www.hgtj.cn> 电话: 6519.5623

20150611-0003-10141201312

2013年12月进口八位商品/国别量值表

3287

单位: 美元

八位商品 国别	计 量 单 位	1至12月累计	
		数 量	金 额
23033000 酿造及蒸馏过程中的糟粕及残渣	千克	4,001,531,399	1,405,610,077
116 日本		735	11,173
304 德国		11,250	8,750
305 法国		382,940	330,934
343 摩尔多瓦		60,000	35,599
352 捷克		55,360	354,162
410 巴西		275,000	521,611
501 加拿大		516,295	170,472
502 美国		4,000,229,819	1,404,177,376

报表提供: 全国海关信息中心 海关资讯网 <http://www.hgtj.cn> 电话: 6519.5623

20150611-0003-10141201412

2014年12月进口八位商品/国别量值表

3287

单位: 美元

八位商品 国别	计 量 单 位	1至12月累计	
		数 量	金 额
23033000	千克	5,413,122,845	1,762,830,409
116		1,660	22,046
142		440,000	79,438
305		361,920	274,132
330		4	134
352		43,200	292,012
410		75,000	115,095
501		1,045,380	352,565
502		5,411,155,681	1,761,694,987

报表提供: 全国海关信息中心 海关资讯网 <http://www.hgtj.cn> 电话:6519.5623

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贸易统计

商品统计

国家统计

地区统计

口岸统计

海关代码

报关参数

归类信息

企业黄页

全球数据

在线咨询

商品统计

2014 年

起止时间: 01 月 -- 09 月

商品: 23033000

统计方式: 总值 按 1 国家 按地区 按口岸

贸易额前20

前20

家:

验证码: 4517

2121

2014年1月到2014年9月商品统计表

(金额: 美元)

502	美国	5,074,911,384	1,656,555,802
501	加拿大	1,045,380	352,585
352	捷克	43,200	232,012
305	法国	238,880	197,769
410	巴西	75,000	115,085
142	中国	440,000	79,438
116	日本	1,660	20,387
330	瑞典	4	134

23033000 酿造及蒸馏过程中的糟粕及残渣 千克

海关数据

宏观数据

企业排名

企业黄页

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通关信息

贸易统计

商品统计

国家统计

地区统计

口岸统计

海关代码

报关参数

归类信息

企业黄页

全球数据

在线咨询

商品统计

2015 年

起止时间: 01 月 -- 09 月

09 月

商品: 23033000

选择商品

统计方式: 国家 地区 按

贸易额前20

贸易额前20

国家

选择国家

验证码: 4517

验证码: 0131

查询

2015年1月到2015年9月商品统计表

(金额: 美元)

品名	数量	金额
502 美国	5,273,910,895	1,563,185,977
501 加拿大	1,519,343	477,318
305 法国	377,012	404,006
410 巴西	52,000	99,096
116 日本	45	1,533

23033000 融蜡及聚醚过程中的增白及残渣 千克

3287

20150611-0003-1015-201212
2012年12月出口八位商品量值表

单位: 美元

八位商品	计 量		1至12月累计	
	单 位	数 量	金 额	
23033000 酿造及蒸馏过程中的糟粕及残渣	千克	56,418,980	12,957,623	

报表提供: 全国海关信息中心 海关资讯网 <http://www.hgtj.cn> 电话:6519.5623

20150611-0003-1015-201312

2013年12月出口八位商品量值表

3287

单位: 美元

八位商品	计 量		1至12月累计	
	单 位	数 量	金 额	
23033000 酿造及蒸馏过程中的糟粕及残渣	千克	54,431,013	11,229,763	

报表提供: 全国海关信息中心 海关资讯网 <http://www.hgtj.cn> 电话: 6519.5623

20150611-0003-1015-201412

2014年12月出口八位商品量值表

3287

单位: 美元

八位商品	计 量		1至12月累计	
	单 位	数 量	金 额	
23033000 酿造及蒸馏过程中的糟粕及残渣	千克	33,361,192	6,733,245	

报表提供: 全国海关信息中心 海关资讯网 <http://www.hgtj.cn> 电话: 6519.5623



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> 国家统计

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商品: 23033000

统计方式:

总值 按国家 按地区 按口岸

验证码: 1070 7760

查询

进出口: ☒ 进 ☐ 出 ☐ 进出口

自 2014年1月到2014年9月商品统计表

23033000 酿造及发酵过程中的糟粕及残渣

千克

30,632,369

6,142,814

(金额: 美元)

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归类信息

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商品统计

起止时间: 2015 年 01 月 - 09 月

商品: 23033000 选择商品

统计方式: 总值 按国家 按地区 按口岸

验证码: 7360 1070 查询

进出口: 进口 出口 进出口

您还有499 / 500个查询未使用

2015年1月到2015年9月商品统计表

商品名称	数量	金额: 美元
23033000 酿造及蒸馏过程中的糟粕及残渣	11,270,905 千克	3,164,242

注: 商品在指定时段内如未发生实际进出口, 则商品在该时段的查询结果将不在表中显示

附件九：海运费和保险费报价

关于海运费和保险费的情况说明

申请人暂无法获得美国干玉米酒糟从美国到中国的实际海运费和保险费。为了对出口价格所包含的海运费和保险费进行合理调整，申请人暂以初步获得的美国港口到中国港口的海运费价格和保险费率作为基础对出口价格进行调整。

根据申请人的了解，美国干玉米酒糟对中国出口一般采用 40 尺集装箱装柜。根据 Containers 官方网站的报价，40 尺集装箱从美国港口到中国港口的直航海运费在 1497-1608 美元（平均为 1553 美元），保险费率（一切险）为 0.45%。

根据申请人的了解，一个 40 尺集装箱货柜大约可以运输 25 吨左右的干玉米酒糟，折算下来每吨产品的运费为 62.10 美元。针对保险费，按照国际惯例，根据货物价值的 110% 进行计算，所以保险费等于货物价值 $\times 110\% \times 0.45\%$ 。

Containers

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Ocean freight rates: FCL shipping to QINGDAO with pickup in zip code 90001

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STAGE PROCESS 1. Select 2. Detailed Quote 3. Payment 4. Shipping instructions

Type of shipment: Full Container

Pick-up at zip code: 90001

Destination: QINGDAO

Incoterms: CFR

Price includes the following services:

Pickup zip code 90001

FOB charges

PORT OF LOAD	20' CONTAINER	40' CONTAINER	40' HIGH CUBE CONTAINER	EST TRANSIT TIME	ADDITIONAL INFO	NEXT EXPECTED DEPARTURES	
LOS ANGELES	\$1,315	\$1,497	\$1,497	20 days	Frequency: 7 days Transshipments: Direct	DEPARTURES	QUOTE SEE EXCLUDED CARGO
LONG BEACH	\$1,359	\$1,536	\$1,536	18 days	Frequency: 7 days Transshipments: Direct	DEPARTURES	QUOTE SEE EXCLUDED CARGO
LONG BEACH	\$1,404	\$1,603	\$1,603	23 days	Frequency: 7 days Transshipments: Direct	DEPARTURES	QUOTE SEE EXCLUDED CARGO
LOS ANGELES	\$1,404	\$1,603	\$1,603	24 days	Frequency: 7 days Transshipments: Direct	DEPARTURES	QUOTE SEE EXCLUDED CARGO
LONG BEACH	\$1,429	\$1,608	\$1,608	NA	Frequency: 7 days Transshipments: Direct	DEPARTURES	QUOTE



进口货运保险普通货物费率表

添加新百科 获积分奖励【我来添加】

(一) 所有进口货物均按本费率表计算保险费，但如在指明货物费率表中的货物，承保一切险时还须加上指明货物费率计算保险费。有特殊规定的按特殊规定计收。

(二) 各种散装货物以及化肥、糖、粮谷、木材、油（包括油料）、活牲畜、新鲜果菜，其保险责任均至卸货港口仓库或场地时终止。上述货物如需从港口转运到内地还需按转运内地费率加费的规定加费。

(三) 本表系按每百元计算。

(1) 海运

地区	平安险 F. P. A	水渍险 W. A	一切险 A. R.
台湾、香港、澳门、南朝鲜、日本	0.08	0.12	0.25
大洋洲及亚洲国家和地区	0.10	0.15	0.35
加拿大、美国、欧洲	0.15	0.20	0.45
非洲及中南美洲	0.20	0.25	0.50

附件十：世界银行集团关于美国出口产品的境内环节费用报告

关于美国出口贸易的境内环节费用说明

世界银行组织（World Bank Group）在其官网上披露了美国进出口跨境贸易过程中发生的相关环节费用，包括文件费、清关费和检验费、港口装卸费以及内陆运费，费用按每 20 尺集装箱柜装载 10 吨产品计量。其中，出口环节费用合计 1275 美元/柜。折算下来，每吨产品的出口环节费用为 127.5 美元。

相关证据请参见后附材料。

DOING BUSINESS

ANNUAL BUSINESS REGULATIONS

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Ease of Doing Business in

United States

This page summarizes *Doing Business* 2015 data for the United States. The first section presents the Ease of Doing Business rank (out of 189 economies) and the distance to frontier (DTF)** measure, overall and by topic. The second section summarizes the key indicators for each topic benchmarked against regional averages.

ECONOMY OVERVIEW

PRINT | EXCEL

REGION	OECD high income	DOING BUSINESS 2015 RANK	DOING BUSINESS 2014 RANK***	CHANGE IN RANK
INCOME CATEGORY	High income	7	7	0
POPULATION	316,128,839			
GNI PER CAPITA (US\$)	53,670	DOING BUSINESS 2015 DTF** (% POINTS)	DOING BUSINESS 2014 DTF** (% POINTS)	CHANGE IN DTF** (% POINTS)
CITY COVERED	New York City, Los Angeles	81.98	81.96	♦ 0.02

Rankings Distance to Frontier Distance to Frontier - New York City

Distance to Frontier - Los Angeles

TOPICS	DB 2015 Rank	DB 2014 Rank	Change in Rank
Starting a Business ✓	46	41	♦ 5
Dealing with Construction Permits	41	43	♦ 2
Getting Electricity	81	58	♦ 23

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Contributors

See who contributed to *Doing Business* 2015

ADDITIONAL TOPIC

» Labor Market Regulation

ADDITIONAL DATA

» Distance to frontier

» Entrepreneurship

» Good practices

TOPICS	DB 2015 Rank	DB 2014 Rank	Change in Rank
Starting a Business ✓	46	41	+ 5
Dealing with Construction Permits	41	43	+ 2
Getting Electricity	81	59	+ 23
Registering Property	29	30	+ 1
Getting Credit	2	1	+ 1
Protecting Minority Investors	25	21	+ 4
Paying Taxes	47	44	+ 3
Trading Across Borders	16	15	+ 1
Enforcing Contracts	41	41	No change
Resolving Insolvency	4	4	No change

✓=Doing Business reform making it easier to do business. + =Change making it more difficult to do business.

[Click here to see all reforms made by United States.](#)

ADDITIONAL TOPIC

» Labor Market Regulation

ADDITIONAL DATA

» Distance to frontier

» Entrepreneurship

» Good practices

RELATED WEBSITES

» Enterprise Surveys

» Women, Business & the Law

Viewing the data for **Los Angeles** ▼

Starting a Business	Dealing with Construction Permits	Getting Electricity	Registering Property	Getting Credit	Protecting Minority Investors	Paying Taxes	Trading Across Borders	Enforcing Contracts
								Resolving Insolvency

Trading Across Borders

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DB 2015 DTF** (% POINTS) **98.01** DB 2014 DTF** (% POINTS) **97.89** CHANGE IN DTF** (% POINTS) **+0.12**

Indicator	Los Angeles	OECD
Documents to export (number)	3	4
Time to export (days)	6.0	10.5

DB 2015 DTF** (% POINTS) 88.01

DB 2014 DTF** (% POINTS) 87.89

CHANGE IN DTF** (%
POINTS)

-0.12

Indicator	Los Angeles	OECD
Documents to export (number)	3	4
Time to export (days)	6.0	10.5
Cost to export (US\$ per container)	1,275.0	1,080.3
Cost to export (deflated US\$ per container)	1,275.0	1,080.3
Documents to import (number)	5	4
Time to import (days)	5.0	9.6
Cost to import (US\$ per container)	1,250.0	1,100.4
Cost to import (deflated US\$ per container)	1,250.0	1,100.4

出口

Nature of Export Procedures	Duration (days)	US\$ Cost
Documents preparation 文件费	2	230
Customs clearance and inspections 清关费	1	100
Ports and terminal handling 装卸费	2	480
Inland transportation and handling 内陆运费	1	465
Totals 合计	6	1,275

Nature of Import Procedures	Duration (days)	US\$ Cost
Documents preparation	2	205
Customs clearance and inspections	1	100
Ports and terminal handling	2	480
Inland transportation and handling	1	465
Totals	6	1,250

Export documents 出口单据

Bill of Lading
Commercial Invoice
Customs Export Declaration

Import documents

Bill of Lading
Commercial Invoice
Customs import declaration
Delivery Order
Packing List

附件十一：美国农业部关于干玉米酒糟的价格统计

关于美国市场干玉米酒糟的销售价格说明

申请人从美国农业部官方网站获得了伊利诺斯州干玉米酒糟的月平均销售价格统计数据。具体如下：

期 间	月平均价格（美元/短吨）	月平均价格（美元/吨）
2014 年 10 月	96.00	105.82
2014 年 11 月	113.13	124.70
2014 年 12 月	159.30	175.60
2015 年 1 月	186.50	205.58
2015 年 2 月	187.13	206.27
2015 年 3 月	189.50	208.88
2015 年 4 月	191.00	210.54
2015 年 5 月	178.50	196.76
2015 年 6 月	157.50	173.61
2015 年 7 月	153.50	169.20
2015 年 8 月	115.13	126.91
2015 年 9 月	139.30	153.55
申请调查期间算数平均	155.54	171.45

注：（1）美国农业部价格单位为美元/短吨，申请人将此价格折算为美元/吨。1 短吨（或 1 公吨）= 0.9072 吨（或公吨）。

（2）具体价格统计表请参见后附材料。

Table 16--Byproduct feeds: Average wholesale price, bulk, specified markets (dollars per ton)

Commodity and mkt yr 1/		Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Avg 2/
Alfalfa meal, dehydrated, 17% protein, Kansas City, MO	2009/10	206.50	208.50	208.93	216.89	209.00	209.00	212.93	213.00	215.36	213.88	211.84	208.29	211.18
	2010/11	206.40	204.12	204.00	205.38	208.21	213.33	215.75	218.50	243.95	257.50	268.83	282.55	227.38
	2011/12	301.17	311.64	324.50	329.00	332.00	333.50	334.00	333.32	333.00	338.95	360.61	365.77	333.12
	2012/13	366.81	368.38	372.50	371.31	368.56	365.25	370.57	372.50	370.75	363.93	362.50	360.88	367.83
	2013/14	360.00	360.00	358.93	353.10	341.58	335.00	335.24	335.95	340.00	334.89	323.22	311.91	340.82
	2014/15	298.05	293.56	296.31	302.50	298.82	295.91	287.50	285.50	276.66	265.46	277.50	277.50	287.94
Corn gluten feed, 21% protein, Midwest	2009/10	73.13	84.88	89.70	95.25	91.00	67.30	52.00	49.50	49.00	58.38	82.20	103.00	74.61
	2010/11	129.75	141.80	136.25	138.88	149.25	150.10	151.13	149.40	149.75	148.89	160.60	183.25	149.09
	2011/12	173.75	168.20	155.00	138.00	133.75	129.38	128.75	137.80	138.00	192.20	252.50	243.38	165.89
	2012/13	226.50	209.75	203.34	204.10	209.88	204.13	176.70	157.25	151.00	140.60	123.13	135.50	178.49
	2013/14	157.50	158.38	168.00	165.00	167.50	177.63	166.60	157.00	131.88	113.70	109.25	98.70	147.59
	2014/15	90.13	105.13	143.30	135.25	117.25	107.20	83.13	72.25	74.40	91.25	88.75	95.50	100.29
Corn gluten meal, 60% protein, Midwest	2009/10	606.25	595.00	573.50	582.50	594.94	541.70	492.13	455.63	445.00	441.25	451.50	464.38	520.32
	2010/11	501.88	518.00	520.00	524.06	533.75	543.30	556.25	556.00	567.50	556.25	559.00	550.63	540.55
	2011/12	524.38	487.00	441.25	433.50	448.75	487.50	498.75	533.00	579.00	629.00	718.75	721.88	541.90
	2012/13	753.50	716.25	673.34	599.50	584.38	581.88	540.50	480.63	550.00	591.00	565.63	573.75	600.86
	2013/14	601.25	631.25	638.13	625.00	668.13	744.38	784.00	761.25	694.50	574.00	572.88	587.50	656.86
	2014/15	549.38	581.88	613.50	632.50	631.25	613.00	575.63	549.38	571.60	560.00	550.63	525.00	579.48
Cottonseed meal, 41% solvent, Memphis, TN	2009/10	250.00	260.00	283.75	286.25	253.75	213.00	175.00	171.25	176.00	183.75	198.00	200.00	220.90
	2010/11	225.31	235.00	240.63	245.63	258.75	256.50	240.00	275.50	307.50	313.13	342.50	345.63	273.84
	2011/12	255.63	240.50	220.63	213.00	190.00	225.00	240.63	270.00	294.38	350.50	407.50	393.75	275.13
	2012/13	343.00	376.88	345.00	327.50	279.38	301.88	314.50	311.88	329.38	344.50	330.00	374.38	331.52
	2013/14	355.00	345.00	401.88	378.34	388.75	401.25	405.50	416.88	412.50	359.50	310.00	360.63	377.93
	2014/15	346.88	313.13	334.38	313.75	302.50	310.50	288.13	274.38	281.00	299.38	295.63	293.50	304.43
Feather meal, high protein, AR points	2009/10	581.67	581.67	479.00	494.17	506.67	463.00	435.63	475.00	498.50	506.88	381.67	352.50	479.70
	2010/11	411.56	421.67	392.50	355.83	395.00	482.00	568.75	556.67	455.00	446.67	544.17	536.67	463.87
	2011/12	442.50	376.50	392.50	484.90	503.13	458.33	473.13	540.00	551.88	578.80	694.38	848.75	528.73
	2012/13	716.50	574.38	613.33	662.00	704.38	720.63	609.00	552.13	585.63	681.75	634.38	631.25	640.45
	2013/14	498.75	552.50	638.75	740.00	703.34	701.88	719.50	690.00	610.00	676.50	695.00	693.00	659.93
	2014/15	707.50	652.50	616.88	531.25	441.25	522.50	581.75	483.13	418.00	440.63	540.00	498.75	536.18
Fish meal, 60% protein, domestic, East Coast	2009/10	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####
	2010/11	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####
	2011/12	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####
	2012/13	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####
	2013/14	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####
	2014/15	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####	#####
Distillers dried grains, Central IL	2009/10	122.00	126.38	127.30	123.75	114.63	107.60	106.00	117.88	108.30	108.75	111.80	132.88	117.27
	2010/11	155.38	166.70	172.25	180.63	199.88	203.70	214.50	204.80	214.25	208.50	207.00	207.13	194.56
	2011/12	207.50	216.10	192.25	194.20	203.00	213.88	213.88	223.40	220.63	272.90	301.63	293.38	229.39
	2012/13	278.00	259.00	261.67	264.90	271.13	270.88	242.40	229.00	235.88	240.20	232.13	230.13	251.27
	2013/14	216.50	217.13	220.50	200.00	214.38	245.00	243.50	222.75	184.50	148.00	116.88	123.00	196.01
	2014/15	96.00	113.13	159.30	186.50	187.13	189.50	191.00	178.50	157.50	153.50	115.13	139.30	155.54
Distillers dried grains, Lawrenceburg, IN	2009/10	102.50	122.50	120.00	130.00	130.00	122.00	115.00	105.00	105.00	105.00	113.00	120.00	115.83
	2010/11	120.00	150.40	158.00	174.50	185.00	195.00	205.00	205.00	210.00	210.00	214.00	215.00	186.83
	2011/12	212.00	202.00	200.00	200.00	200.00								202.80
Hominy feed, IL points	2009/10	85.69	96.13	94.30	97.19	95.25	90.20	81.14	79.91	79.65	82.69	90.28	108.44	90.07
	2010/11	134.82	158.85	167.32	174.88	180.00	191.50	200.82	205.50	212.82	214.38	216.75	218.75	189.70
	2011/12	203.13	199.50	194.38	199.65	197.25	194.06	191.31	195.35	201.31	237.25	264.69	264.06	211.83
	2012/13	251.00	233.44	216.25	221.50	222.13	227.38	213.25	193.13	199.38	197.25	192.81	189.38	213.07
	2013/14	175.63	176.67	135.00	137.81	110.00	132.50			141.88	153.50	135.63	142.50	144.11
	2014/15	117.19	107.50	138.50	144.17	124.17	124.85	106.75	88.75	87.75	89.37	99.17	90.75	109.91

附件十二：美国农业部关于玉米的价格统计

关于美国市场玉米销售价格的说明

申请人从美国农业部官方网站获得玉米逐月价格报告，该价格为农民实际可以收到的价格。其中，2014 年 10 月至 2015 年 8 月的销售价格如下：

申请调查期间	月平均价格（美元/蒲式耳）	月平均价格（美元/吨）
2014 年 10 月	3.57	140.55
2014 年 11 月	3.60	141.73
2014 年 12 月	3.79	149.21
2015 年 1 月	3.82	150.39
2015 年 2 月	3.79	149.21
2015 年 3 月	3.81	150.00
2015 年 4 月	3.75	147.64
2015 年 5 月	3.64	143.31
2015 年 6 月	3.59	141.34
2015 年 7 月	3.80	149.61
2015 年 8 月	3.68	144.88
算数平均	3.71	146.06

注：（1）美国农业部价格单位为美元/蒲式耳，申请人将此价格折算为美元/吨。1 蒲式耳=0.0254 吨；

（2）美国农业部统计的价格数据表见后附材料。

Table 9--Corn and sorghum: Average prices received by farmers, United States

Commodity and mkt year 1/		Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Wt avg 2/
Corn (dollars per bushel)	2005/06	1.90	1.82	1.77	1.92	2.00	2.02	2.06	2.11	2.17	2.14	2.14	2.09	2.00
	2006/07	2.20	2.55	2.88	3.01	3.05	3.44	3.43	3.39	3.49	3.53	3.32	3.26	3.04
	2007/08	3.28	3.29	3.44	3.77	3.98	4.54	4.70	5.14	5.27	5.47	5.25	5.26	4.20
	2008/09	5.01	4.37	4.26	4.11	4.36	3.87	3.85	3.85	3.96	4.01	3.60	3.33	4.06
	2009/10	3.25	3.61	3.65	3.60	3.66	3.55	3.55	3.41	3.48	3.41	3.49	3.65	3.55
	2010/11	4.08	4.32	4.55	4.82	4.94	5.65	5.53	6.36	6.32	6.38	6.33	6.88	5.18
	2011/12	6.38	5.73	5.83	5.86	6.07	6.28	6.35	6.34	6.34	6.37	7.14	7.63	6.22
	2012/13	6.89	6.78	7.01	6.87	6.96	7.04	7.13	6.97	6.97	6.97	6.79	6.21	6.89
	2013/14	5.40	4.63	4.37	4.41	4.42	4.35	4.52	4.71	4.71	4.50	4.06	3.63	4.46
	2014/15	3.49	3.57	3.60	3.79	3.82	3.79	3.81	3.75	3.64	3.59	3.80	3.68	3.70
	2015/16													3.50-4.10
Sorghum (dollars per bushel)	2005/06	1.91	1.67	1.58	1.63	1.77	1.90	1.98	2.07	2.25	2.21	2.58	2.44	1.86
	2006/07	2.40	2.89	3.26	3.41	3.53	3.89	3.63	3.34	3.63	3.42	3.09	3.32	3.29
	2007/08	3.46	3.46	3.51	3.88	4.14	4.68	5.06	5.21	5.22	5.66	5.07	4.70	4.08
	2008/09	4.47	3.86	3.63	2.87	3.18	2.82	3.01	3.12	3.35	3.52	2.91	3.00	3.20
	2009/10	3.15	3.10	3.18	3.20	3.27	3.05	3.18	3.02	3.19	3.01	3.34	3.56	3.22
	2010/11	4.07	4.37	4.73	4.92	5.31	6.10	5.94	6.55	6.50	5.88	5.82	5.99	5.02
	2011/12	5.88	5.99	5.99	5.88	6.05	6.05	6.10	5.94	5.82	5.35	5.94	6.33	5.99
	2012/13	6.44	6.94	6.94	6.83	6.72	6.78	6.83	6.50	6.38	6.22	5.39	4.94	6.33
	2013/14	4.58	4.33	4.13	4.19	4.21	4.28	4.61	4.79	4.60	4.22	4.14	3.99	4.28
	2014/15	3.66	3.51	3.68	4.10	4.14	4.40	4.48	4.42	4.24	4.38	4.30	4.42	4.03
	2015/16													3.65-4.35
Sorghum (dollars per hundredw eight)	2005/06	3.41	2.99	2.82	2.91	3.16	3.40	3.54	3.70	4.01	3.95	4.61	4.35	3.33
	2006/07	4.29	5.16	5.83	6.09	6.31	6.95	6.48	5.97	6.49	6.11	5.52	5.93	5.88
	2007/08	6.17	6.18	6.26	6.92	7.40	8.35	9.04	9.30	9.32	10.10	9.06	8.40	7.28
	2008/09	7.99	6.89	6.48	5.13	5.68	5.04	5.37	5.57	5.98	6.29	5.19	5.36	5.72
	2009/10	5.63	5.54	5.67	5.71	5.84	5.44	5.68	5.39	5.69	5.38	5.97	6.36	5.75
	2010/11	7.26	7.80	8.44	8.79	9.49	10.90	10.60	11.70	11.60	10.50	10.40	10.70	8.96
	2011/12	10.50	10.70	10.70	10.50	10.80	10.80	10.90	10.60	10.40	9.56	10.60	11.30	10.70
	2012/13	11.50	12.40	12.40	12.20	12.00	12.10	12.20	11.60	11.40	11.10	9.63	8.82	11.30
	2013/14	8.17	7.73	7.38	7.49	7.52	7.65	8.24	8.55	8.22	7.53	7.40	7.13	7.64
	2014/15	6.53	6.26	6.58	7.33	7.40	7.86	8.00	7.90	7.57	7.83	7.68	7.90	7.20
	2015/16													6.52-7.77

1/ September-August. Latest data may be preliminary or projected.

