PACE UNIVERSITY | ELISABETH HAUB SCHOOL OF LAW | FOOD LAW INITIATIVE

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Last updated July 6, 2020

FAQ on Funding Programs Available to Small and Mid-Size Farms in Response to COVID-19

Q: We are a farm financially struggling as a result of the Covid-19 pandemic. I know there are funding programs to help, but there is so much information being shared on this that it's overwhelming. What should I do right now?

A: *First*, we recommend that you consider whether you are eligible for the SBA's Paycheck Protection Program (PPP). If you think you may be eligible for a loan amount that can make a difference for your business, we recommend that you apply ASAP, for two reasons:

(1) PPP loans are forgivable, meaning that if the conditions are met this can be free money.

(2) PPP loans are available on a first-come first-serve basis. The deadline for applications, originally set for June 30, was recently extended to August 8, 2020.

Given the potential impact of the PPP for farms, and the number of questions that have arisen in how it applies to farms, the bulk of this FAQ addresses these questions below under *Paycheck Protection Program (PPP)*.

Second, we recommend considering if you are eligible for the SBA's other COVID-19 relief funding program, the Economic Injury and Disaster Loan (EIDL) program. As a result of the latest round of funds appropriated by Congress in response to the pandemic, beginning on June 15, the SBA is again accepting applications for EIDL from all qualified small businesses and U.S. agricultural businesses. If you think you may benefit from this program, we encourage you to apply ASAP before the funding runs out again. The program is detailed below under *Economic Injury and Disaster Loan (EIDL)*.

Third, we recommend confirming if you are eligible for a payment under the USDA's Coronavirus Food Assistance Program (CFAP). More information on CFAP is detailed below under *USDA Programs*.

Fourth, there are a number of private as well as state and local programs for grants or loans to support businesses affected by the pandemic. Whether or not you apply for PPP, we recommend looking into what other funding programs you may be eligible for. This FAQ addresses a few of these programs below under *Private, State, and Local Funding Programs*.

Finally, you may be eligible for unemployment benefits if you are considered unemployed or under-employed as a result of COVID-19, including if you are a self-employed farmer. This FAQ is focused on funding programs so does not address this issue in depth, but the topic is addressed in brief below under *Q: As a self-employed farmer, can I apply for both unemployment benefits and a PPP loan?*

Paycheck Protection Program (PPP)

Q: What is the Paycheck Protection Program (PPP)?

A: PPP is a Small Business Administration (SBA) loan program under the CARES Act designed to allow small businesses and 501(c)(3) and 501(c)(19) nonprofits to keep paying their workers. This includes *farm businesses*. Most importantly, these loans are forgivable – *i.e. if the program's conditions are met, you do not have to pay the money back.*

Businesses are eligible to apply for a PPP loan if any of the following requirements are met: (1) the business employs 500 or fewer employees, (2) the business meets the SBA employee-based or revenue-based size standard corresponding to its primary industry (click *here* for information on this standard), or (3) the business satisfies the SBA's "alternative size standard." Based on the test in (1) above, all small and mid-sized farms should be eligible.

Q: How do I apply for a PPP loan?

A: Ask your bank if they are providing PPP loans. Applications can be submitted through any existing SBA 7(a) lenders or through any federally insured depository institution, federally insured credit union or Farm Credit System institution that is participating. Current eligible lenders can be found by searching the SBA website *here*. Applications can be made until August 8, pursuant to the Paycheck Protection Program Extension Act signed on July 4.

A two-page sample application form is available here. Please consult your local banks for their official applications. A list of lenders participating in the PPP program by state is available here. For updated information on requirements and new deadlines visit the SBA's page on PPP here.

Q: How much money will I receive through the PPP?

A: The payout you receive will be based on your average monthly payroll expense, measured over a 12 month period, multiplied by 2.5.

The SBA broadly defines "payroll" to include an average month of: wages and commissions for all full-time and part-time employees (wages for high-earning individuals are capped at $100,000/year); the amount of tips typically made by workers (including cash ones); payments for vacation and sick leave; costs of benefits; and of state and local employment taxes. For a self-employed individual or independent contractor, payroll includes wage, commissions, income, or net earnings from self-employment or similar compensation (determining payroll in these situations is addressed in more detail below).

Significantly, compensation to independent contractors and to any employees with a primary residence outside of the United States *does not* count as payroll for PPP purposes. Based on the latter restriction, compensation to H2-A farm workers likely does not count as payroll.

