

Instructions for Collecting Corn Checkoff Funds in Indiana

(updated 2/26/2025)

Rate	The assessment rate of \$0.005 (one-half cent) per bushel of corn sold in Indiana is fixed in the law and can be changed only by the Indiana State General Assembly. I.C. 15-15-12-32 (a)
Exemptions	Sweet corn, seed corn, and popcorn are not included in the checkoff. I.C. 15-15-12-3
Who pays	Anyone marketing corn in Indiana is to participate in the program. I.C. 15-15-12-8 (a) Exception: A buyer of corn who buys less than 100,000 bushels of corn annually for the buyer's own use as feed is not defined as a first purchaser and is not required to collect the checkoff. I.C. 15-15-12-8 (b)
Who collects	The first purchaser is the entity that buys grain from a producer. When a producer has pledged corn as collateral for a loan issued under a USDA price support loan program, and the producer forfeits the grain, the USDA Commodity Credit Corporation then becomes a first purchaser under the law. The first purchaser can be a country elevator, terminal, processor, trucker, or ethanol producer. This entity is responsible for collections. First purchasers are required to collect on all corn purchased regardless of the state of origin. I.C. 15-15-12-8
When is a first purchase	The law defines a first purchase as the "sale of corn at the first point of delivery, when the corn is weighed and graded and title to the corn is transferred." For the purpose of implementing this chapter, the Indiana Corn Marketing Council (ICMC) has determined that a first purchase will be complete when final settlement occurs between buyer and seller. I.C. 15-15-12-7
When to collect	Checkoff assessments are collected when the producer is paid in full.
Out-of-state corn	First purchasers are required to collect the checkoff on all corn sold in Indiana - including corn delivered from out-of-state producers. The ICMC is requesting that first purchasers voluntarily list the state of origin for all corn assessed on the ICMC remittance form. Out-of-state producers are eligible for refunds under the same procedures available to Indiana producers.
Remittance	First purchasers must send collected funds and a remittance report form to the ICMC on a quarterly basis. You need not send copies of settlement sheets. Please complete and mail the form or electronically submit even if you have not purchased corn during the quarter. Forms and payment must be submitted (postmarked or electronic) not later than the 30th day of the month following the quarter for which the report covers. Electronic payments must post in ICMC's account by that date. Remittances are payable to the <i>Indiana Corn Marketing Council</i> . Each quarter blank remittance report forms are sent to first purchasers, unless you have enrolled to submit electronically, you will then receive an email stating the Quarter is ready to file. The remittance schedule follows on the next page. I.C.15-15-12-32(b)

Remittance schedule:

<u>Quarter</u>	<u>Assessments Due</u>
July–September	October 30
October–December	January 30
January–March	April 30
April–June	July 30

Your check may cover multiple buying points within Indiana as long as the terminal is identified on the remittance report form.

A first purchaser who remits all assessments collected within 30 days after the end of the period is entitled to retain 3 percent of the total assessments as an administrative fee. **The corn checkoff assessment due date differs from the current federal soybean checkoff assessment due date, which is the last day of the month following the end of the quarter. I.C. 12-15-12-32 (c)**

Documentation

The sale document (i.e. settlement sheet) provided by first purchasers to producers must show that the checkoff assessment has been deducted. The sale document should include the name and address of the first purchaser, the name of the producer who paid the assessment, the number of bushels sold, the assessment paid by the producer, the date of assessment, and the state in which the corn was grown.

Compliance

This is a state law. First purchasers who do not collect the assessments or producers who do not pay will be in violation and subject to legal action.

A late payment charge of 2-percent will be added each month to assessments not remitted by the due date. For purpose of this clause, the postmark applied to the remitting envelope will be the determining date. **I.C. 15-15-12-36 (3) (A)**

A first purchaser shall keep detailed records of all assessments collected and remitted for at least three (3) years. These records shall be made available to the ICMC upon request from the Council. The council will periodically audit a first purchaser’s checkoff assessment and remittance records at the Council’s expense using a qualified public account of the Council’s choosing. **I.C. 15-15-12-35**

All first purchasers are treated equally. Auditors will ascertain that funds due were collected and remitted and that all corn purchased was assessed. They are not allowed to share financial or commercial information about your business with others. They will report to the ICMC whether or not your business is in compliance with applicable checkoff requirements.

Corn previously assessed

Corn that is resold is not assessed a second time. As stated in the law, *“The assessment may be imposed and collected on a quantity of corn only once and shall be collected by the first purchaser.”* First purchasers may use any system of their choice to verify collection of assessments on corn purchased previously.

Corn sold for seed

Corn raised by growers and delivered to seed companies is not assessed. **I.C. 15-15-12-3**

Corn under loan	The CCC (Commodity Credit Corporation) is <i>not</i> considered a first purchaser except in cases in which a grower actually forfeits corn under loan to the government under the corn marketing loan program. I.C. 15-15-12-8 (2)
Refunds - General	<p>If a producer has sold corn and the state assessment was deducted from the sale price of the corn, the producer may secure a refund equal to the amount deducted upon filing a written application with the ICMC. I.C. 15-15-12-33 (a)</p> <p>A producer who chooses to request a refund will simply fill out a refund application, attach a copy of a settlement sheet or other valid document showing the checkoff deduction, and mail it to the ICMC within 180 days of the transaction. The refund check will be mailed back within 30 days of receipt and verification of the completed refund application. Instructions for processing the refund applications can be found directly on the application. I.C. 15-15-12-33 (b)</p>
First Purchaser obligation to provide refund applications	<p>First Purchasers are required to provide every producer a refund application with the each settlement sheet during the first two (2) years of the program. After July 1, 2009 a first purchaser shall make application forms available in plain view at the first purchaser's place of business. I.C. 15-15-12-33 (c)</p> <p>Refund applications are produced by ICMC, and can be ordered by phone, mail, fax, or e-mail. Refund applications can also be found on-line at the www.incornandsoy.org website. Blank refund forms may also be photocopied.</p>
Assessment statements	<p>Following are preferred choices of wording when referring to the corn checkoff on such documents as sales receipts, settlement sheets, or checks:</p> <ul style="list-style-type: none">• Corn Promotion and Research Checkoff• Corn Promotion and Research Assessment• Corn Checkoff• Corn Checkoff Assessment
Confidentiality	As required by law, the commercial and financial information you supply to us is kept confidential. Only those people who need the information to manage the Corn Checkoff program have access to it. I.C. 16-39-2-3
Remittance address	Indiana Corn Marketing Council P.O. Box 6069 Dept 222 Indianapolis, IN 46206-6069
Further information	For further information or materials, please contact: Indiana Corn Marketing Council 8425 Keystone Crossing, Ste 200 Indianapolis, IN 46240 Toll-free phone: (877) 267-6444 Local phone: (317) 347-3620 Fax: (317) 347-3628 Online: www.incornandsoy.org