2/ Weighted average is the U.S. season-average price based on monthly price received by farmers weighted by monthly marketings.

Prices do not include an allowance for loans outstanding and government purchases. Latest data are from World Supply and Demand Estimates.

Source: USDA, National Agricultural Statistics Service, Agricultural Prices; and USDA, World Agricultural Outlook Board, World Supply and Demand Estimates.

Date run: 10/13/2015

附件十三：美国干玉米酒糟使用手册摘选

关于美国谷物协会干玉米酒糟使用手册的说明

申请人从美国谷物协会网站获得了《干玉米酒糟使用手册》。根据使用手册，1蒲式耳玉米（相当于25.4公斤）可生成11.8升和7.7公的干玉米酒糟，即3.3吨玉米能够生成1吨的干玉米酒糟和1.226吨酒精（以生产1吨玉米酒糟计算，须耗用的玉米重量 = $1000 \text{ 千克} \div 7.7 \text{ 千克} \times 25.4 \text{ 千克} = 3.3 \text{ 吨}$ ）。也就是说，生产1吨干玉米酒糟和相应的酒精联产品须投入的玉米原料总生产成本等于（3.3吨玉米 × 玉米收购价格）。

另外，根据干玉米酒糟使用手册披露的数据，玉米中的淀粉含量比例为71.8%。

后附美国谷物协会《干玉米酒糟使用手册》节选页面。



U.S. GRAINS
COUNCIL

美国含可溶物干玉米酒糟 (DDGS) 使用手册

2012年版



概 要

前言

最近,世界各地饲料原料的价格都在急剧上涨,动物营养学家们为了最大限度的减少动物饲料的生产成本,开始寻找成本更低的替代原料。乙醇作为廉价的饲料替代原料——美国干法生产的 DDGS (含可溶物的谷物酒精糟) 的产量在不断的增加。由于它含有很高的能量、蛋白和磷,在动物饲料中可以作为其他昂贵饲料原料很好的替代物,如能量替代(玉米),蛋白替代(豆粕)和磷替代(磷酸氢钙)。DDGS 在动物饲料中如果应用恰当,可以促进动物健康,提高动物的生产性能,并且可以提高动物产品的质量。正因为如此,使得 DDGS 在全球饲料中得以广泛应用。

美国近期燃料乙醇和 DDGS 的生产和使用情况

截至 2009 年 8 月,美国有 201 家燃料乙醇工厂在运营,每年产 130.6 亿加仑乙醇,但是由于不景气的经济环境,有大约 15.3 亿加仑乙醇的产能被闲置。尽管 2009 年美国和国际的经济形势严峻,仍然另有 12 家燃料乙醇厂正在建设、6 家在扩张,这将额外增加 14.7 亿加仑燃料乙醇产量 (Geoff Cooper, 可再生燃料协会,个人通讯)。因此,美国燃料乙醇生产行业计划 2009 年生产 2550 万吨 DDGS (Geoff Cooper, 可再生燃料协会,个人通讯)。运营中的燃料乙醇厂多数是乙醇干法生产,与湿法相比投资成本较低。干法生产,每蒲式耳玉米 (25.4 公斤) 生产约 11.8 升的燃料乙醇和 7.7 公斤的 DDGS。2008 年生产了约 2600 万吨酒精副产品, 83% 国内消费,其中 43% 用于奶牛饲料、38% 用于肉牛饲料、14% 用于猪饲料、6% 用于家禽饲料。约 13% 的总产量用于出口,在美国谷物协会的培训和努力推广下,这个量将会继续增加。

美国玉米生产计划以及在燃料乙醇和 DDGS 生产中用量

2010 年 2 月中旬,美国农业部公布了估计的美国玉米种植面积以及计划用于生产燃料乙醇的玉米数量。他们估计 2010 年美国玉米种植面积为 8900 万英亩,而一周前也发布了自己的“底线”,2010 年为 8800 万英亩,2009 年为 8650 万英亩。美国农业部估计 2010-11 年度美国玉米产量为 132 亿蒲式耳,而他们先前估计的为 129.6 亿。美国大豆产量估计为 32.6 亿蒲式耳。2010-11 年度,美国农业部增加了用来生产燃料乙醇的玉米估计值,由 44 亿增加到 45 亿蒲式耳。当然,这些估计值会根据货币兑换率、原油价格、种植和生长季节的天气状况以及许多其它因素的变化而变化。

下表 (Geoff Cooper, 可再生燃料协会,个人通讯) 总结了美国燃料乙醇生产的历史概况,日历年和销售年 (美国农业部使用) 干法和湿法燃料乙醇工厂的玉米加工量和“蒸馏谷物”产量 (DDGS 和玉米蛋白类副产品)。

各日历年的燃料乙醇产量,干法、湿法生产燃料乙醇的玉米的量及其副产品产量

年份	燃料乙醇产量, 百万加仑	玉米加工, 百万蒲式耳 (DDGS)	玉米加工, 百万蒲式耳 (玉米蛋白类 副产品)	玉米加工, 百万蒲式耳 总量	“酒糟”产量,百万吨
2007	6,485	1,830	503	2,333	14.0
2008	9,235	2,840	470	3,310	21.8
2009	10,750	3,351	488	3,839	25.7

第 6 章

不同谷物来源的 DDGS 比较—营养成分与动物生产性能

前言

在世界范围内大量的原料被用于燃料乙醇和 DDGS 的生产。各种谷物（如玉米、小麦、大麦）的淀粉含量有所不同，通常淀粉含量多的谷物用来生产燃料乙醇因为可以生产更多的燃料乙醇。由于用于生产燃料乙醇的谷物的营养成分不同，所以产出的酒糟营养成分也不相同。

表 1. 不同原料的淀粉含量及燃料乙醇产量

原料	水分 %	淀粉 %	燃料乙醇产量 (L/MT)
淀粉	-	100	720
甘蔗	-	-	654
大麦	9.7	67.1	399
玉米	13.8	71.8	408
燕麦	10.9	44.7	262
小麦	10.9	63.8	375

¹ Saskatchewan Agriculture and Food, 1993

高粱（蜀黍）DDGS

高粱 DDGS、高粱-玉米混合 DDGS、玉米 DDGS 的营养成分比较列在表 2 中。在美国燃料乙醇厂用高粱或者玉米-高粱混合物作为原料生产的酒糟产量低于仅用玉米为原料的酒糟产量。并且，大部分高粱酒糟和玉米-高粱混合酒糟被当地肉牛饲养场使用，很少被干燥后生产含可溶物干玉米酒糟（DDGS）。因此，绝大部分高粱酒糟不用于出口。

高粱 DDGS 与玉米 DDGS 相比，粗蛋白含量稍高，酸性洗涤纤维（ADF）和灰分含量显著较高，而粗脂肪和赖氨酸含量较低。蛋氨酸和苏氨酸水平相似，色氨酸水平显著较高，而赖氨酸和精氨酸较低。高粱-玉米混合 DDGS 的营养成分介于高粱 DDGS 和玉米 DDGS 之间，主要取决于这两种原料的使用比例。

表 2 高粱 DDGS、高粱-玉米混合 DDGS、玉米 DDGS 的营养组分（以饲料计）¹

营养成分 %	高粱 ²	高粱-玉米 ³	玉米 ⁴
干物质	91.2	93.4	91.3
粗蛋白	32.7	30.6	28.4
粗脂肪	8.0	8.9	10.1
NDF	34.7	36.3	33.3
ADF	25.3	17.2	11.6
灰分	11.9	5.8	2.75
精氨酸	1.10	1.31	1.25
组氨酸	0.71	0.80	0.75
异亮氨酸	1.36	1.14	1.04
亮氨酸	4.17	3.66	3.22
赖氨酸	0.68	0.91	0.85
甲硫氨酸	0.53	0.58	0.52
苯丙氨酸	1.68	1.51	1.35
苏氨酸	1.07	1.15	1.05
色氨酸	0.35	0.29	0.24
缬氨酸	1.65	1.49	1.38
胱氨酸	0.49	0.57	0.49
总氨基酸	30.1	28.3	25.5
赖氨酸与粗蛋白比例	2.08	2.98	2.98

¹ Urriola 等, 2009

² 由高粱制得的 DDGS

³ 由高粱和玉米混合物制得的 DDGS

⁴ 由玉米制得的 DDGS

附件十四：金谷能源有限责任公司审计报告（节选）

关于美国金谷能源有限公司审计报告的数据说明

申请人获得了美国金谷能源有限公司的相关审计报告,包括 2014 年(报告期 2013 年 11 月至 2014 年 10 月)、2015 年 1 季度(报告期 2014 年 11 月至 2015 年 1 月)、2015 年 2 季度(报告期 2015 年 2 月至 2015 年 4 月)以及 2015 年 3 季度(报告期 2015 年 5 月至 2015 年 7 月)的审计报告。

根据上述审计报告,申请人了解到金谷能源有限公司是一家专门从事玉米燃料乙醇/干玉米酒糟生产的企业,同时获得了该公司玉米投入占总生产成本的比重、公司营业收入、经营利润、经营费用等数据。以下是具体统计数据。

表 1: 玉米成本占总生产成本的比重

期 间	玉米成本占总生产成本的比重
2013 年 11 月-2014 年 10 月	76%
2014 年 11 月至 2015 年 1 月	81%
2014 年 2 月至 2015 年 4 月	80%
2015 年 5 月至 2015 年 7 月	78%

表 2: 公司毛利润率数据

期 间	毛利润
2013 年 11 月-2014 年 10 月	22.1%
2014 年 11 月至 2015 年 1 月	20.2%
2014 年 2 月至 2015 年 4 月	7.2%
2015 年 5 月至 2015 年 7 月	11.6%

表 3: 营业费用占营业收入的比例

期 间	营业收入(美元)	营业费用(美元)	营业费用占比
2013 年 11 月-2014 年 10 月	289152549	3569152	1.23%
2014 年 11 月至 2015 年 1 月	61048123	1055988	1.73%
2014 年 2 月至 2015 年 4 月	52854192	695417	1.32%
2015 年 5 月至 2015 年 7 月	52082545	739917	1.42%

后附审计报告节选

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549
FORM 10-K

Annual report pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934.

For the fiscal year ended October 31, 2014

OR

Transition report pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934.

For the transition period from to

COMMISSION FILE NUMBER 000-31177

GOLDEN GRAIN ENERGY, LLC

(Exact name of registrant as specified in its charter)

02-0576362

(F.R.S. Employer Identification No.)

Iowa

(State or other jurisdiction of
incorporation or organization)

1822 43rd Street SW, Mason City, Iowa 50401

(Address of principal executive offices)

(641) 423-8875

(Registrant's telephone number, including area code)

Securities registered pursuant to Section 12(b) of the Act

None

2014年审计报告

* See Item 7. Management's Discussion and Analysis of Financial Condition and Results of Operations for further discussion of our financial results.

ITEM 7. MANAGEMENT'S DISCUSSION AND ANALYSIS OF FINANCIAL CONDITION AND RESULTS OF OPERATIONS

Results of Operations

Comparison of the Fiscal Years Ended October 31, 2014 and 2013

The following table shows the results of our operations and the percentage of revenues, cost of goods sold, operating expenses and other items to total revenues in our statement of operations for the fiscal years ended October 31, 2014 and 2013:

Income Statement Data	2014		2013	
	Amount	%	Amount	%
Revenue	\$ 20,142,146	100.0	\$ 19,711,173	100.0
Cost of Goods Sold	22,335,398	71.2	338,814,664	96.4
Gross Profit	60,567,402	22.3	12,796,508	4.6
Operating Expenses	3,568,182	1.2	2,530,236	0.7
Operating Income	60,247,538	24.8	19,186,574	2.9
Other Income	19,031,079	6.9	4,026,733	1.1
Net Income	\$ 79,278,617	25.4	\$ 1,483,028	4.0

Revenue: Our total revenue was significantly lower for our 2014 fiscal year compared to the same period of 2013, primarily due to decreased average prices for each of our products. In addition to the decrease in the average prices we received for our products, we produced less of our products during our 2014 fiscal year compared to the same period of 2013. For our 2013 fiscal year, ethanol sales accounted for approximately 91% of our total revenue, distiller grains sales accounted for approximately 3% of our total revenue, and corn oil sales accounted for approximately 3% of our total revenue. For our 2013 fiscal year, ethanol sales accounted for approximately 76% of our total revenue, distiller grains sales accounted for approximately 23% of our total revenue, and corn oil sales accounted for approximately 3% of our total revenue.

The average price we received per gallon of ethanol we sold was approximately 7% lower for our 2014 fiscal year compared to the same period of 2013. Management attributes this decrease in ethanol prices with decreased corn and gasoline prices which both impact the market price of ethanol. In addition, uncertainty existed throughout our 2014 fiscal year related to whether the EPA would reduce the ethanol use requirement in the Renewable Fuels Standard (RFS) for 2014. The EPA proposed reducing the amount of corn-based ethanol which was required to be used in 2014 to levels which were below the 2013 requirement. Management believes this uncertainty caused and blenders to reduce ethanol demand which negatively impacted ethanol prices. However, ethanol prices were supported during our 2014 fiscal year as a result of increased ethanol exports and domestic ethanol supply shortages which resulted from slower rail shipments, especially during our second quarter of 2014. Management attributes the increase in ethanol exports to the lower ethanol prices which made United States ethanol more cost competitive in the world market.

We experienced delays in shipping our products during our 2014 fiscal year which at times required us to decrease or cease operations while we waited for our ethanol to be shipped by rail. We only have a limited amount of ethanol storage at our

Table of Contents

ethanol plant, and if our ethanol storage is full, we must cease operations until ethanol is shipped from our plant. These rail shipment delays were reduced during the summer months when weather conditions improved. However, management anticipates that rail shipping delays may reoccur during the winter months of our 2015 fiscal year, especially during poor weather. Management believes that the railroads do not have the necessary infrastructure and employees, necessary to meet rail shipping demand in recent years with the increase in the size of corn crops and increased rail shipments of crude oil from the Bakken in North Dakota, rail shipping demand has increased significantly. Management anticipates that it will take several years for the railroads to increase capacity to meet this increase in demand. While management believes the delayed rail shipments restricted the supply of ethanol in the market which positively impacted prices, it also had the effect of reducing our production at times during the year which decreased our total revenue.

GOLDEN GRAIN ENERGY, LLC
Notes to Financial Statements

Environmental Liabilities
The Company's operations are subject to environmental laws and regulations adopted by various governmental authorities in the jurisdiction in which it operates. These laws require the Company to investigate and remediate the effects of the release or disposal of materials at its locations. Accordingly, the Company has adopted policies, practices and procedures in the areas of pollution control, occupational health and the production, handling, storage and use of hazardous materials to prevent material environmental or other damage, and to limit the financial liability which could result from such events. Environmental liabilities are recorded when the Company's liability is probable and the costs can be reasonably estimated. No expense or liability has been recorded as of October 31, 2013, 2012 or 2011 for environmental liabilities.

Deferred Compensation Plan
The Company has a deferred compensation plan for certain employees equal to 1% of net income. One-third of the amount is paid in cash immediately and the other two-thirds has a vesting schedule of the lesser of five years from the grant date or seven years of continuous employment with the Company. Considering the portion subject to vesting, the amount to be recognized in future years as compensation expense is estimated based on the greater of fair market value or book value of the Company's membership units as of October 31, 2013 and 2012, respectively. Fair value is determined by recent trading activity of the Company's membership units.

Fair Value
Financial instruments include cash and equivalents, certificates of deposit, marketable securities, receivables, accounts payable, accrued expenses, long-term debt and derivative instruments. The fair value of marketable securities and derivative financial instruments is based on quoted market prices. The fair value of the long-term debt is estimated based on Level 3 inputs based on the current anticipated interest rate which management believes would currently be available to the Company for similar issues of debt taking into account the current credit risk of the Company and the other market factors. The fair value of other current financial instruments is estimated to approximate carrying value due to the short-term nature of these instruments (see Note 9).

Risks and Uncertainties
The Company has certain risks and uncertainties that it will experience during volatile market conditions, which can have a severe impact on operations. The Company's revenues are derived from the sale and distribution of ethanol and distiller grains to customers primarily located in the United States. Corn for the production process is supplied to the plant primarily from local agricultural producers and from purchases on the open market. For the 2013 fiscal year, ethanol sales accounted for approximately 83% of total revenue, distiller grains sales accounted for approximately 16% of total revenue and corn oil sales accounted for approximately 5% of total revenue while ~~the Company's revenues are derived from the sale and distribution of ethanol and distiller grains to customers primarily located in the United States. Corn for the production process is supplied to the plant primarily from local agricultural producers and from purchases on the open market. For the 2013 fiscal year, ethanol sales accounted for approximately 83% of total revenue, distiller grains sales accounted for approximately 16% of total revenue and corn oil sales accounted for approximately 5% of total revenue while~~ **the Company's revenues are derived from the sale and distribution of ethanol and distiller grains to customers primarily located in the United States. Corn for the production process is supplied to the plant primarily from local agricultural producers and from purchases on the open market. For the 2013 fiscal year, ethanol sales accounted for approximately 83% of total revenue, distiller grains sales accounted for approximately 16% of total revenue and corn oil sales accounted for approximately 5% of total revenue while** **the Company's revenues are derived from the sale and distribution of ethanol and distiller grains to customers primarily located in the United States. Corn for the production process is supplied to the plant primarily from local agricultural producers and from purchases on the open market. For the 2013 fiscal year, ethanol sales accounted for approximately 83% of total revenue, distiller grains sales accounted for approximately 16% of total revenue and corn oil sales accounted for approximately 5% of total revenue while**

The Company's operating and financial performance is largely driven by the prices at which ethanol is sold and the net expense of corn. The price of ethanol is influenced by factors such as supply and demand, weather, government policies and programs, and unleaded gasoline and the petroleum markets with ethanol selling, in general, for less than gasoline at the wholesale level. Excess ethanol supply in the market, in particular, puts downward pressure on the price of ethanol. The Company's largest cost of production is corn. The cost of corn is generally impacted by factors such as supply and demand, weather, government policies and programs. The Company's risk management program is used to protect against the price volatility of these commodities.

Reclassifications
Certain items in the prior years balance sheet and cash flow statements for the year ended October 31, 2013, have been reclassified to conform to the 2014 classifications. The changes do not affect net liabilities or net cash flow but were changed to agree with the classifications used in the October 31, 2014 financial statements.

2013/10/31

☒ Quarterly report pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

FORM 10-Q

For the quarterly period ended January 31, 2015

OR

2015年1季报

☐ Transition report pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

For the transition period from to

COMMISSION FILE NUMBER 000-51177

GOLDEN GRAIN ENERGY, LLC

(Exact name of registrant as specified in its charter)

Iowa

(State or other jurisdiction of
incorporation or organization)

02-0573361

(22 S. Employer Identification No.)

1822 43rd Street SW, Mason City, Iowa 50401

(Address of principal executive offices)

(641) 423-8525

(Registrant's telephone number, including area code)

Indicate by check mark whether the registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports); and (2) has been subject to such filing requirements for the past 90 days.
☒ Yes ☐ No

Indicate by check mark whether the registrant has submitted electronically and posted on its corporate Web site, if any, every interactive Data File required to be submitted and posted pursuant to Rule 405 of Regulation S-T (17 CFR 232.405) of this chapter during the preceding 12 months (or for such shorter period that the registrant was required to submit and post such files).
☒ Yes ☐ No

Results of Operations

Comparison of the Three Months Ended January 31, 2015 and 2014

The following table shows the results of our operations and the percentage of revenues, cost of goods sold, operating expenses and other items to total revenues in our statement of operations for the three months ended January 31, 2015 and 2014:

Income Statement Data	2015		2014	
	Amount	%	Amount	%
Revenue	\$1,048,120	100.0	\$1,047,925	100.0
Cost of Goods Sold	48,693,973	79.8	58,582,382	80.3
Gross Profit	12,087,738	20.2	14,334,498	19.7
Operating Expenses	1,051,568	1.7	784,742	1.1
Operating Income	11,036,170	18.5	13,549,756	18.8
Other Income	3,824,331	3.6	4,864,662	4.7
Net Income	\$14,860,501	14.1	\$18,414,418	17.5

2015: Our total revenue was lower for our first quarter of 2015 compared to the same period of 2014 due to lower average prices that we received for our products. However, we continue to experience favorable operating margins due to a decrease in our cost of goods sold for our first quarter of 2015 compared to the same period of 2014. For our first quarter of 2015, ethanol sales accounted for approximately 83% of our total revenue, distiller grains sales accounted for approximately 13% of our total revenue, and corn oil sales accounted for approximately 3% of our total revenue. For our first quarter of 2014, ethanol sales accounted for approximately 79% of our total revenue, distiller grains sales accounted for approximately 18% of our total revenue, and corn oil sales accounted for approximately 3% of our total revenue.

The average price per gallon we received for our ethanol was approximately 19% lower for our first quarter of 2015 compared to the same period of 2014. Management attributes this decrease in the average price we received for our ethanol with lower oil and corn prices which typically impacts ethanol prices. During our first quarter of 2014, there were significant rail shipping delays which management believes supported higher ethanol prices during that time.

While we experienced decreasing ethanol prices toward the end of our first quarter of 2015 which limited our profitability, following the end of our first quarter of 2015, our operating margins improved. Management anticipates that we will maintain positive operating margins for the remaining quarters of our 2015 fiscal year based on current projections provided the ethanol use requirement in the Federal Renewable Fuels Standard (RFS) is not reduced by the United States Environmental Protection Agency (EPA). If there is a reduction in the RFS, it could negatively impact our ability to profitably operate the ethanol plant. Further, we experienced significantly lower gasoline prices at the end of our first quarter of 2015 due to lower oil prices. Ethanol typically trades at a discount compared to the price of gasoline which makes ethanol a favorable product for fuel blenders to use in order to decrease gasoline prices. When gasoline prices decreased, it resulted in lower ethanol prices. Following the end of our first quarter of 2015, gasoline prices increased which positively impacted market ethanol prices and resulted in improved operating margins. Management anticipates continued volatility in the ethanol market as a result of uncertainty regarding the ethanol use requirement in the RFS and changing gasoline prices, both of which impact ethanol demand and ultimately prices.

According to the United States Energy Information Administration (EIA), the United States exported a record volume of ethanol during 2014. Management believes that this increase in ethanol exports was due in part to lower ethanol prices domestically along with increased worldwide demand for ethanol which both spurred ethanol exports. Management anticipates that ethanol exports may continue at the current levels due to anticipated continued low ethanol prices. Management believes that strong ethanol exports may be necessary to maintain positive operating margins for United States ethanol producers, especially if the EPA elects to reduce the ethanol use requirement in the RFS.

We sold approximately 1% more gallons of ethanol during our first quarter of 2015 compared to the same period of 2014. As a result of rail logistics issues we experienced during our first quarter of 2014, we were required to slow operations during that time and our ethanol inventory increased which decreased our ethanol sales. However, our total ethanol production was comparable during the our first quarter of 2015 and our first quarter of 2014 despite the decreased sales in 2014. We did not experience the same logistics issues during our first quarter of

financial statements. The fair values of contracts are presented on the accompanying balance sheet as derivative instruments net of cash due from/to broker.

Deferred Compensation

The Company has a deferred compensation plan for certain employees equal to 1% of net income. One-third of the amount is paid in cash immediately and the other two-thirds has a vesting schedule of three years from the grant date or seven years of continuous employment with the Company. The amount to be recognized in future years as compensation expense is estimated based on the greater of fair market value or book value of the Company's membership units as of January 31, 2015. Fair value is determined by recent trading activity of the Company's membership units.

Net Income per Unit

Basic and diluted earnings per unit are computed using the weighted-average number of Class A and B units outstanding during the period.

Fair Value

Financial instruments include cash and equivalents, certificates of deposit, marketable securities, receivables, accounts payable, accrued expenses, long-term debt and derivative instruments. The fair value of marketable securities and derivative financial instruments is based on quoted market prices. The fair value of the long-term debt is estimated based on level 3 inputs based on the current anticipated interest rate which management believes would currently be available to the Company for similar issues of debt, taking into account the current credit risk of the Company and the other market factors. The fair value of other current financial instruments is estimated to approximate carrying value due to the short-term nature of these instruments.

Risk and Uncertainties

The Company has certain risks and uncertainties that it will experience during volatile market conditions, which can have a severe impact on operations. The Company's revenues are derived from the sale and distribution of ethanol and distiller grains to customers primarily located in the United States. Corn for the production process is supplied to the plant primarily from local agricultural producers and from purchases on the open market. For the three months ended January 31, 2015, ethanol sales accounted for approximately 83% of total revenue, distiller grains sales accounted for approximately 14% of total revenue and corn oil sales accounted for approximately 3% of total revenue while ~~other sales~~ other sales averaged approximately 61% of goods sold.

The Company's operating and financial performance is largely driven by the prices at which ethanol is sold and the net expense of corn. The price of ethanol is influenced by factors such as supply and demand, weather, government policies and programs, and unrelated economic and the petroleum markets with ethanol selling, in general, for less than gasoline at the wholesale level. Excess ethanol supply in the market, in particular, puts downward pressure on the price of ethanol. The Company's largest cost of production is corn. The cost of corn is generally impacted by factors such as supply and demand, weather, government policies and programs. The Company's risk management program is used to protect against the price volatility of these commodities.

