

Georgia Department of Agriculture (GDA)

Frequently Asked Questions about the GATE Program

Q: How do I apply for the GATE Certificate?

The Georgia Department of Agriculture accepts online applications. To apply online, visit www.agr.georgia.gov.

Cooperative Extension offices and County Farm Bureau offices will often assist farmers in completing a GATE application online. Visit or call your nearest office for more details.

- A list of Georgia Farm Bureau offices is available at <https://www.gfb.org/about-us/contact-us.cms>.
- A list of county Extension Offices is available at <http://extension.uga.edu/county-offices.html>.

If you have any questions regarding the GATE Program application and renewal process, or need further assistance, you can email the Georgia Department of Agriculture at farmtax@agr.georgia.gov or call 1-855-FARM-TAX.

Q: Why is there a certification fee for the GATE card?

The Georgia General Assembly provided that an application fee be collected in order to cover the costs associated with administration of GATE program.

Q: How do I know if I am signing up for a 1, 2, or 3-year GATE certificate?

All new GATE certificates are for the 3-year period.

As program changes are being implemented, renewals will be phased in to cover one year, two years, or three years. The period is determined automatically and cannot be selected by the applicant. The length of your GATE Certificate is determined by your renewal amount.

- 1-year card = \$50
- 2-year card = \$100
- 3-year card = \$150

All GATE certificates renewed after 2020 will last 3 years.

Q: When does my GATE Certificate expire?

New GATE Certificates last for a 3-year period, and 2019 renewals may last for a 1-year, 2-year, or 3-year period. The expiration date for this period is always December 31 of the final year, regardless of what month the certificate was issued.

The actual card is valid for a single calendar year. You will receive a new card each year. There is no additional cost to cardholders for receiving the new cards.

Q: What do I need to do to replace a lost or stolen card?

You can request a replacement card for \$30 from the GATE website.

Q: If I am renewing, will my information auto-populate into the application/renewal page once I enter my GATE card number?

Cardholders renewing will get a mailed letter and an emailed letter containing a password. They will use their GATE# and password to access the system. User info will auto populate, but you will have to verify qualifications and requirements.

Q: How do I change my mailing address on my GATE card?

If you are renewing your GATE card, you can modify your mailing address and contact information while you are renewing. All GATE cardholders should review their personal information for accuracy at the time of renewal.

You can also update the mailing address and contact information on an active GATE card at any time from the GATE web page. You will need your password in order to log in and change this information.

We encourage you to keep your mailing address, email, and phone number current in the GATE system so that you can receive updates and information from GDA.

Q: Can retailers check someone's GATE status?

Yes, from the GATE webpage.

Q: The GATE application requires me to choose a NAICS code. What is a NAICS code and where can I find more information about what they mean?

NAICS stands for the North American Industry Classification System and defined by the United States Census Bureau. These codes identify virtually every type of business practice or service performed in the U.S. Under the GATE program only certain types of business or farming practices are allowed for participation. The eligible codes are listed in the official GATE Rules and Regulations.

Q: I farm several different crops and qualify under several different NAICS codes, how do I know which code to choose?

Many of our farmers could potentially qualify for GATE under different NAICS codes. For application purposes it is required to pick one NAICS code that best describes your farm's primary agricultural commodity. If you farm cotton, peanuts and soybeans for example we encourage you to pick the one NAICS code that best describes your operation. If cotton farming comprises the bulk of your farming operation then you would want to select "Cotton Farming – 11192".

Q: Where can I find more information about a specific NAICS code?

Additional information and full descriptions of each NAICS code can be found on the U.S. Census Bureau's website located at www.census.gov. The GATE program is based upon the 2017 NAICS codes and you can research each specific code to determine which one best describes your business or farm operation.

Q: What Taxpayer ID should I use as my "state taxpayer identification number"?

The state taxpayer identification number submitted must be the tax number associated with your federal tax return which reflects your farm revenues and is needed by tax revenue officials to match the qualifying information on your application to the tax documentation held on file with the State of Georgia.

