

year. SBA may also consider other factors, such as the distribution of patents, contract awards, and assets.

§ 121.108 What are the penalties for misrepresentation of size status?

In addition to other laws which may be applicable, section 16(d) of the Small Business Act, 15 U.S.C. 645(d), provides severe criminal penalties for knowingly misrepresenting the small business size status of a concern in connection with procurement programs. Section 16(a) of the Act also provides, in part, for

criminal penalties for knowingly making false statements or misrepresentations to SBA for the purpose of influencing in any way the actions of the Agency.

Size Standards Used to Define Small Business Concerns

§ 121.201 What size standards has SBA identified by Standard Industrial Classification codes?

The size standards described in this section apply to all SBA programs

unless otherwise specified. The number of employees or annual receipts indicates the maximum allowed for a concern and its affiliates to be considered small. The following is a listing of size standards for industries under the SIC System. Size standards are listed by Division and apply to all industries in that Division except those specifically listed with separate size standards.

SIZE STANDARDS BY SIC INDUSTRY

SIC code and description	Size standards in number of employees or millions of dollars
--------------------------	--

DIVISION A—AGRICULTURE

MAJOR GROUP 01—AGRICULTURAL PRODUCTION-CROPS	0.5
MAJOR GROUPS 02—LIVESTOCK AND ANIMAL SPECIALTIES	0.5
EXCEPT:	
0211 Beef Cattle Feedlots (Custom)	1.5
0252 Chicken Eggs	9.0
MAJOR GROUP 07—AGRICULTURAL SERVICES	5.0
MAJOR GROUP 08—FORESTRY	5.0
MAJOR GROUP 09—FISHING, HUNTING, AND TRAPPING	3.0

DIVISION B—MINING

MAJOR GROUP 10—METAL MINING	500
MAJOR GROUP 12—COAL MINING	500
MAJOR GROUP 13—OIL AND GAS EXTRACTION AND MAJOR GROUP 14—MINING AND QUARRYING OF NONMETALLIC MINERALS, EXCEPT FUELS.	500
EXCEPT:	
1081 Metal Mining Services	5.0
1241 Coal Mining Services	5.0
1382 Oil and Gas Field Exploration Services	5.0
1389 Oil and Gas Field Services, N.E.C.	5.0

DIVISION C—CONSTRUCTION

MAJOR GROUP 15—GENERAL BUILDING CONTRACTORS	17.0
MAJOR GROUP 16—HEAVY CONSTRUCTION, NON BUILDING	17.0
EXCEPT:	
1629 (Part) Dredging and Surface Cleanup Activities	13.5 ¹
MAJOR GROUP 17—CONSTRUCTION—SPECIAL TRADE CONTRACTORS	
DIVISION D—MANUFACTURING²	
EXCEPT:	
2032 Canned Specialties	1,000
2033 Canned Fruits, Vegetables, Preserves, Jams and Jellies	500 ³
2043 Cereal Breakfast Foods	1,000
2046 Wet Corn Milling	750
2052 Cookies and Crackers	750
2062 Cane Sugar Refining	750
2063 Beet Sugar	750
2076 Vegetable Oil Mills, Except Corn, Cottonseed, and Soybean	1,000
2079 Shortening, Table Oils, Margarine, and Other Edible Fats and Oils, N.E.C.	750
2085 Distilled and Blended Liquors	750
2111 Cigarettes	1,000
2211 Broadwoven Fabric Mills, Cotton	1,000
2261 Finishers of Broadwoven Fabrics of Cotton	1,000
2295 Coated Fabrics, Not Rubberized	1,000
2296 Tire Cord and Fabrics	1,000
2611 Pulp Mills	750
2621 Paper Mills	750
2631 Paperboard Mills	750
2656 Sanitary Food Containers, Except Folding	750
2657 Folding Paperboard Boxes, Including Sanitary	750