



Farm Service Agency

U.S. DEPARTMENT OF AGRICULTURE

Farm Service Agency, Kansas State Office - September 9, 2024

USDA Offers Assistance and Resources for Recovery from and Prevention of Highly Pathogenic Avian Influenza H5N1 in Dairy Herds



The U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) has confirmed the detection of Highly Pathogenic Avian Influenza (HPAI), also known as H5N1, in dairy cattle in 12 states including Colorado, Idaho, Iowa, Kansas, Michigan, Minnesota, North Carolina, New Mexico, Ohio, South Dakota, Texas and Wyoming. To protect the U.S. livestock industry from the threat posed by HPAI H5N1 USDA is taking a number of actions with our federal partners.

On April 24, APHIS announced a federal order that includes mandatory testing for interstate movement of dairy cattle and mandatory reporting of influenza A detections in livestock. In addition to the Federal Order mandates, USDA provides several voluntary testing and monitoring options, including the [HPAI Dairy Herd Status Program](#) announced on May 31, 2024. APHIS has released a list of [requirements and recommendations](#) that apply to interstate moving of lactating dairy cattle, [testing guidance](#) for livestock, and answers to [frequently asked questions](#). Producers are encouraged to visit the APHIS HPAI Livestock Detection [website](#) for information about these programs and requirements, as well as the most comprehensive and timely updates about this rapidly evolving situation.

Assistance for Milk Loss

Confirmed H5N1 Positive Test Results Required for Recovery Assistance

Producers who incur milk losses in their dairy herds due to HPAI H5N1 can now apply for financial assistance through the USDA's updated Emergency Assistance for Livestock, Honeybees, and Farm-raised Fish Program (ELAP). USDA's Farm Service Agency (FSA) expanded ELAP policy through the rule-making process to assist with financial losses resulting from reduced milk production when cattle are removed from commercial milking in dairy herds having a confirmed positive H5N1 test. Positive tests must be confirmed through the USDA's APHIS' National Veterinary Services Laboratories (NVSL).

To apply, **producers need to submit** the following to FSA:

- Proof of herd infection through a confirmed positive H5N1 test (based on USDA's APHIS [H5N1 case definition](#)) on individual animal or bulk tank samples confirmed by APHIS' NVSL;
- A notice of loss indicating the date when the loss is apparent, which is the sample collection date for the positive H5N1 test; and
- An application for payment certifying the number of eligible adult dairy cows removed from production, the month the cows were removed from production, and the producer's share in the milk production.

The final date to file a notice of loss and application for payment for eligible losses is 30 days after the end of the prior calendar year, which is **January 30**.

Note: *To determine livestock and producer eligibility for ELAP H5N1 assistance, to submit an application or if you've not previously conducted business with FSA, contact*

your local FSA county office for details. [Find your local office](#). Other online resources include [frequently asked questions](#) and a [fact sheet](#).

Signature Policy

Using the correct signature when doing business with FSA can save time and prevent a delay in program benefits.

The following are FSA signature guidelines:

- Married individuals must sign their given name.
- Example—Mary Doe and John Doe are married. When signing FSA forms, each must use their given name, and may not sign with the name of their spouse. Mrs. Mary Doe may not sign documents as Mrs. John Doe. For Farm Loan Purposes, spouses may not sign on behalf of the other as an authorized signatory, a signature will be needed for each. For a minor, FSA requires the minor's signature and one from the minor's parent. There are certain exceptions where a minor's signature may be accepted without obtaining the signature of one of the parents. Despite minority status, a youth executing a promissory note for a Youth Loan will incur full personal liability for the debt and will sign individually.

Note: By signing a document with a minor, the parent is liable for actions of the minor and may be liable for refunds, liquidated damages, or other penalties, etc.

When signing on one's behalf the signature must agree with the name typed or printed on the form or be a variation that does not cause the name and signature to be in disagreement. Example - John W. Smith is on the form. The signature may be John W. Smith or J.W. Smith or J. Smith. Or Mary J. Smith may be signed as Mrs. Mary Joe Smith, M.J. Smith, Mary Smith, etc.