Q: How much of my loan will be forgiven?

A: The PPP Loan is forgivable to the extent its proceeds are used during a specified period following loan disbursement for the categories established under the CARES Act: (1) payroll costs, (2) rent under lease agreements in force before Feb. 15, 2020, (3) utilities for which service began before Feb. 15, 2020, or (4) interest for mortgage obligations incurred before Feb. 15, 2020. Originally, the proceeds were required to be spent during an 8-week covered period, but the PPP Flexibility Act passed on June 5 introduced the option of electing a longer covered period of 24 weeks or December 31, 2020, whichever comes earlier. In addition, at least 60% of the forgiven amount must be used for payroll (prior to the PPP Flexibility Act, the requirement was 75%).

On June 17, the SBA released a new and more user-friendly PPP Loan Forgiveness Application pursuant to the PPP Flexibility Act's new rules, which has fewer calculations and required documentation. The SBA also published a *new "EZ" version* of the application for borrowers who (a) are self-employed and have no employees, or (b) did not reduce the salaries or wages of their employees by more than 25%, and did not reduce the number of hours of their employees, or (c) experienced reductions in business activity as a result of health directives related to COVID-19 and did not reduce the salaries or wages of their employees by more than 25%.

The full PPP Flexibility Act bill text can be found here. The "EZ" Loan Forgiveness application instructions can be found here. The latest Interim Final Rule on this topic can be found here.

Q: Will my loan forgiveness be affected if I lay off employees?

A: Because the goal of the PPP is to allow small businesses to continue to pay their workers, forgiveness is based on the employer maintaining or quickly rehiring employees and maintaining salary levels. Forgiveness will be reduced if full-time headcount declines, or if salaries and wages decrease. The PPP Flexibility Act extended the deadline for when laid off employees must be rehired from June 30 to December 31, 2020, and established a few exemptions for when reductions in the number of full-time equivalent employees will not impact the loan forgiveness. It is worth checking whether you fall in one of those exemptions in the links indicated below.

For more information on the initial forgiveness requirements click here. For more information on the forgiveness requirements as modified by the PPP Flexibility Act click here.

Q: What if I do work for my own farm business, or for a farm business that I own with others? Can we still qualify for PPP if we don't have any salaried employees on payroll, and if so how if the loan amount determined?

A: You may still eligible for the PPP, if you can demonstrate self-employment income in 2019, as detailed below. Your lender will want to see all documents related to any wage, commission, income, or net earnings from self-employment that you have received. What constitutes self-employment income for this purpose depends on your legal structure and tax status. In additional guidance provided on April 24, the SBA clarified the treatment of self-employment income under different situations as follows:

- Sole Proprietors: Your payroll will be the sole proprietorship's net profit. In order to find their 2019 net farm profit (or loss), self-employed farmers should use the amount listed on their IRS Form 1040 Schedule F line 34 (whereas for non-farm sole proprietorships, it would be based on Schedule C line 31). Then, multiply this number by 2.5/12 to determine 2.5 months of average monthly payroll, which is the eligible loan amount. However, if the amount shows a loss you do not qualify for a PPP based on self-employment earnings (and therefore could only qualify based on employee payroll costs, if you have any). It's also worth noting that if you share a sole proprietorship with a spouse, you cannot include your spouse in this application unless they are a W-2 employee.

- Partnerships/LLCs: If you are a partner in a partnership (or a member in an LLC taxed as a partnership) you may not submit a separate PPP loan application for yourself as a self-employed individual. Instead, the partnership (or LLC) itself may file a PPP loan application, including the self-employment income of "general active partners" as payroll costs. The SBA has clarified that for PPP payroll costs calculation purposes, this includes any U.S based general partners that are subject to self-employment tax. Their income will be the amount shown on line 14a of the partner's Schedule K-1 (reduced by expense deduction claimed under section 179, unreimbursed partnership expenses and depletion claimed). The result should then be multiplied by 0.9235 and just like with any other payroll counted for PPP purposes, this amount would be capped at $100,000 for each partner. Then, multiply this number by 2.5/12 to determine 2.5 months of average monthly payroll, which is the eligible loan amount. See the April 24 SBA guidance on this topic linked to below for more detail.

