

Form 1028

Department of the
Treasury
Internal Revenue
Service (99)

Application for Recognition of Exemption Under Section 521 of the Internal Revenue Code

For the use of farmers', fruit growers', or like associations
applying for recognition of exempt cooperatives

See Separate Instructions.

OMB No.
1545-0058



Form 1028 (Rev. 09-2006) Catalog Number 17138N
Department of the Treasury **Internal Revenue Service** www.irs.gov



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If your organization does not have an organizing document, do not file this application. Every organization must furnish all the information specified on the form and in the instructions. An attachment may be used if more space is needed for any item. If the required information and appropriate documents are not submitted along with Form 8718 (with payment of the appropriate user fee), the application may be returned to you.

Part I Identification

1a	Full name of organization (See instructions.)	b	Employer identification number (See instructions.)

2a Number, street, and room or suite no. (or P.O. box number if mail is not delivered to street address)

b City or town, county, state, and ZIP code

3	Name and telephone number (including area code) of person to be contacted during business hours ()	4	Date incorporated or formed
		5	Month the annual accounting period ends

6a Has the organization filed Federal income tax returns? ☐ Yes ☐ No

b If “Yes,” state the form numbers, years filed, and Internal Revenue office where filed ▶

Part II

Type of Entity and Organizational Documents (See instructions.)

Check the applicable entity box below and attach a conformed copy of the organizing and operational documents listed.

- ☐ Corporation—Articles of Incorporation, bylaws
- ☐ Other—Constitution or Articles of Association, bylaws

Part III

Activities and Operational Information

1

Number of shares of each class of capital stock currently outstanding, if any, the value of the consideration for which issued, and the rate of dividend paid:

		Share	Amou	Rate of Dividend
a	Preferred stock (voting)	1a		
b	Preferred stock (nonvoting)	1b		
c	Common stock (voting)	1c		
		1d		

2

Number of shares of capital stock (other than nonvoting preferred) owned by:

a	Producers	2a	
b	Nonproducers	2b	
c	Current and active producers	2c	
d	Total number of shares—Add lines 2a and 2b	2d	
		2e	%

3

What provision is made for retiring the voting stock held by a nonproducer?

4

Describe who is accorded voting rights in the cooperative and how many votes one person may have. If a person may be entitled to more than one vote, explain in detail how voting rights are acquired.

5

Legal rate of interest in the state where the association is located ▲

Please Sign Here

▲

Under penalties of perjury, I declare that I am authorized to sign this application on behalf of the above organization; and I have examined this application, including the accompanying statements, and to the best of my knowledge and belief it is true, correct, and complete. (See General Instruction “C.”)

(Signature)

(Title or authority of signer)

(Date)

6

If the association issues any nonvoting preferred stock, explain whether the owners, upon dissolution or liquidation, may participate in the profits of the association beyond fixed dividends.

7a

Does state law require the accumulation and maintenance of reserves?

Yes

No

b

If “Yes,” state the names and purposes of the reserves and enter the amount of each:

8a

Does the association maintain or plan to maintain any reserve or reserves other than those required by state law?

Yes

No

b

If “Yes,” state the names and purposes of the reserves and enter the amount of each:

9	Does the association deal or plan to deal with both members and nonmembers?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
10a	Does the association pay or plan to pay patronage dividends?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
b	If “Yes,” are they paid or will they be paid to all patrons, both member and nonmember, on the same basis?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
11a	Is the allocation of patronage dividends based on an obligation in existence before the cooperative received the amounts allocated?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
b	If “Yes,” is the obligation in: <input type="checkbox"/> Organizing document (specify) ▶ <input type="checkbox"/> Bylaws				

12	Explain all of the activities in which the association is or will be engaged.
13	Explain how distribution is or will be made of the proceeds of products marketed for members and nonmembers. Also, if the organization operates on a basis of allocated units (i.e., functional, departmental, etc.), explain how losses are or will be treated.

14 Explain how the association charges for supplies and equipment bought for members and nonmembers.

15 Explain the requirements for membership in the association.

16 Federated cooperatives only:

- a** Are all the association's member cooperatives exempt under section 521? ☐ **Yes** ☐ **No**
- b** If “**No**,” do the nonexempt member cooperatives have the same annual accounting period as the association's? ☐ **Yes** ☐ **No**

c If “**No**,” to 16b, check the method below that the association used, or will use, to provide a common or comparable unit of time for analyzing and evaluating its operations and those of its members.