The system will accept the following types of taxpayer ID's:

- Georgia Sales and Use Tax number
- Georgia Corporate Income Tax number (FEIN - Federal Employee Identification #)
- Georgia Individual Income Tax number (Social Security number)
- "Out-of-state" will use either SS# or FEIN

Applicants can identify their appropriate tax number by registering with the Georgia Tax Center website:

<http://gtc.dor.ga.gov>

Q: Can I use my GATE card for all of my farm purchases?

You can only use your GATE card for qualifying agriculture related products that you will use for your own operations on your farm. An Exemption Guide with detailed information on which agricultural products are qualified is available at the GATE website.

Q: My application was denied. How do I appeal this decision? What is the appeal process?

If you are denied certification, then you will be given a reason for the denial and the licensing fee will be returned to the to you. Any denial may be appealed to the Georgia Agriculture Tax Exemption Advisory Board in writing within 30 days of denial. Appeals should be sent to the Georgia Agriculture Tax Exemption Program at 19 Martin Luther King Jr. Drive, Suite 601, Atlanta GA 30334.

Q: Can I qualify for a GATE card if I don't have timber income every year?

Yes, timber growers can qualify under the long-term income provision assuming you can generate an average of \$5,000/yr.

Q: I clear cut my timber last year. I plan to have it replanted this year. I don't intend to cut it for 15 years. Am I eligible for a GATE Card?

Ultimately, the size of your timber tract/s will determine if you are eligible. In the example above, the tract/s of timber would need to be able to produce \$75,000 of revenue if harvested 15 years from the time of planting.

Q: Can I qualify for a GATE card if I am involved in irrigation sales and service? Specifically, can I qualify under the NAICS code 11511, "Support Activities for Crop Production"?

An irrigation business could not qualify because they would be considered a contractor.

Q: I just retired and want to get some cows. Will I be able to use a GATE Card?

Sales tax are not normally charged on cattle purchases. You can qualify for the GATE card if you show that you will be making an excess of \$5,000 a year in your cattle business.

Q: Does rent for my farm count toward income?

Yes

17. I rent my land out and the rent is over \$5,000.00. Can I get a GATE Card?

Yes

Q: I operate a cotton gin, do I qualify?

Yes. GDA rules include any agribusiness that meets one of the qualifications for an agricultural producer as well as having an NAICS code listed in the rules will qualify. Cotton gins have an NAICS code – 115111, so if a producer meets the qualifications, he or she would qualify.

Q: I am in the furniture industry; do I qualify as an agricultural producer?

Sorry, but you do not qualify for the GATE Program.

Q: I operate a sawmill; do I qualify as an agricultural producer?

Sorry, but you do not qualify for the GATE Program.

Q: I ordered \$6,000 worth of fertilizer and it was delivered and spread on my farm. I had to pay sales tax as I did not have a GATE card. I have now applied and received my card. Can I get my tax money back on that fertilizer purchase?

No, the GATE Card must be acquired before someone may receive the sales and use tax exemption.

Q: I am a farmer with multiple meters used for poultry/irrigation under different LLCs. Do I need a separate card for each LLC?

Yes. Sales tax exemptions are granted to separate legal entities that would be subject to separate registration for tax purposes. If a farmer has multiple legal entities operating under separate legal names, who each own/operate exempt machinery, equipment, or receive exempt energy through meters they would need to apply for separate GATE cards.

If you have separate meters your utility provider(s) may require a GATE addendum for “Metered Energy Sold to A Qualified Agriculture Producer”. You can locate the GATE addendum from the GATE website.

Q: I had severe loss in my pecan orchard and it may take me longer than 10 years to produce a good crop. Can I still get a GATE Card?

In the example above, the pecan orchard would need to be able to produce at least \$50,000 of revenue from the orchard 10 years after the time of loss.

If you have any other specific question regarding the GATE Program, please email the Georgia Department of Agriculture at farmtax@agr.georgia.gov or call 1-855-FARM-TAX.