- S-Corporations and C-Corporations: Your payroll will be the total of all 2019 gross wages and tips paid to employees with principal place of residence in the U.S. (2019 IRS Form 941 Taxable Medicare wages & tips – line 5c, column 1) from each quarter, added by any pre-tax employee contributions for health insurance and other benefits (excluded from Taxable Medicare wages & tips), again capped at $100,000 per employee. If you are the owner or co-owner of the corporation, this would include wages paid to yourself as an employee. Then, multiply this number by 2.5/12 to determine 2.5 months of average monthly payroll, which is the eligible loan amount. See the April 24 SBA guidance on this topic linked to below for more detail.

If you also have W-2 employees, you can include the cost of their salaries and certain benefits as detailed in the April 24 SBA guidance. Keep in mind that all salaries are subject to the cap of $100,000 and you cannot include any 1099 independent contractors or any employees whose primary residence is outside of the United States.

For guidance from the SBA on application of the PPP for self-employed individuals, see the SBA's supplemental Interim Final Rule on this topic [here](#) and their more detailed April 24 guidance on this topic [here](#).

Q: We are a small farm that relies on owner and family labor, with little to show for payroll in 2019. Is this program simply not helpful for us?

A: Unfortunately, if the self-employment income you can show for 2019 (as described above) is zero or negative, and you did not have any W-2 employees on payroll in 2019, you will not be eligible for PPP. And if your self-employment income in 2019 was minimal, you will only qualify for a small amount: remember, the loan amount is based on your average monthly payroll expense multiplied by 2.5.

That being said, if you think there may be a way to demonstrate sufficient income, we encourage you to contact your bank or consult with an accountant. The official guidance on these matters is not complete and is frequently updated, so you should not be discouraged from exploring your eligibility if you think you have a chance.

Q: How is loan forgiveness determined if I am self-employed?

A: In order for the loan to be fully forgiven, at least 60% of the forgiven amount must have been used for payroll. As detailed above, to determine eligible payroll costs associated with self-employment income, you may need to look to net earnings reported on your Schedule F (for sole proprietor farms) or self-employment income reported on your Schedule K-1 (for partnerships/LLCs). But how does that work for determining the amount of the PPP loan spent on self-employment "payroll" during the 8-week or 24-week covered period following loan disbursement (when your annual net earnings or self-employment income for 2020 will of course still be unknown)? The answer from the SBA (updated to address the extended covered period introduced by the PPP Flexibility Act) is that you can count either 8 weeks' worth (8/52) of 2019 net profit for a 8-week covered period *or* 2.5 months' worth of 2019 net profit for a 24-week covered period as "owner compensation replacement" for purposes of determining self-employment "payroll" in the covered period following loan disbursement. If you also have any actual payroll costs for W-2 workers in that period, those would also be counted for loan forgiveness purposes. Consequently, if you are a self-employed borrower and your loan amount was determined based on 2.5 months of 2019 net profit, you can now have that entire amount forgiven.

For the latest SBA guidance on calculation of loan forgiveness for self-employed borrowers, see here. The new PPP Loan Forgiveness forms (both the full version and the "EZ" version), as well as its instructions and other guidance can be found on the SBA's website here.

Q: What if I am a seasonal farm business? Will there be a mismatch between the payroll that is counted for determining my loan amount, and my actual payroll needs during the time I will use the loan?

A: To determine number of employees and average payroll costs for purposes of determining the maximum eligible PPP loan amount, *generally* borrowers can use average monthly payroll based on data either from the previous 12 months or from the calendar year 2019.

However, *seasonal* businesses are permitted to instead use average monthly payroll during a shorter period in 2019. Previous guidance indicated that seasonal businesses could use average monthly payroll for the period between February 15, 2019 and June 30, 2019, or between March 1, 2019 and June 30, 2019. For businesses that have greater payroll needs during summer months, that calculation would have resulted in the loan amount being insufficient to cover summer payroll. Fortunately, on April 27, the SBA issued further guidance permitting seasonal businesses to base the calculation on average monthly payroll during the periods above, *or* on any consecutive 12-week period between May 1, 2019 and September 15, 2019. The latter option will be more beneficial for seasonal businesses with greater payroll needs during these months.

For information on this topic, see the SBA's April 27 Interim Final Rule found here.

Q: What if I am an independent contractor for farm related businesses? Do I qualify for the PPP loan?

A: As an independent contractor you may still be eligible for the PPP. Your payroll cost will be the sum of your income earned through freelance work, as reported on the 2019 1099-MISC forms you received. If you have already filed your 2019 taxes, this will be added together already on Line 31 of your 2019 Schedule C. If you have not filed your 2019 taxes, you will still need to fill out a Schedule C in order to qualify for the PPP.