2. INVENTORY

Inventory consisted of the following as of January 31, 2015 and October 31, 2014:

	January 31, 2015		October 31, 2014	
Raw Materials	5	6,341,392	5	3,957,795
Work in Process		1,394,796		1,193,582
Finished Goods		2,457,385		657,461
Totals	5	10,193,573	5	5,808,838

Handwritten note: 5,808,838

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

FORM 10-Q

☒ Quarterly report pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934.

For the quarterly period ended April 30, 2015

OR

☐ Transition report pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934.

For the transition period from to

COMMISSION FILE NUMBER 000-31177

GOLDEN GRAIN ENERGY, LLC

(Exact name of registrant as specified in its charter)

Iowa

(State or other jurisdiction of
incorporation or organization)

02-0575361

(I.R.S. Employer Identification No.)

1822 43rd Street SW, Mason City, Iowa 50401

(Address of principal executive offices)

2015 4/28/15

Comparison of the Three Months Ended April 30, 2015 and 2014

The following table shows the results of our operations and the percentage of revenues, cost of goods sold, operating expenses and other items to total revenues in our statement of operations for the three months ended April 30, 2015 and 2014:

Income Statement Data	2015		2014	
	Amount	%	Amount	%
Revenue	\$ 52,854,192	100.0	\$ 79,555,311	100.0
Cost of Goods Sold	48,021,807	92.8	60,966,432	76.6
Gross Profit	5,826,385	7.2	18,588,879	23.4
Operating Expenses	682,417	1.3	983,521	1.2
Operating Income	3,150,968	5.9	17,605,358	22.1
Other Income	836,719	1.6	3,156,341	6.3
Net Income	\$ 3,967,686	7.5	\$ 22,771,709	28.6

Revenues: Our total revenue was lower for our second quarter of 2015 compared to the same period of 2014 due to lower average prices that we received for our products. For our second quarter of 2015, ethanol sales accounted for approximately 78% of our total revenue, distiller grains sales accounted for approximately 19% of our total revenue, and corn oil sales accounted for approximately 3% of our total revenue. For our second quarter of 2014, ethanol sales accounted for approximately 83% of our total revenue, distiller grains sales accounted for approximately 15% of our total revenue, and corn oil sales accounted for approximately 2% of our total revenue.

The average price per gallon we received for our ethanol was approximately 44% lower for our second quarter of 2015 compared to the same period of 2014. Management attributes this decrease in the average price we received for our ethanol with lower oil and corn prices which typically impacts ethanol prices. During our first and second quarters of 2014, there were significant rail shipping delays which management believes reduced supply and supported higher ethanol prices during that time.

While we experienced decreasing ethanol prices toward the beginning of our second quarter of 2015 which limited our profitability, towards the end of our second quarter of 2015 our operating margins improved. Management anticipates that we will maintain positive operating margins for the remaining quarters of our 2015 fiscal year based on current projections. Further, we experienced significantly lower gasoline prices at the beginning of our second quarter of 2015 due to lower oil prices. Ethanol typically trades at a discount compared to the price of gasoline which makes ethanol a favorable product for fuel blends to use in order to decrease emissions and/or ethanol production. Management is excited in future ethanol and/or ethanol products and is excited in future ethanol and/or ethanol products.

value or book value of the Company's membership units as of April 30, 2015. Fair value is determined by recent trading activity of the Company's membership units.

Net Income per Unit

Basic and diluted earnings per unit are computed using the weighted-average number of Class A and B units outstanding during the period.

Fair Value

Financial instruments include cash and equivalents, certificates of deposit, marketable securities, receivables, accounts payable, accrued expenses, long-term debt and derivative instruments. The fair value of marketable securities and derivative financial instruments is based on quoted market prices. The fair value of the long-term debt is estimated based on level 3 inputs based on the current anticipated interest rate which management believes would currently be available to the Company for similar issues of debt, taking into account the current credit risk of the Company and the other market factors. The fair value of other current financial instruments is estimated to approximate carrying value due to the short-term nature of these instruments.

Risks and Uncertainties

The Company has certain risks and uncertainties that it will experience during volatile market conditions, which can have a severe impact on operations. The Company's revenues are derived from the sale and distribution of ethanol and distiller grains to customers primarily located in the United States. Corn for the production process is supplied to the plant primarily from local agricultural producers and from purchases on the open market. For the three and six months ended April 30, 2015, ethanol sales accounted for approximately 78% and 81% of total revenue, respectively, distiller grains sales accounted for approximately 19% and 16% of total revenue, respectively, and corn oil sales accounted for approximately 3% of total revenue while ~~corn costs~~ averaged approximately 80% of cost of goods sold. *BTB/cb*

The Company's operating and financial performance is largely driven by the prices at which ethanol is sold and the net expense of corn. The price of ethanol is influenced by factors such as supply and demand, weather, government policies and programs, and unleaded gasoline and the petroleum markets with ethanol selling, in general, for less than gasoline at the wholesale level. Excess ethanol supply in the market, in particular, puts downward pressure on the price of ethanol. The Company's largest cost of production is corn. The cost of corn is generally impacted by factors such as supply and demand, weather, government policies and programs. The Company's risk management program is used to protect against the price volatility of these commodities.

2. INVENTORY

Inventory consisted of the following as of April 30, 2015 and October 31, 2014:

	April 30, 2015	October 31, 2014
Raw Materials	\$ 4,170,878	\$ 3,130,725
Work in Process	1,261,496	1,193,582
Finished Goods	3,401,417	512,345
Totals	\$ 8,833,791	\$ 4,836,652

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

FORM 10-Q

☒ Quarterly report pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934.

For the quarterly period ended July 31, 2015

2015年7月

OR

☐ Transition report pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934.

For the transition period from _____ to _____

COMMISSION FILE NUMBER 000-51177

GOLDEN GRAIN ENERGY, LLC

(Exact name of registrant as specified in its charter)

Iowa

(State or other jurisdiction of
incorporation or organization)

02-0573361

(E.R.S. Employer Identification No.)

1822 43rd Street SW, Mason City, Iowa 50401

(Address of principal executive offices)

May 18, 2015, our board of directors declared a distribution of \$0.50 per membership unit for members of record as of that date. The total amount to be distributed was \$9,936,500 and was paid in June 2015.

On May 29, 2015, the United States Environmental Protection Agency (EPA) released its proposed final rule setting the renewable volume obligations pursuant to the Federal Renewable Fuels Standard (RFS) for 2014, 2015 and 2016. The renewable volume obligations are the amount of renewable fuels which must be used each year in the United States pursuant to the RFS. The EPA has authority in certain situations to adjust the statutory obligations under the RFS, which authority the EPA proposes to use pursuant to its May 29, 2015 release. The renewable volume obligations for corn-based ethanol are lower than the statutory requirements in 2014, 2015 and 2016. Management believes that this decrease in the renewable volume obligations for corn-based ethanol will negatively impact operating margins in the ethanol industry. Management expects that there will be lawsuits filed against the EPA challenging its authority to reduce the renewable volume obligations below the statutory requirements.

Results of Operations

Comparison of the Three Months Ended July 31, 2015 and 2014

The following table shows the results of our operations and the percentage of revenues, cost of goods sold, operating expenses and other items to total revenues in our statement of operations for the three months ended July 31, 2015 and 2014:

Income Statement Data	2015		2014	
	Amount	%	Amount	%
Revenue	\$ 52,082,545	100.0	\$ 70,787,145	100.0
Cost of Goods Sold	46,037,948	88.4	51,794,354	73.2
Gross Profit	6,054,597	11.6	18,992,791	26.8
Operating Expenses	138,917	1.4	1,035,631	1.4
Operating Income	5,314,680	10.2	17,967,160	25.4
Other Income	2,041,430	3.9	1,958,586	2.8
Net Income	\$ 7,356,150	14.1	\$ 21,925,756	31.0

Revenues. Our total revenue was lower for our third quarter of 2015 compared to the same period of 2014 due to lower average prices we received for our products. For our third quarter of 2015, ethanol sales accounted for approximately 77% of our total revenue, distiller grains sales accounted for approximately 20% of our total revenue, and corn oil sales accounted for approximately 3% of our total revenue. For our third quarter of 2014, ethanol sales accounted for approximately 80% of our total revenue, distiller grains sales accounted for approximately 17% of our total revenue, and corn oil sales accounted for approximately 3% of our total revenue.

component of revenues in the accompanying financial statements. The fair values of contracts are presented on the accompanying balance sheet as derivative instruments net of cash due from/to broker.

Net Income per unit

Basic and diluted earnings per unit are computed using the weighted-average number of Class A and B units outstanding during the period.

Fair Value

Financial instruments include cash and equivalents, certificates of deposit, marketable securities, receivables, accounts payable, accrued expenses, long-term debt and derivative instruments. The fair value of marketable securities and derivative financial instruments is based on quoted market prices. The fair value of the long-term debt is estimated based on level 3 inputs based on the current anticipated interest rate which management believes would currently be available to the Company for similar issues of debt taking into account the current credit risk of the Company and the other market factors. The fair value, determined using level 3 inputs, of other current financial instruments is estimated to approximate carrying value due to the short-term nature of these instruments.

Risks and Uncertainties

The Company has certain risks and uncertainties that it will experience during volatile market conditions, which can have a severe impact on operations. The Company's revenues are derived from the sale and distribution of ethanol and distiller grains to customers primarily located in the United States. Corn for the production process is supplied to the plant primarily from local agricultural producers and from purchases on the open market. For the three and nine months ended July 31, 2015, ethanol sales accounted for approximately 77% and 80% of total revenue, respectively. Distiller grains sales accounted for approximately 20% and 17% of total revenue, respectively, and corn oil sales accounted for approximately 3% of total revenue while ~~corn~~ ~~soy~~ ~~beans~~ averaged approximately 74% and 78% of cost of goods sold, respectively. ~~玉米~~ ~~大豆~~ ~~油~~

The Company's operating and financial performance is largely driven by the prices at which ethanol is sold and the net expense of corn. The price of ethanol is influenced by factors such as supply and demand, weather, government policies and programs, and unleaded gasoline and the petroleum markets with ethanol selling, in general, for less than gasoline at the wholesale level. Excess ethanol supply in the market, in particular, puts downward pressure on the price of ethanol. The Company's largest cost of production is corn. The cost of corn is generally impacted by factors such as supply and demand, weather, government policies and programs. The Company's risk management program is used to protect against the price volatility of these commodities.

2. INVENTORY

Inventory consisted of the following as of July 31, 2015 and October 31, 2014:

	July 31, 2015	October 31, 2014
Raw Materials	\$ 3,863,153	\$ 3,130,725
Work in Process	1,247,174	4,193,587
Finished Goods	3,576,758	515,745
Totals	\$ 7,487,102	\$ 4,880,052

附件十五：补贴部分的证据

(1) 白羽肉鸡产品反补贴案件最终裁决（节选）

附件 1

中华人民共和国商务部关于原产于美国的进口
白羽肉鸡产品反补贴调查的最终裁定

根据《中华人民共和国反补贴条例》（以下简称《反补贴条例》）的规定，2009 年 9 月 27 日，商务部（以下简称调查机关）发布立案公告，决定对原产于美国的进口白羽肉鸡产品（以下简称被调查产品）进行反补贴立案调查。该被调查产品归在《中华人民共和国进出口税则》税则号：02071100、02071200、02071311、02071319、02071321、02071329、02071411、02071419、02071421、02071422、02071429 和 05040021。

调查机关对被调查产品是否存在补贴和补贴金额、被调查产品是否对中国国内白羽肉鸡产业造成损害和损害程度以及补贴与损害之间的因果关系进行了调查。根据调查结果和《反补贴条例》第二十五条的规定，2010 年 4 月 28 日，商务部发布初裁公告，认定原产于美国的进口被调查产品存在补贴，中国国内白羽肉鸡产业受到了实质损害，而且补贴与实质损害之间存在因果关系。

初步裁定后，商务部继续对原产于美国的进口被调查产品是否存在补贴和补贴金额、被调查产品是否对中国国内白

羽肉鸡产业造成损害和损害程度以及补贴与损害之间的因果关系进行调查。现本案调查结束。根据调查结果，并依据《中华人民共和国反补贴条例》第二十六条的规定，商务部做出最终裁定如下：

一、立案前磋商

2009 年 8 月 14 日，调查机关收到中国畜牧业协会代表国内白羽肉鸡产业提交的反补贴调查申请，请求对原产于美国的进口被调查产品进行反补贴调查。

收到申请材料后，根据《反补贴条例》第十六条的规定，2009 年 9 月 16 日，调查机关就有关反补贴调查事项向美国政府发出进行磋商的邀请，并向美国驻华使馆转交了申请书的公开版本。中美两国政府代表于 2009 年 9 月 25 日进行了磋商。

在磋商中，美方提出如下意见：申请书中证据不足，申请人只是简单主张“部分”提供给玉米和大豆种植户的补贴被“让渡给肉鸡养殖业”，但是申请人未提供任何支持此主张的证据。同时美方认为，“申请人还未说明向玉米和大豆种植业提供补贴如何具体地为肉鸡生产带来利益”。同时美方认为，申请人“引述的具体项目不存在、不具备资金或资金非常有限，或未被家禽生产商加以利用”。对损害指控，美方也发表了有关评论。

对于美方的以上意见，调查机关在磋商中表示，对反补

付补贴项目的种植面积有 5059 万英亩，占大豆种植总面积的 96.2%。对此，美国政府在初裁评论意见中称“商务部不准确地引用了报告中的数据”，但并未指明不准确之处。调查机关在第四次补充问卷中再次给予美国政府机会补充说明。美国政府没有再次声称数据引用不正确。

经过初裁后的继续调查，调查机关确认在初裁中所认定的事实未发生改变，因此，调查机关在终裁中维持初裁关于直接支付项目补贴利益的认定。

根据《反补贴条例》第六条的规定，调查机关认定，政府以无偿拨款形式提供的直接支付补贴，构成了本条规定项下的补贴利益。因此，调查机关决定以美国政府在调查期内适用的玉米、大豆直接支付补贴率来计算玉米、大豆种植户获得的补贴利益。

(2) 农作物保险项目

初裁中，调查机关认定美国政府以提供“农作物保险”费用补贴的方式，委托或者指令私营保险公司向玉米、大豆的种植者提供财政资助，并因此产生利益，构成了《反补贴条例》项下的可采取反补贴措施的补贴。

财政资助的认定

美国政府在答卷中回答，美国政府根据《1980 年联邦农作物保险法》、《1994 年联邦农作物保险改革法》和《2000 年农业风险保护法》，向农作物种植者提供风险担保。该项

保险服务是由联邦农作物保险公司（Federal Crop Insurance Corporation, FCIC）通过私营保险公司向农作物种植者提供，旨在降低由于不可避免的原因，而对农业生产商产生的损失，或减少由于价格或者产量下降或两者同时下降产生的收入损失。

根据美国政府答卷，联邦农作物保险的参与者包括农作物种植者、私营保险公司和联邦农作物保险公司三方。农作物种植户直接通过私营保险公司获取联邦农作物保险，私营保险公司负责宣传和提供有关农作物保险单的全套服务，联邦农作物保险公司为私营保险公司出售或再保险的合格农作物保险合同提供补贴和再保险。

美国政府在答卷中主张，联邦农作物保险公司是由美国农业部授权执行《联邦农作物保险法》的实施计划的政府企业，并由美国农业部（USDA）下属的风险管理署（Risk Management Agency, RMA）负责监管。同时，调查机关在答卷附件 54“2006-2007 年联邦农作物保险公司审计报告”中发现，“联邦农作物保险公司是一家于 1938 年 2 月 16 日注册成立的国有独资企业”……“为（农作物）生产商的保险费提供补贴”。答卷附件 57“美国联邦农作物保险公司 2008 年作物年度统计数据”提供了 2008 年联邦农作物保险公司支付的农作物保险补贴金额。

调查机关在审查中还发现，尽管联邦农作物保险项目由

农作物种植户直接与私营保险公司签署,但是在提供该等保险或再保险之前,联邦农作物保险公司需要根据农业部风险管理署发布的保险精算文件,确定特定州和地区的保险计划、可以投保的农作物、保险类型等,并列明保险额、相应的保险费和援助额。

根据上述事实,尽管联邦农作物保险公司“是一个在农业部部长的综合监管下由董事会进行管制的独立联邦公司”,但是其运营管理、保险政策等均受美国农业部风险管理署监管。联邦农作物保险公司选定“合格”的私营保险公司提供联邦农作物保险服务。因此,调查机关认为,被选定的私营保险公司实际是受联邦农作物保险公司的“委托”或“指示”向农作物种植者提供保险服务。

根据《反补贴条例》第三条的规定,出口国(地区)政府委托或指示私营机构提供除一般基础设施以外的货物、服务构成财政资助。因此,调查机关初步认定,美国政府提供的农作物保险服务构成财政资助。

初裁后,美国政府提交了初裁评论意见。在评论意见中,美国政府并未对调查机关的认定提出异议。

在实地核查中,调查机关请美国政府介绍了联邦农作物保险公司的性质、农作物保险的运营程序、联邦农作物保险公司与私营保险公司之间的关系等内容。调查机关了解到,联邦农作物保险公司是美国农业部下属的政府性质企业,公

司日常工作由农业部风险管理署负责。联邦农作物保险公司内部没有具体的行政人员,通过委托或者指令合格的私营保险公司执行农作物保险项目。

综上,由于调查机关在初裁中认定的事实没有发生变化,并在实地核查中得到确认,调查机关决定在终裁中维持初裁关于财政资助的认定。

专向性的认定

美国政府在答卷中表示,根据《美国法典》第7篇第1508章(a)节(1)项所规定的标准,“所有合格的生产者均可获得联邦农作物保险”。

经审查,调查机关发现联邦农作物保险公司在提供该等保险或再保险之前,需要首先确认具有充分保险精算数据信息,“从而向既定的农作物和地区提供保险或再保险”。该保险精算文件每年由农业部风险管理署发布。“保险精算文件会列出特定州和地区内的保险计划、可以投保的农作物、保险类型、种类和实践等,并列明保险额、可利用的保险选择、保险范围、价格选择、相应的保险费和援助额以及与某一特定农作物和特定年度相关的条款、条件和具体截止日期”。

调查机关审查了答卷附件54“2006-2007年联邦农作物保险公司审计报告”。在审计报告列明的农作物保险计划种类中,或者明确列明了可以参保的具体农作物种类,比如“农作物收入保险(CRC)能够在选定的州中为玉米、棉花、高粱、

大米、大豆和小麦提供保险”；或者指示了可以提供保险的生产商，比如“集体风险保险计划（GRP）主要针对那些农场收成会随着县平均收成波动的生产商”。

同时，美国政府在答卷中表示，不同的保单对申请人资格审查要求也不一样。答卷以调整后毛收入计划（AGR）为例列举了对申请人资格的限制性条件。

根据上述事实，调查机关认为，联邦农作物保险公司在具体制定、实施保险计划的时候，或者限制了特定的地理区域，或者限定了可投保的农作物种类，或者限定了特定的农作物生产商。并非答卷中主张的“所有合格的生产者均可获得联邦农作物保险”。

根据《反补贴条例》第四条的规定，由出口国（地区）政府明确确定的某些企业、产业获得的补贴具有专向性。因此，调查机关初步认定，美国政府基于玉米、大豆保险合同支付的保险费补贴具有专向性。

在初裁评论意见中，美国政府并未对此提出异议。在实地核查中，调查机关请美国政府介绍了农作物保险项目的设立目的、性质和主要内容等，对初裁中的事实予以了确认。

综上，由于调查机关在初裁中认定的事实没有发生变化，并且在实地核查中得到确认，调查机关决定在终裁中维持初裁关于专向性的认定。

补贴利益的确定

48

初裁中，调查机关认为美国政府向玉米和大豆保险合同提供的保险费补贴降低了农作物种植者购买保险的成本，使得农作物种植者以低于正常的市场价格获得保险服务。根据《反补贴条例》第六条的规定，调查机关在初裁中暂认定，美国政府基于玉米和大豆支付的保险费补贴金额构成补贴利益。

在初裁评论意见中，美国政府认为调查机关“没有提供实际的农作物保险计算方法”。美国政府主张应该使用净赔偿额计算生产商所获实际补贴。

实地核查中，调查机关请美国政府介绍了保险费补贴的支付标准和程序、私营保险公司的经营状况、农作物保险的赔偿程序、政府的保费补贴与种植者所获赔偿的关系等内容。

实地核查中，美国政府主张美国政府提供的保险费补贴只是政府内部的资金流动，并非实际支付给私营保险公司或者农作物种植者。美国政府在答卷附件 56 中将“风险补贴”（即保险费用补贴）定义为“联邦农作物保险公司代表投保人支付的合格农作物保险合同的保险费”。在核查后提交的第四次补充问卷答卷中，美国政府认为保险费补贴金额是“为投保人提供相应的保费支持”。同时，美国政府在核查中表示，政府支付保费补贴的目的在于降低农作物种植者支付的保费，如果美国政府没有提供该部分保险费补贴，农作

49

物种植者需要支付更高的金额购买保险，而实际上，农作物种植者在参加保险时仅需交付少部分的保险费和行政管理费用。因此，调查机关有理由相信，美国政府提供的保险补贴实际是代替农作物种植者（投保人）支付的一部分保险费用，以此降低农作物种植者的投保成本。

实地核查中，调查机关了解到政府选定的合格的私营保险公司有可能因为提供农作物保险而出现经营亏损，而且亏损的情况在过去几年中曾经出现过。为此，政府需要向私营保险公司提供行政运营补贴，补贴的标准是基于不同农作物保费总金额的固定比例。在第四次补充问卷中，美国政府提供了调查期内基于玉米和大豆支付的行政运营补贴金额。调查机关认为，私营保险公司作为商业活动中的独立运营主体，通过提供保险服务获得的收入以抵消其行政运营成本是持续经营的一个重要特征。在联邦农作物保险项目下，由于美国政府向私营保险公司提供行政运营补贴，私营公司可以以更为优惠的价格向农作物种植者提供保险服务，也就是说，如果美国政府没有为其提供行政运营补贴，私营保险公司需要向投保人（农作物种植者）收取更高金额的保险费用，以抵消其行政运营成本。

实地核查中，调查机关请美国政府解释了使用净赔偿额计算补贴利益的理由。美国政府认为，该项目下的补贴利益是指农作物种植者在该项目下获得的实际福利，即补贴利益

=农作物种植者实际获得的赔偿金额-农作物种植者支付的保险费用和行政管理费用。

根据《反补贴条例》第六条的规定，以提供货物或者服务形式提供补贴的，补贴利益金额以该项货物或者服务的正常市场价格与企业实际支付的价格之差计算。为此，调查机关需要分析两个问题：一是保险服务的正常市场价格，二是以净赔偿额方法计算补贴利益是否合适。

首先，关于如何确定正常的市场价格。在第三次补充问卷中，调查机关曾要求美国政府提供美国保险市场中与联邦农作物保险类似的其它商业保险的正常市场价格。美国政府在补充答卷中表示，农作物种植者无法在美国市场上购买与联邦农作物保险相同的保险服务，因为“虽然（普通农作物保险）保险费率遵循各州法规，但这些保险并不接受 FCIC（联邦农作物保险公司）的补贴”，致使其“与 FCIC（联邦农作物保险公司）批准计划提供的保险有着本质的区别”。在实地核查中，调查机关进一步确认美国市场中不存在与联邦农作物保险类似的其它商业保险的正常市场价格。

调查机关认为，既然美国政府无法提供与联邦农作物保险可比的保险服务价格，调查机关在确定最终的补贴利益时只能根据现有事实和可获得的最佳信息进行认定。调查机关在认定正常市场价格时，需要考虑的主要因素是在美国政府未提供任何形式的补贴的情况下，投保人购买相应的保险服

务应该支付的保险费用。根据美国政府答卷和实地核查中获取的信息,如果美国政府没有提供保险费补贴和行政运营补贴,私营保险公司需要向投保人(农作物种植者)收取更高的保险费用,以维持其在正常市场中的经营。因此,调查机关认为美国政府提供的保险费补贴和行政运营补贴是保险服务的正常市场价格的重要组成部分。

其次,关于以净赔偿额方法计算补贴利益是否合适。调查机关认为,投保人因为投保事项的发生而获得的赔偿金额,是基于投保人与保险公司之间的保险合同关系。农作物种植者是否得到赔偿与政府对农作物的保险费补贴并没有直接的联系。在实地核查中,调查机关也了解到,美国政府提供的保险费补贴和行政运营补贴是针对所有的农作物保险合同,农作物种植者是否获得赔偿与是否获得利益是两个不同的问题,因为存在没有获得赔偿的农作物种植者同样从该项目中获得补贴利益的情况。因此,调查机关认为,净赔偿额方法只能体现出获得赔偿的农作物种植者获得的差额利益,并不能全面客观地反映农作物种植者在该项目下获得的所有补贴利益。

根据美国政府的答卷和第四次补充答卷,美国政府无法提供调查期内支付的玉米和大豆保险费补贴的准确数据,只能提供与调查期相近的2008农事年实际支付的玉米和大豆保险费补贴数据,补贴金额分别为2,116,400,337美元和

1,471,451,431美元。调查机关认为,美国政府提供的2008农事年的实际支付数据是与调查期最为接近的数据,决定接受美国政府的主张,以此作为计算调查期内补贴利益的基础。同时,在第四次补充答卷中,美国政府按照要求提供了调查期内基于玉米和大豆保险合同向私营保险公司提供的行政运营补贴,补贴金额分别为586,531,959美元和340,252,948美元。

根据《反补贴条例》第六条的规定,以提供货物或者服务形式提供补贴的,补贴利益金额以该项货物或者服务的正常市场价格与企业实际支付的价格之差计算。由于调查机关无法获取正常市场价格,调查机关只能计算调查期内农作物种植者获得的补贴利益总额。根据前述关于补贴利益的分解,补贴利益总额=政府支付的保险费用补贴+政府支付的行政运营补贴。因此,调查机关在终裁中裁定,该项目下的玉米和大豆的补贴利益分别为2,702,932,296美元和1,811,704,379美元。