FAXED signatures will be accepted for certain forms and other documents provided the acceptable program forms are approved for FAXED signatures. Producers are responsible for the successful transmission and receipt of FAXED information.

Examples of documents not approved for FAXED signatures include:

- Promissory note
- Assignment of payment
- Joint payment authorization

- Acknowledgement of commodity certificate purchase

Spouses may sign documents on behalf of each other for FSA and CCC programs in which either spouse has an interest, unless written notification denying a spouse this authority has been provided to the county office.

Spouses cannot sign on behalf of each other as an authorized signatory for partnerships, joint ventures, corporations or other similar entities. Likewise, a spouse cannot sign a document on behalf of the other in order to affirm the eligibility of oneself.

Any member of a general partnership can sign on behalf of the general partnership and bind all members unless the Articles of Partnership are more restrictive. Spouses may sign on behalf of each other's individual interest in a partnership, unless notification denying a spouse that authority is provided to the county office. Acceptable signatures for general partnerships, joint ventures, corporations, estates, and trusts must consist of an indicator "by" or "for" the individual's name, individual's name and capacity, or individual's name, capacity, and name of entity.

Is the Noninsured Crop Disaster Assistance Program Right for You?



Farmers and ranchers rely on crop insurance to protect themselves from disasters and unforeseen events, but not all crops are insurable through the USDA's Risk Management Agency. The Farm Service Agency's (FSA) Noninsured Crop Disaster Assistance Program (NAP) provides producers another option to obtain coverage against disaster for these crops. NAP provides financial assistance to producers of

non-insurable crops impacted by natural disasters that result in lower yields, crop losses, or prevents crop planting.

Commercially produced crops and agricultural commodities for which crop insurance is not available are generally eligible for NAP. Eligible crops include those grown specifically for food, fiber, livestock consumption, biofuel or biobased products, or value loss crops such as aquaculture, Christmas trees, ornamental nursery, and others. Contact your local FSA office to see which crops are eligible in your state and county.

Eligible causes of loss include drought, freeze, hail, excessive moisture, excessive wind or hurricanes, earthquake and flood. These events must occur during the NAP policy coverage period, before or during harvest, and the disaster must directly affect the eligible crop. For guidance on causes of loss not listed, contact your local FSA county office.

Interested producers apply for NAP coverage using FSA form [CCC-471](#), “Application for Coverage,” and pay the applicable service fee at the FSA office where their farm records are maintained. These must be filed by the application closing date, which varies by crop. Contact your local FSA office to verify application closing dates and ensure coverage for eligible NAP crops.

At the time of application, each producer acknowledges they have received the [NAP Basic Provisions](#), which describes NAP requirements for coverage. NAP participants must report crop acreage shortly after planting and provide verifiable or reliable crop production records when required by FSA.

Producers are required to pay service fees which vary depending on the number of crops and number of counties your operation is located in. The NAP service fee is the lesser of \$325 per crop or \$825 per producer per administrative county, not to exceed a total of \$1,950 for a producer with farming interests in multiple counties. Premiums also apply when producers elect higher levels of coverage with a maximum premium of \$15,750 per person or legal entity.

A producer’s certification on Form CCC-860 *Socially Disadvantaged, Limited Resource, Beginning and Veteran Farmer or Rancher Certification* may serve as an application for basic NAP coverage for all eligible crops beginning with crop year 2022. These producers will have all NAP-related service fees for basic coverage waived, in addition to a 50 percent premium reduction if higher levels of coverage are elected.

For more detailed information on NAP, download the [NAP Fact Sheet](#). To get started with NAP, we recommend you contact your [local USDA service center](#).