Q: As a self-employed farmer, can I apply for both unemployment benefits and a PPP loan?

A: Self-employed individuals and independent contractors are eligible for unemployment benefits if they find themselves unemployed, partially unemployed, or unable to work due to COVID-19. The CARES Act created a new temporary federal program called Pandemic Unemployment Assistance (PUA), which temporarily expanded unemployment benefits to certain categories of individuals who would not otherwise be eligible. It is possible that self-employed farmers who are unable to sell products because of COVID-19 may be eligible for benefits under PUA. For more detail on this topic, see pages 17-22 of the Farmers' Guide to COVID-19 Relief published by Farmers' Legal Action Group, Inc.

However, participation in the PPP may make you ineligible for state-administered unemployment compensation or unemployment assistance programs. You should consider your eligibility and the payout of each program to determine which is the best fit for you.

Q: I have already let go of employees who are pursuing unemployment benefits. Can I still apply for the PPP program?

A: Yes. In order to qualify for PPP loan forgiveness, the SBA requires you to maintain your monthly payroll expenses**.** However, this doesn't mean that you can't pursue the PPP for a loan; not maintaining those payroll numbers will simply reduce the amount eligible for forgiveness.

Q: Are there any other programs that support keeping my employees on payroll through this crisis, if I do not obtain a PPP loan?

A: Yes. Another option is the Employee Retention Credit (ERC). The credit is a refundable payroll tax credit that employers can claim on their federal employment tax return to cover employee wages and qualified health plan expenses. Eligible employers are those who carry on a trade or business during the calendar year 2020 that experiences either of the following: a full or partial suspension of operations during any calendar quarter in 2020 due to Covid-19 related government orders, or experiences a decline in gross receipts during the calendar year. However, the ERC is not available if you participate in the PPP.

In addition to the ERC, employers may defer the deposit and payment of the employer's portion of social security taxes. Deferment does not preclude you from getting a PPP loan, but once your PPP loan is forgiven you are not permitted to continue deferring these payments.

Finally, employers who are required under the CARES Act to provide paid leave to employees impacted by COVID-19 are entitled to receive a tax credit for the amount of the paid leave wages. Participation in the PPP does not affect this tax credit.

See the following links for more information from the IRS on the ERC, the deferment of social security tax, and the paid leave tax credit.

A complete list with all Interim Final Rules released for PPP guidance can be found here. The latest FAQ provided by SBA as of May 19 addressing further potential questions can be found here.

Economic Injury and Disaster Loan (EIDL)

Q: What about the SBA's other loan program, the Economic Injury Disaster Loan (EIDL) Program? Can farms apply for that as well?

A: ***With the signing of the new relief package on April 24, farm businesses are now eligible for the EIDL program and may also qualify for the $10,000 emergency grants.*** While farm businesses (other than agricultural cooperatives, aquaculture enterprises, or nurseries) were originally excluded from eligibility, Congress included express language in the April 21 SBA funding package to ensure that farmers and ranchers are eligible for the EIDL program. After funds for the EIDL program were exhausted on May 4 the SBA announced that they would begin accepting new EIDL and EIDL Advance applications on a limited basis *only* to provide relief to *U.S. agricultural businesses*. For agricultural businesses that submitted an EIDL application through the streamlined application portal prior to the change, SBA announced they will process these applications without the need for re-applying. Currently, as a result of the latest round of funds appropriated by Congress in response to the pandemic, as of June 15, the SBA is accepting applications from all qualified small businesses and U.S. agricultural businesses.

The EIDL program can provide up to $2 million in loans to small businesses or nonprofits that suffer substantial economic injury as a result of a declared disaster. This program also includes a unique feature known as the Economic Injury Disaster Loan Emergency Advance, which provides an emergency advance of up to $10,000 that businesses do not have to pay back. The amount of your emergency advance, which you request when you fill out your EIDL application, is determined by the number of employees you have at $1,000 per employee with a maximum grant of $10,000.

For purposes of eligibility, agricultural businesses include those businesses engaged in the production of food and fiber, ranching, and raising of livestock, aquaculture, and all other farming and agricultural related industries (per section 18(b) of the Small Business Act (15 U.S.C. 647 (b)).To be eligible, agricultural businesses must employ 500 or fewer employees and will have to show that they have been hurt by the economic downturn caused by coronavirus. Applications for the program are administered by the Small Business Administration.

