

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency  
Washington, DC 20250

---

**Livestock Disaster Assistance Programs  
For 2011 and Subsequent Years  
1-LDAP (Revision 1)**

**Amendment 25**

---

**Approved by:** Deputy Administrator, Farm Programs



---

**Amendment Transmittal**

**A Reasons for Amendment**

Subparagraph 1 B has been amended to include a reference to 7-CP for equitable relief.

Subparagraph 1 C and 21 D have been amended for clarity.

Subparagraph 21:

- A has been amended to reference “eligible loss condition” when referring to eligible adverse weather events, diseases, and attacks, and to remove a note not relevant to the subject of the subparagraph
- E has been amended to include that forms, worksheets, applications and other documents, other than those provided in the handbook or National Office, are not authorized for LIP
- F has been added to provide that 1-CM will be followed for guidance on accepting signatures for deceased individuals and dissolved entities
- G, H and I have been added by moving 2011 payment limitation and AGI provisions from subparagraphs 42 B, C and D.

Subparagraph 22 A has been amended to clarify that STC’s:

- will establish criteria based on a determination of the extremity required to occur to cause death of eligible livestock for livestock deaths because of extreme heat and extreme cold
- may approve or disapprove any LIP applications
- will comply with all LIP provisions.

## Amendment Transmittal (Continued)

### A Reasons for Amendment (Continued)

The following subparagraphs have been amended to correct paragraph references:

- 22 B, C, E and F
- 75 D.

Subparagraph 22:

- D has been amended to update a paragraph reference and clarify COC responsibilities
- E has been amended to remove the delegation of authority from CED to program technicians for routine cases.

Subparagraph 23 A has been amended to:

- add a definition for blizzard, eligible attack, eligible disease and eligible loss condition
- clarify the definition of eligible adverse weather event, eligible livestock owner, eligible livestock contract grower, farming operations, livestock inventory report and winter storm
- remove the definition of livestock owner.

Subparagraph 24:

- A has been added by moving revised normality mortality provisions from subparagraph 41 I
- B has been added to provide guidance for STC's to follow when establishing extreme cold and extreme heat thresholds for livestock deaths.

Paragraph 41 is reorganized with amended subparagraphs to clarify that eligible loss conditions under LIP include eligible adverse weather event, eligible disease, and eligible attack; and to clarify ineligible adverse weather event, ineligible disease, and ineligible loss condition.

Subparagraphs 41 B, D, E, F, and G have been amended as revised into paragraph 42, Eligible Livestock, Owners, and Contract Growers Eligibility Criteria.

Revised subparagraph 42:

- A has been amended to clarify eligible livestock, remove repetitive statements that now appear in other amended subparagraphs, and clarify that the death of an animal within 60 days of the date of an occurrence of an eligible loss condition will not be presumed to be an eligible loss
- B has been amended to clarify eligibility provisions for newborn livestock
- C has been amended to clarify that examples are for illustration purposes only.

## **Amendment Transmittal (Continued)**

### **A Reasons for Amendment (Continued)**

Revised subparagraph 42:

- D has been amended to clarify the definition of an eligible livestock owner and to specify that the owner does not have to be listed on a farm in Farm Records to be considered eligible
- E has been amended to clarify the definition of an eligible livestock contract grower
- E, F and G have been moved to revised paragraph 43, General Payment Information, Rates and Reductions.

Revised subparagraph 43:

- C has been amended to clarify that LIP payments are subject to reductions for any amount received by the participant for the same or any similar loss from a Federal or State source and to provide a note that duplicate benefits could have been paid before or after the LIP payment
- D is amended to clarify that LIP payments to contract growers are subject to reductions for any amount received by a contract grower from any other source and to provide a note that duplicate benefits necessitating a reduction could have been paid before or after the LIP payment.

Subparagraph 43 A, B, C, D, E and F have been moved to subparagraphs 43 E, F, G, H, I and J, respectively.

Paragraph 44 has been added incorporating proof of death, producer records, third party certification, proof and reasonableness of livestock inventory, determining livestock beginning inventory history for calf and lamb open range livestock operation only, acceptable proof of livestock death and inventory for livestock losses occurring October 1, 2011, through December 31, 2014, eligible death losses because of eligible attacks, from subparagraphs 73 E, F, G, H, I, J, and K respectively.

Revised subparagraphs 44 C and E have been amended to clarify provisions for third party certifications and to clarify that third parties are expected to certify only to what they know to be factually true based on their own observation.

Subparagraph 44:

- E has been amended to remove a statement relative to COC explaining inventory to calf and lamb open range operations
- F has been amended to clarify the information necessary on CCC-854.

## Amendment Transmittal (Continued)

### A Reasons for Amendment (Continued)

Revised subparagraph 44 G has been amended to:

- clarify eligible death losses because of eligible attacks, as defined in revised subparagraph 23
- account for revised subparagraph references.

The following subparagraphs have been amended to clarify that examples are for illustration purposes only:

- 44 F
- 71 A
- 73 A.

Paragraph 45 has been added to move the instructions for completing CCC-854 and the example of CCC-854 from paragraph 74 A and B respectively.

Subparagraph 71 A has been amended to:

- clarify that a notice of loss must be filed in the administrative County Office for the farm where the death loss occurred and/or physical location County Office where the death loss occurred
- provide examples of filing notices of loss when a producer has livestock in multiple counties.

Subparagraph 71 B has been amended to clarify the provisions for accepting and/or denying a late-filed notice of loss because of equitable relief.

Subparagraph 73:

- A has been added to provide new policy and procedure for COC's to approve notices of loss for LIP
- B has been added to provide new policy and procedure for COC's to disapprove notices of loss for LIP.

Paragraph 73 has been amended to move policy from subparagraphs E, F, G, H, I, J, and K to paragraph 44; removing a requirement for a producer certification of value relative to eligible attacks as well as instructions for calculating value.

## **Amendment Transmittal (Continued)**

### **A Reasons for Amendment (Continued)**

Subparagraph 74 A has been amended to:

- clarify that applications must be filed in the administrative County Office for the farm where the death loss occurred and/or physical location County Office where the death loss occurred
- add an important note that all supporting documentation must be on file for an application to be complete
- add examples of filing a notice of loss and application for payment when a producer has cattle in multiple counties and/or States.

Subparagraphs 74 B and C have been amended to account for the definition of a loss condition as found in subparagraph 23 A.

Subparagraph 75:

A has been amended to clarify procedure for approving CCC-852's  
C has been amended to clarify verifying data.

Subparagraph 76 A has been amended to:

- clarify that the administrative county office for the farm where the death loss occurred and/or physical location county office where the death loss occurred must be captured in items 1 and 3
- provide reference to an eligible loss condition in items 2, 6, 7, 8 A, 15, 16, 17, 19, and 22
- add an exception to item 15 when there are claimed losses because of normal mortality before the beginning date of the first eligible loss condition
- revise item 17 to include losses because of normal mortality that occurs before and/or on the eligible loss condition.
- remove the examples in item 8 A, 15, and 16.

**Amendment Transmittal (Continued)**

**A Reasons for Amendment (Continued)**

Subparagraph 76:

- B has been amended to provide scenario 1 for application example 1 that reflects applying for LIP by administrative County Office for the farm(s) where the death loss occurred and/or physical location County Office where the death loss occurred
- C has been amended to provide a new example of CCC-852 for scenario 1, application example 1 referenced in subparagraph 76 B
- D has been amended to provide a scenario 2 for application example 2 that reflects applying for LIP by administrative County Office for the farm(s) where the death loss occurred and/or physical location County Office where the death loss occurred
- E has been amended to provide a new example of CCC-852 for scenario 2, application example 2 referenced in subparagraph 76 D.

Paragraph 77 has been added to incorporate policy for the CCC-770 LIP Checklist.

<b>Page Control Chart</b>		
<b>TC</b>	<b>Text</b>	<b>Exhibit</b>
1, 2	1-1 2-1, 2-2 2-2.5, 2-2.6 (add) 2-3 through 2-30 2-33, 2-34 2-34.5 through 2-34.8 (remove) 2-35 through 2-100 2-100.5, 2-100.6 (remove) 2-101 through 2-142 2-143 2-144 (add) 2-145, 2-146 (add) 2-147 (add)	1, pages 1-4

## Table of Contents

Page No.

### Part 1 Basic Information

1	Handbook Purpose and Coverage.....	1-1
2-20	(Reserved)	

### Part 2 Livestock Indemnity Program (LIP)

#### Section 1 Basic LIP Provisions

21	General Information.....	2-1
22	Responsibilities.....	2-2
23	Definitions for LIP.....	2-9
24	Normal Mortality and Extreme Cold/Extreme Heat.....	2-17
25-39	(Reserved)	

#### Section 2 Policy and Procedure

40	Signup Period.....	2-31
41	Eligible and Ineligible Loss Conditions.....	2-33
42	Eligible Livestock, Owners, and Contract Growers Eligibility Criteria.....	2-48
43	General Payment Information, Rates and Reductions.....	2-55
44	Supporting Documentation.....	2-62
45	CCC-854, Livestock Indemnity Program Third Party Certification.....	2-78
46	CCC-856, Livestock Beginning Inventory History Open Range Livestock Operations Under the Livestock Indemnity Program (LIP).....	2-85
47-70	(Reserved)	
71	Notice of Loss.....	2-101
72	(Withdrawn--Amend. 22)	
73	Acting on Notice of Loss.....	2-105
74	Application for Payment.....	2-107
75	Acting on CCC-852.....	2-120
76	CCC-852, Livestock Indemnity Program Application.....	2-127
77	CCC-770 LIP, Livestock Indemnity Program Checklist.....	2-143
78-99	(Reserved)	

## Table of Contents (Continued)

Page No.

### Part 3 LIP Software

#### Section 1 Level II eAuthentication Access

100	Accessing LIP Software.....	3-1
101	LIP Main Menu.....	3-4
102	State and County Selection.....	3-5
103	Producer Search – Application Status Screen.....	3-6
104	Part B – Notice of Loss Screen.....	3-9
105	Application Confirmation Screen.....	3-12
106	Part C - Livestock Location & Producer Screen.....	3-13
107	Part D - Livestock Information Screen.....	3-15
108	Add Livestock Not Previously Recorded Screen.....	3-18
109	Add Losses for Previously Recorded Livestock Screen.....	3-22
110	Part E & F – Documentation of Purchase and Loss Screen.....	3-25
111	Producer Summary Screen.....	3-28
112	Application Confirmation Screen.....	3-32
113	Approve/Disapprove Application Screen.....	3-33
114	CCC Representative Electronic Approval/Disapproval Screen.....	3-35
115	LIP Reports Screen.....	3-37
116	Nationwide Customer Service.....	3-39
117-149	(Reserved)	

#### Section 2 State Office Administrative Access

150	State Office Access to LIP Web Site.....	3-111
151	LIP Main Menu.....	3-114
152	Manage Master Data Screen.....	3-115
153	Program Year, State, and County Selections.....	3-116
154	Mortality Rate Maintenance Screen.....	3-117
155	Edit Mortality Rate Screen.....	3-119
156	Delete Mortality Rate Screen.....	3-121
157	Add Mortality Rate Screen.....	3-122
158-199	(Reserved)	

## Part 1 Basic Information

### 1 Handbook Purpose and Coverage

#### A Handbook Purpose

This handbook has been issued to provide procedure for livestock programs implemented by DAFP, through PECD.

#### B Related Handbooks

Handbooks related to programs provided in this handbook include the following:

- 1-APP for program appeals
- 1-CM for signatures, power-of-attorney, and name and address files
- 9-CM for common payment systems
- 10-CM for farm records and reconstitutions for 2013 and subsequent years
- 2-CP for filing and revising acreage reports
- 6-CP for conservation compliance
- \*--7-CP for equitable relief and finality rule provisions--\*
- 1-FI for processing payments initiated through NPS
- 3-FI for deleting incorrect program codes on automated CCC-257's
- 58-FI for managing debts, receivables, and claims
- 61-FI for prompt payment information
- 63-FI for assignments and joint payments
- 64-FI for establishing and reporting receivables on NRRS
- 2-INFO for providing information to the public
- 3-PL (Rev. 1) for updating subsidiary information in the web-based system
- 5-PL for "direct attribution", average AGI provisions, and payment limitation.

#### C Sources of Authority

\*--This handbook provides procedure for various livestock programs. Each program is--\* separated by part in this handbook. See the applicable part for the source of authority and regulations for a specific program.

2-20 (Reserved)



**Part 2 Livestock Indemnity Program (LIP)****Section 1 Basic LIP Provisions****21 General Information****A Purpose**

This part provides instructions for administering LIP.

\*--LIP provides assistance to eligible owners and livestock contract growers, for eligible livestock deaths in excess of normal mortality as a direct result of an eligible loss condition as defined in paragraph 23. Eligible livestock must have died:

- as a direct result of an eligible loss condition that occurred on or after October 1, 2011
- no later than 60 calendar days from the ending date of the eligible loss condition.--\*

\* \* \*

**B Source of Authority**

LIP is authorized by the Agricultural Act of 2014 using CCC funds.

The regulations for LIP are provided in 7 CFR Part 1416, Subparts A and D.

**C Public Information**

Follow instructions in 2-INFO for providing information about LIP.

**D Modifying Provisions**

\*--Provisions in this handbook **must not** be revised without prior approval from the National Office. Any requests for revisions or amendments must be sent to the Special Programs--\* Manager, through DAFP.

## 21 General Information (Continued)

**E Forms**

\* \* \*

Any document that collects data from a participant, regardless of whether the participant's signature is required:

- is subject to the Privacy Act and information collection procedures
- \*--requires approval or clearance by the following applicable offices:
  - National Office program area
  - MSD
  - OMB.

Forms, worksheets, applications, and other documents other than those provided in this handbook or issued by the National Office are not authorized for LIP and will not be used.

**F Deceased Individuals and Dissolved Entities**

Follow 1-CM for guidance on accepting signatures for deceased individuals and dissolved entities.

**G 2011 Payment Limitation**

For 2011, no person or legal entity, excluding a joint venture or general partnership, as determined under the provisions in 7 CFR Part 1400, may receive more than \$125,000 total in 2011 program year payments under LIP, ELAP, LFP, and SURE Program combined when at least \$25,000 of such total 2011 program payments is from LFP or LIP for losses from October 1, 2011, through December 31, 2011. If no 2011 program year payments are issued under LFP or LIP for losses occurring from October 1, 2011, through December 31, 2011, the total amount of 2011 program year payments under LFP, SURE, ELAP, and LIP combined is limited to \$100,000.

Obtain CCC-902 from the participant, if not on file.

Do not make a "person" or "actively engaged in farming" determination according to 5-PL.

Obtain CCC-901 for legal entities to determine individual members of legal entities for direct attribution. Direct attribution provisions in 5-PL apply.

**Note:** Actively engaged and cash-rent tenant provisions do **not** apply.

The amount of any payment for which a participant may be eligible under LIP, ELAP, and LFP may be reduced by any amount received by the participant for the same or any similar loss from a different source.--\*

**21 General Information (Continued)****\*--H 2012 Payment Limitation**

For 2012 and subsequent program years, no person or legal entity, (excluding a joint venture or general partnership), as determined by the rules in 7 CFR Part 1400, may receive, directly or indirectly, more than \$125,000 per program year total under ELAP, LFP, and LIP combined. For this purpose, both indirect and direct benefits are counted by attribution. In the case of a legal entity, the same payment is attributed to the direct payee in the full amount and those that have an indirect interest to the amount of the interest.

Obtain CCC-902 from the participant, if not on file. Do **not** make a “person” determination or “actively engaged in farming” determination. Obtain CCC-901 for legal entities to determine individual members of legal entities for direct attribution.