关于该项目下补贴利益的分摊基础,调查机关在初裁中认定,调查期内农作物种植者种植的所有玉米和大豆均接受了政府补贴。对此,美国政府并在初裁评论意见中未提出异议。初裁中,由于美国政府没有提供调查期内玉米和大豆的产量数据,调查机关暂使用了与调查期相近的数据。在第四次补充问卷答卷中,美国政府提供了2008农事年玉米和大

豆的实际产量，并主张以该数据作为分摊的基础。经审查，调查机关决定在终裁中接受美国政府的主张。根据第四次补充答卷，调查期内美国玉米的实际产量为 30714 万吨，大豆的实际产量为 8075 万吨。

综上，调查机关在终裁中认定，农作物保险项目下美国玉米和大豆获得的单位补贴利益=补贴利益总额/调查期内产量。经计算，玉米的单位补贴利益为 8.8 美元/吨，大豆的单位补贴利益为 22.4 美元/吨。

2. 上游补贴利益传导分析

初裁中，调查机关认定，“从玉米和大豆农场到肉鸡加工商这一生产链”只经过一个交易环节。抽样公司在购买被补贴产品中获得竞争利益，因此上游补贴利益传导给被调查产品。由于抽样公司获得的竞争利益高于实际可能传导的补贴利益，调查机关在初裁中以实际可能传导的补贴利益作为抽样公司在上游补贴中接受的补贴利益。

经实地核查和初裁后的继续调查，调查机关对上游补贴利益传导的终裁认定如下：

(1) 关于从玉米和大豆农场到抽样公司生产被调查产品的交易环节

美国政府在初裁评论中称，“美国政府提供了大量证据表明在农作物农场主和肉鸡加工商之间存在一系列公平交易，如在玉米和大豆生产商（根据‘直接补贴’和农作物保

险计划获得潜在补贴）、玉米和大豆鸡饲料生产商，肉鸡加工商（按生产合同购买饲料并向养殖户提供饲料）之间存在多个环节的公平交易。”同时，美国政府在初裁评论中提出调查机关忽视了的相关证明材料。

在初裁中，通过审查美国政府答卷和抽样公司答卷，调查机关发现，“从玉米和大豆农场到肉鸡加工商这一生产链”并非经过多个交易环节。美国政府答卷和抽样公司答卷信息表明，从玉米和大豆农场到抽样公司生产的被调查产品只经过一个交易环节。经过初裁后的实地核查以及继续调查，调查机关发现美国政府的前述主张并不成立。具体分析如下：

首先，关于美国白羽肉鸡产业的纵向一体化情况。

根据美国政府答卷和抽样公司答卷提交的信息和证据材料以及实地核查核实的信息，美国白羽肉鸡产业是高度纵向一体化产业，白羽肉鸡生产商直接购买玉米和豆粕来加工饲养白羽肉鸡活鸡所需的饲料。

纵向集成以及白羽肉鸡活鸡合同化生产方式是美国白羽肉鸡行业的特点。美国政府答卷提供的《加工业中的纵向合并与产地整合：家禽的案例》研究报告称，“家禽业代表美国整个农业和食品生产领域纵向合并度最高的产业”，“家禽产业纵向联合的各组成部分包括：育种场、孵化场、饲料厂、肉鸡养殖场、加工厂、批发市场和零售市场。联合公司提供遗传种群、孵化鸡蛋、将雏鸡交给独立承包商进行养殖、

收取养鸡场的家禽，并将这些家禽运输到工厂进行加工。联合公司为育种场和肉鸡养殖场提供饲料。独立承包养殖户需提供养殖场房、工具、保险、劳动力，并负责日常管理。”该报告还称，“上世纪50年代中期，大型谷物饲料公司与加工商开始借助合并进入肉鸡生产领域，以确保其产品和服务尽可能占有更多市场。这一过程发展迅速，到1960年85%的肉鸡生产都采用这种合并体系。”

根据美国政府答卷，纵向一体化的白羽肉鸡产品生产商拥有自己的孵化场、饲料厂、屠宰厂以及深加工工厂，美国白羽肉鸡产品生产商直接购买玉米和豆粕来加工饲养白羽肉鸡的饲料。在实地核查中，美国政府称，美国白羽肉鸡行业的纵向一体化程度已达到99%。

这些纵向一体化的白羽肉鸡产品生产主要是通过合同化生产方式来组织白羽肉鸡活鸡饲养。在实地核查中，美国政府称，美国白羽肉鸡活鸡合同化的比例达到98.5%以上。在这种合同化生产方式中，加工商为养殖户提供鸡雏、饲料、兽医服务和其他投入；养殖户提供劳动力，负责将鸡雏饲养到上市重量。在养殖过程中，白羽肉鸡活鸡的所有权属于加工商，加工商支付给养殖户的费用是养殖户提供的生产服务费而非购买活鸡的费用。

美国皮尔格林公司在答卷中称，美国皮尔格林公司经营饲料厂、孵化场、加工厂和分销中心，向养鸡场提供雏鸡从

成长第一天开始直到送到加工工厂期间的所有饲料，这些饲料是其自行购买玉米和豆粕等原材料加工的。该公司加工的肉鸡绝大部分是由养鸡场（合同）饲养，只有极少部分是由该公司自养。

泰森食品有限公司在答卷中称，泰森食品有限公司拥有完整的垂直统一禽肉生产系统，包括优良种鸡培育、合约饲养、饲料生产、加工、深加工、运输和销售。该公司从位于美国各地的非关联供应商处采购玉米和豆粕用于饲料生产。

楔石食品有限公司在答卷中称，楔石食品有限公司经营着三家完全一体化的家禽养殖工厂，这三个生产部门都从事自孵化和养殖到产品加工的全部经营活动，并且自行购买玉米和豆粕等原材料来加工白羽肉鸡饲料。

在实地核查中，调查机关经核实了解到，三家抽样公司均是高度纵向一体化的生产企业，均是自行采购玉米和豆粕来加工白羽肉鸡饲料，除极少量的白羽肉鸡活鸡是公司自养外，三家抽样公司主要是通过合同化生产方式来组织白羽肉鸡饲养。

以上情况表明，美国被调查产品生产企业通常拥有孵化场、饲料厂、屠宰厂以及深加工工厂一整套生产设备，他们自行采购玉米和豆粕等原材料来加工白羽肉鸡饲料，然后通过生产合同方式委托养殖户饲养白羽肉鸡活鸡，最后将饲养成熟的白羽肉鸡活鸡加工成被调查产品。

其次，关于抽样公司的玉米和豆粕供应商是否是生产商。

为了解抽样公司的玉米和豆粕供应商是生产商还是贸易商，在第一次补充问卷中，调查机关将抽样公司的玉米和豆粕供应商名单以保密的方式提供给美国政府，要求美国政府指明名单所列公司哪些为贸易公司，但在规定的时间内美国政府未提供以上信息，并且在初裁评论中，美国政府仍称无法提供这些信息，致使调查机关无法认定抽样公司的玉米和豆粕供应商是生产商还是贸易商。

美国政府在初裁评论中称，美国政府“曾经提供过一份包含2,363,594个直接支付项目收益者的名单”，“由于调查机关已经从应诉公司获得了供应商名单和直接支付项目收益者的名单，因此，应该可以从中确定哪些玉米和豆粕供应商是直接支付项目的收益者”。

关于直接支付项目收益者名单，调查机关注意到，在原始问卷中，调查机关要求美国政府提供获得直接支付补贴项目的企业名单。美国政府在答卷中表示，由于受益者数量太大，无法提供该名单。为准确了解美国玉米和大豆种植户接受直接支付补贴项目的情况，调查机关在第二次补充问卷中再次要求美国政府提供获得直接支付补贴项目的企业名单。美国政府在第二次补充问卷答卷中提供了直接支付项目中注册为玉米和大豆收益者名单，但不符合调查机关要求的电

于文本格式。

经审查，调查机关发现，该收益者名单并非接受直接支付项目补贴的所有玉米和大豆种植者名单。在实地核查中，美国政府称，直接支付项目中注册为玉米和大豆的收益者并不一定种植玉米和大豆，同时注册为其他作物收益者的种植者如种植玉米和大豆也可以获得直接支付补贴。也就是说一些获得直接支付项目补贴的玉米和大豆种植者也可能未纳入注册为玉米和大豆收益者的名单中。因此，调查机关认为，美国政府提供的直接支付项目中注册为玉米和大豆收益者名单并不能全面、准确反映美国玉米和大豆种植者接受直接支付项目补贴的情况。调查机关无法通过该名册核实本案抽样公司的玉米和豆粕供应商是否是直接支付补贴项目的收益者。

根据《反补贴条例》第二十一条的规定，调查机关进行调查时，利害关系方、利害关系国（地区）政府应当如实反映情况，提供有关资料。利害关系国政府没有在合理时间内提供必要信息的，调查机关可以根据可获得的事实作出裁定。

在调查中，经随机抽取抽样公司的玉米供应商网站，调查机关发现这些玉米生产企业是由农场主所有，农场主自己种植玉米，并将这些玉米出售给抽样公司。

由于美国政府未提供抽样公司玉米和豆粕供应商是否

是生产商等必要信息，根据现有证据材料，在终裁中，调查机关决定维持初裁认定，即抽样公司的玉米和豆粕供应商均是生产商，并将生产的玉米和豆粕直接出售给抽样公司。

再次，关于抽样公司豆粕供应商是否是用自产大豆加工豆粕。

在原始调查问卷中，调查机关要求美国政府提供美国白羽肉鸡饲料（包括豆粕）生产企业信息，包括这些豆粕生产企业的产量、销售量和销售价格等信息，但美国政府在答卷中称无法提供以上信息，以致调查机关无法了解美国豆粕生产企业的生产和销售情况。

为了解抽样公司的豆粕供应商是否均是使用自产的大豆生产豆粕，2010年1月29日，调查机关向美国政府发放第一次补充问卷，要求美国政府提供抽样公司豆粕供应商的工商注册信息，包括企业性质、企业所有权结构和经营范围、调查期内接受政府大豆补贴的具体金额等信息。美国政府在答卷中称，美国政府没有能力回答以上问题。

2010年3月11日，调查机关再次向美国政府发放第三次补充问卷，要求美国政府提供美国豆粕加工企业的企业数量、自产大豆企业数量以及用自产大豆生产的豆粕占整体产量的比例。美国政府在答卷中称，美国政府无法提供以上信息。

在此需说明的是，调查机关并非如美国政府在初裁评论

中所称，忽视了美国政府在第三次补充问卷答卷中提供的一份包含50家油籽加工厂的清单。调查机关注意到，美国政府在提供“美国油籽加工者协会”成员名单时，也不确定“美国油籽加工者协会”成员是否包括所有美国豆粕加工企业。因此，调查机关认为，美国政府并未按照调查机关的问卷要求，提供调查机关需要的豆粕加工企业信息。

同时，调查机关在美国政府第三次补充问卷答卷中了解到，“一种新的工艺（大豆挤压膨胀）使小型加工厂能够在农场中建立并经营”，因此在初裁中认定，大豆生产商使用自产大豆生产豆粕并将其用于商业销售的情况是存在的。美国政府在初裁评论中确认为调查机关误解了以上信息，并认为调查机关是基于该事实认定美国所有大豆均是由大豆生产商加工。调查机关在此重申，调查机关通过美国政府答卷了解到，在美国存在豆粕生产商用自产大豆加工豆粕的情况。

在调查中，经随机抽取抽样公司的豆粕供应商网站，调查机关发现这些豆粕生产企业是由农场主所有，农场主是使用自产的大豆来生产豆粕，并将这些豆粕出售给抽样公司。

依据《反补贴条例》第二十一条的规定，由于美国政府未在合理时间内提供抽样公司豆粕供应商生产情况等必要信息，根据现有证据材料，在终裁中，调查机关决定维持初裁认定，即抽样公司的豆粕供应商均是使用自产大豆来加工

豆粕，再将这些豆粕出售给抽样公司。

综上所述，根据美国政府答卷和抽样公司答卷，同时根据实地核查核实的信息，调查机关认定，从玉米和大豆农场到抽样公司生产的被调查产品只经过一个交易环节，抽样公司直接从事玉米和豆粕生产，商处购买玉米和豆粕，并且这些豆粕生产商是用自产大豆生产的豆粕。在美国白羽肉鸡这种高度纵向一体化的产业中，玉米和豆粕是被调查产品生产的直接投入物。

(2) 关于上游补贴利益传导给被调查产品分析

初裁中，通过比较被补贴产品的价格与未被补贴产品的价格，调查机关发现，抽样公司采购被补贴产品的价格明显低于基准价格，抽样公司在购买被补贴产品时获得竞争优势，调查机关认定，上游补贴利益传导给被调查产品。

初裁后，调查机关对初裁认定的事实进行了继续调查，在终裁中，调查机关对上游补贴利益的传导做如下分析：

首先，关于美国政府提供给美国玉米和大豆种植者的补贴对玉米和大豆价格的影响。

美国政府在初裁评论中称，调查机关按照循环逻辑错误地裁定农场主获得的补贴传递给了肉鸡加工商。并称，调查机关“不能仅凭农作物获得补贴这一点便认为美国玉米或大豆价格降低”，“初步裁定无法根据任何实际证据证明出现价格抑制”。同时美国政府在第四次补充问卷答卷中称，“补贴

不得转移到下游买入的采购商处，除非补贴对其卖出这批商品的价格有影响。因为直接补贴和农作物保险对商品价格没有影响，因此也不会有传递效应，简而言之，如果对价格没有影响，就不可能有传递效应。”

美国禽蛋品出口协会和楔石食品有限责任公司在初裁评论中称，“在初裁中，调查机关简单地假设直接支付项目及农作物保险支付项目的全部支付金额会降低玉米和大豆的销售价格，对此假设，禽蛋协会认为调查机关没有提供任何经济学的论证基础。”

对于美国政府、美国禽蛋品出口协会和楔石食品有限责任公司的上述评论，调查机关认为需说明以下事实：初裁中，调查机关指出，申请人向调查机关提交了《美国农业补贴政策对玉米市场和价格的影响》以及《美国农业补贴政策对大豆市场和价格的影响》两份分析报告；同时，美国禽蛋品出口协会、泰森食品有限公司和楔石食品有限责任公司向调查机关提交了美国爱荷华州立大学关于《美国作物种植者补贴对美国玉米和大豆价格的影响程度》的研究报告。

经审查以上材料，调查机关发现，申请人、美国禽蛋品出口协会、泰森食品有限公司和楔石食品有限责任公司提供的上述研究报告分析了市场供求、产量、出口量以及补贴等因素对玉米、大豆和（或）豆粕价格的影响。虽然上述报告关于美国政府补贴对玉米、大豆和（或）豆粕价格影响程度

的结论不同，但不可否认美国政府提供给美国玉米和大豆种植者的补贴对玉米、大豆和（或）豆粕价格产生一定影响。因此，调查机关认为有必要进行上游补贴利益传导分析。

其次，关于上游补贴利益传导分析。

初裁中，调查机关认为，上游补贴利益传导应体现在抽样公司购买被补贴产品时取得价格优势，通过分析被补贴产品的价格与未被补贴产品的价格上游补贴利益传导分析。

美国禽蛋品出口协会和楔石食品有限责任公司在初裁评论中称，《美国作物种植者补贴对美国玉米和大豆价格的影响程度》研究报告“是截至目前本次调查已有证据中就传递问题而言唯一有效的证据。”

对以上主张，申请人在《白羽肉鸡产品反补贴案件申请人对相关应诉方初裁评论意见的评论意见》中称，“美国食品和农业政策研究协会（FAPRI）报告研究的目的在于说明补贴支持对受补贴产品造成何种影响，并无法对补贴利益传递做出有效分析。”并主张“补贴利益的确定应当根据法律规定基于各应诉企业的实际采购数据进行合理而准确的计算，报告数据并没有经过考证，也不能实际反映各应诉企业经营数据，因此，报告不能作为补贴利益计算的证据材料。”

调查机关认为，申请人的上述主张是成立的，补贴利益的确定应当基于各应诉企业的实际采购数据进行合理而准确的计算，该报告的数据并没有经过考证，也不能实际反映

各应诉企业的经营数据，因此，该报告不能作为补贴利益计算的证据材料。

在终裁中，调查机关决定维持初裁做法，通过比较被补贴产品的价格与未被补贴产品的价格进行上游补贴利益传导分析如下：

美国政府在答卷中称，“被调查产品生产商60%—70%的生产成本用于购买饲料”。在实地核查中，调查机关对该比例数据进行了核实，并且也核实了抽样公司提供的玉米和豆粕采购成本占被调查产品生产成本的数据。经核实抽样公司提供的数据，调查机关发现，玉米和豆粕的采购成本是抽样公司生产被调查产品的最主要成本。

鉴于玉米和豆粕是被调查产品生产的主要投入物，并且玉米和豆粕是被调查产品生产的最主要成本，调查机关认为，审查美国政府给予玉米和大豆生产者的补贴是否传导给被调查产品，主要是看美国政府的补贴是否让被调查产品的生产企业从购买这些被补贴产品中接受了利益，而接受利益的直接表现体现在价格优惠上，即被调查产品的生产企业采购被补贴产品的价格低于他们在公开市场上通过正常贸易过程能够购买的未被补贴产品的价格。

调查机关首先审查了抽样公司与其玉米和豆粕供应商的交易是否是在正常贸易过程中的交易。

在实地核查中，调查机关核实了美国政府在市场营销、

分级服务、食品安全以及环境监管等领域为玉米和大豆种植户提供的服务，没有发现美国政府对玉米、大豆和豆粕制定指导价格。同时也核实了抽样公司与其玉米和豆粕供应商之间正常贸易过程中的交易。调查机关决定在终裁中维持初裁的认定，即抽样公司与其玉米和豆粕供应商的交易或是抽样公司的关联贸易商与其玉米和豆粕供应商的交易可以被视为正常贸易过程中的交易。

其次，调查机关审查抽样公司在正常贸易过程中采购的玉米和豆粕是否为被补贴的产品。

根据上游补贴项目的调查结果，美国国内生产的玉米和大豆均接受了美国政府的补贴。同时，抽样公司采购的豆粕是豆粕生产者用自产大豆加工的产品。在大豆是被补贴产品，并且豆粕生产者用自产的被补贴的大豆来加工豆粕时，对大豆生产者的补贴会使作为白羽肉鸡饲料原料的豆粕受益，在这种情况下，作为被调查产品直接投入物的豆粕是被补贴的产品。

由于抽样公司采购的玉米是国内生产的产品，采购的豆粕是美国国内生产商用自产大豆加工的产品，因此，抽样公司采购的玉米和豆粕均是被补贴产品。

再次，关于选择阿根廷生产的玉米和豆粕价格作为基准价格。

在抽样公司采购的玉米和豆粕均是被补贴产品的情况

下，调查机关对抽样公司购买被补贴的产品与未被补贴产品的价格无法进行真实比较。调查机关决定通过其它途径寻找抽样公司在公开市场上购买未被补贴的玉米和豆粕可能支付的价格（以下简称基准价格）。

在初裁中，调查机关发现，美国德克萨斯工程学院在美国农业部的资助下撰写的《外国农业补贴》调查报告显示，阿根廷是世界玉米和豆粕的主要生产国，阿根廷政府没有给予国内玉米和豆粕生产补贴。在阿根廷近年来向世界贸易组织通报的补贴措施中，调查机关也未发现阿根廷政府给予玉米和豆粕的补贴政策。同时，根据美国政府答卷，调查期内阿根廷生产的玉米和豆粕曾被进口到美国市场并在美国市场上销售。因此，调查机关初步认定，阿根廷生产的玉米和豆粕是美国被调查产品的生产企业在公开市场上可购买的未被补贴的产品，并且暂定为调查期内美国进口阿根廷生产的玉米和豆粕 CIF 平均价格作为未被补贴产品的基准价格。

美国政府在初裁评论中称，“阿根廷对其主要农业出口采取了极为扭曲的出口税制度，有效地降低了生产商价格，当对于原材料产品和加工产品所征收的出口税不同时，这些出口税有效地补贴了加工产品。”调查机关注意到，初裁中调查机关查阅研究的证据材料并未表明出口征税是补贴。同时，美国政府在初裁评论意见中提交的证据材料也并不能证明阿根廷政府的出口征税政策是对阿根廷生产的玉米和豆

粘给予的补贴。

根据美国政府答卷和抽样公司答卷以及相关初裁评论,调查机关注意到,美国政府和其他利害关系方对阿根廷是世界玉米和豆粕的主要生产国和主要出口国没有异议,也承认阿根廷生产的玉米和豆粕与美国产品基本相同,且价格趋势与美国产品基本一致,均反映出全球供求变化对市场价格的影响。基于以上情况,调查机关决定在终裁中维持初裁认定,即将阿根廷生产的玉米和豆粕价格作为基准价格。

美国政府在初裁评论中称,在调查期内美国没有从阿根廷进口任何饲料用玉米。美国禽蛋品出口协会和梗石食品有限责任公司在初裁评论中主张,美国实际并不从阿根廷进口普通饲料玉米,同时主张2008年美国从阿根廷进口的豆粕全部由一家公司进口,该公司从阿根廷进口的产品是一种有机的豆粕和花生粕各占50%的混合产品,这并不是家禽制造商通常用来饲养家禽鸡饲料所用的原材料。泰森食品有限公司在初裁评论中也主张,调查期内美国自阿根廷进口的玉米和豆粕并非是用于饲养家禽鸡饲料所用的原材料,并提供有关提单复印件。

同时,美国政府、美国禽蛋品出口协会和抽样公司均认为,调查机关计算被补贴产品与未被补贴产品价格差距过大,表明调查机关选择的基准价格不合理。

为核实以上信息,调查机关派出核查小组于5月28日

赴美国海关与边防局进行实地核查。核查时,美国海关与边防局称,基于美国国内保密法的规定,他们无法向调查机关提供任何经其统计的数据。

在实地核查前,调查机关向美国政府明确表示将赴美国海关与边防局实地核实美国自阿根廷进口玉米和豆粕的原始数据情况。根据《反补贴条例》第二十二条的规定,利害关系方、利害关系国(地区)政府认为其提供的资料泄露后将产生不利影响的,可以向调查机关申请该资料按保密资料处理。美国海关与边防局是负责原始进口数据统计的美国政府部门,如美国海关与边防局认为向调查机关提供的信息是保密信息,可向调查机关申请该资料按保密资料处理。但美国海关与边防局却在核查现场表示不能提供调查机关需核实的经其统计的前述有关进口信息。因此,调查机关认为,由于美国海关与边防局未能有效配合调查机关的实地核查,致使调查机关无法核实美国政府及其他利害关系方在初裁评论中的相关主张及有关证据材料。

由于美国政府在核查中未能向调查机关提供美国自阿根廷进口玉米和豆粕情况的原始数据,以致调查机关无法核实调查期内美国自阿根廷进口玉米和豆粕的真实情况,也无法确认调查期内美国是否进口了阿根廷生产的饲料用的玉米和豆粕以及相关价格情况。根据现有证据材料,调查机关无法找到调查期内美国市场进口阿根廷饲料用玉米和豆粕

价格信息，因此无法使用调查期内美国进口饲料用玉米和豆粕的真实价格作为基准价格。

综合以上情况，同时考虑到美国政府在答卷中提供了调查期内阿根廷到美国主要港口海运费、关税税率、内陆运费、港口装卸费等相关信息，调查机关决定根据现有证据材料，采用另一种较合理的方法来确定基准价格。抽样公司如采购阿根廷生产的玉米和豆粕，除支付阿根廷生产产品的离岸价格外还需支付以下费用：阿根廷至美国的海运费和保险费、进口关税、港口装卸费和内陆运输费。因此，调查机关决定以联合国粮农组织统计的每月阿根廷上河地区玉米离岸价格和阿根廷农业部统计的每月豆粕离岸价格为基础，将其与美国被调查产品生产企业购买阿根廷产品需支付的运费、保险费和港口装卸费等费用相加，来确定基准价格。具体如下：

根据联合国粮农组织统计，调查期内阿根廷的玉米离岸价格的平均价格为 181.5 美元/吨；根据阿根廷农业部统计，调查期内阿根廷豆粕离岸价格的平均价格为 349.5 美元/吨。根据美国政府第四次补充问卷答卷，调查期内从阿根廷主要港口至美国新奥尔良港运输玉米和豆粕的海运费为 32.66 美元/吨。按照行业通行标准，海运保险费率为 0.3%，投保加成率为 10%。根据以上数据，按照 CIF 价格=（FOB 价格+海运费）/ [1-（1+投保加成率）×保险费率] 公式，调查机关计算出调查期内阿根廷的玉米和豆粕到达美国的 CIF 平均

价格分别为：214.87 美元/吨和 383.42 美元/吨。

根据美国政府第四次补充问卷答卷，美国自阿根廷进口饲料用玉米不征收关税，自阿根廷进口饲料用豆粕的进口关税为 4.5 美元/吨。美国政府在第四次补充问卷答卷中提供了调查期内美国出口玉米的港口装卸费的平均费用，该类费用为 4.8 美元/吨。考虑到进口环节与出口环节的港口装卸费相类似，调查机关决定以该数据为基础来计算调查期内美国自阿根廷进口玉米和豆粕需支付的港口装卸费的平均费用。同时，美国政府在第四次补充问卷答卷中提供了调查期内美国从密西西比湾地区和太平洋地区出口玉米和大豆内陆运输费的平均费用，调查机关决定参考调查期内美国从密西西比湾地区出口玉米和大豆内陆运输费的平均费用来计算抽样公司进口阿根廷产品需支付的内陆运输费。经计算，调查期内美国从密西西比湾地区出口玉米和大豆内陆运输费的平均费用为 40.3 美元/吨。