Note: *Methods listed below do not apply to the filing of returns or the manner in which operating results are reported by a federated cooperative and its members.*

- 1.** ☐ Method 1—The association uses the operations of members for those months that correspond to the months that make up its tax year.
 - 2.** ☐ Method 2—The association uses the tax years of members that end within its tax year.
 - 3.** ☐ Method other than 1 or 2 above (explain) ►
-

	Current tax year	3 prior tax years			
		(a) From _____	(b) _____	(c) _____	(d) _____
17 Value of agricultural products marketed or handled for: (See instructions.) *a Members— 1. Actually produced by members _____ 2. Not actually produced by members but marketed by them through the association b Nonmembers— 1. Actually produced by nonmembers _____ 2. Not actually produced by nonmembers but marketed by them through the association					
18 Value of supplies and equipment purchased for or sold to: (See instructions.) *a Members who were producers _____ b Nonmembers who were producers _____					
19 Amount of business done with the United States					

20 Does the association plan to do business with the United States Government or any of its agencies in the future? ☐ **Yes** ☐ **No**

21a Were all of the net earnings (after payment of dividends, if any, on capital stock) for the years shown on lines 17–19 distributed as patronage dividends? (See instructions for lines 17–19.) ☐ **Yes** ☐ **No**

b If “**No**,” were undistributed net earnings apportioned on the records to all patrons on a patronage basis? ☐ **Yes** ☐ **No**

22a Has the organization operated in a manner consistent with the information given since the date formed? ☐ **Yes** ☐ **No**

b If “**No**,” state the changes that have occurred and dates of the changes.

*If it is necessary to own one or more shares of stock in order to become a member, include on lines 17a and 18a only the amount of business transacted with persons actually owning the required number of shares.

Part IV

Financial Data (See instructions.)

Complete the Statement of Receipts and Expenditures and Balance Sheets for the current year and for each of the three immediately preceding years that the organization was in existence.

Statement of Receipts and Expenditures, for period ending _____, _____, _____.

(If you prepare a statement of receipts and expenditures that is more descriptive and detailed than the statement below, you may submit that statement instead of this one.)

Receipts	1	Gross dues and assessments from members		1	
	2	Gross dues and assessments from affiliated organizations		2	
	3a	Gross amount derived from activities related to organization's exempt purpose (attach schedule)			
	b	Less cost of goods sold		3c	
	4a	Gross amount from other business activities (attach schedule)			
	b	Less cost of goods sold		4c	
	5a	Gross amount received from sale of assets, excluding inventory items (attach schedule)			
	b	Less cost or other basis and sales expense of assets sold (attach schedule)		5c	
	6	Interest, dividends, rents and royalties		6	
	7	Other receipts (attach schedule)		7	
	8	Total receipts—Add lines 1 through 7 in far right column		8	

Expenditures	9	Compensation of officers, directors, and trustees (attach schedule)	9			
	10	Other salaries and wages	10			
	11	Interest	11			
	12	Rent	12			
	13	Depreciation and depletion	13			
	14	Dues and assessments to affiliated organizations	14			
	15	Other expenditures (see instructions—attach schedule)	15			
	16	Patronage dividends (see instructions—attach schedule)	16			
	17	Total expenditures —Add lines 9 through 16	17			
	18	Excess of receipts over expenditures (line 8 less line 17)	18			
Balance Sheets					Beginning date	Ending date
Assets	19	Cash	19			
	20	Trade notes and accounts receivable (less allowance for bad debts)	20			
	21	Inventories	21			
	22	Investments (attach schedule)	22			
	23	Other current assets (attach schedule)	23			
	24	Depreciable and depletable assets (less accumulated depreciation/depletion)	24			
	25	Land (net of any amortization)	25			
	26	Other assets (attach schedule)	26			
	27	Total assets	27			

Liabilities and Capital					
28	Accounts payable			28	
29	Mortgages, notes, bonds payable in less than one year			29	
30	Other current liabilities (attach schedule)			30	
31	Mortgages, notes, bonds payable in one year or more			31	
32	Other liabilities (attach schedule)			32	
33	Patronage dividends allocated in noncash form, other than capital stock and interest-bearing obligations				
34	Per-unit retains allocated in noncash form			34	
35	Capital stock (enter numbers at end of year):	Number of shares			
		Number of	Issued for money	Issued as patronage benefits	
a	Voting preferred stock	35a			
b	Nonvoting preferred stock	35b			
c	Voting common stock	35c			
d	Nonvoting common stock	35d			
36	Paid-in or capital surplus			36	
37	Retained earnings (attach schedule)			37	
38	Less cost of treasury stock			38	() ()
39	Total liabilities and capital			39	