**I AGI Provisions**

For losses incurred beginning on October 1, 2011, the average AGI limitation provisions in 7 CFR Part 1400 relating to limits on payments for persons or legal entities, excluding joint ventures and general partnerships, with certain levels average adjusted gross income that exceeds \$900,000 will **not** be eligible for benefits under LIP.--\*

**22 Responsibilities**

**A STC Responsibilities**

Within the authorities and limitations in this handbook and 7 CFR Part 1416, Subparts A and D, STC's shall:

- direct the administration of LIP
- ensure that FSA State and County Offices follow LIP provisions
- thoroughly document all actions taken in the STC minutes
- handle appeals according to 1-APP

## 22 Responsibilities (Continued)

### A STC Responsibilities (Continued)

- require reviews be conducted by DD according to subparagraph 75 D to ensure that County Offices comply with LIP provisions

**Note:** STC may establish additional reviews to ensure that LIP is administered according to these provisions.

- take any oversight actions necessary to ensure that IPIA provisions are met to prevent \*--County Offices from issuing any improper payments according to subparagraph 43 I
- establish normal mortality rates for each livestock kind and/or type and weight range according to paragraph 24
- establish eligibility criteria based on a determination of the extremity required to occur in order to cause death of eligible livestock for livestock deaths because of extreme heat and extreme cold according to paragraph 24

**Important:** STC will ensure that COC thoroughly documents each case to ensure that:

- payments for livestock losses are made only for losses that are the direct result of extreme heat or extreme cold
- management decisions were not the cause of loss.
- STC may approve or disapprove any LIP applications
- comply with all LIP provisions.--\*

**22 Responsibilities (Continued)****B SED Responsibilities**

Within the authority and limitation in this handbook and 7 CFR Part 1416, Subparts A and D, SED's will:

- ensure that County Offices follow LIP provisions
- handle appeals according to 1-APP
- ensure that DD conducts reviews according to subparagraph A

**Note:** SED may establish additional reviews to ensure that LIP is administered according to these provisions.

- ensure that **all** County Offices publicize LIP provisions according to subparagraph D
- immediately notify the National Office Livestock Special Programs Manager of software problems, incomplete or incorrect procedures, specific problems, or findings
- \*--take any oversight actions necessary according to subparagraph 43 I to ensure that--\*  
IPIA provisions are met to prevent County Offices from issuing any improper payments.

## 22 Responsibilities (Continued)

### C DD Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 1416, Subparts A and D, DD's shall:

- ensure that COC's and CED's follow LIP provisions
- conduct reviews according to subparagraph 75 D, and any additional reviews established by STC or SED according to subparagraph A and B
- provide SED with report of reviews conducted according to subparagraph 75 D
- take any oversight actions necessary to ensure that IPIA provisions are met to prevent County Offices from issuing any improper payments according to subparagraph 43 I
- closely monitor the number of third party certifications approved by COC according to subparagraph 44 C

**Important:** If the number of participants using third party certifications is excessive when compared to surrounding counties, DD shall take all necessary action to ensure that the claimed losses are reasonable and that the provision is not being abused.

- ensure that County Offices publicize program provisions according to subparagraph D.

### D COC Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 1416, Subparts A and D, COC's will:

- fully comply with all LIP provisions
- ensure that CED directs that the county FSA office follow all LIP provisions
- review, approve and/or disapprove, and document in the COC minutes all third party certifications according to subparagraph 45 C

**Important:** COC must **not** delegate authority to review third party certifications to CED or PT's.

## 22 Responsibilities (Continued)

**D COC Responsibilities (Continued)**

- ensure that CED provides DD with a monthly written report of all reviews of third party \*-certifications according to subparagraph 45 C
- act on completed CCC-852's for LIP according to paragraph 75

**Important:** COC may delegate authority to CED to approve routine cases.--\*

- handle appeals according to 1-APP
- thoroughly document all actions taken in the COC minutes

**Important:** All the following **must** be thoroughly documented for all LIP program determinations made by COC:

- all factors reviewed or considered
  - all documentation reviewed
  - references to applicable handbooks, notices, and regulations
  - all sources of information obtained for review or consideration.
- take any oversight actions necessary to ensure that IPIA provisions are met to prevent County Offices from issuing any improper payments according to subparagraph 43 I
  - ensure that FSA assists persons by providing as much program information as it can in a variety of different ways.

**Notes:** Because of the limits of FSA resources, publication may or may not be by direct mail or on an individual basis. FSA meets its publication responsibilities by making broad program announcements in the press, print and electronic media, Federal Register documents, radio and television announcements, and through posting program information in USDA Service Centers.

The reality of limited resources has increased the participant's responsibility for being aware of program provisions. FSA cannot be responsible for reaching out to every potential program participant with all program information. Participants must seek information on program details and not wait for FSA to individually write or communicate with them about program provisions. As resources permit, COC will ensure that program provisions are publicized and maintain a record of any and all publicity efforts including postings in the Service Center.

The LIP Fact Sheet may be used to provide some of the information in this subparagraph. The fact sheet is available online at <http://disaster.fsa.usda.gov>.

## 22 Responsibilities (Continued)

### E CED Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 1416, Subparts A and D, CED's shall:

- fully comply with all LIP provisions
- ensure that County Office employees fully comply with all LIP provisions
- \*--if so delegated, act on completed and routine CCC-852's for LIP
- CED shall **not** be delegated authority to:--\*
  - disapprove any CCC-852
  - approve any CCC-852 where contemporaneous record, third party certification, open range livestock beginning inventory history, or acceptable evidence of death and inventory is used to prove loss.
- provide DD with a monthly written report of all third party certifications according to subparagraph 73 B
- ensure that all program and payment eligibility requirements have been met by producers before issuing any payment to ensure that IPIA provisions are met

\*--**Note:** See subparagraph 43 I for additional information.--\*

- handle appeals according to 1-APP
- ensure that FSA assists persons by providing as much program information as it can in a variety of different ways according to subparagraph D
- immediately notify SED, through DD, of software problems and incomplete or incorrect procedures.

22 Responsibilities (Continued)

**F Program Technician Responsibilities**

Within the authorities and limitations in this handbook and 7 CFR Part 1416, Subparts A and D, the program technician shall:

- fully comply with all LIP provisions
- immediately notify CED of software problems and incomplete or incorrect procedures
- ensure that FSA assists persons by providing as much program information as it can in a variety of different ways according to subparagraph D
- ensure that all program and payment eligibility requirements have been met by producers before issuing any payment to ensure that IPIA provisions are met.

\*--**Note:** See subparagraph 43 I for additional information.--\*

**23 Definitions for LIP****A Definitions**

The following definitions apply to LIP. The definitions provided in other parts of this handbook do **not** apply to LIP.

Actual livestock beginning inventory means the actual livestock beginning inventory per calendar year for calves or lambs that is calculated from the verifiable or reliable records of death, birthing, docking, inventory, and sales in an open range operation.

Adjusted livestock beginning inventory means the livestock beginning inventory history for calves or lambs on the open range that will be adjusted during the base period for years for which continuous actual livestock beginning inventory history records are not provided.

Adult beef bull means a male beef breed bovine animal that was at least 2 years old and used for breeding purposes before it died.

Adult beef cow means a female beef breed bovine animal that had delivered 1 or more offspring before dying. A first-time bred beef heifer shall also be considered an adult beef cow if it was pregnant at the time it died.

Adult buffalo/beefalo bull means a male animal of those breeds that was at least 2 years old and used for breeding purposes before it died.

Adult buffalo/beefalo cow means a female animal of those breeds that had delivered 1 or more offspring before dying. A first-time bred buffalo or beefalo heifer shall also be considered an adult buffalo/beefalo cow if it was pregnant at the time it died.

Adult dairy bull means a male dairy breed bovine animal at least 2 years old and used primarily for breeding dairy cows before it died.

Adult dairy cow means a female bovine dairy breed animal used for the purpose of providing milk for human consumption that had delivered 1 or more offspring before dying. A first-time bred dairy heifer shall also be considered an adult dairy cow if it was pregnant when it died.

**23 Definitions for LIP (Continued)****A Definitions (Continued)**

Agricultural operation means a farming operation.

Application means the “Livestock Indemnity Program” form.

Approved livestock beginning inventory means the approved livestock beginning inventory for calves or lambs on the open range, calculated by the sum of the yearly actual and transitional livestock beginning inventory history divided by the number of years of livestock beginning inventory.

Avian predator means a bird that attacks and kills others for food.

Base period means the five consecutive calendar years immediately proceeding the calendar year of the CCC-852 for which the approved livestock beginning inventory is being established for the open range calf or lambing operation.

\*-- Blizzard means, as defined by the National Weather Service, a storm which contains large amounts of snow or blowing snow with winds in excess of 35 mph and visibility of less than ¼ mile for an extended period of time.--\*

Buck means male goat.

CCC means Commodity Credit Corporation.

Commercial use means used in the operation of a business activity engaged in as a means of livelihood for profit by the eligible producer.

Continuous livestock beginning inventory reports means livestock beginning inventory reports submitted by a producer for each calendary year that the producer was involved in the livestock open range operation.

Contract means, with respect to contracts for the handling of livestock, a written agreement between a livestock owner and another individual or entity setting the specific terms, conditions, and obligations of the parties involved about the production of livestock or livestock products.

Cow/Ewe Livestock Beginning Inventory History means, the applicable calendar year cow or ewe verifiable livestock beginning inventory records provided to FSA by the open range livestock operation to be used in calculating the transitional livestock beginning inventory history.

Deputy Administer or DAFP means the Deputy Administer for Farm Programs, Farm Service Agency, U.S. Department of Agriculture or the designee.

## 23 Definitions for LIP (Continued)

## A Definitions (Continued)

Eligible adverse weather event means \* \* \* extreme or abnormal damaging weather that is not expected to occur during the loss period for which it occurred, which directly \*--results in eligible livestock death losses in excess of normal mortality. An eligible adverse weather event must occur in the calendar year for which benefits are requested. Eligible adverse weather events include, but are not limited to, as determined by the Deputy Administrator or designee, earthquake; hail; lightning; tornado; tropical storm; typhoon; vog, if directly related to a volcanic eruption; winter storm if the winter storm meets the definition provided in this subparagraph; hurricanes; floods, blizzards; wild fires; extreme heat; extreme cold; and straight-line wind. Drought is not an eligible adverse weather event except when associated with anthrax, a condition that occurs because of drought and results in the death of eligible livestock.

Eligible attack means an attack by animals reintroduced into the wild by the Federal Government or protected by Federal law, including wolves and avian predators, that directly results in the death of eligible livestock in excess of normal mortality.

Eligible disease means a disease that is exacerbated by an eligible adverse weather event that directly results in the death of eligible livestock in excess of normal mortality, including, but not limited to anthrax, cyanobacteria, (beginning in 2015 calendar year); larkspur poisoning (beginning in 2015 calendar year).

Eligible livestock contract grower means a person or entity, who meets all the terms and conditions of eligible livestock owner but whose interest in the livestock is not as owner but as a person or entity whose interest is in poultry or swine, as of the day of the eligible loss condition and day the poultry or swine died, had:

- a written agreement with the owner of eligible livestock, setting the specific terms, conditions, and obligations of the parties involved regarding the production of livestock
- control of the eligible livestock
- risk of loss in the animal.--\*

## 23 Definitions for LIP (Continued)

### A Definitions (Continued)

\*--Eligible livestock owner means one who, as of the day of the eligible loss condition and day the eligible livestock died as a result of that eligible loss condition, had the production and market risks associated with the agricultural production of livestock and who had legal ownership of the eligible livestock for which benefits are requested and under conditions in which no contract grower could have been eligible for benefits with respect to the livestock, is any of the following:

- a U.S. Citizen or legal resident alien in the U.S.
- a partnership comprised of U.S. citizens or legal resident aliens in the U.S.
- a corporation, limited liability corporation or company, or other organization structure established under State law
- Native American tribe (as defined in section 4(b) of the Indian Self-Determination, and Education Assistance Act (Pub. L. 93-638; 88 Stat. 2003))
- Native American organization or entity chartered under the Indian Reorganization Act
- a Tribal organization chartered under the Indian Self-Determination and Education Assistance Act
- an economic enterprise under the Indian Financing Act of 1974.

Eligible loss condition means any of the following that occur on or after October 1, 2011, and in the calendar year for which benefits are requested:

- eligible adverse weather event
- eligible attack
- eligible disease.--\*

23 Definitions for LIP (Continued)

A Definitions (Continued)

Equine animal means a domesticated horse, mule, or donkey.

Ewe means a female sheep.

Farming operation means a business enterprise engaged in producing agricultural products.

FSA means the Farm Service Agency.

Goat means a domesticated ruminant mammal of the genus Capra, including Angora goats. Goats will be further defined by sex (bucks and nannies) and age (kids).

Improper payment, as defined by OMB, is any payment that should **not** have been issued or was issued in an incorrect amount under statutory, contractual, administrative, or other legally applicable requirement.

Kid means a goat less than 1 year old.

Lamb means a sheep less than 1 year old.

\* \* \*

23 Definitions for LIP (Continued)

A Definitions (Continued)

Livestock beginning inventory history (LBIH) means a minimum of four, up to a maximum of five, calendar years of actual and transitional beginning inventory records used to calculate the approved livestock beginning inventory history for a calf or lamb open range livestock operation.

LBIH reporting date means the LBIH reporting date for which the reports will be accepted for inclusion in the base period for the current calendar year.

\*-Livestock inventory report means a written record showing the eligible livestock owner's or eligible livestock contract grower's annual inventory used to determine the livestock beginning inventory history for LIP purposes for the open range calf or lamb open range livestock operation. The report contains livestock beginning inventory history by open range livestock operation by livestock type or kind.

Loss period means the period of time the livestock deaths are occurring for the eligible loss condition the livestock producer is claiming caused the loss of livestock.--\*

Nanny means a female goat.

**23 Definitions for LIP (Continued)****A Definitions (Continued)**

Nonadult beef cattle means a beef breed bovine animal that does not meet the definition of adult beef cow or bull. Nonadult beef cattle are further delineated by weight categories of either less than 400 pounds or 400 pounds or more at the time they died.

Nonadult buffalo or beefalo means an animal of those breeds that does not meet the definition of adult buffalo/beefalo cow or bull. Nonadult buffalo or beefalo are further delineated by weight categories of either less than 400 pounds or 400 pounds or more at the time of death.

Nonadult dairy cattle means a dairy breed bovine animal, of a breed used for the purpose of providing milk for human consumption, that do not meet the definition of adult dairy cow or bull. Nonadult dairy cattle are further delineated by weight categories of either less than 400 pounds or 400 pounds or more at the time they died.

Normal mortality means the numerical amount, computed by a percentage as established by the FSA STC, of expected livestock deaths by category that normally occurs during a calendar year for a producer.

Open range operation means livestock production that takes place on large parcels of land where the livestock are not gathered into pens, sheds, or other small areas such that accurate overall inventory and resulting death tallies cannot be completed without a round-up, as determine by the Deputy Administrator.

Poultry means domesticated chickens, turkeys, ducks, and geese. Poultry are further delineated by sex, age, and purpose of production or production as determined by FSA.

Ram means a male sheep.

**23 Definitions for LIP (Continued)****A Definitions (Continued)**

Secretary means the Secretary of Agriculture or a designee of the Secretary.

Sheep means a domesticated, ruminant mammal of the genus Ovis. Sheep are further defined by sex (ram and ewes) and age (lambs) for purposes of dividing into categories for loss calculations.

STC, State Office, COC, or County Office means the respective FSA committee or office.

Swine means a domesticated omnivorous pig, hog, and boar. Swine are further delineated by sex and weight as determined by FSA for loss calculations.

Transitional livestock beginning inventory history means for offspring (calves/lambs) an estimated livestock beginning inventory history, generally determined by multiplying the livestock open range operation's beginning cow/ewe livestock beginning inventory history by the national established birthing rate percentage of 90 percent for calves and 160 percent for lambs. The Deputy Administrator has the authority to make adjustments as necessary. It is to be used in the transitional livestock beginning inventory history calculation process when less than 4 consecutive calendar years of actual livestock beginning inventory history is available.

United States means all 50 states of the United States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and the District of Columbia.

Vog means air pollution that results when sulfur dioxide and other gasses and particles emitted by an erupting volcano react with oxygen and moisture to form an aerosol. The aerosol scatters light, making vog visible. Vog contains chemicals that can damage the environment, and the health of plants, humans, and other animals.

\*--Winter storm means, for an eligible adverse weather event, an event that is so severe as to directly cause fatal injury to livestock in excess of normal mortality and as specified in this subparagraph, lasts in duration for at least 3 consecutive days and includes a combination of high winds, freezing rain or sleet, heavy snowfall, and extremely cold temperatures. For a determination of winter storm, the wind, precipitation, and extremely cold temperatures must all occur within the 3-day period with wind and extremely cold temperatures occurring in each of the 3 days.--\*

**\*--24 Normal Mortality and Extreme Cold/Extreme Heat****A Establishing Normal Mortality Rates**

LIP compensates eligible livestock owners for eligible livestock death losses that occur in excess of normal mortality as a result of an eligible loss condition during the calendar year.

Eligible livestock for payment for a specific kind/type and weight range of livestock will be determined for livestock dying as a direct result of an eligible loss condition after applying the normal mortality rate for the specific kind/type and weight range of livestock.

The number of normal mortality livestock is determined by multiplying the applicable normal mortality percentage by the number of livestock of that specific kind/type and weight range in inventory at the time of the eligible loss condition and death loss of the animal. The resulting number of normal mortality deaths is subtracted from the number of eligible livestock in inventory at the time of the eligible loss condition and death.