综上，调查机关计算出玉米基准价格为 259.07 美元/吨，豆粕的基准价格为 433.02 美元/吨。

最后，通过比较被补贴产品的价格与未被补贴产品的价格，调查机关认定，抽样公司在购买被补贴产品的价格中获得竞争利益，上游补贴利益传导给被调查产品。

在初裁中，根据抽样公司提供的调查期内为生产被调查产品采购玉米和豆粕的交易信息，调查机关分别计算出抽样

公司在调查期内购买被补贴的玉米和豆粕的平均价格。经比较抽样公司采购被补贴产品的平均价格与基准价格，调查机关发现，抽样公司采购被补贴产品的平均价格明显低于基准价格。调查机关将调查期内抽样公司采购玉米和豆粕的数量乘以采购价格与基准价格的差额得出调查期内抽样公司购买被补贴的玉米和豆粕获得的竞争利益总额。

在终裁中，调查机关根据初裁中的方法，比较了抽样公司为生产被调查产品采购的玉米和豆粕的价格与基准价格。调查机关发现，该结果与初裁认定的结果相同，抽样公司采购被补贴产品的平均价格均低于基准价格。调查机关将调查期内抽样公司采购玉米和豆粕的数量乘以采购价格与基准价格的差额得出调查期内抽样公司购买被补贴的玉米和豆粕获得的竞争利益总额。

调查机关认为，由于上游补贴的存在，抽样公司以低于基准价格的价格购买到生产被调查产品所需的玉米和豆粕，并获得竞争利益。这种竞争利益体现为支付给被补贴产品的价格低于支付给未被补贴产品的价格。

初裁中，根据答卷信息，调查机关计算出美国政府对玉米和大豆生产补贴金额占美国种植玉米和大豆成本的比率，并认定美国政府给予玉米和大豆的补贴对美国农户种植玉米和大豆有很大影响，同时认定美国玉米和大豆种植户在国内出售其产品与在国际市场上出售其产品对其收益没有明

显差别，市场竞争不是导致美国国内被补贴产品价格低于基准价格的主要因素，从而认定美国政府给予玉米和大豆种植户的补贴是被补贴产品价格低于基准价格的主要因素。

在实地核查中，调查机关核实了美国政府答卷提供的美国农业部统计的 2008 年玉米和大豆种植成本数据，其中玉米种植成本为 144.88 美元/吨，大豆种植成本为 287.33 美元/吨。经初裁后的继续调查，调查机关重新计算了调查期内美国生产的玉米和大豆在直接支付项目和农作物保险项目中获得的补贴金额。经重新计算，玉米在这两项项目中获得的补贴金额为 19.82 美元/吨，大豆在这两项项目中获得的补贴金额为 38.61 美元/吨。根据以上数据，调查机关得出美国政府提供的玉米和大豆补贴额占 2008 年美国农户种植玉米和大豆的成本比率分别为 13.6% 和 13.4%。在终裁中，调查机关决定维持初裁的认定，美国政府给予玉米和大豆的补贴对美国农户种植玉米和大豆有很大影响。

在实地核查中，调查机关核实了美国政府在答卷中提供的美国玉米和大豆产量以及美国玉米和大豆出口量占全球比重等信息。根据美国农业部统计，美国的玉米和大豆产量分别占全球的 40% 和 38%，从 2000 年到 2009 年全球 60% 以上的玉米和 45% 的大豆出口源自美国，美国是世界玉米和大豆最主要的出口国。根据美国政府答卷和美国禽蛋品出口协会相关评论意见，美国玉米和大豆种植户在国内销售和出口销

售中适用相同的定价标准，即均以芝加哥期货交易所的期货价格为基准。因此，调查机关维持初裁认定，即美国玉米和大豆种植户在国内出售其产品与在国际市场上出售其产品对其收益没有明显差别。市场竞争不是导致美国国内被补贴产品价格低于基准价格的主要因素。

由于初裁认定的事实没有改变，在补贴对生产有明显影响，并且出口和内销对玉米和大豆种植及生产企业收益没有很大差别的情况下，调查机关在终裁中认定美国政府给予玉米和大豆种植户的补贴是被补贴产品价格低于基准价格的主要因素。

综上，调查机关认为，各抽样公司在采购被补贴的玉米和豆粕中获得的竞争利益是来自美国政府给予玉米和大豆的补贴。如没有上游补贴，抽样公司需按照基准价格来购买玉米和豆粕，那么抽样公司就不能获得体现为价格优势的竞争利益。抽样公司获得的竞争利益表明，美国政府给予玉米和大豆的补贴利益已传导给被调查产品。

3. 上游补贴传导利益的确定

在初裁中，调查机关认定，抽样公司购买美国国内接受补贴的玉米和豆粕所取得的竞争利益，为其生产被调查产品带来了成本优势。调查机关认为，各抽样公司获得的竞争利益是各抽样公司在上游补贴中接受的利益。如各抽样公司的竞争利益超出上游补贴实际可能传导的金额，调查机关将以

实际可能传导的补贴金额作为各公司接受上游补贴传导的补贴利益。在终裁中，调查机关决定仍以初裁的计算方法来计算各抽样公司接受的上游补贴传导的利益。

在认定实际可能传导的补贴金额时，调查机关考虑的是抽样公司的供应商将种植玉米和大豆获得的补贴利益全部传导给抽样公司。例如，大豆种植户向抽样公司出售豆粕时，将种植生产豆粕所需大豆获得的补贴全部传导给抽样公司。

在实地核查中，美国政府称，美国每蒲式耳（60磅）大豆可提取48磅豆粕，也即每生产1吨豆粕需耗用1.25吨大豆。根据该数据，调查机关将抽样公司采购的豆粕换算成应当耗用的大豆数量，再将抽样公司在调查期内采购的玉米数量以及采购豆粕折算出的大豆数量乘以美国玉米和大豆每吨接受的补贴金额，得出抽样公司的玉米和豆粕供应商可能实际传导给他们的补贴利益。

经比较各抽样公司实际可能获得的上游补贴传导的补贴利益与抽样公司获得的竞争利益，调查机关发现，抽样公司采购玉米获得的竞争利益均高于实际可能获得的上游补贴传导的补贴利益；泰森食品有限公司采购豆粕获得的竞争利益高于实际可能获得的上游补贴传导的补贴利益，而美国皮尔格林公司和模石食品有限责任公司采购豆粕获得的竞争利益低于实际可能获得的上游补贴传导的补贴利益。在终裁中，调查机关决定以实际可能获得的上游补贴传导的补贴

利益作为泰森食品有限公司在上游补贴中接受的补贴利益；以采购玉米实际可能获得的上游补贴传导的补贴利益和采购豆粕获得的竞争利益总和作为美国皮尔格林公司和楔石食品有限责任公司在上游补贴中接受的补贴利益。

（二）阿肯色州投资和就业创造刺激计划。

初裁中，调查机关认定阿肯色州政府通过阿肯色州投资和就业创造刺激计划的五项鼓励措施向抽样公司提供财政资助，该项目具有专向性并产生利益，构成《反补贴条例》项下的可采取反补贴措施的补贴。

财政资助的认定

初裁中，调查机关认定，根据阿肯色州《2003 年综合经济刺激法案》（以下简称《法案》）以及“《2003 年合并鼓励法》（2003 年第 182 号法案修订版）条例和法规”（以下简称《鼓励法》），阿肯色州政府为上述法律规定产业的非零售型企业提供五项刺激措施，分别为：提升阿肯色州鼓励措施（Advantage Arkansas）、投资阿肯色州鼓励措施（Invest Ark）、创业退税鼓励措施（Create Rebate）、投资所得税抵免鼓励措施（Ark Plus）和退税鼓励措施（Tax Back）。这五项鼓励措施为获得批准的申请企业提供所得税抵免、销售税和使用税抵免、销售税和使用税退税以及现金奖励这四种奖励。阿肯色州政府为法律规定产业的非零售型企业提供以上四种形式的奖励构成《反补贴条例》第三条规定的财政资助。

初裁后，调查机关对初裁中认定的事实进行了继续调查。在实地核查中，调查机关对部分抽样公司申请使用提升阿肯色州鼓励措施、投资阿肯色州鼓励措施、创业退税鼓励措施和退税鼓励措施的有关情况进行了核实。经审查抽样公司参与以上四项鼓励措施的申请书、项目计划书、阿肯色州政府发放的项目批准书、项目审计报告、销售税和使用税抵扣发放备忘录、支票付款凭证以及抽样公司与阿肯色州政府部门的往来信函，调查机关核实到以下信息：提升阿肯色州鼓励措施是为符合投资要求并创造新的就业岗位的企业提供所得税抵免奖励；投资阿肯色州鼓励措施是为符合投资要求的企业提供销售税和使用税抵免奖励；创业退税鼓励措施是为新聘雇员支付的年工资总额在 200 万美元以上的符合条件的企业提供现金奖励；退税鼓励措施是为符合投资条件的企业退还企业因购买建筑材料和机器设备而缴纳的销售税和使用税。

在抽样公司的答卷中，调查机关了解到，一家抽样公司曾于 2004 年申请过投资所得税抵免鼓励措施并获得批准。由于该公司至今仍未获得该投资所得税抵免鼓励措施的奖励，因此在实地核查中，调查机关无法核实该公司在投资所得税抵免鼓励措施中获得奖励的具体形式。但根据美国政府答卷和抽样公司答卷，投资所得税抵免鼓励措施是为符合最低投资额和最低新增薪金额的公司提供所得税抵免奖励。

根据上述事实 and 情况, 调查机关认为, 初裁中认定的事实没有发生改变, 阿肯色州政府通过本项目的五个鼓励措施为特定类型的企业提供了《反补贴条例》第三条项下的财政资助。

专向性的认定

初裁中, 调查机关认定, 《法案》明确限定了该补贴项目适用的产业范围, 将所有零售企业排除在适用范围之外。同时按照《法案》规定, 其它产业的企业是否有资格得到该补贴项目的资助是由阿肯色州经济发展委员会主任决定, 特别是创业退税鼓励措施和投资所得税抵免鼓励措施是否适用是由阿肯色州经济发展委员会主任决定, 并非申请企业依照《法案》规定的条件自动获得。综合以上情况, 调查机关初步认定, 本补贴项目具有专向性。

美国皮尔格林公司在初裁评论意见中称, 阿肯色州投资和就业创造刺激计划项目不具备法律上的专向性, 也不具备事实上的专向性, 认为: 首先, 该项目适用于非常宽泛的行业范围, 而没有限定只有肉鸡行业或农业生产者才可适用, 因此, 它们不具有法律上的专向性; 其次, 这些项目的使用者数量大、范围广, 且肉鸡生产者没有收到不成比例的大量补贴, 因此它们也不具有事实上的专向性。

泰森食品有限公司在初裁评论意见中称, 根据《补贴与反补贴协定》, 被调查的 5 个阿肯色州投资和就业激励项目

均未提供“专向性”补贴。

对美国皮尔格林公司和泰森食品有限公司的上述主张, 申请人在《白羽肉鸡产品反补贴案件申请人对相关应诉方初裁评论意见的评论意见》中指出, 在阿肯色州投资和就业创造刺激计划项下, 调查机关分析了补贴项目的法律依据、适用范围、申请条件、是否需要经批准、是否自动获得等事实, 进而认定该补贴项目具有专向性。申请人认为, 调查机关对两个州补贴项目的专向性调查和认定完全符合上述法律规定。

初裁后, 调查机关对初裁中认定的事实进行了继续调查。具体如下:

首先, 《法案》明确限定了有资格申请该项目的企业类型, 《法案》将具有申请资格的企业称为“合格企业”。根据《法案》第 15-4-2703 条规定, “合格企业”应属于北美产业分类制度 (于 2003 年 1 月 1 日生效) 中归入第 31-33 部门类别的制造商等 8 种产业类型的非零售企业, 同时《法案》对各类型的产业做了明确的限定。因此, 调查机关认为, 《法案》明确限定了该项目的适用产业的范围。

其次, 根据《法案》和《鼓励法》规定, 如申请企业 (非零售企业) 不属于以上 8 种产业类型, 《法案》规定, 如申请企业至少 75% 的销售收入来自州外, 并且申请企业计划支付的平均小时工资超过县或州平均小时工资 (以较低者为

准)的110%，则阿肯色州经济发展委员会主任可以将该申请企业划为合格企业。泰森食品有限公司在初裁评论意见中称，根据该规定，“本案中调查的阿肯色州提供的这5个激励项目适用于非常广泛且分散的不相关行业。设立这些项目的《2003年联合激励法案》没有将补贴的‘获得明确限于’生产某一类型产品的某些企业或某些组企业，而是按照一个包含不同‘从事盈利商业的非零售企业’的开放式清单提供”。调查机关认为，泰森食品有限公司忽略以下事实：《法案》规定的8种产业类型外的申请企业是否有资格成为“合格企业”需经阿肯色州经济发展委员会主任的批准。

再次，除限定特定产业范围外，《法案》和《鼓励法》对该项目的5种鼓励措施还限定了申请企业的适用标准，如投资阿肯色州鼓励措施的申请人需在阿肯色州连续经营至少2年，项目投资至少500万美元，并且需持有阿肯色州财政厅颁发的直接报酬销售税和使用税许可。同时，根据美国政府答卷，除满足“合格企业”的条件外，申请者还必须为阿肯色州纳税人，符合必要的工资数额、投资、工资门槛标准。由于以上条件限制，在该项目中受益的企业数量有限。

最后，该项目大部分鼓励措施适用标准并不客观。根据美国政府答卷，创业退税鼓励措施和投资所得税抵免鼓励措施为“弹性”项目，除符合法定申请要求之外，还需经阿肯色州经济发展委员会主任的批准，同时退税鼓励措施还需获

得城市和县赞同决议。在实地核查中，美国皮尔格林公司反映，本项目的创业退税鼓励措施、投资所得税鼓励措施和退税鼓励均不是依《法案》申请条件申请企业可自动获得，均需经过特定的审批程序批准。

综上，调查机关认为，《法案》和《鼓励法》明确限定了该补贴项目适用的产业范围和企业范围。同时按照《法案》规定，其它产业的企业是否有资格得到该补贴项目的资助由阿肯色州经济发展委员会主任决定。特别是创业退税鼓励措施、投资所得税抵免鼓励措施和退税鼓励措施需经特定审批程序批准，而不是申请企业依《法案》和《鼓励法》规定的条件自动获得。因此，调查机关决定在终裁中维持初裁的认定，本补贴项目具有专向性。

补贴利益的确定

在初裁中，调查机关认定，提升阿肯色州鼓励措施的销售税抵免、投资阿肯色州鼓励措施的销售税和使用税抵免以及退税鼓励措施的销售税和使用税退税这三项鼓励措施的利益获得是有规律性的，可以预见的，调查机关视为重复性的补贴利益，只计算调查期内的补贴利益；创业退税鼓励措施的现金奖励以及投资所得税抵免鼓励措施的所得税抵免利益的获得是不可预见的，需政府授权或批准，调查机关视为一次性补贴利益，调查机关将按10年期进行分摊。

初裁后，调查机关对初裁认定的事实进行了继续调查。

泰森食品有限公司在初裁评论中称,“调查机关应当将创业退税鼓励措施作为重复性项目,因为即使其利益是基于决定授予的,其适用条件也是客观的,泰森食品有限公司自2006年起就没有申请过创业退税鼓励措施,因此自2006年起就没有收到过该项目下的任何利益。没有收到利益不是因为阿肯色州的决定如此,而是泰森食品有限公司没有申请该利益。在这一点上,创业退税鼓励措施与其他重复性项目是类似的。”调查机关认为,项目申请是获得创业退税鼓励措施的必要条件,不经申请,泰森食品有限公司当然无法获得创业退税鼓励措施的奖励,因此,泰森食品有限公司的这一主张不能成立。

在实地核查中,美国皮尔格林公司表示,退税鼓励措施并非是非依《法案》可自动获得的鼓励措施。经审查美国皮尔格林公司提交的退税鼓励措施申请流程图和退税鼓励措施申请书以及泰森食品有限公司退税鼓励措施申请书,调查机关核实到,申请人向阿肯色州经济发展委员会申请退税鼓励措施前,需事先获得当地州或县政府许可。美国政府在答卷中称,退税鼓励措施为“法定”项目,符合项目要求的公司可获得批准,但同时也表示退税鼓励措施还需获得城市和县赞同决议,并且表示,公司将退税申请提交给阿肯色州经济发展委员会时,需附带地方政府的支持决议。基于以上事实,调查机关决定在终裁中将退税鼓励措施认定为一次性补贴

利益。对于其它鼓励措施补贴利益的性质,在终裁中调查机关决定维持初裁的认定,即提升阿肯色州鼓励措施的所得税抵免、投资阿肯色州鼓励措施的销售税和使用税抵免的补贴利益为重复性补贴利益,创业退税鼓励措施的现金奖励和投资所得税抵免鼓励措施的所得税抵免奖励为一次性补贴利益。

初裁中,调查机关认定,美国皮尔格林公司在调查期内及之前9年曾获得并使用了投资阿肯色州鼓励措施,并申请了退税鼓励措施和投资所得税抵免鼓励措施。美国皮尔格林公司在答卷中提供了调查期内及之前9年该公司使用的阿肯色州投资鼓励措施奖励的销售税和使用税抵免总额,但未提供使用这些销售税和使用税抵免奖励的具体日期,调查机关在初裁中暂时认定,美国皮尔格林公司是在调查期内使用上述销售税和使用税抵免奖励。同时,调查机关在初裁中暂时接受了美国皮尔格林公司关于调查期内及之前9年未获得过退税鼓励措施和投资所得税抵免鼓励措施的奖励的主张。

美国皮尔格林公司在初裁评论中称,“由于美国皮尔格林公司被JBS收购,目前正在搬迁和融合,无法在本次评论中提供抵免奖励收到的具体日期,以及相关证据,美国皮尔格林公司恳请调查机关允许美国皮尔格林公司在现场核查时提供相关的支付证据”,并重申在调查期内并未收到该项目下的任何利益。

在实地核查中，调查机关核实了美国皮尔格林公司申请投资阿肯色州鼓励措施的申请书、阿肯色州经济发展委员会的批准申请函、阿肯色州财政厅发布的销售税和使用税抵免奖励备忘录、项目申请报告、美国皮尔格林公司与阿肯色州政府相关部门的往来信函、美国皮尔格林公司使用销售税和使用税的纳税申报表记录。经审核以上信息，调查机关确认，美国皮尔格林公司在调查期内及之前9年曾两次申请获得投资阿肯色州鼓励措施奖励，其2003年收购的康尼格拉家禽公司（ConAgra Poultry Company）也曾获得投资阿肯色州鼓励措施奖励，美国皮尔格林公司在调查期之前已使用完了以上销售税和使用税抵免奖。在调查期内，美国皮尔格林公司并未申请获得投资阿肯色州鼓励措施奖励，也未使用过销售税和使用税抵免奖励。

同时，在实地核查中，调查机关审核了美国皮尔格林公司申请该项目其它鼓励措施的相关文件。经核实，美国皮尔格林公司曾于2008年3月5日向阿肯色州经济发展委员会申请过提升阿肯色州鼓励措施和退税鼓励措施，2008年9月22日阿肯色州经济发展委员会批准了这两项鼓励措施申请，但美国皮尔格林公司在调查期内未获得申请这两种鼓励措施可获得的所得税抵免奖励以及销售税和使用税退税奖励。

基于以上事实，调查机关在终裁中认定，美国皮尔格林公司在调查期内未获得本项目重复性补贴利益以及在调查

期内及之前9年未获得本项目一次性补贴利益。

在初裁中，调查机关认定，泰森食品有限公司在调查期内及之前9年曾获得投资阿肯色州鼓励措施、创业退税鼓励措施和退税鼓励措施奖励。

初裁后，调查机关对初裁认定的事实进行了继续调查。泰森食品有限公司在初裁评论中称，“阿肯色州激励项目提供给 Tyson Mexican Original 的利益不当包括在补贴计算之中”，理由是“Tyson Mexican Original 是泰森的一家子公司，仅从事玉米和面粉的生产和销售”。在实地核查中，调查机关核实了泰森食品有限公司 Tyson Mexican Original 子公司的投资阿肯色州鼓励措施项目申请书及阿肯色州经济发展委员会的项目申请批准函。经核实以上信息，调查机关确认，Tyson Mexican Original 公司申请投资阿肯色州鼓励措施的项目是用于玉米饼生产。在终裁中，调查机关决定接受泰森食品有限公司的这一主张，对这部分补贴利益调查机关在终裁中不予考虑。

同时，泰森食品有限公司在初裁评论中称，“在投资阿肯色项目下获得的利益不当包括在补贴计算中，因为其与美国阿肯色州的生产设施相关，但泰森并未将这些设施生产的被调查产品对中国出口。”在实地核查中，调查机关核实了泰森食品有限公司申请投资阿肯色州鼓励措施其它项目的申请文件、阿肯色州经济发展委员会的项目申请批准函以及阿

肯色州财政厅发放的销售税和使用税抵免备忘录。经核实以上信息,调查机关发现,以上项目的投资均与被调查产品的生产有关。同时,在实地核查中,泰森食品有限公司表示,该公司并未对不同州生产的产品制定不同的销售价格。由于公司执行统一定价政策,在阿肯色州生产的被调查产品接受的补贴利益必然会让公司生产的所有被调查产品受益。调查机关认为,泰森食品有限公司的这一主张并不成立。

投资阿肯色州鼓励措施的销售税和使用税抵免奖励补贴为重复性补贴利益,调查机关只考虑调查期内泰森食品有限公司在该鼓励措施中的受益情况。在实地核查中,调查机关发现,泰森食品有限公司在答卷中提交的是该公司在调查期内获得的销售税和使用税抵免数额,而不是调查期内使用销售税和使用税抵免的具体数额。

根据《反补贴条例》第六条规定,以放弃或者不收缴应收入形式提供补贴的,补贴金额以依法应缴金额与企业实际缴纳税额之差计算。依照该规定,调查机关认为,投资阿肯色州鼓励措施发放给泰森食品有限公司的销售税和使用税抵免奖励并未让泰森食品有限公司实际受益,只有泰森食品有限公司使用了这些销售税和使用税抵免奖励才是实际接受了利益。因此,调查机关决定以泰森食品有限公司在调查期内使用的销售税和使用税抵免奖励作为泰森食品有限公司在该鼓励措施中接受的利益。

由于退税鼓励措施的销售税和使用税退税奖励以及创业退税鼓励措施的现金奖励补贴为一次性补贴利益,调查机关决定审查泰森食品有限公司在调查期内及之前9年获得这两项鼓励措施的情况,并将泰森食品有限公司在这两项鼓励措施中获得的补贴利益按10年期进行分摊。

在实地核查中,调查机关核实了泰森食品有限公司申请退税鼓励措施的项目申请书、项目审计报告、阿肯色州政府向泰森食品有限公司发放的退税支票以及泰森食品有限公司收款财务记录。经审核以上材料,调查机关确定,阿肯色州政府于2009年上半年向泰森食品有限公司发放了退税鼓励措施的退税支票,并且泰森食品有限公司获得该补贴利益是用于被调查产品的生产。

同时,在实地核查中,调查机关核实了泰森食品有限公司获得创业退税鼓励措施现金奖励的付款凭证以及公司的财务记录。经审查以上材料,调查机关确定,阿肯色州政府于2006年向泰森食品有限公司发放了创业退税鼓励措施的现金奖励,并且泰森食品有限公司获得该补贴利益是用于被调查产品的生产。

根据《反补贴条例》第六条的规定,以放弃或者不收缴应收入形式提供补贴的,补贴金额以依法应缴金额与企业实际缴纳税额之差计算;以无偿拨款形式提供补贴的,补贴金额以企业实际接受的金额计算。在终裁中,调查机关决定,

调查期内泰森食品有限公司依据该项目使用的销售税和使用税减免奖励、获得的销售税和使用税退税奖励和现金奖励为该公司在本项目中获得的补贴利益。

(三) 阿拉巴马州所得税减免刺激计划。

初审中，调查机关认定阿拉巴马州政府通过所得税减免的方式向抽样公司提供财政资助，该税收减免刺激计划具有专向性并产生利益，构成《反补贴条例》项下可采取反补贴措施的补贴。

财政资助的认定

初审中，调查机关根据美国政府答卷，认定阿拉巴马州政府通过该所得税减免项目对获得批准的公司放弃了部分企业所得税的征收，构成财政资助。

根据美国政府答卷，该补贴项目由《1975年阿拉巴马州法案》授权设立。《1975年阿拉巴马州法案》(2009年5月变更)第40编第18章第190节至第203节是阿拉巴马州的所得税减免法规。阿拉巴马州税务局(ADOR)作为阿拉巴马州的税收征收机构，是该补贴项目的主管机关，提供并负责管理阿拉巴马州所得税减免刺激计划。

根据美国政府答卷，“税收减免只能在《1975年阿拉巴马州法案》第40和41编允许的所有其他扣除、损失或减免完成后使用。税收减免因项目产生的收入而发生，因此，将分配给‘赋税专由合伙人缴纳的实体’，如公司、合伙企业、

(2) 美国《2014 年农业法》(节选)

美国 2014 年农业法摘要翻译

本法案致力于为农业部的农业项目和其他项目进行改革和延续，有效期至 2018 年。

SUBTITLE A - 取消和改革

Part I 取消

Sec. 1101 取消直接支付项目

《2008 年食品、环保和能源法案》section 1103 和 1303 条规定失效。

TITLE XI 农作物保险

Sec. 11001. 信息共享

Sec. 11002. 违反禁止保险费调整的信息公示

Sec. 11003. 补充覆盖选项

Sec. 11004. 农作物的边缘覆盖选项

Sec. 11005. 对于巨灾风险保障金的金额。

Sec. 11006. 永久性的企业单位补贴

Sec. 11007. 用于灌溉和旱地作物的企业单位

Sec. 11008. 数据收集

Sec. 11009. 在实际的生产历史调整建立保险收益。

Sec. 11010. 政策提交以及审查和批准

Sec. 11011. 咨询

Sec. 11012. 在标准再保险协议谈判的预算限制

Sec. 11013. 玉米的检测重量

Sec. 11014. 天然草皮作物生产

Sec. 11015. 覆盖水平的实践

Sec. 11016. 新农场主和牧场主的规定

Sec. 11017. 对陆地棉生产者捆绑收入保护计划

Sec. 11018. 花生收入作物保险

Sec. 11019. 错误纠正的授权

Sec. 11020. 执行

Sec. 11021. 农作物保险欺诈

Sec. 11022. 研究发展政策

Sec. 11023. 有机农作物的作物保险

Sec. 11024. 程序合规性的伙伴关系

Sec. 11025. 试点项目

Sec. 11026. 基于天气指数保险试点方案

Sec. 11027. 通过农场财务基准提高生产自救。

Sec. 11028. 技术修改

One Hundred Thirteenth Congress
of the
United States of America

AT THE SECOND SESSION

*Began and held at the City of Washington on Friday,
the third day of January, two thousand and fourteen*

An Act

To provide for the reform and continuation of agricultural and other programs
of the Department of Agriculture through fiscal year 2018, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Agricultural
Act of 2014".