The size of the EIDL depends on the amount of economic injury that a business has suffered, and may range up to $2 million. This amount is determined by the SBA on a case-by-case basis after businesses apply. The interest rate is 3.75% for companies and 2.75% for non-profits, and the loan term can be as long as 30 years. The EIDL also includes an automatic one-year deferral on repayment, though interest begins to accrue when the loan is disbursed.

For updated information on the New Eligibility applications limited to U.S. agricultural businesses click here.

Q: How do I apply for an EIDL loan?

A: To apply for the EIDL you must submit an application directly to the SBA (unlike PPP, applications do not go through local lenders). The application is linked below.

For the EIDL application form and additional information on eligibility, click here. For additional information on the EIDL Emergency Advance, click here.

Q. **As a self-employed farmer, can I still benefit from the EIDL even if I don't have any employees?**

A. Yes. However, if you have few or no employees, the emergency advance component of your loan will be limited since the amount you will receive is capped at $1,000 per employee. Even so, while the SBA has not issued clear guidance on this question, presumably self-employed individuals with no employees should still be eligible for the emergency advance as a one-employee business, and presumably partnerships or LLCs taxed as partnerships should be eligible for the emergency advance based on the number of active partners receiving self-employment income.

Even if you do not qualify for the emergency advance (or qualify only for a minimal amount), the EIDL still provides an option for a long-term loan at a low interest rate that can be used to cover a broad array of expenses incurred due to COVID-19. Not only can the EIDL be used for payroll costs like the PPP, but it can also be used to provide working capital for expenses such as fixed debts, accounts payable, and other obligations that cannot be met due to revenue losses as a result of COVID-19. It is worth noting that funds cannot be used for refinancing, making loan payments on other federal debts, to repair physical damages, to pay IRS tax penalties or to pay out dividends.

Q. **Can I apply for both the PPP loan and the EIDL?**

A. Yes! However, there are two things you should consider:

1. ***You cannot use funds from both loans for the same purposes***. For example, you cannot use both EIDL and PPP towards payroll. If you first obtained an EIDL loan that was used to pay payroll, and later obtained a PPP loan, you would be required to use the proceeds of the PPP loan to pay down the EIDL loan.
2. ***Your EIDL advance grant cannot be combined with the PPP***. As we explained above, the EIDL can come with an advanced grant of up to $10,000. As a grant, it won't have to be paid back if it is used for the EIDL approved uses. However, the amount of the emergency grant you receive will be subtracted from your PPP loan forgiveness amount, and has to be declared when you apply for the PPP.

For more information on how the PPP and EIDL programs interact with each other, click here.

USDA Programs

Q: What is the USDA doing to provide financial support to farms in response to COVID-19?

On April 17, 2020, the USDA announced its new Coronavirus Food Assistance Program (CFAP), a relief program that will allocate $19 billion to assist farmers, ranchers and consumers affected by the COVID-19 pandemic. CFAP will provide $16 billion in direct support to farmers and ranchers who have suffered economically in recent months. The remaining $3 billion will be used to purchase produce, dairy and meat, and to distribute the products to people in need. *For USDA's press release click here.*

For the Direct Farmer Payments, the $16 billion is be allocated for certain industries: $5.1 billion for cattle, $2.9 billion for dairy, $1.6 billion for pork, $3.9 billion for row crops, $2.1 billion for specialty crops, and $500 million for other crops. To qualify for a payment, a commodity must have declined in price by at least 5% between January and April. USDA has disclosed the payments are determined using two calculations:

1. One part of the payment will be determined from price losses that occurred January 1 through April 15; Producers will be compensated for 85% of the price loss during that period.
2. The other part of the payment calculation is derived from losses from April 15 through the next two quarters, for which producers will be compensated 30% of expected losses.

The CFAP payment is limited to $250,000 per individual or entity for all commodities combined. However, corporations, limited liability companies or limited partnerships applicants may qualify for a bigger payment, where members actively provide personal labor and/or management in the farming operation.

Since May 26, the USDA started accepting applications from farmers who meet the eligibility criteria discussed above. Applications will be accepted until August 28, 2020 through the Farm Service Agency (FSA). Applicants should schedule an appointment with their local FSA office, and the FSA staff will work with you in filling out several forms required within the assistance application. It is important for farms to gather the necessary information and get an understanding of their recent sales and inventory immediately in order to apply as soon as possible and avoid the possibility of having the program run out of funds. Some of the eligibility forms are forms that existing FSA customers are likely to have already filled out. For farmers that are new to FSA and will need to fill out these forms for the first time, please visit the USDA's CFAP page here.