**Example:** Producer A owned 100 head of adult beef cattle on the beginning date of an eligible loss condition.

- normal mortality is 2 percent
- 5 head were lost
- $100 \text{ head} \times 2 \text{ percent} = 2$  (loss threshold)
- $5 \text{ head lost} - 2$  (loss threshold) = 3 head adult beef cattle eligible for payment.

For the State, STC will establish normal mortality rates for each livestock kind/type and weight range listed in subparagraphs 43 A and B by obtaining recommendations from applicable:

- State livestock organizations
- State Cooperative Extension Service
- other knowledgeable and credible sources.

2011 normal mortality rates were rolled over to 2012, 2013, and 2014 in the automated system. STC's were instructed to review the 2011 normal mortality rates for each livestock kind/type and weight range to determine if any updates were needed in any of the years 2012, 2013, or 2014. If STC determined that a specific livestock's kind/type and weight range's normal mortality warrants updating, then STC's shall obtain recommendations from applicable:

- State livestock organizations
- State Cooperative Extension Service
- other knowledgeable and credible sources.--\*

**\*--24 Normal Mortality and Extreme Cold/Extreme Heat (Continued)****A Establishing Normal Mortality Rates (Continued)**

STC's will document recommendations and determinations in STC minutes and attach copies of documentation used to determine normal mortality rates.

If sufficient documentation is **not** available to establish normal mortality rates, STC's will obtain documentation from contiguous STC's that have established normal mortality rates. If documentation is **not** available for establishing normal mortality rates from sources listed within user's State or contiguous States, STC will establish normal mortality rates using the national normal mortality rates in Exhibit 8.

STC's must:

- document recommendations and determinations of normal mortality rates in STC minutes
- attach copies of documentation used to determine normal mortality rates to applicable STC minutes.

If documentation is **not** available for establishing normal mortality rates from sources listed within user's State or contiguous States, STC's will establish normal mortality rates using the national normal mortality rates in Exhibit 8.

STC's will ensure that normal mortality rates are:

- established for all livestock kinds and/or types and weight ranges listed in subparagraphs 43 A and B
- loaded into the normal mortality rate table.

STC's **must**:

- document in STC minutes how normal mortality rates were established
- attach copies of Exhibit 8 to applicable STC minutes.--\*

**\*--24 Normal Mortality and Extreme Cold/Extreme Heat (Continued)****B Establishing Extreme Cold and Extreme Heat**

Under LIP, any claimed loss of an animal must be the direct result of an eligible loss condition, as defined in paragraph 23. For the eligible adverse weather event conditions mentioned in that definition, including extreme cold and extreme heat, the event must be 1 that was not expected to occur (abnormal weather) during the loss period.

Sometimes an extreme cold or extreme heat threshold (amount that would expectantly result in death of an animal) is reached; however, the event that occurred was not abnormal weather when it occurred. In that instance, the cold or heat event is not an eligible cause of loss (even though the extreme cold or extreme heat threshold was reached).

**Example:** A STC establishes an extreme cold threshold for nonadult beef calves under 799 pounds at -20 °F for 2 consecutive days. A producer files a notice of loss and claims that animals died because of extreme cold in January. Weather data shows that the cold occurred for 2 days as claimed; however, because the event was not abnormal or unexpected, the cold weather event is not an eligible cause of loss. In this case the extreme cold threshold established was correct for class of livestock; however, because the actual weather event occurred when it was not unexpected, the cold weather event cannot be considered eligible for this loss claim. However, in this case; if the actual temperature exceeded the threshold (-30 °F for 2 consecutive days), the actual extreme cold in excess of normal could be an eligible cause of loss.

**\*--24 Normal Mortality and Extreme Cold/Extreme Heat (Continued)****B Establishing Extreme Cold and Extreme Heat (Continued)**

STC's will establish extreme cold and extreme heat thresholds for each livestock category (kind/type and weight range of eligible livestock). Each extreme cold and extreme heat threshold must be established:

- based on a determination of the measure of extreme cold or extreme heat an animal must be subjected to that results in death of the animal
- without any regard to average normal weather (the extreme heat or extreme cold threshold that STC determines is fatal to eligible livestock will not be based on and is not dependent upon any comparison of average normal weather; departures from average normal weather (highs or lows) will not be used to establish what is the extreme cold or extreme heat that would expectantly kill livestock)
- based on information obtained from a source STC determines is credible and appropriate including but not limited to this notice, universities, Extension Service, or other FSA STC's.

The extreme cold or extreme heat threshold will apply to all notices of loss filed for any and all eligible adverse weather events that occur in a calendar year.

**Reminder:** If a STC revises its policy consistent with this paragraph, the revised policy will apply to any notices of loss and applications for payment not previously acted on.--\*

\*--24 Normal Mortality and Extreme Cold/Extreme Heat (Continued)

**B Establishing Extreme Cold and Extreme Heat (Continued)**

**Examples of Policies for Extreme Cold and Extreme Heat Not Consistent and Consistent with Guidelines**

The following tables provide examples of threshold policies not consistent with and consistent with guidelines.

Policy Not Consistent With Guidelines	Policy Consistent With Guidelines
<p>Extreme cold eligibility threshold is met when the actual high temperature is 10°F or more below the maximum average high temperature, according to historical weather data, for a minimum of 3 consecutive days.</p>	<p>COC’s will use wind chill to determine LIP eligibility for deaths due to extreme cold for livestock that are not housed or sheltered. When animals are not subject to wind, wind chill will not be considered; only ambient temperature will be used. Livestock deaths must be a direct result of extreme cold as shown below and be unexpected to have occurred (abnormal weather) in the loss period, and the deaths must occur no later than 60 days from the ending date of the applicable extreme cold event. Temperature threshold (wind chill for animals exposed to wind and ambient temperature to animals not exposed to wind) must occur in 2 or more consecutive days to be considered extreme.</p> <p>The following is a list of species, weight range, wind chill, and/or temperature levels defined as extreme cold.</p> <p><b><u>Sheep</u></b>                      Lambs -10°F                      Ewes -30°F                      Rams -30°F</p> <p><b><u>Beef</u></b>                      Nonadult, Under 400 lbs -20°F                      Nonadult, between 400 to 799 lbs -20°F                      Nonadult, 800 lbs and over -40°F                      Adult, Cow -40°F                      Adult, Bull -40°F</p> <p><b><u>Dairy</u></b>                      Nonadult, under 400 lbs -20°F                      Nonadult, between 400 to 799 lbs -20°F                      Nonadult, 800 lbs and over -40°F                      Adult, Cow -40°F                      Adult, Bull -40°F</p> <p><b><u>Equine</u></b> All -40°F</p> <p><b><u>All Other Livestock</u></b> All -40°F</p>

--\*

\*--24 Normal Mortality and Extreme Cold/Extreme Heat (Continued)

**B Establishing Extreme Cold and Extreme Heat (Continued)**

Policy Not Consistent With Guidelines	Policy Consistent With Guidelines																																																																																																																																																																																																																						
<p>Excessive heat threshold is met when the actual high temperature is 10°F or more above the average high temperature for consecutive days for a prolonged period of time.</p>	<p>To determine extreme heat, COC will use the Temperature Humidity Index (THI). The THI incorporates air temperature and humidity. The THI has been used to create a Livestock Weather Safety Index (LWSI). The LWSI describes various categories of heat stress associated with extreme temperature conditions for livestock. LIP eligibility criteria looks for the THI to exceed 84°F for 2 consecutive days to qualify for the program and ensure that the THI did not fall below 75°F for 2 consecutive nights before death.</p> <p><b>Note:</b> For illustration purposes this is only a partial THI.</p> <div data-bbox="565 751 1461 1497" style="border: 1px solid black; padding: 5px;"> <p style="text-align: center;"><b>Temperature Humidity Index (THI)</b></p> <table border="1" style="width: 100%; text-align: center;"> <thead> <tr> <th colspan="2"></th> <th colspan="12">Relative Humidity</th> </tr> <tr> <th colspan="2"></th> <th>30%</th><th>35%</th><th>40%</th><th>45%</th><th>50%</th><th>55%</th><th>60%</th><th>65%</th><th>70%</th><th>75%</th><th>80%</th><th>85%</th> </tr> </thead> <tbody> <tr> <td><b>T</b></td><td><b>100°</b></td><td>84</td><td>85</td><td>86</td><td>87</td><td>88</td><td>90</td><td>91</td><td>92</td><td>93</td><td>94</td><td>95</td><td>97</td> </tr> <tr> <td><b>E</b></td><td><b>98°</b></td><td>83</td><td>84</td><td>85</td><td>86</td><td>87</td><td>88</td><td>89</td><td>90</td><td>91</td><td>93</td><td>94</td><td>95</td> </tr> <tr> <td><b>M</b></td><td><b>96°</b></td><td>81</td><td>82</td><td>83</td><td>85</td><td>86</td><td>87</td><td>88</td><td>89</td><td>90</td><td>91</td><td>92</td><td>93</td> </tr> <tr> <td><b>P</b></td><td><b>94°</b></td><td>80</td><td>81</td><td>82</td><td>83</td><td>84</td><td>85</td><td>86</td><td>87</td><td>88</td><td>89</td><td>90</td><td>91</td> </tr> <tr> <td><b>E</b></td><td><b>92°</b></td><td>79</td><td>80</td><td>81</td><td>82</td><td>83</td><td>84</td><td>85</td><td>85</td><td>86</td><td>87</td><td>88</td><td>89</td> </tr> <tr> <td><b>R</b></td><td><b>90°</b></td><td>78</td><td>79</td><td>79</td><td>80</td><td>81</td><td>82</td><td>83</td><td>84</td><td>85</td><td>86</td><td>86</td><td>87</td> </tr> <tr> <td><b>A</b></td><td><b>88°</b></td><td>76</td><td>77</td><td>78</td><td>79</td><td>80</td><td>81</td><td>81</td><td>82</td><td>83</td><td>84</td><td>85</td><td>86</td> </tr> <tr> <td><b>T</b></td><td><b>86°</b></td><td>75</td><td>76</td><td>77</td><td>78</td><td>78</td><td>79</td><td>80</td><td>81</td><td>81</td><td>82</td><td>83</td><td>84</td> </tr> <tr> <td><b>U</b></td><td><b>84°</b></td><td>74</td><td>75</td><td>75</td><td>76</td><td>77</td><td>78</td><td>78</td><td>79</td><td>80</td><td>80</td><td>81</td><td>82</td> </tr> <tr> <td><b>R</b></td><td><b>82°</b></td><td>73</td><td>73</td><td>74</td><td>75</td><td>75</td><td>76</td><td>77</td><td>77</td><td>78</td><td>79</td><td>79</td><td>80</td> </tr> <tr> <td><b>E</b></td><td><b>80°</b></td><td>72</td><td>72</td><td>73</td><td>73</td><td>74</td><td>75</td><td>75</td><td>76</td><td>76</td><td>77</td><td>78</td><td>78</td> </tr> <tr> <td></td><td><b>78°</b></td><td>70</td><td>71</td><td>71</td><td>72</td><td>73</td><td>73</td><td>74</td><td>74</td><td>75</td><td>75</td><td>76</td><td>76</td> </tr> <tr> <td></td><td><b>76°</b></td><td>69</td><td>70</td><td>70</td><td>71</td><td>71</td><td>72</td><td>72</td><td>73</td><td>73</td><td>74</td><td>72</td><td>75</td> </tr> </tbody> </table> <p style="text-align: center; font-size: small;">THI = Tdbf - ( 0.55 - ( 0.55 x ( RH / 100 ) ) ) x ( Tdbf - 58 )</p> <table border="1" style="width: 100%; text-align: center; font-size: x-small;"> <tr> <td style="background-color: #e0e0e0;">Normal &lt;74</td> <td style="background-color: #e0e0e0;">Alert 75-78</td> <td style="background-color: #e0e0e0;">Danger 79-83</td> <td style="background-color: #e0e0e0;">Emergency &gt;84</td> </tr> </table> </div>			Relative Humidity														30%	35%	40%	45%	50%	55%	60%	65%	70%	75%	80%	85%	<b>T</b>	<b>100°</b>	84	85	86	87	88	90	91	92	93	94	95	97	<b>E</b>	<b>98°</b>	83	84	85	86	87	88	89	90	91	93	94	95	<b>M</b>	<b>96°</b>	81	82	83	85	86	87	88	89	90	91	92	93	<b>P</b>	<b>94°</b>	80	81	82	83	84	85	86	87	88	89	90	91	<b>E</b>	<b>92°</b>	79	80	81	82	83	84	85	85	86	87	88	89	<b>R</b>	<b>90°</b>	78	79	79	80	81	82	83	84	85	86	86	87	<b>A</b>	<b>88°</b>	76	77	78	79	80	81	81	82	83	84	85	86	<b>T</b>	<b>86°</b>	75	76	77	78	78	79	80	81	81	82	83	84	<b>U</b>	<b>84°</b>	74	75	75	76	77	78	78	79	80	80	81	82	<b>R</b>	<b>82°</b>	73	73	74	75	75	76	77	77	78	79	79	80	<b>E</b>	<b>80°</b>	72	72	73	73	74	75	75	76	76	77	78	78		<b>78°</b>	70	71	71	72	73	73	74	74	75	75	76	76		<b>76°</b>	69	70	70	71	71	72	72	73	73	74	72	75	Normal <74	Alert 75-78	Danger 79-83	Emergency >84
		Relative Humidity																																																																																																																																																																																																																					
		30%	35%	40%	45%	50%	55%	60%	65%	70%	75%	80%	85%																																																																																																																																																																																																										
<b>T</b>	<b>100°</b>	84	85	86	87	88	90	91	92	93	94	95	97																																																																																																																																																																																																										
<b>E</b>	<b>98°</b>	83	84	85	86	87	88	89	90	91	93	94	95																																																																																																																																																																																																										
<b>M</b>	<b>96°</b>	81	82	83	85	86	87	88	89	90	91	92	93																																																																																																																																																																																																										
<b>P</b>	<b>94°</b>	80	81	82	83	84	85	86	87	88	89	90	91																																																																																																																																																																																																										
<b>E</b>	<b>92°</b>	79	80	81	82	83	84	85	85	86	87	88	89																																																																																																																																																																																																										
<b>R</b>	<b>90°</b>	78	79	79	80	81	82	83	84	85	86	86	87																																																																																																																																																																																																										
<b>A</b>	<b>88°</b>	76	77	78	79	80	81	81	82	83	84	85	86																																																																																																																																																																																																										
<b>T</b>	<b>86°</b>	75	76	77	78	78	79	80	81	81	82	83	84																																																																																																																																																																																																										
<b>U</b>	<b>84°</b>	74	75	75	76	77	78	78	79	80	80	81	82																																																																																																																																																																																																										
<b>R</b>	<b>82°</b>	73	73	74	75	75	76	77	77	78	79	79	80																																																																																																																																																																																																										
<b>E</b>	<b>80°</b>	72	72	73	73	74	75	75	76	76	77	78	78																																																																																																																																																																																																										
	<b>78°</b>	70	71	71	72	73	73	74	74	75	75	76	76																																																																																																																																																																																																										
	<b>76°</b>	69	70	70	71	71	72	72	73	73	74	72	75																																																																																																																																																																																																										
Normal <74	Alert 75-78	Danger 79-83	Emergency >84																																																																																																																																																																																																																				

**Note:** Notwithstanding any delegation to STC's, at any time DAFP can review, modify, or request STC to review or modify extreme cold or extreme heat policy or criteria.--\*

25-39 (Reserved)

**\*--41 Eligible and Ineligible Loss Conditions****A Eligible Loss Condition**

An eligible loss condition includes any of the following that occur in the calendar year for which benefits are requested:

- eligible adverse weather event
- eligible disease
- eligible attack.

Eligible livestock owners and eligible contract growers must show to FSA's satisfaction that an eligible loss condition, as opposed to any other cause of loss, was directly responsible for and caused the death of eligible livestock in excess of normal mortality. The occurrence of an eligible loss condition in and by itself will not be viewed as determinative for the eligible loss of eligible livestock.

**Example:** A winter storm occurs on February 15 through 18. Livestock deaths occur on March 3 and the eligible livestock owner claims the livestock died as a result of the winter storm. The eligible livestock owner must show with documentation and evidence that the winter storm was directly responsible for the death of the livestock. FSA will not presume the livestock died as a result of the winter storm simply because the winter storm occurred. Evidence must be submitted supporting an affirmative determination that the eligible loss condition and death loss are directly related to each other.--\*

**\*--41 Eligible and Ineligible Loss Conditions (Continued)****B Eligible Adverse Weather Event (Continued)**

An eligible adverse weather event, as defined in paragraph 23, is one that is not expected to occur during the loss period for which it occurred, which directly results from or is exacerbated by another extreme or abnormal damaging weather that directly results in the death of eligible livestock in excess of normal mortality and includes any of the following that occur in the calendar year for which benefits are requested: earthquake; hail; lightning; tornado; tropical storm; typhoon; vog; hurricane; flood; blizzard; wildfire; extreme heat; extreme cold; straight-line winds; and eligible winter storm.