(b) TABLE OF CONTENTS.—The table of contents of this Act
is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definition of Secretary of Agriculture.

TITLE I—COMMODITIES

Subtitle A—Repeals and Reforms

PART I—REPEALS

- Sec. 1101. Repeal of direct payments.
- Sec. 1102. Repeal of counter-cyclical payments.
- Sec. 1103. Repeal of average crop revenue election program.

PART II—COMMODITY POLICY

- Sec. 1111. Definitions.
- Sec. 1112. Base acres.
- Sec. 1113. Payment yields.
- Sec. 1114. Payment areas.
- Sec. 1115. Producer election.
- Sec. 1116. Price loss coverage.
- Sec. 1117. Agriculture risk coverage.
- Sec. 1118. Producer agreements.
- Sec. 1119. Transition assistance for producers of upland cotton.

Subtitle B—Marketing Loans

- Sec. 1201. Availability of nonrecourse marketing assistance loans for loan commod-
ities.
- Sec. 1202. Loan rates for nonrecourse marketing assistance loans.
- Sec. 1203. Term of loans.
- Sec. 1204. Repayment of loans.
- Sec. 1205. Loan deficiency payments.
- Sec. 1206. Payments in lieu of loan deficiency payments for grazed acreage.
- Sec. 1207. Special marketing loan provisions for upland cotton.
- Sec. 1208. Special competitive provisions for extra long staple cotton.
- Sec. 1209. Availability of recourse loans for high moisture feed grains and seed cot-
ton.
- Sec. 1210. Adjustments of loans.

Subtitle C—Sugar

- Sec. 1801. Sugar policy.

Subtitle D—Dairy

PART I—MARGIN PROTECTION PROGRAM FOR DAIRY PRODUCERS

- Sec. 1401. Definitions.

H. R. 2642-9

- Sec. 10010. Specially crop block grants.
- Sec. 10011. Department of Agriculture consultation regarding enforcement of certain labor law provisions.
- Sec. 10012. Report on honey.
- Sec. 10013. Reports to Congress.
- Sec. 10014. Stay of regulations.
- Sec. 10015. Regulation of sulfuric fluoride.
- Sec. 10016. Local food production and program evaluation.
- Sec. 10017. Clarification of use of funds for technical assistance.

TITLE XI—CROP INSURANCE

- Sec. 11001. Information sharing.
- Sec. 11002. Publication of information on violations of prohibition on premium adjustments.
- Sec. 11003. Supplemental coverage option.
- Sec. 11004. Crop margin coverage option.
- Sec. 11005. Premium amounts for catastrophic risk protection.
- Sec. 11006. Permanent enterprise unit subsidy.
- Sec. 11007. Enterprise units for irrigated and nonirrigated crops.
- Sec. 11008. Data collection.
- Sec. 11009. Adjustment in actual production history to establish insurable yields.
- Sec. 11010. Submission of policies and Board review and approval.
- Sec. 11011. Consultation.
- Sec. 11012. Budget limitations on renegotiation of the standard reinsurance agreement.
- Sec. 11013. Test weight for corn.
- Sec. 11014. Crop production ~~alternative~~ sod.
- Sec. 11015. Coverage levels by practice.
- Sec. 11016. Beginning farmer and rancher provisions.
- Sec. 11017. Stacked income protection plan for producers of upland cotton.
- Sec. 11018. Peanut revenue crop insurance.
- Sec. 11019. Authority to correct errors.
- Sec. 11020. Implementation.
- Sec. 11021. Crop insurance fraud.
- Sec. 11022. Research and development priorities.
- Sec. 11023. Crop insurance for organic crops.
- Sec. 11024. Program compliance partnerships.
- Sec. 11025. Pilot programs.
- Sec. 11026. Index-based weather insurance pilot program.
- Sec. 11027. Enhancing producer self-help through farm financial benchmarking.
- Sec. 11028. Technical amendments.

TITLE XII—MISCELLANEOUS

Subtitle A—Livestock

- Sec. 12101. Trichinae certification program.
- Sec. 12102. Sheep production and marketing grant program.
- Sec. 12103. National Aquatic Animal Health Plan.
- Sec. 12104. Country of origin labeling.
- Sec. 12105. National animal health laboratory network.
- Sec. 12106. Food safety inspection.
- Sec. 12107. National Poultry Improvement Plan.
- Sec. 12108. Sense of Congress regarding feral swine eradication.

Subtitle B—Socially Disadvantaged Producers and Limited Resource Producers

- Sec. 12201. Outreach and assistance for socially disadvantaged farmers and ranchers and veteran farmers and ranchers.
- Sec. 12202. Office of Advocacy and Outreach.
- Sec. 12203. Socially Disadvantaged Farmers and Ranchers Policy Research Center.
- Sec. 12204. Receipt for service or denial of service from certain department of agriculture agencies.

Subtitle C—Other Miscellaneous Provisions

- Sec. 12301. Grants to improve supply, stability, safety, and training of agricultural labor force.
- Sec. 12302. Program benefit eligibility status for participants in high plains water study.
- Sec. 12303. Office of Tribal Relations.
- Sec. 12304. Military Veterans Agricultural Liaison.
- Sec. 12305. Noninsured crop assistance program.
- Sec. 12306. Acer access and development program.

Sec. 12307. Science Advisory Board.
 Sec. 12308. Amendments to Animal Welfare Act.
 Sec. 12309. Produce represented as grown in the United States when it is not in fact grown in the United States.
 Sec. 12310. Report on water sharing.
 Sec. 12311. Scientific and economic analysis of the FDA Food Safety Modernization Act.
 Sec. 12312. Payment in lieu of taxes.
 Sec. 12313. Silvicultural activities.
 Sec. 12314. Pima agriculture cotton trust fund.
 Sec. 12315. Agriculture Wool Apparel Manufacturers Trust Fund.
 Sec. 12316. Wool research and promotion.

Subtitle D—Oilheat Efficiency, Renewable Fuel Research and Jobs Training

Sec. 12401. Short title.
 Sec. 12402. Findings and purposes.
 Sec. 12403. Definitions.
 Sec. 12404. Membership.
 Sec. 12405. Functions.
 Sec. 12406. Assessments.
 Sec. 12407. Market survey and consumer protection.
 Sec. 12408. Lobbying restrictions.
 Sec. 12409. Noncompliance.
 Sec. 12410. Sunset.

SEC. 2. DEFINITION OF SECRETARY OF AGRICULTURE.

In this Act, the term "Secretary" means the Secretary of Agriculture.

TITLE I—COMMODITIES

Subtitle A—Repeals and Reforms

PART I—REPEALS

SEC. 1101. REPEAL OF DIRECT PAYMENTS.

Sections 1103 and 1303 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8713, 8753) are repealed.

SEC. 1102. REPEAL OF COUNTER-CYCICAL PAYMENTS.

(a) REPEAL.—Sections 1104 and 1304 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8714, 8754) are repealed.

(b) CONTINUED APPLICATION FOR 2013 CROP YEAR.—Sections 1104 and 1304 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8714, 8754), as in effect on the day before the date of enactment of this Act, shall continue to apply through the 2013 crop year with respect to all covered commodities (as defined in section 1001 of that Act (7 U.S.C. 8702)) and peanuts on a farm.

SEC. 1103. REPEAL OF AVERAGE CROP REVENUE ELECTION PROGRAM.

(a) REPEAL.—Section 1105 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8715) is repealed.

(b) CONTINUED APPLICATION FOR 2013 CROP YEAR.—Section 1105 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8715), as in effect on the day before the date of enactment of this Act, shall continue to apply through the 2013 crop year with respect to all covered commodities (as defined in section 1001 of that Act (7 U.S.C. 8702)) and peanuts on a farm for which the irrevocable election under section 1105 of that Act was made before the date of enactment of this Act.

of such Act (7 U.S.C. 8711), as in effect on September 30, 2013, subject to any adjustment or reduction under section 1112 of this Act.

(10) **INDIVIDUAL COVERAGE.**—The term "individual coverage" means agriculture risk coverage selected under section 1115(b)(2) to be obtained at the farm level.

(11) **MEDIUM GRAIN RICE.**—The term "medium grain rice" includes short grain rice and temperate japonica rice.

(12) **OTHER OILSEED.**—The term "other oilseed" means a crop of sunflower seed, rapeseed, canola, safflower, flaxseed, mustard seed, crambe, sesame seed, or any oilseed designated by the Secretary.

(13) **PAYMENT ACRES.**—The term "payment acres", with respect to the provision of price loss coverage payments and agriculture risk coverage payments, means the number of acres determined for a farm under section 1114.

(14) **PAYMENT YIELD.**—The term "payment yield", for a farm for a covered commodity—

(A) means the yield used to make payments pursuant to section 1104 or 1304 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8714, 8754), as in effect on September 30, 2013; or

(B) means the yield established under section 1113 of this Act.

(15) **PRICE LOSS COVERAGE.**—The term "price loss coverage" means coverage provided under section 1116.

(16) **PRODUCER.**—

(A) **IN GENERAL.**—The term "producer" means an owner, operator, landlord, tenant, or sharecropper that shares in the risk of producing a crop and is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced.

(B) **HYBRID SEED.**—In determining whether a grower of hybrid seed is a producer, the Secretary shall—

(i) not take into consideration the existence of a hybrid seed contract; and

(ii) ensure that program requirements do not adversely affect the ability of the grower to receive a payment under this title.

(17) **PULSE CROP.**—The term "pulse crop" means dry peas, lentils, small chickpeas, and large chickpeas.

(18) **REFERENCE PRICE.**—The term "reference price", with respect to a covered commodity for a crop year, means the following:

- (A) For wheat, \$5.50 per bushel.
- (B) For corn, \$3.70 per bushel.
- (C) For grain sorghum, \$3.95 per bushel.
- (D) For barley, \$4.95 per bushel.
- (E) For oats, \$2.40 per bushel.
- (F) For long grain rice, \$14.00 per hundredweight.
- (G) For medium grain rice, \$14.00 per hundredweight.
- (H) For soybeans, \$8.40 per bushel.
- (I) For other oilseeds, \$20.15 per hundredweight.
- (J) For peanuts, \$535.00 per ton.
- (K) For dry peas, \$11.00 per hundredweight.
- (L) For lentils, \$19.97 per hundredweight.
- (M) For small chickpeas, \$19.04 per hundredweight.

(1) price loss coverage under section 1116 on a covered commodity-by-covered-commodity basis; or

(2) agriculture risk coverage under section 1117.

(b) COVERAGE OPTIONS.—In the election under subsection (a), the producers on a farm that elect under paragraph (2) of such subsection to obtain agriculture risk coverage under section 1117 shall unanimously select whether to receive agriculture risk coverage payments based on—

(1) county coverage applicable on a covered commodity-by-covered-commodity basis; or

(2) individual coverage applicable to all of the covered commodities on the farm.

(c) EFFECT OF FAILURE TO MAKE UNANIMOUS ELECTION.—If all the producers on a farm fail to make a unanimous election under subsection (a) for the 2014 crop year—

(1) the Secretary shall not make any payments with respect to the farm for the 2014 crop year under section 1116 or 1117; and

(2) the producers on the farm shall be deemed to have elected price loss coverage under section 1116 for all covered commodities on the farm for the 2015 through 2018 crop years.

(d) EFFECT OF SELECTION OF COUNTY COVERAGE.—If all the producers on a farm select county coverage for a covered commodity under subsection (b)(1), the Secretary may not make price loss coverage payments under section 1116 to the producers on the farm with respect to that covered commodity.

(e) EFFECT OF SELECTION OF INDIVIDUAL COVERAGE.—If all the producers on a farm select individual coverage under subsection (b)(2), in addition to the selection and election under this section applying to each producer on the farm, the Secretary shall consider, for purposes of making the calculations required by subsections (b)(2) and (c)(3) of section 1117, the producer's share of all farms in the same State—

(1) in which the producer has an interest; and

(2) for which individual coverage has been selected.

(f) PROHIBITION ON RECONSTITUTION.—The Secretary shall ensure that producers on a farm do not reconstitute the farm to void or change an election or selection made under this section.

SEC. 1116. PRICE LOSS COVERAGE.

(a) PRICE LOSS COVERAGE PAYMENTS.—If all of the producers on a farm make the election under subsection (a) of section 1115 to obtain price loss coverage or, subject to subsection (c)(1) of such section, are deemed to have made such election under subsection (c)(2) of such section, the Secretary shall make price loss coverage payments to producers on the farm on a covered commodity-by-covered-commodity basis if the Secretary determines that, for any of the 2014 through 2018 crop years—

(1) the effective price for the covered commodity for the crop year; is less than

(2) the reference price for the covered commodity for the crop year.

(b) EFFECTIVE PRICE.—The effective price for a covered commodity for a crop year shall be the higher of—

(1) the national average market price received by producers during the 12-month marketing year for the covered commodity, as determined by the Secretary; or

(2) the national average loan rate for a marketing assistance loan for the covered commodity in effect for such crop year under subtitle B.

(c) PAYMENT RATE.—The payment rate shall be equal to the difference between—

- (1) the reference price for the covered commodity; and
- (2) the effective price determined under subsection (b) for the covered commodity.

(d) PAYMENT AMOUNT.—If price loss coverage payments are required to be provided under this section for any of the 2014 through 2018 crop years for a covered commodity, the amount of the price loss coverage payment to be paid to the producers on a farm for the crop year shall be equal to the product obtained by multiplying—

- (1) the payment rate for the covered commodity under subsection (c);
- (2) the payment yield for the covered commodity; and
- (3) the payment acres for the covered commodity.

(e) TIME FOR PAYMENTS.—If the Secretary determines under this section that price loss coverage payments are required to be provided for the covered commodity, the payments shall be made beginning October 1, or as soon as practicable thereafter, after the end of the applicable marketing year for the covered commodity.

(f) EFFECTIVE PRICE FOR BARLEY.—In determining the effective price for barley under subsection (b), the Secretary shall use the all-barley price.

(g) REFERENCE PRICE FOR TEMPERATE JAPONICA RICE.—The Secretary shall provide a reference price with respect to temperate japonica rice in an amount equal to 115 percent of the amount established in subparagraphs (F) and (G) of section 1111(18) in order to reflect price premiums.

SEC. 1117. AGRICULTURE RISK COVERAGE.

(a) AGRICULTURE RISK COVERAGE PAYMENTS.—If all of the producers on a farm make the election under section 1115(a) to obtain agriculture risk coverage, the Secretary shall make agriculture risk coverage payments to producers on the farm if the Secretary determines that, for any of the 2014 through 2018 crop years—

- (1) the actual crop revenue determined under subsection (b) for the crop year; is less than
- (2) the agriculture risk coverage guarantee determined under subsection (c) for the crop year.

(b) ACTUAL CROP REVENUE.—

(1) COUNTY COVERAGE.—In the case of county coverage, the amount of the actual crop revenue for a county for a crop year of a covered commodity shall be equal to the product obtained by multiplying—

(A) the actual average county yield per planted acre for the covered commodity, as determined by the Secretary; and

(B) the higher of—

(i) the national average market price received by producers during the 12-month marketing year for the covered commodity, as determined by the Secretary; or

(i) the national average loan rate for a marketing assistance loan for the covered commodity in effect for such crop year under subtitle B.

(2) INDIVIDUAL COVERAGE.—In the case of individual coverage, the amount of the actual crop revenue for a producer on a farm for a crop year shall be based on the producer's share of all covered commodities planted on all farms for which individual coverage has been selected and in which the producer has an interest, to be determined by the Secretary as follows:

(A) For each covered commodity, the product obtained by multiplying—

(i) the total production of the covered commodity on such farms, as determined by the Secretary; and

(ii) the higher of—

(I) the national average market price received by producers during the 12-month marketing year, as determined by the Secretary; or

(II) the national average loan rate for a marketing assistance loan for the covered commodity in effect for such crop year under subtitle B.

(B) The sum of the amounts determined under subparagraph (A) for all covered commodities on such farms.

(C) The quotient obtained by dividing the amount determined under subparagraph (B) by the total planted acres of all covered commodities on such farms.

(c) AGRICULTURE RISK COVERAGE GUARANTEE.—

(1) IN GENERAL.—The agriculture risk coverage guarantee for a crop year for a covered commodity shall equal 86 percent of the benchmark revenue.

(2) BENCHMARK REVENUE FOR COUNTY COVERAGE.—In the case of county coverage, the benchmark revenue shall be the product obtained by multiplying—

(A) subject to paragraph (4), the average historical county yield as determined by the Secretary for the most recent 5 crop years, excluding each of the crop years with the highest and lowest yields; and

(B) subject to paragraph (5), the national average market price received by producers during the 12-month marketing year for the most recent 5 crop years, excluding each of the crop years with the highest and lowest prices.

(3) BENCHMARK REVENUE FOR INDIVIDUAL COVERAGE.—In the case of individual coverage, the benchmark revenue for a producer on a farm for a crop year shall be based on the producer's share of all covered commodities planted on all farms for which individual coverage has been selected and in which the producer has an interest, to be determined by the Secretary as follows:

(A) For each covered commodity for each of the most recent 5 crop years, the product obtained by multiplying—

(i) subject to paragraph (4), the yield per planted acre for the covered commodity on such farms, as determined by the Secretary; by

(ii) subject to paragraph (5), the national average market price received by producers during the 12-month marketing year.

(B) For each covered commodity, the average of the revenues determined under subparagraph (A) for the most

recent 5 crop years, excluding each of the crop years with the highest and lowest revenues.

(C) For each of the 2014 through 2018 crop years, the sum of the amounts determined under subparagraph (B) for all covered commodities on such farms, but adjusted to reflect the ratio between the total number of acres planted on such farms to a covered commodity and the total acres of all covered commodities planted on such farms.

(4) YIELD CONDITIONS.—If the yield per planted acre for the covered commodity or historical county yield per planted acre for the covered commodity for any of the 5 most recent crop years, as determined by the Secretary, is less than 70 percent of the transitional yield, as determined by the Secretary, the amounts used for any of those years in paragraph (2)(A) or (3)(A)(i) shall be 70 percent of the transitional yield.

(5) REFERENCE PRICE.—If the national average market price received by producers during the 12-month marketing year for any of the 5 most recent crop years is lower than the reference price for the covered commodity, the Secretary shall use the reference price for any of those years for the amounts in paragraph (2)(B) or (3)(A)(ii).

(d) PAYMENT RATE.—The payment rate for a covered commodity, in the case of county coverage, or a farm, in the case of individual coverage, shall be equal to the lesser of—

(1) the amount that—

(A) the agriculture risk coverage guarantee for the crop year applicable under subsection (c); exceeds

(B) the actual crop revenue for the crop year applicable under subsection (b); or

(2) 10 percent of the benchmark revenue for the crop year applicable under subsection (c).

(e) PAYMENT AMOUNT.—If agriculture risk coverage payments are required to be paid for any of the 2014 through 2018 crop years, the amount of the agriculture risk coverage payment for the crop year shall be determined by multiplying—

(1) the payment rate determined under subsection (d); and

(2) the payment acres determined under section 1114.

(f) TIME FOR PAYMENTS.—If the Secretary determines that agriculture risk coverage payments are required to be provided for the covered commodity, payments shall be made beginning October 1, or as soon as practicable thereafter, after the end of the applicable marketing year for the covered commodity.

(g) ADDITIONAL DUTIES OF THE SECRETARY.—In providing agriculture risk coverage, the Secretary shall—

(1) to the maximum extent practicable, use all available information and analysis, including data mining, to check for anomalies in the determination of agriculture risk coverage payments;

(2) to the maximum extent practicable, calculate a separate actual crop revenue and agriculture risk coverage guarantees for irrigated and nonirrigated covered commodities;

(3) in the case of individual coverage, assign an average yield for a farm on the basis of the yield history of representative farms in the State, region, or crop reporting district, as determined by the Secretary, if the Secretary determines that

the farm has planted acreage in a quantity that is insufficient to calculate a representative average yield for the farm; and
(4) in the case of county coverage, assign an actual or benchmark county yield for each planted acre for the crop year for the covered commodity on the basis of the yield history of representative farms in the State, region, or crop reporting district, as determined by the Secretary, if—

(A) the Secretary cannot establish the actual or benchmark county yield for each planted acre for a crop year for a covered commodity in the county in accordance with subsection (b)(1) or (c)(2); or

(B) the yield determined under subsection (b)(1) or (c)(2) is an unrepresentative average yield for the county, as determined by the Secretary.

SEC. 1118. PRODUCER AGREEMENTS.

(a) COMPLIANCE WITH CERTAIN REQUIREMENTS.—

(1) **REQUIREMENTS.**—Before the producers on a farm may receive payments under this subtitle with respect to the farm, the producers shall agree, during the crop year for which the payments are made and in exchange for the payments—

(A) to comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.);

(B) to comply with applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.);

(C) to effectively control noxious weeds and otherwise maintain the land in accordance with sound agricultural practices, as determined by the Secretary; and

(D) to use the land on the farm, in a quantity equal to the attributable base acres for the farm and any base acres for an agricultural or conserving use, and not for a nonagricultural commercial, industrial, or residential use, as determined by the Secretary.

(2) **COMPLIANCE.**—The Secretary may issue such rules as the Secretary considers necessary to ensure producer compliance with the requirements of paragraph (1).

(3) **MODIFICATION.**—At the request of the transferee or owner, the Secretary may modify the requirements of this subsection if the modifications are consistent with the objectives of this subsection, as determined by the Secretary.

(b) TRANSFER OR CHANGE OF INTEREST IN FARM.—

(1) TERMINATION.—

(A) **IN GENERAL.**—Except as provided in paragraph (2), a transfer of (or change in) the interest of the producers on a farm for which payments under this subtitle are provided shall result in the termination of the payments, unless the transferee or owner of the acreage agrees to assume all obligations under subsection (a).

(B) **EFFECTIVE DATE.**—The termination shall take effect on the date determined by the Secretary.

(2) **EXCEPTION.**—If a producer entitled to a payment under this subtitle dies, becomes incompetent, or is otherwise unable to receive the payment, the Secretary shall make the payment in accordance with rules issued by the Secretary.

TITLE XI—CROP INSURANCE

农作物保险

SEC. 11001. INFORMATION SHARING.

Section 502(c) of the Federal Crop Insurance Act (7 U.S.C. 1502(c)) is amended by adding at the end the following:

"(4) INFORMATION.—

"(A) REQUEST.—Subject to subparagraph (B), the Farm Service Agency shall, in a timely manner, provide to an agent or an approved insurance provider authorized by the producer any information (including Farm Service Agency Form 578s (or any successor form)) or maps (or any corrections to those forms or maps) that may assist the agent or approved insurance provider in insuring the producer under a policy or plan of insurance under this subtitle.

"(B) PRIVACY.—Except as provided in subparagraph (C), an agent or approved insurance provider that receives the information of a producer pursuant to subparagraph (A) shall treat the information in accordance with paragraph (1).

"(C) SHARING.—Nothing in this section prohibits the sharing of the information of a producer pursuant to subparagraph (A) between the agent and the approved insurance provider of the producer."

SEC. 11002. PUBLICATION OF INFORMATION ON VIOLATIONS OF PROHIBITION ON PREMIUM ADJUSTMENTS.

Section 508(a)(9) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)(9)) is amended by adding at the end the following:

"(C) PUBLICATION OF VIOLATIONS.—

"(i) PUBLICATION REQUIRED.—Subject to clause (ii), the Corporation shall publish in a timely manner on the website of the Risk Management Agency information regarding each violation of this paragraph, including any sanctions imposed in response to the violation, in sufficient detail so that the information may serve as effective guidance to approved insurance providers, agents, and producers.

"(ii) PROTECTION OF PRIVACY.—In providing information under clause (i) regarding violations of this paragraph, the Corporation shall redact the identity of the persons and entities committing the violations in order to protect the privacy of those persons and entities."

SEC. 11003. SUPPLEMENTAL COVERAGE OPTION.

(a) **AVAILABILITY OF SUPPLEMENTAL COVERAGE OPTION.**—Section 508(c) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)) is amended by striking paragraph (3) and inserting the following:

"(3) YIELD AND LOSS BASIS OPTIONS.—A producer shall have the option of purchasing additional coverage based on—

"(A)(i) an individual yield and loss basis; or

"(ii) an area yield and loss basis; or

"(B) an individual yield and loss basis, supplemented with coverage based on an area yield and loss basis to cover a part of the deductible under the individual yield and loss policy, as described in paragraph (4)(C)."

(b) LEVEL OF COVERAGE.—Section 508(c) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)) is amended by striking paragraph (4) and inserting the following:

"(4) LEVEL OF COVERAGE.—

"(A) DOLLAR DENOMINATION AND PERCENTAGE OF YIELD.—Except as provided in subparagraph (C), the level of coverage—

"(i) shall be dollar denominated; and

"(ii) may be purchased at any level not to exceed 85 percent of the individual yield or 95 percent of the area yield (as determined by the Corporation).

"(B) INFORMATION.—The Corporation shall provide producers with information on catastrophic risk and additional coverage in terms of dollar coverage (within the allowable limits of coverage provided in this paragraph).