For more information about eligibility, payment structure, and access to the application required forms, visit the USDA's CFAP page here.

As a part of the CFAP, the USDA announced the Farmers to Families Food Box Program for the purchase and distribution of agricultural products of those in need. The USDA's Agricultural Marketing Service (AMS) is partnering with national, regional and local suppliers in areas where the workforce has been significantly impacted by the closure of restaurants, hotels, and other food service entities to purchase $3 billion in fresh produce, dairy, and meat. On May 8, the USDA approved $1.2 billion in contracts. Suppliers will package those products totaling $1.2 billion into family-sized boxes, then transport them to food banks, community and faith-based organizations, and other non-profits serving Americans in need from May 15 through June 30, 2020. AMS may elect to extend the period of performance of the contracts, via option periods, dependent upon program success and available remaining funds, up to $3 billion.

For those who had their Families Food Box Program applications denied, you can request a specific review and grounds for denial. The United Fresh Produce Association has issued a letter to the USDA addressing some issues that arose out of the application denials announced on May 8.

For more information about the Families Food Box Program, solicitations and awards please visit USDA's page here. The full letter addressing the Families Food Box program awards issues can be found here.

For more information from the USDA Agriculture Marketing Service, click here.

Additionally, the USDA has up to $873.3 million available in Section 32 funding to purchase a variety of agricultural products for distribution to food banks and has indicated that these funds will be determined by a mix of industry requests, USDA analysis, and food bank needs.

For more details on the Direct Farmer Payments and the Food Box Distribution Program under CFAP, click here. A detailed guide to CFAP released by the Legal Action Group Farmers in June17 can be found here.

The USDA Farm Service Agency (FSA) has also announced that it is available to help agricultural producers with program signups, loan servicing and other important actions, and is relaxing the loan-making process and adding flexibilities for servicing loans to provide credit to producers in need. On May 28, FSA announced that it is broadening the use of the Disaster Set-Aside (DSA) loan provision, normally used in the wake of natural disasters, to allow farmers with FSA farm loans who are affected by COVID-19, and are determined eligible, to have their next payment deferred for up to a year.

You can find more information here and here, and can apply for FSA loans here.

In addition, the Farm Credit Administration is encouraging lenders in the Farm Credit System to work with borrowers affected by COVID-19 to extend the terms of loan repayments, restructure debt obligations, and ease some loan documentation or credit extension terms for new loans. Farmers who are having difficulty paying debts owed under the Farm Credit System can contact their local Farm Credit lenders. If the lender is not providing necessary flexibility, farmers may also consider contacting the Farm Credit Administration directly at 703-883-4056 (Voice & TTY) or info-line@fca.gov.

Private, State, and Local Funding Programs

Q: Are there any other sources for financial support to farms in response to COVID-19?

A: There are private organizations offering grants and loans with low or no interest to small businesses (including farms). These include Facebook Small Business Grants, Amazon Neighborhood Small Business Relief Fund, Honeycomb Credit Crowdfunded Relief Loan, the James Beard Foundation Food and Beverage Industry Relief Fund, Kiva Loans, and the Accion COVID-19 Relief Program. The GrowNYC database referenced above includes more detail on some of these programs, and other programs could be added in the future.

Q: What about State and Local Relief Programs?

A: Many states and cities are offering programs as well. For example, the GrowNYC database referenced above includes a list of programs offered in New York State.

The Food and Beverage Law Clinic is a part of John Jay Legal Services, a non-profit legal services organization housed at the Elisabeth Haub School of Law at Pace University. The Food and Beverage Law Clinic represents New York State farmers, food and beverage entrepreneurs, and non-profit organizations seeking to improve our food system. Together with partners at the Natural Resources Defense Council and Shearman & Sterling LLP, we are providing pro bono legal services to new and existing clients affected by this crisis who cannot afford market-rate legal services, through our Food Law Initiative's COVID-19 Legal Support Project. For more information please visit our website here. We can also be contacted here.

This FAQ was prepared by Olivia Kamenetsky, Jessica Laird, Frederick McDonald, and Karoline Silva, Student Attorneys in the Food and Beverage Law Clinic, and supervised by Jonathan Brown, Director of the Food and Beverage Law Clinic, and Violaine Panasci, Food Law Fellow. A special thank you goes to GrowNYC, National Sustainable Agriculture Coalition (NSAC), and Amanda Kool for their helpful input and feedback.