**Example:** A fire is started in a wheat field under a suspicion of a passing motorist throwing a cigarette out of a window. The fire spreads to nearby native pasture and, as a result, livestock are killed. Unless this man-caused fire was spread by extreme or abnormal damaging weather (high winds for example), the fire would not be considered a wildfire under the definition of eligible adverse weather event.

STC must ensure that COC thoroughly documents each case to ensure that:

- death of livestock was a direct result of an eligible adverse weather event
- management decisions were not the cause of loss
- the eligible adverse weather event was so extreme or abnormally damaging that it is reasonable to attribute the direct death of livestock to it.--\*

**\*--41 Eligible and Ineligible Loss Conditions (Continued)****C Ineligible Adverse Weather Event**

An ineligible adverse weather event is any event not included as an eligible adverse weather event in subparagraph B.

Drought is **not** an eligible adverse weather event **except** when associated with anthrax, a condition that occurs because of drought and directly results in the death of eligible livestock.

**D Eligible Disease**

An eligible disease, as defined in paragraph 23, is a disease that the Deputy Administrator has determined is exacerbated by an eligible adverse weather event that directly results in the death of eligible livestock in excess of normal mortality.

The following diseases are eligible diseases under LIP:

- anthrax
- cyanobacteria (effective with 2015 and subsequent calendar years)
- larkspur poisoning (effective with 2015 and subsequent calendar years)

The STC can request a determination from the Deputy Administrator if a specific disease meets the eligible disease criteria. STC can also recommend inclusion of a disease as an eligible disease.

**Notes:** STC recommendations of a disease as an eligible disease should not be made based on individually filed applications. STC recommendations should be based on facts not associated with notices of loss or applications for payment. Rather, the recommendations should be based on whether as a generally applicable matter a specific disease meets the eligible disease criteria.

Further information is provided below regarding cyanobacteria and larkspur poisoning:

Cyanobacteria

Heavy rainfall followed by prolonged periods of hot temperatures is **not** considered an eligible adverse weather event **except** when associated with cyanobacteria, a toxin that is exacerbated by heavy rainfall followed by prolonged periods of hot temperatures and results in the death of eligible livestock during the 2015 and subsequent calendar years.--\*

**\*--41 Eligible and Ineligible Loss Conditions (Continued)****D Eligible Disease (Continued)**

Blue-green algae blooms grow excessively and produce toxins (cyanobacteria) specifically after heavy rainfall followed by prolonged periods of hot temperatures. Blue-green algae blooms can be stimulated following storms when surface runoff containing phosphorus and nitrogen enters receiving waters. It has been determined that cyanobacteria is exacerbated by excessive/heavy rainfall followed by prolonged period of excessive heat and cannot be preventable with vaccinations and/or good management practices. However, after the first episode of livestock death losses because of cyanobacteria, it is part of a livestock producer's good management practices to prevent/control algae blooms by fencing off downwind drinking areas, providing livestock another water source, adding copper sulfate to the water as an algacide, establishing a vegetated buffer strips around the lake/pond, etc.

To be considered eligible to receive 2015 and subsequent calendar year benefits under LIP because of cyanobacteria, State Offices are responsible for establishing eligibility criteria for livestock deaths because of cyanobacteria. STC shall ensure that COC thoroughly documents each case to ensure that:

- excessive/heavy rainfall followed by a prolonged period of excessive heat occurred before the time the livestock died
- livestock died during the first episode of cyanobacteria concentrated in a specific pond/lake, during the same calendar year

**Important:** Therefore, livestock deaths that occur after the first episode of cyanobacteria from the same pond/lake, during the same calendar year, are not eligible for livestock death loss benefits under LIP.

- producers must provide proof (acceptable to FSA) of livestock death losses because of cyanobacteria according to paragraph 44.--\*

**\*--41 Eligible and Ineligible Loss Conditions (Continued)****D Eligible Disease (Continued)**Larkspur Poisoning

Unusual cold and wet conditions is not considered an eligible adverse weather event except when associated with larkspur poisoning, a plant that becomes toxic after unusual cold and wet conditions and results in the death of eligible livestock during the 2015 and subsequent calendar years.--\*

The larkspur plant grows excessively and becomes toxic during unusual cold and wet conditions; however, under normal conditions the plant dries out and is nontoxic. Under normal conditions, producers manage their cattle rotations around the plant during its most poisonous stage of growth. But, during unusually cold and wet conditions, the plant suddenly becomes toxic and the livestock consume the highly palatable plant and die before producers have time to remove the livestock from the area. It has been determined that larkspur poisoning cannot be prevented with vaccinations and/or good management practices. However, research indicates that applying herbicides controls larkspur to a level that would provide a significant reduction in cattle deaths. But, producers with livestock that are grazing rangeland that is managed by a Federal Agency may be prohibited from applying herbicides to the rangeland.--\*

**\*--41 Eligible and Ineligible Loss Conditions (Continued)****D Eligible Disease (Continued)**

To be considered eligible to receive 2015 and subsequent calendar year benefits under LIP because of larkspur poisoning, State Offices are responsible for establishing eligibility criteria for livestock deaths because of larkspur poisoning. STC shall ensure that COC thoroughly documents each case to ensure that:

- unusual cold and wet conditions occurred before the time the livestock died
- the livestock death loss occurred on rangeland that is managed by a Federal Agency for which the producer is prohibited from applying herbicides

**Important:** Livestock death losses that occur on rangeland that is **not** managed by a Federal Agency and/or for which the producer is **not** prohibited from applying herbicides are **not** eligible for LIP benefits.

- livestock died during the first episode of larkspur poisoning concentrated in a specific pond/lake, during the same calendar year

**Important:** Therefore, livestock deaths that occur after the first episode of larkspur poisoning from the same pond/lake, during the same calendar year, are not eligible for livestock death loss benefits under LIP.

- producers must provide proof (acceptable to FSA) of livestock death losses because of larkspur poisoning according to paragraph 44.--\*

**\*--41 Eligible and Ineligible Loss Conditions (Continued)****E Ineligible Disease**

Livestock that die as a direct result of disease are not eligible for payment under LIP unless the disease has been previously determined by the Deputy Administrator to be a disease that can be exacerbated by an eligible adverse weather event and vaccination or acceptable management practices are not available, whether or not they were or were not implemented.

For example, cattle can be vaccinated to prevent anaplasmosis, pneumonia, infectious bovine rhinotracheitis, and parainfluenza. Vaccination is an acceptable management practice to prevent anaplasmosis, pneumonia, infectious bovine rhinotracheitis, and parainfluenza and these diseases are not exacerbated by an eligible adverse weather event and are not an eligible loss condition under LIP. Even if vaccination is performed or done or accomplished, and the livestock nonetheless die as a result of anaplasmosis, pneumonia, infectious bovine rhinotracheitis, or parainfluenza, the failure of the vaccination to prevent death of the animal from the disease is not an eligible loss condition.

**Notes:** Livestock losses that are **not** directly the result of an eligible loss condition (eligible adverse weather event; eligible disease; or eligible attack) are **not** eligible for LIP.

Blackleg is a fatal disease of young cattle caused by, for example, the spore-forming, rod-shaped, gas-producing bacteria *Clostridium chauvoei*. Blackleg is almost entirely preventable by vaccination; therefore, blackleg is **not** an eligible disease under LIP.

LIP does not provide payments for deaths resulting from a failure or even an alleged failure of vaccine or vaccination. A death that occurs due to a disease that is not an eligible disease cannot be paid simply because the animal was vaccinated but nonetheless died. Proof that deaths of livestock occurred as a direct result of an eligible disease must be submitted. An animal dying from a preventable disease despite vaccination is not evidence of an eligible disease under LIP.--\*

**\*--41 Eligible and Ineligible Loss Conditions (Continued)**

**F Eligible Attack**

Livestock death loss due to eligible attacks as defined in paragraph 23 are eligible; however, livestock death losses eligible for payment are limited to confirmed kills. LIP does not pay for probable or potential deaths from eligible attacks.

Each State Office must consult with a State wildlife specialist to identify the protected predators under Federal law.

Producers must provide proof (acceptable to FSA) of livestock death losses because of an eligible attack according to subparagraph 44 G.--\*

**\*--41 Eligible and Ineligible Loss Conditions (Continued)**

**G Ineligible Loss Conditions**

Any loss that is not the direct result of an eligible loss condition, as defined in paragraph 23, is not eligible under LIP.

A loss that is the result of a management decision is not an eligible loss condition.

Livestock deaths because of insufficient or contaminated water or feed during a drought are considered to be the result of a management decision and are not eligible for LIP.

Confinement operations must follow good management practices and confinement facility's operating equipment must meet industry standards to be eligible for LIP. Poultry and/or swine death losses in confinement operations that are attributed to an eligible adverse weather event causing the confinement operation's equipment to malfunction are not eligible for compensation under LIP if:

- good management practices are not followed
- the confined livestock operation's facilities do not possess all the equipment that meets industry standards such as, but not limited to, backup generators, alarm systems, fans, etc.
- management decisions were made not to take the necessary measures that could have prevented the loss.--\*

## \*--42 Eligible Livestock, Owners, and Contract Growers Eligibility Criteria

## A Eligible Livestock

To be eligible livestock under LIP, the livestock must meet all of the following:

- been owned by an eligible livestock owner or be in the possession of an eligible contract grower on the day of the eligible loss condition and when the livestock died
- been maintained for commercial use as part of a farming operation on the day the livestock died
- die in excess of normal mortality as a direct result of an eligible loss condition to be eligible for payment
- die no later than 60 calendar days after the ending date of the applicable eligible loss condition.

**Note:** The death of an animal within 60 days of the date of an occurrence of an eligible loss condition will **not** be presumed to be an eligible loss. Evidence and documentation must be submitted to FSA and FSA must be satisfied that the death of the animal was the direct result of the eligible loss condition.

- not be considered ineligible livestock according to subparagraph B
- be 1 of the following, as defined in paragraph 23:
  - adult or nonadult beef cattle
  - adult or nonadult beefalo
  - adult or nonadult buffalo
  - adult or nonadult dairy cattle
  - elk
  - alpacas
  - deer
  - emus
  - equine animals
  - goats
  - llamas
  - poultry, including egg-producing poultry
  - reindeer
  - sheep
  - swine.

**Important:** If an animal was pregnant at the time of death, only the pregnant animal that died is eligible for payment under LIP. The unborn animal is **not** considered eligible livestock under LIP.--\*

**\*--42 Eligible Livestock, Owners, and Contract Growers Eligibility Criteria (Continued)**

**A Eligible Livestock (Continued)**

See paragraph:

- 23 for definitions of eligible livestock, commercial use, and farming operation
- 43 for further delineation of eligible livestock by payment rate.

**B Eligibility for Newborn Livestock**

Newborn livestock that were born at normal full-term or near full-term qualify for LIP if all of the following apply:

- the death was the direct cause of the eligible loss condition
- were born before or during the eligible loss condition
- died no later than 7 calendar days from the ending date of the applicable eligible loss condition.

**Note:** Livestock that die before they reached full-term or near full-term and would not normally survive under normal conditions and, therefore, do not qualify for LIP benefits. Those animals must be excluded from beginning inventory.--\*

**\*--42 Eligible Livestock, Owners, and Contract Growers Eligibility Criteria (Continued)****C Ineligible Livestock**

Animals **not** eligible for LIP include, but are not limited to, the following:

- any animal produced or maintained for reasons other than commercial use as part of a farming operation, as determined by FSA, including, but not limited to, recreational purposes, such as:
  - consumption by owner
  - hunting
  - pets
  - pleasure
  - roping
  - show.

In the following examples, the named individual or legal entity is fictitious and not intended to portray an actual person or entity. The examples are for illustration purposes only.

**Example 1:** Sam Smith owns 5 horses, 2 beef steers, and 3 goats. Smith maintains the horses for pleasure riding and fox hunting, and maintains the goats as pets for his children. He maintains the beef steers to be consumed by his family. Accordingly, Smith does not maintain any of the livestock for commercial use as part of a farming operation. All of the animals died because of a blizzard, an eligible adverse weather event.

Because none of Smith's livestock are maintained for commercial use as part of a farming operation, the animals are **not** eligible livestock for LIP purposes.

**Example 2:** Joe Johnson owns 5 horses which he uses to pull hansom cabs in the tourist district of the local city. The hansom cabs are Johnson's business activity he engages in as a means of livelihood for profit.

Johnson's horses are being maintained for commercial use, but not as a business enterprise engaged in producing agricultural products. Therefore, the animals are not considered eligible livestock for LIP purposes.--\*

**\*--42 Eligible Livestock, Owners, and Contract Growers Eligibility Criteria (Continued)****C Ineligible Livestock (Continued)**

- catfish
- crawfish
- ostriches
- pheasants
- quail
- stillborn livestock
- unborn livestock

**Example:** A pregnant adult beef cow died before the birth of the calf. Only the pregnant cow may be considered eligible for payment. The unborn calf is **not** eligible livestock and must be excluded from beginning inventory.

- yaks
- any wild free roaming livestock, including equine and deer
- all animals that died before October 1, 2011

**Important:** Contact the National Office Special Programs Manager, through the State Office, when the reason for livestock death is questionable.--\*

**\*--42 Eligible Livestock, Owners, and Contract Growers Eligibility Criteria (Continued)**

**D Eligible Livestock Owner**

An eligible livestock owner for LIP is an owner that is all of the following:

- meets the definition in paragraph 23
- assumes the production and market risks associated with the agricultural production of livestock
- is producing livestock for commercial use as part of a farming operation

**Note:** The owner does not have to be listed on a farm in Farm Records. The producer only has to be associated to the county where the loss occurred in Business Partner.

- had legal ownership of the eligible livestock for which benefits are being requested on the day of the eligible loss condition and the day the livestock died, and under conditions in which no contract grower could have been eligible for benefits with respect to the animal.--\*

**\*--42 Eligible Livestock, Owners, and Contract Growers Eligibility Criteria (Continued)****E Eligible Livestock Contract Grower**

An eligible livestock contract grower is a person or entity who meets all the terms and conditions of eligible livestock owner for poultry or swine but whose interest in the poultry or swine is not as owner but as a person or entity whose interest, as of the day of the eligible loss condition and day the eligible livestock died, had all the following:

- a written agreement with the owner of eligible livestock, setting the specific terms, conditions, and obligations of the parties involved regarding the production of livestock;
- control of the eligible livestock; and
- risk of loss in the eligible livestock.

**F Examples of Eligible Livestock and Eligible Livestock Owners**

In the following examples, the named individual or legal entity is fictitious and not intended to portray an actual person or entity. The examples are for illustration purposes only.

**Example 1:** Jane Black owns and raises a deer herd. Mrs. Black sells the does to a local food market to be processed into meat products. She sells the bucks to hunting preserves nationwide. Black is in the business of selling deer, including the bucks that are sold to hunting preserves, as a means of livelihood for profit.

The deer herd owned by Black meets the definition of eligible livestock because they are maintained for commercial use as part of a farming operation, as defined in subparagraph 23 A. Also Black meets the definition of an eligible livestock owner, as provided in subparagraph D because she has legal ownership of the deer and is assuming the production and market risks associated with the agricultural production of those livestock.--\*

**\*--42 Eligible Livestock, Owners, and Contract Growers Eligibility Criteria (Continued)****F Examples of Eligible Livestock and Eligible Livestock Owners (Continued)**

**Example 2:** Sally Johnson, President of ABC Bank, owns 50 percent interest in a pen of 100 head of nonadult beef cattle weighing more than 900 pounds located in Frank Feeders Feedlot. The livestock are being fattened in the feedlot. Johnson's only farming and agricultural interest is as 50 percent owner of the livestock and Johnson neither owns nor leases any agricultural land.

Johnson's nonadult beef cattle in Frank Feeders Feedlot meet the definition of eligible livestock because they are maintained for commercial use as part of a farming operation, as defined in subparagraph 23 A. Also, Johnson meets the definition of an eligible livestock owner, as provided in subparagraph D because she has legal ownership of the livestock and is assuming the production and market risks associated with the agricultural production of livestock.

**Example 3:** John Feeders Feedlot owns 100 percent interest in multiple pens of nonadult beef cattle weighing more than 900 pounds located in John Feeders Feedlot. John Feeders Feedlot is fattening the cattle in the feedlot.