FSA Outlines MAL and LDP Policy



Marketing Assistance Loans (MALs) and Loan Deficiency Payments (LDPs) provide financing and marketing assistance for wheat, feed grains, soybeans, and other oilseeds, pulse crops, rice, peanuts, cotton, wool and honey. MALs provide you with interim financing after harvest to help you meet cash flow needs without having to sell your commodities when market prices are typically at harvest-time lows. A producer who is eligible to obtain a loan, but agrees to forgo the loan, may obtain an LDP if such a payment is available. Marketing loan provisions and LDPs are not available for sugar and extra-long staple cotton.

FSA is now accepting requests for 2024 MALs and LDPs for all eligible commodities after harvest. Requests for loans and LDPs shall be made on or before the final availability date for the respective commodities.

Commodity certificates are available to loan holders who have outstanding nonrecourse loans for wheat, upland cotton, rice, feed grains, pulse crops (dry peas, lentils, large and small chickpeas), peanuts, wool, soybeans and designated minor oilseeds. These certificates can be purchased at the posted county price (or adjusted world price or national posted price) for the quantity of commodity under loan, and must be immediately exchanged for the collateral, satisfying the loan. MALs redeemed with commodity certificates are not subject to Adjusted Gross Income provisions.

To be considered eligible for an LDP, you must have form [CCC-633EZ, Page 1](#) on file at your local FSA Office before losing beneficial interest in the crop. Pages 2, 3 or 4 of the form must be submitted when payment is requested.

Marketing loan gains (MLGs) and loan deficiency payments (LDPs) are no longer subject to payment limitations, actively engaged in farming and cash-rent tenant rules.

Adjusted Gross Income (AGI) provisions state that if your total applicable three-year average AGI exceeds \$900,000, then you're not eligible to receive an MLG or LDP. You must have a valid CCC-941 on file to earn a market gain of LDP. The AGI does not apply to MALs redeemed with commodity certificate exchange.

Emergency Haying and Grazing of Conservation Reserve Program Acres



Emergency haying and grazing of Conservation Reserve Program (CRP) acres may now be available on certain CRP practices in your county for the 2024 program year. Contact your local USDA Service Center to see if your county is eligible.

Emergency haying or grazing is limited to the acres physically located within the boundary of the eligible county or portion of a county.

CRP participants requesting emergency haying and grazing must file a request with their county FSA office indicating the acres to be hayed or grazed before the activity begins. All applications must be submitted, approved, and related activities completed by September 30, 2024.

Pending a new Farm Bill or current Farm Bill extension, any emergency haying or grazing completed past September 30, 2024, will fall under FY2025. However, currently there is no authorization for emergency haying or grazing beyond September 30, 2024.

Applying for Youth Loans



The Farm Service Agency (FSA) makes loans to youth to establish and operate agricultural income-producing projects in connection with 4-H clubs, FFA and other agricultural groups. Projects must be planned and operated with the help of the organization advisor, produce sufficient income to repay the loan and provide the youth with practical business and educational experience. The maximum loan amount is \$5,000.

Youth Loan Eligibility Requirements:

- Be a citizen of the United States (which includes Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands) or a legal resident alien
- Be 10 years to 20 years of age
- Comply with FSA's general eligibility requirements
- Conduct a modest income-producing project in a supervised program of work as outlined above
- Demonstrate capability of planning, managing and operating the project under guidance and assistance from a project advisor. The project supervisor must recommend the youth loan applicant, along with providing adequate supervision.

For help preparing the application forms, contact your local USDA Service Center or visit fsa.usda.gov.

Applying for Beginning Farmer Loans

The Farm Service Agency (FSA) assists beginning farmers to finance agricultural enterprises. Under these designated farm loan programs, FSA can provide financing to eligible applicants through either direct or guaranteed loans. FSA defines a beginning farmer as a person who:

- Has operated a farm for not more than 10 years
- Will materially and substantially participate in the operation of the farm
- Agrees to participate in a loan assessment, borrower training and financial management program sponsored by FSA
- Does not own a farm in excess of 30 percent of the county's average size farm.

For more information contact, contact your local USDA Service Center or visit fsa.usda.gov.

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