"(C) SUPPLEMENTAL COVERAGE OPTION.—

"(i) IN GENERAL.—Notwithstanding subparagraph (A), in the case of the supplemental coverage option described in paragraph (3)(B), the Corporation shall offer producers the opportunity to purchase coverage in combination with a policy or plan of insurance offered under this subtitle that would allow indemnities to be paid to a producer equal to a part of the deductible under the policy or plan of insurance—

"(I) at a county-wide level to the fullest extent practicable; or

"(II) in counties that lack sufficient data, on the basis of such larger geographical area as the Corporation determines to provide sufficient data for purposes of providing the coverage.

"(ii) TRIGGER.—Coverage offered under paragraph (3)(B) and clause (i) shall be triggered only if the losses in the area exceed 14 percent of normal levels (as determined by the Corporation).

"(iii) COVERAGE.—Subject to the trigger described in clause (ii), coverage offered under paragraph (3)(B) and clause (i) shall not exceed the difference between—

"(I) 85 percent; and

"(II) the coverage level selected by the producer for the underlying policy or plan of insurance.

"(iv) INELIGIBLE CROPS AND ACRES.—Crops for which the producer has elected under section 1116 of the Agricultural Act of 2014 to receive agriculture risk coverage and acres that are enrolled in the stacked income protection plan under section 508B shall not be eligible for supplemental coverage under this subparagraph.

"(v) CALCULATION OF PREMIUM.—Notwithstanding subsection (d), the premium for coverage offered under paragraph (3)(B) and clause (i) shall—

"(I) be sufficient to cover anticipated losses and a reasonable reserve; and

"(II) include an amount for operating and administrative expenses established in accordance with subsection (k)(4)(F)."

(c) PAYMENT OF PORTION OF PREMIUM BY CORPORATION.—Section 508(e)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(2)) is amended by adding at the end the following:

"(H) In the case of the supplemental coverage option authorized in subsection (c)(4)(C), the amount shall be equal to the sum of—

"(i) 65 percent of the additional premium associated with the coverage; and

"(ii) the amount determined under subsection (c)(4)(C)(v)(II), subject to subsection (k)(4)(F), for the coverage to cover operating and administrative expenses."

(d) APPLICATION DATE.—The Federal Crop Insurance Corporation shall begin to provide additional coverage based on an individual yield and loss basis, supplemented with coverage based on an area yield and loss basis, as described in the amendments made by this section, not later than for the 2015 crop year.

SEC. 11004. CROP MARGIN COVERAGE OPTION.

Section 508(c)(3) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)(3)) (as amended by section 11003) is amended—

- (1) in subparagraph (A)(ii), by striking "or" at the end;
- (2) in subparagraph (B), by striking the period at the end and inserting "; or"; and
- (3) by adding at the end the following:

"(C) a margin basis alone or in combination with the coverages available under subparagraph (A) or (B)."

SEC. 11005. PREMIUM AMOUNTS FOR CATASTROPHIC RISK PROTECTION.

Section 508(d)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(d)(2)) is amended by striking subparagraph (A) and inserting the following:

"(A) In the case of catastrophic risk protection, the amount of the premium established by the Corporation for each crop for which catastrophic risk protection is available shall be reduced by the percentage equal to the difference between the average loss ratio for the crop and 100 percent, plus a reasonable reserve, as determined by the Corporation."

SEC. 11006. PERMANENT ENTERPRISE UNIT SUBSIDY.

Section 508(e)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(5)) is amended by striking subparagraph (A) and inserting the following:

"(A) IN GENERAL.—The Corporation may pay a portion of the premiums for plans or policies of insurance for which the insurable unit is defined on a whole farm or enterprise unit basis that is higher than would otherwise be paid in accordance with paragraph (2)."

SEC. 11007. ENTERPRISE UNITS FOR IRRIGATED AND NONIRRIGATED CROPS.

Section 508(e)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(5)) is amended by adding at the end the following:

"(D) NONIRRIGATED CROPS.—Beginning with the 2015 crop year, the Corporation shall make available separate

enterprise units for irrigated and nonirrigated acreage of crops in counties".

SEC. 11008. DATA COLLECTION.

Section 508(g)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(g)(2)) is amended by adding at the end the following:

"(E) SOURCES OF YIELD DATA.—To determine yields under this paragraph, the Corporation—

"(i) shall use county data collected by the Risk Management Agency, the National Agricultural Statistics Service, or both; or

"(ii) if sufficient county data is not available, may use other data considered appropriate by the Secretary."

SEC. 11009. ADJUSTMENT IN ACTUAL PRODUCTION HISTORY TO ESTABLISH INSURABLE YIELDS.

Section 508(g) of the Federal Crop Insurance Act (7 U.S.C. 1508(g)) (as amended by section 11008) is amended—

(1) in paragraph (2)(A), by inserting "and paragraph (4)(C)" after "(B)"; and

(2) in paragraph (4)—

(A) by redesignating subparagraph (C) as subparagraph (D);

(B) in subparagraph (D) (as so redesignated), by inserting "or (C)" after "(B)"; and

(C) by inserting after subparagraph (B) the following:

"(C) ELECTION TO EXCLUDE CERTAIN HISTORY.—

"(i) IN GENERAL.—Notwithstanding paragraph (2), with respect to 1 or more of the crop years used to establish the actual production history of an agricultural commodity of the producer, the producer may elect to exclude any recorded or appraised yield for any crop year in which the per planted acre yield of the agricultural commodity in the county of the producer was at least 50 percent below the simple average of the per planted acre yield of the agricultural commodity in the county during the previous 10 consecutive crop years.

"(ii) CONTIGUOUS COUNTIES.—In any crop year that a producer in a county is eligible to make an election to exclude a yield under clause (i), a producer in a contiguous county is eligible to make such an election.

"(iii) IRRIGATION PRACTICE.—For purposes of determining whether the per planted acre yield of the agricultural commodity in the county of the producer was at least 50 percent below the simple average of the per planted acre yield of the agricultural commodity in the county during the previous 10 consecutive crop years, the Corporation shall make a separate determination for irrigated and nonirrigated acreage."

SEC. 11010. SUBMISSION OF POLICIES AND BOARD REVIEW AND APPROVAL.

(a) IN GENERAL.—Section 508(h) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)) is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(B) by striking "(1) IN GENERAL.—In addition" and inserting the following:

"(1) AUTHORITY TO SUBMIT.—

"(A) IN GENERAL.—In addition"; and

(C) by adding at the end the following:

"(B) REVIEW AND SUBMISSION BY CORPORATION.—The Corporation shall review any policy developed under section 522(c) or any pilot program developed under section 528 and submit the policy or program to the Board under this subsection if the Corporation, at the sole discretion of the Corporation, finds that the policy or program—

"(i) will likely result in a viable and marketable policy consistent with this subsection;

"(ii) would provide crop insurance coverage in a significantly improved form; and

"(iii) adequately protects the interests of producers"; and

(2) by striking paragraph (3) and inserting the following:

"(3) REVIEW AND APPROVAL BY THE BOARD.—

"(A) IN GENERAL.—A policy, plan of insurance, or other material submitted to the Board under this subsection shall be reviewed by the Board and shall be approved by the Board for reinsurance and for sale by approved insurance providers to producers at actuarially appropriate rates and under appropriate terms and conditions if the Board determines that—

"(i) the interests of producers are adequately protected;

"(ii) the proposed policy or plan of insurance will—

"(I) provide a new kind of coverage that is likely to be viable and marketable;

"(II) provide crop insurance coverage in a manner that addresses a clear and identifiable flaw or problem in an existing policy; or

"(III) provide a new kind of coverage for a commodity that previously had no available crop insurance, or has demonstrated a low level of participation or coverage level under existing coverage; and

"(iii) the proposed policy or plan of insurance will not have a significant adverse impact on the crop insurance delivery system.

"(B) CONSIDERATION.—In approving policies or plans of insurance, the Board shall in a timely manner—

"(i) first, consider policies or plans of insurance that address underserved commodities, including commodities for which there is no insurance;

"(ii) second, consider existing policies or plans of insurance for which there is inadequate coverage or there exists low levels of participation; and

"(iii) last, consider all policies or plans of insurance submitted to the Board that do not meet the criteria described in clause (i) or (ii).

"(C) SPECIFIED REVIEW AND APPROVAL PRIORITIES.—In reviewing policies and other materials submitted to the Board under this subsection for approval, the Board—

"(i) shall make the development and approval of a revenue policy for peanut producers a priority so that a revenue policy is available to peanut producers in time for the 2015 crop year;

"(ii) shall make the development and approval of a margin coverage policy for rice producers a priority so that a margin coverage policy is available to rice producers in time for the 2015 crop year; and

"(iii) may approve a submission that is made pursuant to this subsection that would, beginning with the 2015 crop year, allow producers that purchase policies in accordance with subsection (e)(5)(A) to separate enterprise units by risk rating for acreage of crops in counties."

(b) APPROVAL OF COSTS FOR RESEARCH AND DEVELOPMENT.—Section 522(b)(2) of the Federal Crop Insurance Act (7 U.S.C. 1522(b)(2)) is amended by striking subparagraph (E) and inserting the following:

"(E) APPROVAL.—

"(i) IN GENERAL.—The Board may approve up to 50 percent of the projected total research and development costs to be paid in advance to an applicant, in accordance with the procedures developed by the Board for the making of the payments, if, after consideration of the reviewer reports described in subparagraph (D) and such other information as the Board determines appropriate, the Board determines that—

"(I) the concept, in good faith, will likely result in a viable and marketable policy consistent with section 508(h);

"(II) at the sole discretion of the Board, the concept, if developed into a policy and approved by the Board, would provide crop insurance coverage—

"(aa) in a significantly improved form;

"(bb) to a crop or region not traditionally served by the Federal crop insurance program; or

"(cc) in a form that addresses a recognized flaw or problem in the program;

"(III) the applicant agrees to provide such reports as the Corporation determines are necessary to monitor the development effort;

"(IV) the proposed budget and timetable are reasonable, as determined by the Board; and

"(V) the concept proposal meets any other requirements that the Board determines appropriate.

"(ii) WAIVER.—The Board may waive the 50-percent limitation and, upon request of the submitter after the submitter has begun research and development activities, the Board may approve an additional 25 percent advance payment to the submitter for

research and development costs, if, at the sole discretion of the Board, the Board determines that—

"(I) the intended policy or plan of insurance developed by the submitter will provide coverage for a region or crop that is underserved by the Federal crop insurance program, including specialty crops; and

"(II) the submitter is making satisfactory progress towards developing a viable and marketable policy or plan of insurance consistent with section 508(h)."

SEC. 11011. CONSULTATION.

Section 508(h)(4) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)(4)) is amended by adding at the end the following:

"(E) CONSULTATION.—

"(i) REQUIREMENT.—As part of the feasibility and research associated with the development of a policy or other material for fruits and vegetables, tree nuts, dried fruits, and horticulture and nursery crops (including floriculture), the submitter prior to making a submission under this subsection shall consult with groups representing producers of those agricultural commodities in all major producing areas for the commodities to be served or potentially impacted, either directly or indirectly.

"(ii) SUBMISSION TO THE BOARD.—Any submission made to the Board under this subsection shall contain a summary and analysis of the feasibility and research findings from the impacted groups described in clause (i), including a summary assessment of the support for or against development of the policy and an assessment on the impact of the proposed policy to the general marketing and production of the crop from both a regional and national perspective.

"(iii) EVALUATION BY THE BOARD.—In evaluating whether the interests of producers are adequately protected pursuant to paragraph (3) with respect to a submission made under this subsection, the Board shall review the information provided pursuant to clause (i) to determine if the submission will create adverse market distortions with respect to the production of commodities that are the subject of the submission."

SEC. 11012. BUDGET LIMITATIONS ON RENEGOTIATION OF THE STANDARD REINSURANCE AGREEMENT.

Section 508(k)(8) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(8)) is amended by adding at the end the following:

"(F) BUDGET.—

"(i) IN GENERAL.—The Board shall ensure that any Standard Reinsurance Agreement negotiated under subparagraph (A)(ii) shall—

"(I) to the maximum extent practicable, be estimated as budget neutral with respect to the total amount of payments described in paragraph

(9) as compared to the total amount of such payments estimated to be made under the immediately preceding Standard Reinsurance Agreement if that Agreement were extended over the same period of time;

"(II) comply with the applicable provisions of this Act establishing the rates of reimbursement for administrative and operating costs for approved insurance providers and agents, except that, to the maximum extent practicable, the estimated total amount of reimbursement for those costs shall not be less than the total amount of the payments to be made under the immediately preceding Standard Reinsurance Agreement if that Agreement were extended over the same period of time, as estimated on the date of enactment of the Agricultural Act of 2014; and

"(III) in no event significantly depart from budget neutrality unless otherwise required by this Act.

"(ii) USE OF SAVINGS.—To the extent that any budget savings are realized in the renegotiation of a Standard Reinsurance Agreement under subparagraph (A)(ii), and the savings are determined not to be a significant departure from budget neutrality under clause (i), the savings shall be used to increase reimbursements or payments described under paragraphs (4) and (9)."

SEC. 11013. TEST WEIGHT FOR CORN.

Section 508(m) of the Federal Crop Insurance Act (7 U.S.C. 1508(m)) is amended by adding at the end the following:

"(6) TEST WEIGHT FOR CORN.—

"(A) IN GENERAL.—The Corporation shall establish procedures to allow insured producers not more than 120 days to settle claims, in accordance with procedures established by the Secretary, involving corn that is determined to have low test weight.

"(B) IMPLEMENTATION.—As soon as practicable after the date of enactment of this paragraph, the Corporation shall implement subparagraph (A) on a regional basis based on market conditions and the interests of producers.

"(C) TERMINATION OF EFFECTIVENESS.—The authority provided by this paragraph terminates effective on the date that is 5 years after the date on which subparagraph (A) is implemented."

SEC. 11014. CROP PRODUCTION ON NATIVE SOIL.

(a) **FEDERAL CROP INSURANCE.**—Section 508(o) of the Federal Crop Insurance Act (7 U.S.C. 1508(o)) is amended—

(1) in paragraph (1)(B), by inserting ", or the producer cannot substantiate that the ground has ever been tilled," after "tilled";

(2) in paragraph (2)—

(A) in the paragraph heading, by striking "INELIGIBILITY FOR" and inserting "REDUCTION IN";

(B) by striking subparagraph (A) and inserting the following:

"(A) IN GENERAL.—During the first 4 crop years of planting, as determined by the Secretary, native sod acreage that has been tilled for the production of an annual crop after the date of enactment of the Agricultural Act of 2014 shall be subject to a reduction in benefits under this subtitle as described in this paragraph," and

(C) by adding at the end the following:

"(C) ADMINISTRATION.—

"(i) REDUCTION.—For purposes of the reduction in benefits for the acreage described in subparagraph (A)—

"(I) the crop insurance guarantee shall be determined by using a yield equal to 65 percent of the transitional yield of the producer; and

"(II) the crop insurance premium subsidy provided for the producer under this subtitle, except for coverage authorized pursuant to subsection (b)(1), shall be 50 percentage points less than the premium subsidy that would otherwise apply.

"(ii) YIELD SUBSTITUTION.—During the period native sod acreage is covered by this subsection, a producer may not substitute yields for the native sod,"

(3) by striking paragraph (3) and inserting the following:

"(3) APPLICATION.—This subsection shall only apply to native sod acreage in the States of Minnesota, Iowa, North Dakota, South Dakota, Montana, and Nebraska."

(b) NONINSURED CROP DISASTER ASSISTANCE.—Section 196(a)(4) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7383(a)(4)) is amended—

(1) in the paragraph heading, by striking "INELIGIBILITY" and inserting "REDUCTION IN BENEFITS";

(2) in subparagraph (A)(ii), by inserting ", or the producer cannot substantiate that the ground has ever been tilled," after "tilled";

(3) in subparagraph (B)—

(A) in the subparagraph heading, by striking "INELIGIBILITY FOR" and inserting "REDUCTION IN";

(B) by striking clause (i) and inserting the following:

"(i) IN GENERAL.—During the first 4 crop years of planting, as determined by the Secretary, native sod acreage that has been tilled for the production of an annual crop after the date of enactment of the Agricultural Act of 2014 shall be subject to a reduction in benefits under this section as described in this subparagraph," and

(C) by adding at the end the following:

"(iii) REDUCTION.—For purposes of the reduction in benefits for the acreage described in clause (i)—

"(I) the approved yield shall be determined by using a yield equal to 65 percent of the transitional yield of the producer; and

"(II) the service fees or premiums for crops planted on native sod shall be equal to 200 percent of the amount determined in subsections (2)(2) or (k), as applicable, but in no case shall exceed the amount determined in subsection (2)(2)(B)(ii)."; and

(4) by striking subparagraph (C) and inserting the following:

"(C) APPLICATION.—This paragraph shall only apply to native sod acreage in the States of Minnesota, Iowa, North Dakota, South Dakota, Montana, and Nebraska."

(c) CROPLAND REPORT.—

(1) BASELINE.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the cropland acreage in each applicable county and State, and the change in cropland acreage from the preceding year in each applicable county and State, beginning with calendar year 2000 and including that information for the most recent year for which that information is available.

(2) ANNUAL UPDATES.—Not later than January 1, 2015, and each January 1 thereafter through January 1, 2018, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

(A) the cropland acreage in each applicable county and State as of the date of submission of the report; and

(B) the change in cropland acreage from the preceding year in each applicable county and State.

SEC. 11015. COVERAGE LEVELS BY PRACTICE.

Section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) is amended by adding at the end the following:

"(p) COVERAGE LEVELS BY PRACTICE.—Beginning with the 2015 crop year, a producer that produces an agricultural commodity on both dry land and irrigated land may elect a different coverage level for each production practice."

SEC. 11016. BEGINNING FARMER AND RANCHER PROVISIONS.

(a) DEFINITION.—Section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)) is amended—

(1) by redesignating paragraphs (3) through (9) as paragraphs (4) through (10), respectively; and

(2) by inserting after paragraph (2) the following:

"(3) BEGINNING FARMER OR RANCHER.—The term 'beginning farmer or rancher' means a farmer or rancher who has not actively operated and managed a farm or ranch with a bona fide insurable interest in a crop or livestock as an owner-operator, landlord, tenant, or sharecropper for more than 5 crop years, as determined by the Secretary."

(b) PREMIUM ADJUSTMENTS.—Section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) is amended—

(1) in subsection (b)(5)(E), by inserting "and beginning farmers or ranchers" after "limited resource farmers";

(2) in subsection (e), by adding at the end the following:

"(3) PREMIUM FOR BEGINNING FARMERS OR RANCHERS.—Notwithstanding any other provision of this subsection regarding payment of a portion of premiums, a beginning farmer or rancher shall receive premium assistance that is 10 percentage points greater than premium assistance that would otherwise be available under paragraphs (2) (except for

subparagraph (A) of that paragraph), (5), (6), and (7) for the applicable policy, plan of insurance, and coverage level selected by the beginning farmer or rancher; and

(8) in subsection (g)—

(A) in paragraph (2)(B)—

- (i) in clause (i), by striking "or" at the end;
- (ii) in clause (ii)(III), by striking the period at the end and inserting "; or"; and
- (iii) by adding at the end the following:
 "(iii) if the producer is a beginning farmer or rancher who was previously involved in a farming or ranching operation, including involvement in the decisionmaking or physical involvement in the production of the crop or livestock on the farm, for any acreage obtained by the beginning farmer or rancher, a yield that is the higher of—

"(I) the actual production history of the previous producer of the crop or livestock on the acreage determined under subparagraph (A); or

"(II) a yield of the producer, as determined in clause (i)."; and

(B) in paragraph (4)(B)(ii)—

- (i) by inserting "(I)" after "(ii)";
- (ii) by striking the period at the end and inserting "; or"; and
- (iii) by adding at the end the following:
 "(II) in the case of beginning farmers or ranchers, replace each excluded yield with a yield equal to 80 percent of the applicable transitional yield."

SEC. 11017. STACKED INCOME PROTECTION PLAN FOR PRODUCERS OF UPLAND COTTON.

(a) **AVAILABILITY OF STACKED INCOME PROTECTION PLAN FOR PRODUCERS OF UPLAND COTTON.**—The Federal Crop Insurance Act is amended by inserting after section 508A (7 U.S.C. 1508a) the following:

"SEC. 508B. STACKED INCOME PROTECTION PLAN FOR PRODUCERS OF UPLAND COTTON.

"(a) **AVAILABILITY.**—Beginning not later than the 2015 crop of upland cotton, the Corporation shall make available to producers of upland cotton an additional policy (to be known as the 'Stacked Income Protection Plan'), which shall provide coverage consistent with the Group Risk Income Protection Plan (and the associated Harvest Revenue Option Endorsement) offered by the Corporation for the 2011 crop year.

"(b) **REQUIRED TERMS.**—The Corporation may modify the Stacked Income Protection Plan on a program-wide basis, except that the Stacked Income Protection Plan shall comply with the following requirements:

- "(1) Provide coverage for revenue loss of not less than 10 percent and not more than 30 percent of expected county revenue, specified in increments of 5 percent. The deductible shall be the minimum percent of revenue loss at which indemnities are triggered under the plan, not to be less than 10 percent of the expected county revenue.
- "(2) Be offered to producers of upland cotton in all counties with upland cotton production—

"(A) at a county-wide level to the fullest extent practicable; or

"(B) in counties that lack sufficient data, on the basis of such larger geographical area as the Corporation determines to provide sufficient data for purposes of providing the coverage.

"(3) Be purchased in addition to any other individual or area coverage in effect on the producer's acreage or as a stand-alone policy, except that if a producer has an individual or area coverage for the same acreage, the maximum coverage available under the Stacked Income Protection Plan shall not exceed the deductible for the individual or area coverage.

"(4) Establish coverage based on--

"(A) the expected price established under existing Group Risk Income Protection or area wide policy offered by the Corporation for the applicable county (or area) and crop year; and

"(B) an expected county yield that is the higher of--

"(i) the expected county yield established for the existing area-wide plans offered by the Corporation for the applicable county (or area) and crop year (or, in geographic areas where area-wide plans are not offered, an expected yield determined in a manner consistent with those of area-wide plans); or

"(ii) the average of the applicable yield data for the county (or area) for the most recent 5 years, excluding the highest and lowest observations, from the Risk Management Agency or the National Agricultural Statistics Service (or both) or, if sufficient county data is not available, such other data considered appropriate by the Secretary.

"(5) Use a multiplier factor to establish maximum protection per acre (referred to as a 'protection factor') of not less than the higher of the level established on a program wide basis or 120 percent.

"(6) Pay an indemnity based on the amount that the expected county revenue exceeds the actual county revenue, as applied to the individual coverage of the producer. Indemnities under the Stacked Income Protection Plan shall not include or overlap the amount of the deductible selected under paragraph (1).

"(7) In all counties for which data are available, establish separate coverage levels for irrigated and nonirrigated practices.

"(c) PREMIUM.—Notwithstanding section 508(d), the premium for the Stacked Income Protection Plan shall--

"(1) be sufficient to cover anticipated losses and a reasonable reserve; and

"(2) include an amount for operating and administrative expenses established in accordance with section 508(k)(4)(F).

"(d) PAYMENT OF PORTION OF PREMIUM BY CORPORATION.—Subject to section 508(e)(4), the amount of premium paid by the Corporation for all qualifying coverage levels of the Stacked Income Protection Plan shall be--

"(1) 80 percent of the amount of the premium established under subsection (c) for the coverage level selected; and

"(2) the amount determined under subsection (c)(2), subject to section 508(k)(4)(F), for the coverage to cover administrative and operating expenses.

"(e) RELATION TO OTHER COVERAGES.—The Stacked Income Protection Plan is in addition to all other coverages available to producers of upland cotton."

(b) CONFORMING AMENDMENT.—Section 508(k)(4)(F) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)(F)) is amended by inserting "or authorized under subsection (c)(4)(G) or section 508B" after "of this subparagraph".

SEC. 11018. PEANUT REVENUE CROP INSURANCE.

The Federal Crop Insurance Act is amended by inserting after section 508B (as added by section 11017), the following:

"SEC. 508C. PEANUT REVENUE CROP INSURANCE.

"(a) IN GENERAL.—Effective beginning with the 2015 crop year, the Risk Management Agency and the Corporation shall make available to producers of peanuts a revenue crop insurance program for peanuts.

"(b) EFFECTIVE PRICE.—Subject to subsection (c), for purposes of the revenue crop insurance program and the multiperil crop insurance program under this Act, the effective price for peanuts shall be equal to the Rotterdam price index for peanuts or other appropriate price as determined by the Secretary, as adjusted to reflect the farmer stock price of peanuts in the United States.

"(c) ADJUSTMENTS.—

"(1) IN GENERAL.—The effective price for peanuts established under subsection (b) may be adjusted by the Risk Management Agency and the Corporation to correct distortions.

"(2) ADMINISTRATION.—If an adjustment is made under paragraph (1), the Risk Management Agency and the Corporation shall—

"(A) make the adjustment in an open and transparent manner; and

"(B) submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the reasons for the adjustment."

SEC. 11019. AUTHORITY TO CORRECT ERRORS.

Section 515(c) of the Federal Crop Insurance Act (7 U.S.C. 1515(c)) is amended—

(1) in the first sentence, by striking "The Secretary" and inserting the following:

"(1) IN GENERAL.—The Secretary";

(2) in the second sentence, by striking "Beginning with" and inserting the following:

"(2) FREQUENCY.—Beginning with"; and

(3) by adding at the end the following:

"(3) CORRECTIONS.—

"(A) IN GENERAL.—In addition to the corrections permitted by the Corporation as of the day before the date of enactment of the Agricultural Act of 2014, the Corporation shall establish procedures that allow an agent or an approved insurance provider, subject to subparagraph (B)—

"(i) within a reasonable amount of time following the applicable sales closing date, to correct errors in

information that is provided by a producer for the purpose of obtaining coverage under any policy or plan of insurance made available under this subtitle to ensure that the eligibility information is correct and consistent with information reported by the producer for other programs administered by the Secretary;

"(ii) within a reasonable amount of time following—

"(I) the acreage reporting date, to reconcile errors in the information reported by the producer with correct information determined from any other program administered by the Secretary; or

"(II) the date of any subsequent correction of data by the Farm Service Agency made as a result of the verification of information, to make conforming corrections; and

"(iii) at any time, to correct electronic transmission errors that were made by an agent or approved insurance provider, or such errors made by the Farm Service Agency or any other agency of the Department of Agriculture in transmitting the information provided by the producer for purposes of other programs of the Department to the extent an agent or approved insurance provider relied upon the erroneous information for crop insurance purposes.