The livestock owned by John Feeders Feedlot meet the definition of eligible livestock because they are maintained for commercial use as part of a farming operation, as defined in subparagraph 23 A. Also, John Feeders Feedlot meets the definition of an eligible livestock owner, as provided in subparagraph D because the feedlot has legal ownership of the livestock and is assuming the production and market risks associated with the agricultural production of livestock.--\*

\*--43 General Payment Information, Rates and Reductions

**A Payment Rates for Eligible Livestock for Livestock Owners**

LIP provides separate payment rates for eligible livestock owners and eligible contract growers. See subparagraph B for payment rates for eligible livestock contract growers.

Payment rates for livestock owners are based on 75 percent of a fair market value, as determined by CCC, for the specific livestock category. The following table provides LIP per head payment rates, by livestock category, for eligible livestock owners.

Kind	Type	Weight Range	Payment Rate Per Head					
			2011	2012	2013	2014	2015	2016
Alpacas			\$280.53	\$262.50	\$267.87	\$270.00	\$270.00	\$270.00
Beef	Adult	Bull	\$971.03	\$1,369.17	\$1,381.63	\$1,590.49	\$1,965.78	\$1,987.89
		Cow	\$746.95	\$1,053.21	\$1,062.79	\$1,223.45	\$1,512.14	\$1,529.14
	Nonadult	Less than 400 pounds	\$336.04	\$460.96	\$454.46	\$553.77	\$716.48	\$757.59
		400 to 799 pounds	\$490.68	\$669.14	\$641.18	\$748.34	\$1,136.61	\$819.65
800 pounds or more		\$766.03	\$972.47	\$967.99	\$1,149.39	\$1,375.41	\$1,120.38	
Buffalo/Beefalo	Adult	Bull	\$1,232.82	\$1,738.30	\$1,754.12	\$2,019.28	\$2,495.75	\$2,523.82
		Cow	\$657.50	\$927.09	\$935.53	\$1,076.95	\$1,331.07	\$1,346.04
	Nonadult	Less than 400 pounds	\$319.24	\$437.91	\$431.73	\$526.08	\$680.66	\$719.71
		400 to 799 pounds	\$466.15	\$635.68	\$609.12	\$710.92	\$1,079.78	\$778.67
800 pounds or more		\$727.73	\$923.84	\$919.59	\$1,091.92	\$1,306.64	\$1,064.36	
Chickens	Broilers/Pullets (Regular Size)		\$2.39	\$2.42	\$2.60	\$2.60	\$2.57	\$2.60
	Chicks		\$0.23	\$0.21	\$0.22	\$0.22	\$0.22	\$0.23
	Layers		\$11.42	\$13.63	\$14.49	\$15.14	\$19.61	*--\$3.27--*
	Pullets/Cornish Hens (Small Size)		\$1.72	\$1.70	\$1.83	\$1.83	\$1.65	\$1.69
	Roasters		\$2.81	\$3.15	\$3.41	\$3.41	\$3.32	\$3.43
Dairy	Adult	Bull	\$997.50	\$1,087.50	\$1,035.00	\$1,080.00	\$1,475.00	\$1,503.75
		Cow	\$997.50	\$1,087.50	\$1,035.00	\$1,080.00	\$1,475.00	\$1,503.75
	Nonadult	Less than 400 pounds	\$249.38	\$271.88	\$258.75	\$270.00	\$368.75	\$375.94
		400 to 799 pounds	\$498.75	\$543.75	\$517.50	\$540.00	\$737.50	\$751.88
800 pounds or more		\$766.03	\$878.37	\$835.96	\$872.31	\$1,191.35	\$1,214.57	
Deer		\$412.50	\$412.50	\$420.93	\$429.53	\$518.11	\$624.96	
Ducks	Ducklings		\$0.61	\$0.66	\$0.66	\$0.66	\$0.67	\$0.67
	Ducks		\$3.82	\$4.15	\$4.12	\$4.12	\$4.19	\$4.21
Elk		\$572.59	\$572.59	\$584.29	\$596.23	\$719.19	\$867.50	
Emus		\$150.00	\$150.00	\$153.07	\$171.34	\$206.67	\$249.29	
Equine		\$637.50	\$637.50	\$650.53	\$728.18	\$878.34	\$1,059.47	
Geese	Goose		\$19.35	\$12.88	\$21.31	\$21.31	\$15.78	\$21.84
	Gosling		\$4.06	\$2.70	\$4.47	\$4.47	\$3.31	\$4.59
Goats	Bucks		\$89.91	\$121.17	\$121.97	\$125.58	\$136.35	\$165.12
	Nannies		\$68.15	\$98.51	\$98.54	\$105.55	\$110.45	\$144.80
	Slaughter Goats/Kids		\$58.89	\$66.72	\$46.72	\$80.25	\$78.58	\$71.05

--\*

## \*--43 General Payment Information, Rates and Reductions (Continued)

**A Payment Rates for Eligible Livestock for Livestock Owners (Continued)**

Kind	Type	Weight Range	Payment Rate Per Head					
			2011	2012	2013	2014	2015	2016
Llamas			\$210.00	\$210.00	\$214.29	\$217.50	\$217.50	\$217.50
Reindeer			\$412.50	\$412.50	\$420.93	\$429.53	\$518.11	\$624.96
Sheep	Ewes		\$117.39	\$175.98	\$104.86	\$119.83	\$136.34	\$120.62
	Lambs		\$126.84	\$143.70	\$100.63	\$172.85	\$169.24	\$153.04
	Rams		\$116.04	\$173.96	\$136.33	\$140.19	\$143.97	\$129.13
Swine	Feeder Pigs	Less than 50 pounds	\$48.12	\$43.90	\$42.60	\$68.76	\$66.15	\$33.30
	Lightweight Barrows/ Gilts	50 to 150 pounds	\$67.73	\$67.73	\$73.93	\$88.70	\$93.93	\$59.91
	Sows/Boars/ Barrows/ Gilts	151 to 450 pounds	\$87.33	\$104.61	\$105.25	\$108.64	\$121.71	\$86.52
	Boars/Sows	450 pounds or more	\$201.03	\$221.80	\$234.38	\$292.11	\$305.48	\$169.81
Turkeys	Poults		\$1.14	\$1.10	\$1.13	\$1.15	\$1.25	\$1.25
	Toms/Fryers/ Roasters		\$12.20	\$14.45	\$13.49	\$13.68	\$14.58	\$15.88

**B Payment Rates for Eligible Livestock for Livestock Contract Growers**

LIP provides separate payment rates for eligible livestock owners and eligible contract growers. See subparagraph A for payment rates for eligible livestock owners.

Payment rates for livestock contract growers are based on 75 percent of the national average income loss sustained, as determined by CCC, by the contract grower with respect to the dead livestock. The following table provides per head payment rates, by livestock category, for eligible livestock contract growers.

Kind	Type	Weight Range	Payment Rate Per Head					
			2011	2012	2013	2014	2015	2016
Chickens	Broilers/Pullets (Regular Size)		\$0.26	\$0.27	\$0.29	\$0.29	\$0.28	\$0.29
	Layers		\$0.69	\$0.82	\$0.82	\$0.91	\$1.18	\$0.20
	Pullets/Cornish Hens (Small Size)		\$0.19	\$0.19	\$0.20	\$0.20	\$0.18	\$0.19
	Roasters		\$0.31	\$0.35	\$0.38	\$0.38	\$0.36	\$0.38
Ducks			\$0.42	\$0.46	\$0.45	\$0.45	\$0.46	\$0.46
Geese			\$2.84	\$1.89	\$3.12	\$3.12	\$2.31	\$3.20
Swine	Feeder pigs	Less than 50 pounds	\$5.47	\$4.99	\$4.84	\$7.81	\$7.51	\$3.78
	Lightweight Barrows/ Gilts	50 to 150 pounds	\$10.17	\$11.15	\$11.10	\$13.32	\$14.11	\$9.00
	Sows/Boars/ Barrows/ Gilts	151 to 450 pounds	\$13.11	\$15.71	\$15.81	\$16.32	\$18.28	\$12.99
	Boars/Sows	450 pounds or more	\$82.61	\$91.15	\$96.32	\$120.04	\$125.54	\$69.78
Turkeys	Toms/Fryers/ Roasters		\$3.34	\$1.59	\$1.48	\$1.50	\$1.60	\$1.75

--\*

**\*--43 General Payment Information, Rates and Reductions****C Payment Reductions for Livestock Owners**

Payments for LIP will be reduced by any amount received by the participant for the same or any similar loss from a different Federal or State source.

Therefore, LIP payment amounts for eligible livestock owners will be reduced by the amount the participant received for the specific livestock under any other Federal or State source for the same or similar loss. Other source refers to the amount the participant received for the same or any similar loss from any Federal or State assistance program.

**Note:** The duplicate benefit could have been paid before or after the LIP payment. However, if a LIP payment was computed, approved, and issued before FSA became aware of a duplicate Federal or State benefit, the livestock owner will be liable for whatever overpayment is determined owed as a result of the duplicate benefit.

**D Payment Reductions for Contract Growers**

Payments for LIP will be reduced by any amount received by the participant for the same or any similar loss from a different source.

**Note:** The amount received by a contract grower from any other source could have been received before or after the LIP payment. However, if a LIP payment was computed, approved, and issued before FSA became aware of a amount received by a contract grower from any other source, the contract grower will be liable for whatever overpayment is determined owed as a result of the amount received for the same or similar loss from the different source.

Some contract growers received monetary compensation from their contractor for the loss of income suffered from the death of livestock under contract.

Some eligible livestock contract growers under LIP may have received payments for dead poultry or swine from their contractor for the loss of income from the dead poultry or swine.--\*

**\*--43 General Payment Information, Rates and Reductions****D Payment Reductions for Contract Growers (Continued)**

LIP payments will be reduced by the amount the contract grower received from their contractor for the loss of income from the eligible loss condition.

**Example 1:** Bill Smith is an eligible contract grower of roaster chickens for the All American Chicken Company for the 2012 calendar year. Mr. Smith suffered an eligible loss (death) of 5,000 chickens under contract as a direct result of a hurricane. The All American Chicken Company gave Mr. Smith \$300 for the loss of income he suffered because of the loss of the chickens. Mr. Smith's 2012 LIP calculated payment amount for the 5,000 chickens is \$500, before any reduction. However, the 2012 LIP payment for the chickens will be reduced to \$200 because of the \$300 received from the contractor for the loss of income from the loss of the chickens because of the adverse weather event.

**Example 2:** Jane Brown is an eligible contract grower of roaster chickens for the All American Chicken Company for the 2012 calendar year. She was also the owner of 100 adult beef cows. Mrs. Brown suffered an eligible loss (death) of 5,000 chickens under contract and 5 adult beef cows as a direct result of an eligible adverse weather event in 2012. The All American Chicken Company gave Mrs. Brown \$2,000 for the loss of income she suffered because of the loss of the chickens. Mrs. Brown's calculated payment amount for the 5,000 chickens is \$600, before any reduction, and \$650 for the 5 adult beef cows. The 2012 LIP payment for the chickens will be reduced to zero because of the \$2,000 received from the contractor. However, the 2012 LIP payment of \$650 for the eligible beef cows is not reduced.--\*

**\*--43 General Payment Information, Rates and Reductions (Continued)**

**E Assignments and Offsets**

For LIP, County Offices shall:

- accept assignments according to 63-FI
- apply offsets according to 58-FI.

**F Issuing Payments to Deceased Individuals, Closed Estates, and Dissolved Entities**

LIP payments for CCC-852’s involving deceased individuals, closed estates, or dissolved entities shall be made according to the following, provided all other eligibility requirements are met.

<b>IF the participant is...</b>	<b>AND CCC-852 is signed by an authorized representative of the...</b>	<b>THEN payments shall be issued...</b>
an individual who died before CCC-852 was filed	deceased according to 1-CM	to any of the following, as applicable, using the ID number of the participant: <ul style="list-style-type: none"> <li>• the deceased individual</li> <li>• the individual’s estate</li> <li>• the heirs, based on OGC determination, according to 1-CM, Part 26.</li> </ul>
an estate that closed before CCC-852 was filed	estate according to 1-CM	
an entity that dissolved before CCC-852 was filed	dissolved entity according to 1-CM	using the ID number of the participant.
an individual who dies, is declared incompetent, or is missing after filing CCC-852		to eligible payees executing FSA-325 according to 1-CM, paragraph 779.

**Note:** FSA-325 is used when there is a request that a payment earned by a deceased, missing, or incompetent program participant be issued in a name other than that of the deceased, missing, or declared incompetent program participant.--\*

**\*--43 General Payment Information, Rates and Reductions (Continued)**

**G Payment Eligibility Requirements**

A participant must meet all the following for 2011 and subsequent calendar year losses before a payment shall be issued:

- current CCC-902 on file for the participant on CCC-852
- CCC-901 on file for legal entities according to 5-PL
- AD-1026 on file according to 6-CP
- not be in violation of fraud provisions, including FCIC fraud provisions, according to 1-CM and 3-PL (Rev. 1)
- compliance with:
  - average AGI provisions according to 5-PL
  - controlled substance provisions according to 1-CM.

County Offices shall record determinations for the applicable criteria in the web-based eligibility system according to 3-PL (Rev. 1).--\*

**\*--43 General Payment Information, Rates, and Reductions (Continued)****H Conservation Compliance Provisions**

AD-1026 applicable to the year for which LIP benefits are requested must be on file for the participant and affiliates, if applicable, according to 6-CP.

If AD-1026 applicable for the year for which LIP benefits are requested is:

- already on file for the participant, and affiliates, if applicable, it is not necessary to obtain a new AD-1026 for LIP
- not on file for the participant, and affiliates, if applicable, County Office shall obtain a completed AD-1026 applicable to the year for which LIP benefits are requested.

If a new AD-1026 is required to be filed, payments may be issued to eligible participants upon signing AD-1026, item 12. It is not necessary to withhold payments pending NRCS highly erodible land or wetland determinations. The continuous certification statement on AD-1026 requires participants to refund program payments if an NRCS determination results in the discovery of a HELC/WC violation.

**I Prevention of Improper Payments**

IPIA requires Federal agencies to evaluate programs to determine whether internal controls are sufficient to prevent improper payments. County Offices shall take all steps necessary to ensure that program and payment eligibility requirements have been met before issuing any payments.

**J Definition of Improper Payment**

Improper payment, as defined by OMB, means any payment that should **not** have been issued or was issued in an incorrect amount under statutory, contractual, administrative, or other legally applicable requirement.--\*

**\*--44 Supporting Documentation****A Proof of Death**

When CCC-852 is submitted, participants must provide **verifiable** documentation of livestock deaths claimed on CCC-852, including livestock that the participant claims died because of normal mortality. Adequate documentation must be provided that proves the death of eligible livestock occurred as a direct result of an eligible adverse weather event or eligible attack by animal or avian predator in the calendar year for which benefits are being requested.

The documentation must provide sufficient data that identifies the quantity and the livestock kind/type and weight range. Documents providing verifiable evidence may include, but are not limited to, any or a combination of the following:

- rendering truck receipts or certificates
- FEMA records
- National Guard records
- veterinary records
- records assembled for tax purposes
- private insurance documents
- written contracts
- bank or other loan documents
- purchase records
- productions records
- property tax records.

**Note:** In addition, livestock contract growers must provide a copy of their grower contract.

**Exception:** See subparagraph F for acceptable proof of death records for livestock death losses occurring on or after October 1, 2011, and before January 1, 2015.--\*

**\*--44 Supporting Documentation (Continued)**

**B Producer Records**

If adequate verifiable proof of death records documentation is not available, including proof of death for normal mortality, the participant may provide reliable records, in conjunction with verifiable beginning and ending inventory records, as proof of death.

See subparagraph D for verifiable documentation of beginning and ending inventory.

Reliable records may include, but are not limited to:

- contemporaneous producer records existing at the time of the event
- pictures with a date
- brand inspection records
- dairy herd improvement records
- other similar reliable documents.

**Exception: See subparagraph F for acceptable proof of death records for livestock death losses occurring on or after October 1, 2011, and before January 1, 2015.--\***

**\*--44 Supporting Documentation (Continued)****C Third Party Certifications**

If a participant is unable to provide verifiable or reliable records as proof of death, according to subparagraphs A or B, the participant must use a third party certification as proof of death in conjunction with verifiable beginning and end inventories.

County Office and COC general knowledge of adverse weather or other factors (such as the degree to which predators are or were present) in the area are **not** acceptable as third party certification under any circumstance.

CED will provide a written monthly report to DD indicating the number of third party certifications reviewed and approved/disapproved.

Third party certification of livestock deaths may be accepted **only when all** of the following are met:

- livestock owner or contract grower, as applicable:
    - completes CCC-854 according to paragraph 45 and certifies to **all** of the following:
      - no other form of proof of death is available
      - number of livestock, by category, in inventory when the deaths occurred
      - physical location of livestock, by category, in inventory when the deaths occurred
    - provides verifiable documentation that supports the reasonableness of the number of livestock in inventory when the deaths occurred, as certified by participant according to paragraph 45
- Important:** See subparagraph D for verifiable documentation of beginning and ending inventory.
- third party completes and certifies on CCC-854 according to paragraph 45 to **all** of the following:
    - specific details about how the third party has knowledge of the animal deaths.--\*

## \*--44 Supporting Documentation (Continued)

## C Third Party Certifications (Continued)

- the relationship or affiliation (if any) of the third party to the applicant

**Note:** The third party must be an independent source who is **not affiliated** with the farming operation. For instance, a third party cannot be a hired hand or a “family member” defined as a person whom a member in the farming operation or their spouse is related as lineal ancestor, lineal descendant, sibling, or spouse.

- telephone number and address of the third party
- number and kind/type and weight range of participant’s livestock that died because of the eligible adverse weather event
- any other details necessary for COC and DD to determine that the certification is acceptable.

**Note:** Although persons signing statements as third parties are not applicants, they are subject to examination by agency or other Government officials regarding the accuracy of their certifications. Third parties are expected to certify only to what they know to be factually true based on their own observation.

COC reviews the participant’s and third party’s certification on CCC-854 and determines all of the following:

- documents provided as evidence of livestock beginning and ending inventory are acceptable
- livestock beginning and ending inventory is reasonable based on documents provided
- claimed losses are reasonable
- third party is a reliable source in a position to have knowledge of loss
- certifications of participant and third party meet all requirements.

**Important:** COC shall approve or disapprove the participant and third party certifications when review is complete, and document review in the COC minutes.--\*

**\*--44 Supporting Documentation (Continued)****C Third Party Certifications (Continued)**

**Example:** Jane Doe completes CCC-852 certifying 15 head of adult beef cows and 25 nonadult beef cattle less than 400 pounds died because of adverse weather.

Mrs. Doe completes CCC-854 indicating she has no proof of death of the cows and calves because they all drowned when a flash flood covered parts of their pastures, and none of the carcasses were ever located.

Mrs. Doe signs and dates CCC-854 indicating no proof of death is available because the livestock claimed on CCC-852 drowned, and no carcasses were ever located. She also certifies on CCC-854 that when the flash flood occurred she had 200 head of adult beef cows and 180 head of nonadult beef cattle less than 400 pounds in the pasture where the deaths occurred. As evidence of the beginning inventory, Mrs. Doe submits copies of bank loan documents for the purchase of 180 beef cows, purchase receipts for a total of 193 beef cows, and veterinary records indicating she had 185 beef calves wormed in July 2012. Mrs. Doe certifies on CCC-854 that she cannot locate the purchase receipts for the remaining 7 head of beef cows; however, she purchased them at the local county livestock auction in May 2011. Mrs. Doe certifies on CCC-854 that all the beef cows and calves in inventory when the animals drowned were physically located in fields 5, 6, and 7 on tract 1093 of FSN 458 in Jefferson County.

Mike Green, Mrs. Doe's neighbor, completes CCC-854 certifying that he has knowledge of the livestock deaths claimed by Mrs. Doe because his cattle are located in the pasture adjacent to Mrs. Does', and he witnessed the flash flood cover the area, and cattle being drowned before they could be safely rescued. After reviewing CCC-852, Mr. Green certifies on CCC-854 that he believes the information provided on CCC-852 is true and correct.

COC reviews Mrs. Doe's CCC-852, and CCC-854 provided by Mrs. Doe and Mr. Green, and the documents provided by Mrs. Doe to support the beginning inventory numbers. Based on the information provided, COC requests Mrs. Doe contact the local livestock auction company where the beef cows were purchased and request a copy of the purchase report or receipts.

After obtaining a purchase report from the local auction company indicating Mrs. Doe did purchase 7 beef cows in May 2011, COC determines the evidence of livestock inventory at time of the livestock deaths, and claimed livestock deaths are reasonable based on the information provided on CCC-854 and according to subparagraph H.

COC signs, dates, and approves CCC-854 provided by Mrs. Doe and Mr. Green, and documents the review in the COC minutes during the meeting in which Mrs. Doe's CCC-852 is approved by COC.--\*

**\*--44 Supporting Documentation (Continued)****D Proof and Reasonableness of Livestock Inventory**

Livestock owners and livestock contract growers that cannot provide verifiable documentation of proof of death, including proof of death because of normal mortality, according to subparagraph E must provide verifiable documentation of their livestock beginning and ending inventory when the deaths occurred according to this subparagraph.

Documents that may provide verifiable evidence of livestock beginning and ending inventory include, but are **not** limited to, any or a combination of the following:

- veterinary records
- canceled check documentation
- balance sheets
- inventory records used for tax purposes
- loan records
- bank statements
- farm credit balance sheets
- property tax records
- brand inspection records
- sales and purchase receipts
- private insurance documents
- chattel inspections.

**Note:** None of the documents listed in this subparagraph, by itself, may be sufficient evidence to determine the reasonableness of the number of livestock in inventory when the deaths occurred. COC's shall ensure that the documents submitted by participants provide verifiable evidence that supports the reasonableness of the number of livestock inventory when the deaths occurred, as certified by the participant.--\*

**\*--44 Supporting Documentation (Continued)****D Proof and Reasonableness of Livestock Inventory (Continued)**

COC's will determine the reasonableness of the livestock inventory and claimed losses using the following guidelines, when appropriate, for calving, farrowing, and kidding:

- 90 percent calving rate
- 103 to 105 percent for sheep
- 150 to 180 percent kidding rate
- 8.5 pigs per litter farrowing rate.

**Example:** A participant reports a livestock inventory of 150 beef cows, 5 beef bulls, and 155 beef calves when the deaths occurred. The normal calving rate would yield 135 (150 times 90 percent) calves. Based on the normal calving rate, 155 calves for 150 cows do not appear reasonable. COC should question the livestock inventory if it is not supported by verifiable documentation.

For newborn livestock (calves and lambs), COC may accept the combination of both the following as verifiable evidence of beginning inventory:

- verifiable beginning inventory of the adult livestock (cows and ewes), adjusted based on the applicable livestock stocking rate
- results from an ultrasound conducted by a third party, such as, but not limited to a veterinarian.

**Example:** Producer B reports a livestock beginning inventory of 50 beef cows, 2 bulls, and 44 beef calves. Producer B does not have verifiable beginning inventory for the 44 beef calves. However, Producer B provides the County Office with veterinary records and bank statements as verifiable evidence of a beginning inventory of 50 beef cattle. The normal calving rate of 90 percent would yield 45 (50 times 90 percent) calves. Producer B provides ultrasound reports from a veterinarian that confirms 44 out of the 50 head of adult beef cattle were pregnant. Based on the ultrasound reports and the calving rate, a beginning inventory of 44 calves appears reasonable. COC should question the newborn livestock beginning inventory if it appears unreasonable when compared to the applicable stocking rate and the ultrasound reports.

For newborn livestock, if a producer cannot meet these verifiable beginning inventory requirements, the producer's beginning inventory may be determined according to subparagraph I for open range operations.--\*

**\*--44 Supporting Documentation (Continued)****E Determining Livestock Beginning Inventory History for Calf and Lamb Open Range Livestock Operations Only**

Calf and lamb open range livestock operations may provide proof of death by using the livestock beginning inventory history for reporting losses.

The calf or lamb open range livestock operation is required to provide beginning livestock inventory records to determine the livestock beginning inventory history, if livestock beginning inventory records are available. Livestock inventory reports must provide:

- an accurate account of livestock beginning inventory for the open range livestock type/kind
- be supported by written verifiable records such as but not limited to:
  - docking records
  - sales receipts
  - shearing records
  - shipping records
  - bank records
  - veterinarian records
  - IRS records
  - other records approved by COC.--\*

**\*--44 Supporting Documentation (Continued)****E Determining Livestock Beginning Inventory History for Calf and Lamb Open Range Livestock Operations Only (Continued)**

When determining beginning livestock inventory, livestock inventory reports may require adjustment by COC, not to exceed normal mortality, for when loss occurs at different points during the growing season (for example, inventories from docking may need little to no adjustment, but sales records at the end of the growing season may require an adjustment to account for a full year of normal mortality). The open range livestock operation must certify to the accuracy of the information.

The open range livestock operation is solely responsible for the timely submission and certification of accurate, complete livestock beginning inventory to the County FSA Office. Livestock beginning inventory records must be provided for all livestock type/kind. Records may be requested by the applicable COC and/or STC, on behalf of FSA. The open range livestock operation must provide such records upon request.

Livestock inventory reports must be submitted to the County Office by the applicable signup deadlines provided in paragraph 40.

COC will determine if the livestock beginning inventory records are acceptable and calculate the approved livestock beginning inventory history using CCC-856 according to paragraph 46.

The livestock beginning inventory history is calculated using a minimum of 4 years of transitional livestock beginning inventory history and will be updated each subsequent inventory year.

The transitional livestock beginning inventory history may:

- contain a maximum of the 4 most recent calendar years
- include actual and transitional livestock beginning inventories
- will only be used when less than 4 years of actual inventory records are available.

Appropriate adjustments to livestock beginning inventory history may be made to account for variations in ewe/cow stocking levels during the period covered by the history.--\*

**\*--44 Supporting Documentation (Continued)****E Determining Livestock Beginning Inventory History for Calf and Lamb Open Range Livestock Operations Only (Continued)**

If no acceptable livestock beginning inventory records are available for either calves or lambs, calculate the 4 transitional livestock beginning inventory histories by multiplying the approved birthing rate/drop rate percentage for the open range livestock operation times the applicable cow or ewe livestock beginning inventory history times 65 percent.

If acceptable livestock beginning inventory records are provided for only 1 of the most recent 5 calendar years, calculate the 3 transitional livestock beginning inventory histories by multiplying the approved birthing rate/drop rate percentage for the open range livestock operation times the applicable cow or ewe livestock beginning inventory history times 80 percent.

If acceptable livestock beginning inventory records are provided for only 2 of the most recent 5 calendar years, calculate the 2 transitional livestock beginning inventory histories by multiplying the approved birthing rate/drop rate percentage for the open range livestock operation times the applicable cow or ewe livestock beginning inventory history times 90 percent.

If acceptable livestock beginning inventory records are provided for only 3 of the most recent 5 calendar years, calculate the 1 transitional livestock beginning inventory histories by multiplying the approved birthing rate/drop rate percentage for the open range livestock operation times the applicable cow or ewe livestock beginning inventory history times 100 percent.

If acceptable livestock beginning inventory history records containing information for 4 or more of the most recent calendar years are provided, calculate the livestock beginning inventory history by taking a simple average of the actual livestock beginning inventory histories.--\*

**\*--44 Supporting Documentation (Continued)****F Acceptable Proof of Livestock Death and Inventory for Livestock Losses Occurring October 1, 2011, Through December 31, 2014**

For livestock death losses that occurred on or after October 1, 2011, and before January 1, 2015, livestock producers who cannot meet the criteria in subparagraphs E, F, G, I, and K may provide acceptable documentation of proof of death and inventories according to the requirements in this subparagraph.

Documents that may provide acceptable evidence of death include, but are not limited to, any or a combination of the following:

- contemporaneous producer records existing at the time of the event, such as, but not limited to:
  - personal diary listing births, deaths, unaccounted animals, and date of such event
  - personal diary of cowboy or herdsman showing animal care
  - calendar listing births, deaths, unaccounted animals, date livestock turned out on pasture
  - pictures with a date
  - brand inspection records
  - dairy herd improvement records
  - ear tag documentation or records
  - other similar reliable documents
- CCC-854, third party certification may be required by COC to support the contemporaneous records. CCC-854 according to subparagraph G does not require the third-party to certify to the specific number of livestock; however, the third party must be able to verify, based on the third party's personal knowledge and observation, the kind/type of livestock lost and provide specific details of the weather event that occurred that resulted in the claimed loss of livestock. If for whatever reason the third party questions or has concerns regarding the the number of claimed livestock lost, the third party should explain those concerns in the statement provided to FSA.--\*

**\*--44 Supporting Documentation (Continued)****F Acceptable Proof of Livestock Death and Inventory for Livestock Losses Occurring October 1, 2011, Through December 31, 2014 (Continued)**

Documents that may provide acceptable evidence of livestock inventory include, but are not limited to, any or a combination of the following:

- veterinary records
- canceled check documentation
- balance sheets
- inventory records used for tax purposes
- bank statements
- farm credit balance sheets
- property tax records
- trucking and/or livestock hauling records
- brand inspection records
- sales and purchase receipts
- private insurance documents
- chattel inspections
- IRS records such schedule F and depreciation schedules
- docking records
- shearing records
- ear tag records.

COC may compare livestock numbers and carrying capacity to acreage reports filed by a producer during the calendar year of loss to determine reasonableness.

COC must review all documentation provided by the producer and based upon review of the documentation provided by the producer and personal knowledge of the producer's livestock operation, determine whether the number of death losses reported by the livestock producer are reasonable and whether the application for payment should be approved.--\*

**\*--44 Supporting Documentation (Continued)****F Acceptable Proof of Livestock Death and Inventory for Livestock Losses Occurring October 1, 2011, Through December 31, 2014 (Continued)**

In the following examples, the named individual or legal entity is fictitious and not intended to portray an actual person or entity. The examples are for illustration purposes only.

**Example 1:** Johnnie Thompson files 2012 CCC-852 and has no verifiable/reliable/3rd party/open range livestock beginning inventory documentation. Mr. Thompson provides a pocket diary in which he has recorded a loss of 100 head of cows and 50 calves because of a April 2012 blizzard.

This could be considered an acceptable reliable record to support proof of death loss for cows and calves. Mr. Thompson would still need to provide additional documentation for inventory.

**Example 2:** Sue Bell files 2013 CCC-852. She has no records to support beginning inventory. Mrs. Bell provides the following records:

- 2013 tax return to document ending inventory of cows
- 2012 tax return to document beginning inventory of cows
- 2 years of sales documents for calves
- purchase receipts for replacement cows
- acreage report on file for 2013.

COC compares livestock numbers/carrying capacity to determine reasonableness. Based upon the review of the documentation provided by Mrs. Bell, COC personal knowledge of Mrs. Bell's livestock operation, COC has determined that the livestock death loss numbers reported are reasonable and should be approved.

**Note:** If COC determines documentation provided is not sufficient to support contemporaneous records, COC can require Mrs. Bell to file CCC-854, Third Party Certification. The CCC-854 according to subparagraph G does not require the third-party to certify to the specific number of livestock; however, the third party should be able to verify the kind/type of livestock lost and provide specific details of the weather event that occurred that resulted in the loss of livestock.--\*

**\*--44 Supporting Documentation (Continued)****F Acceptable Proof of Livestock Death and Inventory for Livestock Losses Occurring October 1, 2011, Through December 31, 2014 (Continued)**

**Example 3:** Juan Ortiz files 2013 CCC-852 and reports a loss of 100 lambs and 50 ewes because of a May 2013 blizzard. Mr. Ortiz does not have proof of death loss documentation to provide to the County Office.

Mr. Ortiz provides CCC-854, "Third Party Certification" completed by a third party who certified that they witnessed the loss of the lambs and ewes because of the blizzard but did not have an exact physical count.

**Note:** This could be considered acceptable proof of death and a reliable record.

Mr. Ortiz has no verifiable documentation to support beginning and ending inventory but provides the following documentation:

- 2013 tax return , 2012 tax return, 2 years of sales documents for lambs
- shearing and docking records
- veterinarian records
- purchase receipts for replacement ewes
- acreage report.

COC reviews the documentation provided by Mr. Ortiz, the acreage report, and compares the livestock numbers/carrying capacity to determine reasonableness. Based upon their review and personal knowledge of Mr. Ortiz's livestock operation, COC determined that the livestock death numbers reported are reasonable and should be approved.--\*

**\*--44 Supporting Documentation (Continued)****G Eligible Death Losses Because of Eligible Attacks**

LIP compensates eligible livestock producers for livestock death losses because of eligible animal attacks, as defined in paragraph 23. LIP does not compensate livestock producers for probable eligible attacks; however, LIP only compensates livestock producers for confirmed kills.

Livestock producers must provide adequate proof that the death of the eligible livestock occurred as a direct result of an eligible attack, in the calendar year for which benefits are requested.

Documentation to substantiate eligible attacks must be obtained from a source such as, but not limited to, the following:

- APHIS, if available

**Note:** APHIS is **not** responsible for verifying livestock death losses for LIP. However, APHIS may intermittently assist on a case-by-case basis should the requestor be currently participating in APHIS Wildlife Services damage management programs or located nearby. The APHIS Wildlife Services ability to assist producers with confirmed kills is voluntary and at the Wildlife Services State Director's discretion.

- Department of Natural Resources
- other sources or documentation as determined by the Deputy Administrator.