"(B) LIMITATION.—In accordance with the procedures of the Corporation, correction to the information described in clauses (i) and (ii) of subparagraph (A) may only be made if the corrections do not allow the producer—

"(i) to avoid ineligibility requirements for insurance or obtain a disproportionate benefit under the crop insurance program or any related program administered by the Secretary;

"(ii) to obtain, enhance, or increase an insurance guarantee or indemnity if a cause of loss exists or has occurred before any correction has been made, or avoid premium owed if no loss is likely to occur; or

"(iii) to avoid an obligation or requirement under any Federal or State law.

"(C) EXCEPTION TO LATE FILING SANCTIONS.—Any corrections made within a reasonable amount of time, in accordance with established procedures, pursuant to this paragraph shall not be subject to any late filing sanctions authorized in the reinsurance agreement with the Corporation.

"(D) LATE PAYMENT OF DEBT.—In the case of a producer that has inadvertently failed to pay a debt due as specified by regulations of the Corporation and has been determined to be ineligible for crop insurance pursuant to the terms of the policy as a result of that failure, the Corporation may determine to allow the producer to pay the debt and purchase the crop insurance after the sales closing date, in accordance with procedures and limitations established by the Corporation."

SEC. 11020. IMPLEMENTATION.

Section 515 of the Federal Crop Insurance Act (7 U.S.C. 1515) is amended—

(1) in subsection (j), by striking paragraph (1) and inserting the following:

"(1) SYSTEMS MAINTENANCE AND UPGRADES.—

"(A) IN GENERAL.—The Secretary shall maintain and upgrade the information management systems of the Corporation used in the administration and enforcement of this subtitle.

"(B) REQUIREMENT.—

"(i) IN GENERAL.—In maintaining and upgrading the systems, the Secretary shall ensure that new hardware and software are compatible with the hardware and software used by other agencies of the Department to maximize data sharing and promote the purposes of this section.

"(ii) ACREAGE REPORT STREAMLINING INITIATIVE PROJECT.—As soon as practicable, the Secretary shall develop and implement an acreage report streamlining initiative project to allow producers to report acreage and other information directly to the Department,"

and
(2) in subsection (k), by striking paragraph (1) and inserting the following:

"(1) INFORMATION TECHNOLOGY.—

"(A) IN GENERAL.—For purposes of subsection (j)(1), the Corporation may use, from amounts made available from the insurance fund established under section 516(c), not more than—

"(i)(I) for fiscal year 2014, \$14,000,000; and

"(II) for each of fiscal years 2015 through 2018, \$9,000,000; or

"(ii) if the Acreage Crop Reporting Streamlining Initiative (ACRSI) project is substantially completed by September 30, 2015, not more than \$14,000,000 for each of the fiscal years 2015 through 2018.

"(B) NOTIFICATION.—The Secretary shall notify the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate of the substantial completion of the Acreage Crop Reporting Streamlining Initiative (ACRSI) project not later than July 1, 2015."

SEC. 11021. CROP INSURANCE FRAUD.

Section 516(b)(2) of the Federal Crop Insurance Act (7 U.S.C. 1516(b)(2)) is amended by adding at the end the following:

"(C) REVIEWS, COMPLIANCE, AND INTEGRITY.—

"(i) IN GENERAL.—For each of the 2014 and subsequent reinsurance years, the Corporation may use the insurance fund established under subsection (c), but not to exceed \$9,000,000 for each fiscal year, to pay costs—

"(I) to reimburse expenses incurred for the operations and review of policies, plans of insurance, and related materials (including actuarial and related information); and

"(II) to assist the Corporation in maintaining program actuarial soundness and financial integrity.

"(ii) SECRETARIAL ACTION.—For the purposes described in clause (i), the Secretary may, without further appropriation—

"(I) merge some or all of the funds made available under this subparagraph into the accounts of the Risk Management Agency; and

"(II) obligate those funds.

"(iii) MAINTENANCE OF FUNDING.—Funds made available under this subparagraph shall be in addition to other funds made available for costs incurred by the Corporation or the Risk Management Agency."

SEC. 11022. RESEARCH AND DEVELOPMENT PRIORITIES.

(a) AUTHORITY TO CONDUCT RESEARCH AND DEVELOPMENT, PRIORITIES.—Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) is amended—

(1) in the subsection heading, by striking "CONTRACTING";

(2) in paragraph (1), in the matter preceding subparagraph (A), by striking "may enter into contracts to carry out research and development to" and inserting "may conduct activities or enter into contracts to carry out research and development to maintain or improve existing policies or develop new policies to";

(3) in paragraph (2)—

(A) in subparagraph (A), by inserting "conduct research and development or" after "The Corporation may"; and

(B) in subparagraph (B), by inserting "conducting research and development or" after "Before";

(4) in paragraph (5), by inserting "after expert review in accordance with section 505(e)" after "approved by the Board";

(5) in paragraph (6), by striking "a pasture, range, and forage program" and inserting "policies that increase participation by producers of underserved agricultural commodities, including sweet sorghum, biomass sorghum, rice, peanuts, sugarcane, alfalfa, pennycress, dedicated energy crops, and specialty crops";

(6) by redesignating paragraph (17) as paragraph (25); and

(7) by inserting after paragraph (16), the following:

"(17) MARGIN COVERAGE FOR CATFISH.—

"(A) IN GENERAL.—The Corporation shall offer to enter into a contract with a qualified entity to conduct research and development regarding a policy to insure producers against reduction in the margin between the market value of catfish and selected costs incurred in the production of catfish.

"(B) ELIGIBILITY.—Eligibility for the policy described in subparagraph (A) shall be limited to freshwater species of catfish that are propagated and reared in controlled or selected environments.

"(C) IMPLEMENTATION.—The Board shall review the policy described in subparagraph (B) under section 508(h) and approve the policy if the Board finds that the policy—

"(i) will likely result in a viable and marketable policy consistent with this subsection;

"(ii) would provide crop insurance coverage in a significantly improved form;

"(iii) adequately protects the interests of producers; and

"(iv) meets other requirements of this subtitle determined appropriate by the Board.

"(18) BIOMASS AND SWEET SORGHUM ENERGY CROP INSURANCE POLICIES.—

"(A) IN GENERAL.—The Corporation shall offer to enter into 1 or more contracts with qualified entities to carry out research and development regarding—

"(i) a policy to insure biomass sorghum that is grown expressly for the purpose of producing a feedstock for renewable biofuel, renewable electricity, or biobased products; and

"(ii) a policy to insure sweet sorghum that is grown for a purpose described in clause (i).

"(B) RESEARCH AND DEVELOPMENT.—Research and development with respect to each of the policies required in subparagraph (A) shall evaluate the effectiveness of risk management tools for the production of biomass sorghum or sweet sorghum, including policies and plans of insurance that—

"(i) are based on market prices and yields;

"(ii) to the extent that insufficient data exist to develop a policy based on market prices and yields, evaluate the policies and plans of insurance based on the use of weather indices, including excessive or inadequate rainfall, to protect the interest of crop producers; and

"(iii) provide protection for production or revenue losses, or both.

"(19) STUDY ON SWINE CATASTROPHIC DISEASE PROGRAM.—

"(A) IN GENERAL.—The Corporation shall contract with 1 or more qualified entities to conduct a study to determine the feasibility of insuring swine producers for a catastrophic event.

"(B) REPORT.—Not later than 1 year after the date of the enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subparagraph (A).

"(20) WHOLE FARM DIVERSIFIED RISK MANAGEMENT INSURANCE PLAN.—

"(A) IN GENERAL.—Unless the Corporation approves a whole farm insurance plan, similar to the plan described in this paragraph, to be available to producers for the 2016 reinsurance year, the Corporation shall conduct activities or enter into contracts to carry out research and development to develop a whole farm risk management insurance plan, with a liability limitation of \$1,500,000, that allows a diversified crop or livestock producer the option to qualify for an indemnity if actual gross farm

revenue is below 85 percent of the average gross farm revenue or the expected gross farm revenue that can reasonably be expected of the producer, as determined by the Corporation.

"(B) ELIGIBLE PRODUCERS.—The Corporation shall permit producers (including direct-to-consumer marketers and producers servicing local and regional and farm identity-preserved markets) who produce multiple agricultural commodities, including specialty crops, industrial crops, livestock, and aquaculture products, to participate in the plan developed under subparagraph (A) in lieu of any other plan under this subtitle.

"(C) DIVERSIFICATION.—The Corporation may provide diversification-based additional coverage payment rates, premium discounts, or other enhanced benefits in recognition of the risk management benefits of crop and livestock diversification strategies for producers that—

"(i) grow multiple crops; or

"(ii) may have income from the production of livestock that uses a crop grown on the farm.

"(D) MARKET READINESS.—The Corporation may include coverage for the value of any packing, packaging, or any other similar on-farm activity the Corporation determines to be the minimum required in order to remove the commodity from the field.

"(21) STUDY ON POULTRY CATASTROPHIC DISEASE PROGRAM.—

"(A) IN GENERAL.—The Corporation shall contract with a qualified person to conduct a study to determine the feasibility of insuring poultry producers for a catastrophic event.

"(B) REPORT.—Not later than 1 year after the date of the enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subparagraph (A).

"(22) POULTRY BUSINESS INTERRUPTION INSURANCE POLICY.—

"(A) DEFINITIONS.—In this paragraph, the terms 'poultry' and 'poultry grower' have the meanings given those terms in section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182(a)).

"(B) AUTHORITY.—The Corporation shall offer to enter into a contract or cooperative agreement with an institution of higher education or other legal entity to carry out research and development regarding a policy to insure the commercial production of poultry against business interruptions caused by integrator bankruptcy.

"(C) RESEARCH AND DEVELOPMENT.—As part of the research and development conducted pursuant to a contract or cooperative agreement entered into under subparagraph (B), the entity shall—

"(i) evaluate the market place for business interruption insurance that is available to poultry growers;

"(ii) determine what statutory authority would be necessary to implement a business interruption insurance through the Corporation;

"(iii) assess the feasibility of a policy or plan of insurance offered under this subtitle to insure against a portion of losses due to business interruption or to the bankruptcy of an business integrator; and

"(iv) analyze the costs to the Federal Government of a Federal business interruption insurance program for poultry growers or producers.

"(D) DEADLINE FOR CONTRACT OR COOPERATIVE AGREEMENT.—Not later than 180 days after the date of enactment of this paragraph, the Corporation shall offer to enter into the contract or cooperative agreement required by subparagraph (B).

"(E) DEADLINE FOR COMPLETION OF RESEARCH AND DEVELOPMENT.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the research and development conducted pursuant to the contract or cooperative agreement entered into under subparagraph (B).

"(25) STUDY OF FOOD SAFETY INSURANCE.—

"(A) IN GENERAL.—The Corporation shall offer to enter into a contract with 1 or more qualified entities to conduct a study to determine whether offering policies that provide coverage for specialty crops from food safety and contamination issues would benefit agricultural producers.

"(B) SUBJECT.—The study described in subparagraph (A) shall evaluate policies and plans of insurance coverage that provide protection for production or revenue impacted by food safety concerns including, at a minimum, government, retail, or national consumer group announcements of a health advisory, removal, or recall related to a contamination concern.

"(C) REPORT.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subparagraph (A).

"(24) ALFALFA CROP INSURANCE POLICY.—

"(A) IN GENERAL.—The Corporation shall offer to enter into 1 or more contracts with qualified entities to carry out research and development regarding a policy to insure alfalfa.

"(B) REPORT.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subparagraph (A).

(b) FUNDING.—Section 522(e) of the Federal Crop Insurance Act (7 U.S.C. 1522(e)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A)—

(i) in the subparagraph heading, by striking "AUTHORITY.—" and inserting "CONDUCTING AND CONTRACTING FOR RESEARCH AND DEVELOPMENT.—"; and

(ii) by inserting "conduct research and development and" after "the Corporation may use to"; and

(B) in subparagraph (B), by inserting "conduct research and development and" after "for the fiscal year to";

(2) in paragraph (3), in the matter preceding subparagraph (A), by striking "to provide either reimbursement payments or contract payments"; and

(3) by striking paragraph (4).

SEC. 11023. CROP INSURANCE FOR ORGANIC CROPS.

(a) IN GENERAL.—Section 508(c)(6) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)(6)) is amended by adding at the end the following:

"(D) ORGANIC CROPS.—

"(i) IN GENERAL.—As soon as possible, but not later than the 2015 reinsurance year, the Corporation shall offer producers of organic crops price elections for all organic crops produced in compliance with standards issued by the Department of Agriculture under the national organic program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) that reflect the actual retail or wholesale prices, as appropriate, received by producers for organic crops, as determined by the Secretary using all relevant sources of information.

"(ii) ANNUAL REPORT.—The Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report on progress made in developing and improving Federal crop insurance for organic crops, including—

"(I) the numbers and varieties of organic crops insured;

"(II) the progress of implementing the price elections required under this subparagraph, including the rate at which additional price elections are adopted for organic crops;

"(III) the development of new insurance approaches relevant to organic producers; and

"(IV) any recommendations the Corporation considers appropriate to improve Federal crop insurance coverage for organic crops."

(b) CONFORMING AMENDMENT.—Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) (as amended by section 11022) is amended—

(1) by striking paragraph (10); and

(2) by redesignating paragraphs (11) through (25) as paragraphs (10) through (24), respectively.

SEC. 11024. PROGRAM COMPLIANCE PARTNERSHIPS.

(a) IN GENERAL.—Section 522(d) of the Federal Crop Insurance Act (7 U.S.C. 1522(d)) is amended by striking paragraph (1) and inserting the following:

"(1) PURPOSE.—The purpose of this subsection is to authorize the Corporation to enter into partnerships with public and private entities for the purpose of either—

"(A) increasing the availability of loss mitigation, financial, and other risk management tools for producers, with a priority given to risk management tools for producers of agricultural commodities covered by section 196 of the Agricultural Market Transition Act (7 U.S.C. 7383), specialty crops, and underserved agricultural commodities; or

"(B) improving analysis tools and technology regarding compliance or identifying and using innovative compliance strategies."

(b) OBJECTIVES.—Section 522(d)(3) of the Federal Crop Insurance Act (7 U.S.C. 1522(d)(3)) is amended—

(1) in subparagraph (F), by striking "and" at the end;

(2) by redesignating subparagraph (G) as subparagraph (H); and

(3) by inserting after subparagraph (F) the following:

"(G) to improve analysis tools and technology regarding compliance or identifying and using innovative compliance strategies; and"

SEC. 11025. PILOT PROGRAMS.

Section 523(a) of the Federal Crop Insurance Act (7 U.S.C. 1523(a)) is amended—

(1) in paragraph (1), by inserting ", at the sole discretion of the Corporation," after "may"; and

(2) by striking paragraph (5).

SEC. 11026. INDEX-BASED WEATHER INSURANCE PILOT PROGRAM.

Section 523 of the Federal Crop Insurance Act (7 U.S.C. 1523) is amended by adding at the end the following:

"(i) UNDERSERVED CROPS AND REGIONS PILOT PROGRAMS.—

"(1) DEFINITION OF LIVESTOCK COMMODITY.—In this subsection, the term 'livestock commodity' includes cattle, sheep, swine, goats, and poultry, including pasture, rangeland, and forage as a source of feed for that livestock.

"(2) AUTHORIZATION.—Notwithstanding subsection (a)(2), the Corporation may conduct 2 or more pilot programs to provide producers of underserved specialty crops and livestock commodities with index-based weather insurance, subject to the requirements of this section.

"(3) REVIEW AND APPROVAL OF SUBMISSIONS.—

"(A) IN GENERAL.—The Board shall approve 2 or more proposed policies or plans of insurance from approved insurance providers if the Board determines that the policies or plans provide coverage as specified in paragraph (2), and meet the conditions described in this paragraph.

"(B) REQUIREMENTS.—To be eligible for approval under this subsection, the approved insurance provider shall have—

"(i) adequate experience underwriting and administering policies or plans of insurance that are comparable to the proposed policy or plan of insurance;

"(ii) sufficient assets or reinsurance to satisfy the underwriting obligations of the approved insurance provider, and possess a sufficient insurance credit rating from an appropriate credit rating bureau, in accordance with Board procedures; and

"(iii) applicable authority and approval from each State in which the approved insurance provider intends to sell the insurance product.

"(C) REVIEW REQUIREMENTS.—In reviewing applications under this subsection, the Board shall conduct the review in a manner consistent with the standards, rules, and procedures for policies or plans of insurance submitted under section 508(h) and the actuarial soundness requirements applied to other policies and plans of insurance made available under this subtitle.

"(D) PRIORITIZATION.—The Board shall prioritize applications that provide a new kind of coverage for specialty crops and livestock commodities that previously had no available crop insurance, or has demonstrated a low level of participation under existing coverage.

"(4) PAYMENT OF PREMIUM SUPPORT.—

"(A) IN GENERAL.—The Corporation shall pay a portion of the premium for producers that purchase a policy or plan of insurance approved pursuant to this subsection.

"(B) AMOUNT.—The premium subsidy shall provide a similar dollar amount of premium subsidy per acre that the Corporation pays for comparable policies or plans of insurance reinsured under this subtitle, except that in no case shall the premium subsidy exceed 60 percent of total premium, as determined by the Corporation.

"(C) CALCULATION.—The premium subsidy, as determined by the Corporation, shall be calculated as—

"(i) a percentage of premium;

"(ii) a percentage of expected loss determined pursuant to a reasonable actuarial methodology; or

"(iii) a fixed dollar amount per acre.

"(D) PAYMENT.—Subject to subparagraphs (B) and (C), the premium subsidy under this subsection shall be paid by the Corporation in the same manner and under the same terms and conditions as premium subsidy for other policies and plans of insurance.

"(E) OPERATING AND ADMINISTRATIVE EXPENSE PAYMENTS.—

"(i) IN GENERAL.—Subject to clause (ii), operating and administrative expense payments may be made for policies and plans of insurance approved under this subsection in an amount that is commensurate with similar policies and plans of insurance reinsured under this subtitle, on the condition that the operating and administrative expenses are not included in premiums.

"(ii) LIMITATION.—Subject to subparagraph (F)(i), Federal reinsurance, research and development costs, other reimbursements, or maintenance fees shall not

be provided or collected for policies and plans of insurance approved under this subsection.

"(F) APPROVED INSURANCE PROVIDERS.—Any policy or plan of insurance approved under this subsection may be sold only by the approved insurance provider that submits the application and by any additional approved insurance provider that—

"(i) agrees to pay maintenance fees or other payments to the approved insurance provider that submitted the application in an amount agreed to by the applicant and the additional approved insurance provider, on the condition that the fees or payments shall be reasonable and appropriate to ensure that the policies or plans of insurance may be made available by additional approved insurance providers; and

"(ii) meets the eligibility criteria of paragraph (3)(B), as determined by the Board.

"(G) RELATIONSHIP TO OTHER PROVISIONS.—The requirements of this paragraph shall apply notwithstanding paragraph (6).

"(5) OVERSIGHT.—The Corporation shall develop and publish procedures to administer policies or plans of insurance approved under this subsection that—

"(A) require each approved insurance provider to report sales, acreage and claim data, and any other data that the Corporation determines to be appropriate, to allow the Corporation to evaluate sales and performance of the product; and

"(B) contain such other requirements as the Corporation determines necessary to ensure that the products—

"(i) do not have a significant adverse impact on the crop insurance delivery system;

"(ii) are in the best interests of producers; and

"(iii) do not result in a reduction of program integrity.

"(6) CONFIDENTIALITY.—

"(A) IN GENERAL.—All reports required under paragraph (5) and all other proprietary information and data generated or derived from applicants under this subsection shall be considered to be confidential commercial or financial information for the purposes of section 552(b)(4) of title 5, United States Code.

"(B) STANDARD.—If information concerning a proposal could be withheld by the Secretary under the standard for privileged or confidential information pertaining to trade secrets and commercial or financial information under section 552(b)(4) of title 5, United States Code, the information shall not be released to the public.

"(7) INELIGIBLE PURPOSES.—In no case shall a policy or plan of insurance made available under this subsection provide coverage substantially similar to privately available hail insurance.

"(8) FUNDING.—

"(A) LIMITATION ON EXPENDITURES.—Notwithstanding any other provision in this subsection, of the funds of the Corporation, the Corporation shall use to carry out this section not more than \$12,500,000 for each of fiscal

years 2015 through 2018, to remain available until expended.

"(B) RELATION TO OTHER PROGRAMS.—The amount of funds made available under this section shall be in addition to amounts made available under other provisions of this subtitle, including amounts made available under subsection (b)."

SEC. 11027. ENHANCING PRODUCER SELF-HELP THROUGH FARM FINANCIAL BENCHMARKING.

(a) **DEFINITION.**—Section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)) (as amended by section 11016(a)(1)) is amended—

(1) by redesignating paragraphs (7) through (10) as paragraphs (8) through (11), respectively; and

(2) by inserting after paragraph (6) the following:

"(7) **FARM FINANCIAL BENCHMARKING.**—The term 'farm financial benchmarking' means—

"(A) the process of comparing the performance of an agricultural enterprise against the performance of other similar enterprises, through the use of comparable and reliable data, in order to identify business management strengths, weaknesses, and steps necessary to improve management performance and business profitability; and

"(B) benchmarking of the type conducted by farm management and producer associations consistent with the activities described in or funded pursuant to section 1672D of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925f)."

(b) **PARTNERSHIPS FOR RISK MANAGEMENT FOR PRODUCERS OF SPECIALTY CROPS AND UNDERSERVED AGRICULTURAL COMMODITIES.**—Section 522(d)(3)(F) of the Federal Crop Insurance Act (7 U.S.C. 1522(d)(3)(F)) is amended by inserting "farm financial benchmarking" after "management."

(c) **CROP INSURANCE EDUCATION AND RISK MANAGEMENT ASSISTANCE.**—Section 524(a) of the Federal Crop Insurance Act (7 U.S.C. 1524(a)) is amended—

(1) in paragraph (3)(A), by inserting "farm financial benchmarking" after "risk reduction," and

(2) in paragraph (4), in the matter preceding subparagraph (A), by inserting "(including farm financial benchmarking)" after "management strategies".

SEC. 11028. TECHNICAL AMENDMENTS.

(a) Section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) is amended—

(1) in subsection (b)—

(A) by striking paragraph (7); and

(B) by redesignating paragraphs (8) through (11) as paragraphs (7) through (10), respectively;

(2) in subsection (c)(2), in the matter preceding subparagraph (A), by striking "paragraph (3)" and inserting "paragraphs (3), (6), and (7)"; and

(3) in subsection (k)(8)(C), by striking "subparagraph (A)(iii)" and inserting "subparagraph (A)(ii)".

(b) Section 522 of the Federal Crop Insurance Act (7 U.S.C. 1522) is amended—

- (1) in subsection (b)(4)(A), by striking "paragraphs (1)" and inserting "paragraph (1)"; and
- (2) in subsection (e)(1), by adding a period at the end.
- (c) Section 531(d)(3)(A) of the Federal Crop Insurance Act (7 U.S.C. 1531(d)(3)(A)) is amended—
 - (1) by striking "(A) ELIGIBLE LOSSES.—" and all that follows through "An eligible" in clause (i) and inserting the following: "(A) ELIGIBLE LOSSES.—An eligible";
 - (2) by striking clause (ii); and
 - (3) by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively, and indenting appropriately.
- (d) Section 901(d)(3)(A) of the Trade Act of 1974 (19 U.S.C. 2497(d)(3)(A)) is amended—
 - (1) by striking "(A) ELIGIBLE LOSSES.—" and all that follows through "An eligible" in clause (i) and inserting the following: "(A) ELIGIBLE LOSSES.—An eligible";
 - (2) by striking clause (ii); and
 - (3) by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively, and indenting appropriately.

TITLE XII—MISCELLANEOUS

Subtitle A—Livestock

SEC. 12101. TRICHINAE CERTIFICATION PROGRAM.

(a) **ALTERNATIVE CERTIFICATION PROCESS.**—The Secretary of Agriculture shall amend the rule made under paragraph (2) of section 11010(a) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8304(a)) to implement the voluntary trichinae certification program established under paragraph (1) of such section, to include a requirement to establish an alternative trichinae certification process based on surveillance or other methods consistent with international standards for categorizing compartments as having negligible risk for trichinae.

(b) **FINAL REGULATIONS.**—Not later than one year after the date on which the international standards referred to in subsection (a) are adopted, the Secretary shall finalize the rule amended under such subsection.

(c) **REAUTHORIZATION.**—Section 10405(d)(1) of the Animal Health Protection Act (7 U.S.C. 8304(d)(1)) is amended in subparagraphs (A) and (B) by striking "2012" each place it appears and inserting "2018".

SEC. 12102. SHEEP PRODUCTION AND MARKETING GRANT PROGRAM.

(a) **IN GENERAL.**—Subtitle A of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following:

"SEC. 209. SHEEP PRODUCTION AND MARKETING GRANT PROGRAM.

"(a) **ESTABLISHMENT.**—The Secretary of Agriculture, acting through the Administrator of the Agricultural Marketing Service, shall establish a competitive grant program for the purposes of strengthening and enhancing the production and marketing of sheep and sheep products in the United States, including through—

- "(1) the improvement of—
 - "(A) infrastructure;