**Exception:** See subparagraph J for acceptable proof of death records for livestock death losses occurring on or after October 1, 2011, and before January 1, 2015.

If a participant is unable to get APHIS or Department of Natural Resources to provide documentation to substantiate an eligible attack, the participant may provide verifiable documentation of livestock deaths because of the eligible attack, as provided in subparagraph E, in addition to proof of death for normal mortality.

COC must verify that both APHIS and Department of Natural Resources are not able to provide participants in the County Office verifiable documentation of livestock deaths because of eligible attacks. The County Office must document this in the COC minutes.--\*

**\*--44 Supporting Documentation (Continued)****G Eligible Death Losses Because of Eligible Attacks (Continued)**

If a participant does not have adequate verifiable proof of livestock deaths because of eligible attacks, the participant may provide reliable records, as provided in subparagraph F, **along with both of the following:**

- verifiable beginning and ending inventory records, as provided in subparagraph D
- third party certification, as provided in paragraph 45.

**Important: A third party certification by itself does not meet the requirement for proof of livestock death because of eligible attacks.**

The following is a partial list of avian predators that are protected under Federal law, the Migratory Bird Treaty Act, and the Golden Eagle Protection Act. A more complete list of avian predators that are protected under Federal law, the Migratory Bird Treaty Act, and the Golden Eagle Protection Act is available at <http://www.fws.gov/migratorybirds/regulationspolicies/mbta/mbtandx.html>.

Species are listed alphabetically by common (English) group names, with the scientific name of each species following the common name.

CONDOR, California, *Gymnogyps californianus*

EAGLE, Bald, *Haliaeetus leucocephalus*  
 Golden, *Aquila chrysaetos*  
 White-tailed, *Haliaeetus albicilla*

OSPREY, *Pandion haliaetus*

VULTURE, Black, *Coragyps atratus*  
 Turkey, *Cathartes aura*

--\*

**\*--45 CCC-854, Livestock Indemnity Program Third Party Certification**

**A Completing CCC-854**

Complete CCC-854 according to the following table:

<b>Item</b>	<b>Instruction</b>
1	Enter State and County Code. This is the administrative County Office where the participant's farm records are maintained.
2	Enter the calendar year the eligible loss condition occurred that caused the livestock death loss.
3	Enter County Office name and address. This is the administrative County Office where the participant's farm records are maintained.
<b>Part A – Livestock Producer Information</b>	
4	Enter the participant's name and address, including city, State and ZIP code.
<b>Part B – Livestock Producer Certification of Livestock and Losses</b>	
5	Enter the adverse weather events number from CCC-852, item 12.
6	Enter "YES" if the producer in item 4 is a contract grower. Otherwise, enter "NO".
7	<p>Enter livestock kind/type and weight range for which loss occurred, for which no other proof of death is available.</p> <p>An entry in this field is always required when there is a loss in a particular kind/type and weight range of livestock for which no other proof of death is available.</p> <p><b>Note:</b> Livestock by kind, type, and weight range can be obtained from the local FSA office or LIP Fact Sheet located at <a href="http://disaster.fsa.usda.gov">http://disaster.fsa.usda.gov</a>.</p>

--\*

\*--45 CCC-854, Livestock Indemnity Program Third Party Certification (Continued)

A Completing CCC-854 (Continued)

Item	Instruction
8	Enter the total number of livestock, by kind/type and weight range, in inventory at the time the loss occurred for which no other form of proof of death is available.
9	Enter the physical location of livestock in inventory when deaths occurred. Include the name of the county where the livestock were located when the deaths occurred.  <b>Example:</b> Jones County, Texas, farm 100
10	Enter the type of documentation provided to support reasonableness of livestock in inventory when deaths occurred.  Type of records may include but is not limited to:  <ul style="list-style-type: none"> <li>• veterinary records</li> <li>• loan records</li> <li>• farm credit balance sheets</li> <li>• property tax records.</li> </ul>
<b>Part C - Livestock Producer Certification</b>	
11A	Participant or representative of participant signs to indicate that livestock losses have occurred because of an eligible adverse weather event, that no other form of proof of death is available, the number livestock in item 8 were in inventory when the loss occurred, the livestock in inventory were physically located as described in item 9, and all other information provided is true and correct.
11B	Signatory in item 11A shall enter their title/relationship when signing in the representative capacity.  <b>Note:</b> If a participant/applicant is <b>not</b> signing in the representative capacity, this field should be left blank. If a participant/applicant is signing on behalf of themselves, it is acceptable to write “self”; however, it is <b>not</b> necessary.
11C	Participant or participant’s representative enters signature date.

--\*

## \*--45 CCC-854, Livestock Indemnity Program Third Party Certification (Continued)

## A Completing CCC-854 (Continued)

Item	Instruction
<b>Part D – Third Party Certification Information</b>	
12	Enter the name and address including city, State, and ZIP code of the third party.
13	Enter the telephone number of the third party.
14	*--Enter the relationship or affiliation of the third party to the participant. A third party must be an independent source such as veterinarian, neighbor or other (but not a hired hand or family member).
<b>Part E – Third Party – Specific Details of Livestock Deaths</b>	
15	<p>Enter specific details about how the third party has knowledge of the animal deaths.</p> <p>Written details should be specific about the knowledge of the animal deaths and could include pictures or other documentation, if available.</p> <p>Written details should also include dates of adverse weather event, type of adverse weather event, and physical location of third party relevant to the location of the participant's livestock that were lost or participant's farm.</p>
<b>Part F –Third Party – Certification of Livestock Deaths</b>	
16	<p>Enter the livestock kind/type and weight range of the participant's livestock that died because of an eligible loss condition that the third party has knowledge of.</p> <p><b>Note:</b> Livestock kind/type and weight range can be obtained from the local FSA office or LIP Fact Sheet located at <a href="http://disaster.fsa.usda.gov">http://disaster.fsa.usda.gov</a>.</p>
17	Enter the number of livestock lost because of an eligible loss condition, for the specific kind/type and weight range entered in item 16 that the third party has knowledge of.

--\*

\*--45 CCC-854, Livestock Indemnity Program Third Party Certification (Continued)

A Completing CCC-854 (Continued)

Item	Instruction
<b>Part G – Third Party Certification of Other Details</b>	
18	Enter any other relevant details related to the livestock deaths the third party is certifying to.
<b>Part H – Third Party Signature Certification</b>	
19A through 19B	<p>After reading the certification, third party signs and dates.</p> <p><b>Important:</b> Third parties are responsible for the accuracy of any certification given to FSA. The certification of any fact on CCC-854 is subject to verification. Certifications must be based on the third party’s own personal observation and knowledge.</p>
<b>Part I - County Committee Determination</b>	
20 through 24	COC will review the participant’s and third party’s certification and document their determination by checking “YES” or “NO” to each of the questions in Part I. If “NO”, is checked for any of the questions, COC shall explain their determination in item 25.
25	Enter explanations from items 20 through 24.
26	<p>Enter COC signature.</p> <p><b>Note:</b> Only COC can “approve” or “disapprove” a third party certification.</p>
27	Enter date of COC action.
28	Enter a check in “approved” or “disapproved” box.

--\*





45 CCC-854, Livestock Indemnity Program Third Party Certification (Continued)

B Example of CCC-854 (Continued)

CCC-854 (04-15-14)		Page 3 of 3
PART I - COUNTY COMMITTEE DETERMINATION		
	YES	NO
20. Documents provided as evidence of livestock verifiable beginning and ending inventory are acceptable. If NO, explain in Item 25.		
21. Livestock inventory is reasonable based on documents provided. If NO, explain in Item 25.		
22. Claimed livestock losses are reasonable. If NO, explain in Item 25.		
23. Third party is a reliable source in a position to have knowledge of loss. If NO, explain in Item 25.		
24. Certification of participant and third party meet all requirements. If NO, explain in Item 25.		
25. Comment		
26. COC Signature	27. Date (MM-DD-YYYY)	28. Determination <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved

--\*

**\*--46 CCC-856, Livestock Beginning Inventory History Open Range Livestock Operations Under the Livestock Indemnity Program (LIP)**

**A Completing CCC-856**

Complete CCC-856 according to the following table for calf or ewe open range livestock operations when the livestock operation does not provide verifiable, reliable, or third party proof of death documentation according to subparagraphs 73 E, F, or G, or when the open range livestock operation chooses this method.

Item	Instruction
1	Enter State and County FSA Office Name. This is the State and administrative County Office where the participant’s farm records are maintained.
2	Enter the calendar year the livestock deaths occurred.  <b>Note:</b> If the deaths occurred in 2 different calendar years as a result of the same adverse weather event or eligible attacks by animals or avian predators, a separate CCC-856 must be filed for each calendar year.
3	Enter farm numbers of physical location where livestock are located.
<b>Part A – Producer Information</b>	
4	Enter open range livestock producer’s name/operation name.
<b>Part B – Adult Cow or Ewe Livestock Beginning Inventory (LBI) Report</b>	
Complete this section only if users do <b>not</b> have all 4 years of calf/lamb verifiable and/or reliable “Livestock Beginning Inventory” for the 4 calendar years preceding the calendar year in item 2. If users have calf/lamb Verifiable/Reliable Livestock Beginning Inventory (LBI) for all 4 calendar years preceding the calendar year in item 2, go to Part C.	
5	Enter the 4 preceding calendar years prior to the calendar year entered in item 2.
6	Enter livestock kind/type of Cows or Ewes. (Note: Mother for the type of livestock lost on the open range, either calf or lamb).
7	Enter the verifiable Livestock Beginning Inventory (LBI) for the Cows/Ewes provided for each of the calendar years entered in item 5 for which users do not have verifiable and/or reliable calf/or lamb livestock beginning inventory (LBI).  <b>Note:</b> Any year that the record is a verifiable and/or reliable calf/lamb inventory record, it should be entered in Part C, item 15.
8	Enter the applicable birthing rate percentage (90% for cows and 160% for ewes) for the kind/type of livestock entered in item 6.

--\*

**\*--46 CCC-856, Livestock Beginning Inventory History Open Range Livestock Operations Under the Livestock Indemnity Program (LIP) (Continued)**

**A Completing CCC-856 (Continued)**

<b>Item</b>	<b>Instruction</b>
9	Enter the Calf/Lamb Transitional Livestock Beginning Inventory History (TLBIH) calculated by multiplying item 7 times item 8. Round to the nearest whole number. (use normal rounding procedures) for each applicable calendar year for which no records were provided.
<b>Part C – Calf or Lamb Livestock Beginning Inventory History Calculations</b>	
Use up to 5 preceding years verifiable and reliable records	
10	Enter 4 or 5 preceding calendar year from calendar year item 2.
11	Enter the amount from item 9 for each calendar year.
12	Enter Transitional LBIH based on definitions in part D.
13	Enter sum of item 11 times item 12 (user will either have item 13 or 14, but <b>not</b> both).
14	Enter Verifiable or Reliable Livestock Inventory Records(user will either have item 13 or 14, but <b>not</b> both).
15	Enter the sum of either item 13 or item 14 for each calendar year.
<b>Part D – Approved Livestock Beginning Inventory History (LBIH) For Current Calendar Year</b>	
16	Enter the total sum of item 15.
17	Enter the number of calendar years in item 10 (this could be 4 or 5).
18	Enter result of dividing item 16 by the number of calendar years in item 17 (this could be 4 or 5).
<b>Part E – Producer Certification Statement</b>	
19A	Producer signature.
19B	Enter title/relationship of individual signing in the representative capacity.
19C	Enter date producer signature.
<b>Part F – County Committee Determination</b>	
20	COC or designee shall sign.
21	Enter date of COC or designee signature.
22	Check approved or disapproved based on COC determination.

--\*

**\*--46 CCC-856, Livestock Beginning Inventory History Open Range Livestock Operations Under the Livestock Indemnity Program (LIP) (Continued)**

**B Scenario for CCC-856, Livestock Beginning Inventory History Open Range Livestock Operation Under the Livestock Indemnity Program – Example**

2013 is the loss year. BJ’s livestock lost lambs because an eligible adverse weather event in April, 2013. BJ’s Livestock does not have any lamb livestock beginning inventory records. BJ’s Livestock goes to Prairie County Montana FSA Office on April 15, 2014, to complete a 2013 calendar year CCC-856.

BJ’s Livestock’s open range livestock operation consists of farms 501 and 600. BJ Livestock provides the following verifiable livestock beginning inventory ewe records to Prairie County for the following calendar years:

<u>Calendar Year</u>	<u>Verifiable Beginning Inventory of Ewes</u>
2012	1,000
2011	950
2010	975
2009	1,010

TLBIH for each calendar year 2012 to 2009 was calculated by the County Office as follows.

Applicable Calendar Year Ewe Verifiable Livestock Beginning Inventory x Ewe Drop Rate (160%) = Calf/Lamb TLBIH for the Applicable Calendar Year (Item 9)

- 2012 – 1000 ewes x 160% = 1600 TLBIH lambs
- 2011 – 950 ewes x 160% = 1520 TLBIH lambs
- 2010 – 975 ewes x 160% = 1560 TLBIH lambs
- 2009 – 1010 ewes x 160% = 1616 TLBIH lambs.

LBIH for each calendar year 2012 to 2009 was calculated by the County Office by multiplying the TLBIH for each of the calendar years times 65 percent and entering the result in item 13 and item 15 of the CCC-856.

- 1520 (2011 lamb TLBIH) x 65% = 988 LBIH
- 1560 (2010 lamb TLBIH) x 65% = 1014 LBIH
- 1616 (2009 lamb TLBIH) x 65% = 1050 LBIH
- 1600 (2012 lamb TLBIH) x 65% = 1040 LBIH.--\*

**\*--46 CCC-856, Livestock Beginning Inventory History Open Range Livestock Operations Under the Livestock Indemnity Program (LIP) (Continued)**

**B Scenario for CCC-856, Livestock Beginning Inventory History Open Range Livestock Operation Under the Livestock Indemnity Program – Example (Continued)**

County Office calculated the approved calendar year LBIH by dividing the sum of LBIH’s in items 15 by the number of LBIH calendar years in item 15.

$988 + 1014 + 1,050 + 1,040 = 4092/4 = 1,023$  Approved LBIH = Beginning Inventory to Enter in CCC-852, item 15.

BJ of BJ’s Livestock signed CCC-856 on April 15, 2014.

**C Adjustment to Approved Calendar Year LBIH**

Adjustment to approved calendar year LBIH may need to be made during the calendar year of loss when an open range livestock operation makes a significant reduction in livestock beginning inventory, such as \* \* \* a reduction in the herd size of adult cow or ewes because of the sale of livestock. The reduction in LBIH for the current calendar year that is entered in CCC-852, item 15 from item 18 shall be calculated as follows:

CCC-856, item 18 approved calendar year LBIH for the year of loss minus number of adult cows or ewes sold = adjusted current year approved calendar year LBIH (calves or lambs) to be entered in CCC-852, item 18.

**Example:** On April 15, 2014, BJ’s Livestock filed CCC-856 and the calculated approved LBIH in CCC-856, item 18 was 1,023 according to the example in subparagraph B. BJ’s Livestock reported to the County Office that because of drought, the lamb operation sold 500 ewes on January 1, 2013.

COC determined that the 1,023 LBIH in CCC-856, item 18 should be adjusted for the 2013 calendar as follows:

$1,023 \text{ LBIH (entry in CCC-856, item 18)} - 500 \text{ ewes sold} = 523$   
 2013 adjusted LBIH (entry in CCC-852, item 18).

COC shall enter this determination in the COC minutes.--\*

**\*--46 CCC-856, Livestock Beginning Inventory History Open Range Livestock Operations Under the Livestock Indemnity Program (LIP) (Continued)**

**D Example of CCC-856 for Scenario in Subparagraphs B and C**

This form is available electronically.

<b>CCC-856</b> (04-15-14)	U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation	1. State and County FSA Office Name Montana - Prairie County	2. Calendar Year 2013
<b>LIVESTOCK BEGINNING INVENTORY HISTORY FOR OPEN RANGE LIVESTOCK OPERATIONS UNDER THE LIVESTOCK INDEMNITY PROGRAM (LIP)</b>		3. Farm Number(s) 501, 600	

**NOTE:** The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is the Agricultural Act of 2014 (Pub. L. 79). The information will be used to determine eligibility for livestock indemnity program benefits. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for livestock indemnity program benefits.

This information collection is exempted from the Paperwork Reduction Act as it is required for the administration of the Agricultural Act of 2014 (see Pub. L. 113-79, Title I, Subtitle F-Administration).

The provisions of criminal and civil fraud, privacy and other statutes may be applicable to the information provided. **RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.**

**PART A – PRODUCER INFORMATION**

4. Livestock Producer Name/Operation Name  
 A. BJ's Livestock  
 B.  
 C.  
 D.

**PART B – ADULT COW OR EWE LIVESTOCK BEGINNING INVENTORY (LBI) REPORT**

5. Calendar Year	6. Livestock Kind/Type	7. Cow/Ewe Livestock Beginning Inventory (LBI)	8. Birthing Rate Percentage	9. Calf/Lamb Transitional Livestock Beginning Inventory History (TLBIH)
2012	Sheep/Ewes	1000	160%	1600
2011	Sheep/Ewes	950	160%	1520
2010	Sheep/Ewes	975	160%	1560
2009	Sheep/Ewes	1010	160%	1616

**PART C – CALF OR LAMB LIVESTOCK BEGINNING INVENTORY HISTORY CALCULATIONS**

**Transitional Percent of LBIH Information**

- No verifiable or reliable inventory records – Enter 65% in Item 12 for 4 calendar years because no records of LBI were provided in Item 14.
- 1 year of verifiable or reliable inventory records - Enter 80% in Item 12 for 3 of the calendars because only 1 year of verifiable or reliable LBI record was provided in Item 14.
- 2 years of verifiable or reliable inventory records - Enter 90% in Item 12 for 2 of the calendars because only 2 years of verifiable or reliable LBI records were provided in Item 14.
- 3 years of verifiable or reliable inventory records - Enter 100% in Item 12 for 3 of the calendars because only 3 years of verifiable or reliable LBI records were provided in Item 14.

10. Calendar Year	11. Calf/Lamb Transitional Livestock Beginning Inventory History (TLBIH)	12. Transitional Percent of LBIH	13. Transitional LBIH	14. Verifiable or Reliable Livestock Inventory Records	15. Livestock Beginning Inventory History (LBIH)
2012	1600	65%	1040		1040
2011	1520	65%	988		988
2010	1560	65%	1014		1014
2009	1616	65%	1050		1050

--\*

**\*--46 CCC-856, Livestock Beginning Inventory History Open Range Livestock Operations Under the Livestock Indemnity Program (LIP) (Continued)**

**D Example of CCC-856 for Scenario in Subparagraphs B and C (Continued)**

CCC-856 (04-15-14)		Page 2 of 2
<b>PART D – APPROVED LIVESTOCK BEGINNING INVENTORY HISTORY (LBIH) FOR CURRENT CALENDAR YEAR</b>		
16. Total LBIH (Sum of Item 15)	17. No. of LBIH Calendar Years (Item 10)	18. Approved Calendar Year LBIH
4092	4	1023
<b>PART E – PRODUCER CERTIFICATION STATEMENT</b>		
<p><i>I hereby certify that the information included on this form includes a complete and accurate record of actual livestock inventory records of verifiable and/or reliable history. The verifiable and/or reliable livestock inventory history is accurately identified to the calendar years shown. I understand that the information on this form may be spot checked and failure to certify accurately may result in a loss of livestock indemnity program benefits. Additionally, I authorize CCC to obtain from third parties, such as, but not limited to, other government agencies, individuals, auction barns, contractors or processors, feed vendors, veterinarian services, and rendering services, records or other evidence that substantiates the information provided on this application or any supporting documentation provided. I understand that the livestock beginning inventory history may be different than the approved livestock beginning inventory history yield if the national birthing rate percentage changes.</i></p>		
19A. Producer's Signature (By)	19B. Title/Relationship of the Individual Signing in the Representative Capacity	19C. Date (MM/DD/YYYY)
BJ	Partner	04/15/2014
<b>PART F – COUNTY COMMITTEE DETERMINATION</b>		
20. COC or Designee Signature	21. Date (MM/DD/YYYY)	22. Determination
		<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
<p><small>The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.) Persons with disabilities, who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).</small></p> <p><small>If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at <a href="http://www.ascr.usda.gov/complaint_filing_cust.html">http://www.ascr.usda.gov/complaint_filing_cust.html</a>, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a>. USDA is an equal opportunity provider and employer.</small></p>		

--\*

47-70 Reserved

\*--71 Notice of Loss

**A Filing Notice of Loss**

To apply for LIP, the participant must provide a notice of loss on CCC-852, Parts A and B, in the administrative County Office for the farm where the death loss occurred and/or physical location County Office where the death loss occurred by the dates provided in paragraph 40.

**Note:** If an eligible livestock owner does not own or lease land but owns eligible livestock located in a feedlot and the eligible livestock die because of an eligible loss condition, the eligible livestock owner must be associated in Business Partner to the county where the death losses occurred.

**Reminder:** A participant may file a notice of loss at any County Office in the nation using nationwide customer service. See paragraph 116 for accessing the nationwide customer service software.

A notice of loss is required for a producer to file the application for payment.

A notice of loss must be filed each time either of the following changes:

- administrative County Office for the farm where the death loss occurred and/or physical location County Office where the death loss occurred
- calendar year in which the eligible loss condition occurred.

**Note:** A producer may have multiple pages of CCC-852, page 1, on file for the calendar year.--\*

**\*--71 Notice of Loss (Continued)****A Filing Notice of Loss (Continued)**

In the following examples, the named individual or legal entity is fictitious and not intended to portray an actual person or entity. The examples are for illustration purposes only.

**Example 1:** Mr. Smith does not own or lease land. Mr. Smith owns cattle in XYZ Feedlot in County A, Kansas, and owns cattle in ABC Feedlot in County B, Nebraska. Mr. Smith suffers livestock death losses due to a winter storm in both County A, Kansas and County B, Nebraska. Mr. Smith must file **two** separate notices of loss, one in County A, Kansas and one in County B, Nebraska.

**Example 2:** Mr. Jones owns 2 farms in Dimmit County, Texas, and Mr. Jones owns cattle in Feeders Feedlot in Hartley County, Texas. Mr. Smith suffers livestock death losses on his ranch in Dimmit County, Texas, due to black vulture attacks. Also, Mr. Smith suffers livestock death losses in Feeders Feedlot due to a winter storm. Mr. Smith must file **two** separate notices of loss, one in Dimmit County and one in Hartley County, Texas.

**Example 3:** Mrs. Baker owns Farm A and cash leases Farm B in Culpeper, Virginia. Farms A and B's administrative county office is Culpeper. Mrs. Baker suffers livestock death losses on both Farms A and B due to flooding. Mrs. Baker must file **one** notice of loss in the Culpeper County Office, for livestock death losses that occurred on both Farms A and B.--\*

**\*--71 Notice of Loss (Continued)****A Filing Notice of Loss (Continued)**

A notice of loss may be filed by the participant or participant's representative by 1 of the following alternative methods:

- telephone
- facsimile
- e-mail.

**Note:** The participant is not required to sign the notice of loss if 1 of the alternative methods is used. However, the employee accepting the "notice of loss" shall enter the method by which the "notice of loss" was filed in CCC-852, item 8A if the participant or participant's representative did not sign.

**Example:** Producer A lost 5 adult beef cows as the result of a blizzard on January 15, 2015. Producer A telephones County Office on January 25, 2015, and reports that he/she lost 5 adult beef cows because of a blizzard that occurred on January 15, 2015. County Office enters "phone" in item 8A as the method for which the "Notice of Loss" was reported.

Producer A lost 6 adult beef cows as the result of a flood that occurred on May 15, 2015. Producer A e-mails County Office on May 31, 2015, and reports he/she lost 6 adult beef cows because of a flood that occurred on May 15, County Office enters "e-mail" in item 8A as the method for which the subsequent "Notice of Loss" was reported.--\*

## 71 Notice of Loss (Continued)

**B Late-Filed Notice of Loss – Equitable Relief**

\*--A notice of loss must be filed within a time period that allows the COC or authorized CCC representative the opportunity to determine that the eligible cause of loss occurred as claimed and directly caused the livestock death. However, there have been extenuating circumstances where a livestock producer has failed to provide a notice of loss within the prescribed timeframe, such as, but not limited to, the following examples:

- producer was hospitalized for several months during the time when he/she had lost livestock because of the blizzard, but was unable to provide a notice of loss within 30 calendar days of when the blizzard occurred because he/she was ill
- widespread adverse weather event occurred, such as a flood, resulting in a large number of livestock producers suffering livestock losses and a producer missed providing a notice of loss with the prescribed timeframe by 1 or 2 calendar days.

In these types of situations, DAFP is granting STC's authority to accept and approve late-filed notices of loss under equitable relief provisions provided COC and STC are satisfied, based on other timely filed notices of loss from other participants in the county that identify a similar event and loss or such other reliable information the COC and STC deems supportive, that livestock death losses occurred as claimed by the participant. If COC and STC are not satisfied that there is other information supporting accepting the late-filed notice of loss as credible (because it was not submitted at a time that would permit FSA to verify the accuracy and credibility of the notice based on its own merits and visit by FSA to the claimed loss location or review of similar notices of loss or supportive documentation), the late-filed notice of loss must be disapproved.

Any requests for exceptions to this late-file notice of loss policy **must** be submitted to DAFP.

**Note:** See paragraph 40 for late-filed applications for payment.--\*

## 72 (Withdrawn--Amend. 22)

## \*--73 Acting on Notice of Loss

## A Approving Notice of Loss

COC must act on all completed and signed CCC-852, Part B, Notice of Loss, submitted. Notice of Loss, as certified by the participant must be approved or disapproved. However, COC has authority to make adjustments to the number of death losses because of an eligible loss condition reported on CCC-852.

In the following example, the named individual or legal entity is fictitious and not intended to portray an actual person or entity. The example is for illustration purposes only.

**Example:** Jim Brown files CCC-852, Part B, Notice of Loss, that includes 10 adult beef cows reported lost because of adverse weather event that meet the livestock eligibility requirements and 5 horses lost because of adverse weather that do not meet the livestock eligibility requirements. In this case, COC can enter “0” for loss of horses and then approve the notice of loss for the 10 eligible adult beef cows. Jim Brown would be provided appeal rights according to 1-APP for the 5 horses not approved.

When acting on the notice of loss, COC must determine if the:

- cause of loss is an eligible loss condition
- notice of loss is timely filed.

The notice of loss must be acted on by COC in the:

- FSA administrative County Office for the farm where the death losses occurred, if the producers is on a farm, or
- physical location County Office where the death loss occurred, if the producer does not own or lease land.

If COC approves CCC-852, Part B, Notice of Loss, as certified by the participant and the participant has completed all other parts of CCC-852 and filed the applicaiton:

- notify the participant of approval
- thoroughly document the reasons for approving the notice of loss in the COC minutes.

**Note:** documentation of COC action on Part B could be in an earlier COC minutes than final action on the completed application for payment, CCC-852.--\*

**\*--73 Acting on Notice of Loss**

**B Disapproving Notice of Loss**

COC may disapprove CCC-852, Part B, Notice of Loss, when:

- the participant claims livestock death losses because of an ineligible loss condition
- the participant files a late-file notice of loss.

If COC disapproves CCC-852, Part B, Notice of Loss, and the participant has completed all other parts of CCC-852 and filed the application:

- notify participant of disapproval
- the participant will be provided appeal rights according to 1-APP
- thoroughly document reason for disapproval in the COC minutes.--\*

**74 Application for Payment****A Filing Application for Payment**

\*--To apply for LIP benefits, in addition to the notice of loss required in paragraph 71, eligible livestock owners and livestock contract growers must file an automated application for payment on CCC-852, according to paragraph 76, in **the administrative county office for the farm where the death loss occurred and/or physical location County Office where the death loss occurred.**

**Reminder:** A participant may file an application for payment at any County Office in the nation using nationwide customer service. See paragraph 116 for accessing the nationwide customer service software.

See paragraph 40 for signup deadlines for filing an application for payment.

**Important:** All supporting documentation must be on file for an application to be complete. All documentation must be on file by the signup deadline in paragraph 40. Supporting documentation includes all of the following:

- acceptable proof of livestock death loss documentation according to paragraph 44
- proof that the livestock death was a direct result of an eligible loss condition
- documentation of livestock inventory when the deaths occurred according to paragraph 44.--\*

**\*--74 Application for Payment (Continued)****A Filing Application for Payment (Continued)**

The application for payment must be signed and dated by the participant no later than the sign-up deadlines for filing provided in paragraph 40.

**Note:** A notice of loss must be on file for an application for payment to be filed.

Applications for payment are completed on a calendar year basis. Other documentation is required for a complete application for payment.

In the following example, the named individual or legal entity is fictitious and not intended to portray an actual person or entity. The example is for illustration purposes only.

**Example 1:** Mr. Smith does not own or lease land. Mr. Smith owns 200 head of cattle in XYZ Feedlot in County A, Kansas, and owns 500 head of cattle in ABC Feedlot in County B, Nebraska. Mr. Smith suffers livestock death losses due to a winter storm in both County A, Kansas and County B, Nebraska. Mr. Smith filed two separate notices of loss, one in County A, Kansas and one in County B, Nebraska, and both notices of loss have been approved by the COC. Mr. Smith must file a separate application for payment and supporting documentation in each county office in which a notice of loss was filed.

Complete CCC-852 in the web-based software according to Part 3.

**Exception:** CCC-852's for 2011 death losses that occurred on or after October 1, 2011, and before January 1, 2012, shall be taken on a manual application.

**State and County Offices shall not use unapproved forms, worksheets, applications, or other documents to obtain or collect the data required from participants to complete CCC-852.**

CCC-852's application for payment for LIP will be based on the following:

- administrative county office for the farm where the death loss occurred and/or physical location county office where the death loss occurred
- calendar year in which the eligible loss condition occurred
- participant.

At any point when 1 of these items is different, a separate CCC-852 is required to be filed.--\*

**\*--74 Application for Payment (Continued)****A Filing Application for Payment (Continued)****Producers can file multiple applications for payment within 1 calendar year.**

In the following examples, the named individual or legal entity is fictitious and not intended to portray an actual person or entity. The examples are for illustration purposes only.

**Example 2:** Mr. Jones owns two farms in Dimmit County, Texas, and Mr. Jones owns cattle in Feeders Feedlot in Hartley County, Texas. Mr. Smith suffers livestock death losses on 1 of his farms in Dimmit County, Texas, because of black vulture attacks. Also, Mr. Smith suffers livestock death losses in Feeders Feedlot because of a winter storm. Mr. Smith filed 2 separate notices of loss, 1 in Dimmit County and 1 in Hartley County, Texas and both notices of loss were approved by the COC's. Mr. Jones must file 1 application for payment in Dimmit County that includes the beginning inventory of all cattle in Dimmit County. Mr. Jones must file a second application for payment in Hartley County that includes the beginning inventory of all cattle in Hartley County.

**Example 3:** Mrs. Baker owns Farm A and cash leases Farm B in Culpeper County. Farms A and B's administrative County Office is Culpeper County. Mrs. Baker suffers livestock death losses on both Farms A and B due to flooding. Mrs. Baker filed a notice of loss in the Culpeper County Office, for livestock death losses that occurred on both Farms A and B because of flooding and an application for payment for the flooding losses. The beginning inventory for first application for payment will include all livestock located in Culpeper County on the beginning date of the eligible loss condition.

Later in the calendar year, Mrs. Baker suffers livestock death losses due to a wildfire on farm B. Mrs. Baker filed a notice of loss in Culpeper County Office, for livestock death losses that occurred on Farm B because of wildfire and an application for payment for the wildfire. The second application for payment will not include a new beginning inventory unless Mr. Baker has purchased new livestock or the livestock have changed weight classes since the subsequent eligible loss condition.--\*

**\*--74 Application for Payment (Continued)****A Filing Application for Payment (Continued)**

When a participant has a percentage share interest in a livestock operation with an associated producer that is physically located in the same county, in the same calendar year, the eligible livestock for each participant must be listed on separate CCC-852's based on each participant's share in the livestock operation.

In the following examples, the named individual or legal entity is fictitious and not intended to portray an actual person or entity. The examples are for illustration purposes only.

**Example:** Jane Jones has the following livestock interests in Castro County, Texas, for calendar year 2012. Livestock were lost because of eligible adverse weather events:

50-50 share owner of a beef cattle herd with Bill Green. Jane Jones and Bill Green, as individuals, each have a 50 percent interest in 100 head of beef cattle; 10 adult beef cows were lost because of adverse weather.

The following two CCC-852's would be filed in Castro County, Texas, for calendar year 2012, assuming all participants file an application for the eligible livestock and none of the participants have any other livestock interests:

- one CCC-852 for Jane Jones with a beginning inventory of 50.5 eligible adult beef cows from the operation she shares with Bill Green indicating a 100 percent share and a loss of 5 adult beef cows.
- one CCC-852 for Bill Green with a beginning inventory of 50 adult beef cows from the operation he shares with Jane Jones indicating a 100 percent share and a loss of 5 adult beef cows.--\*

**\*--74 Application for Payment (Continued)****A Filing Application for Payment (Continued)**

When, in the same calendar year, a participant has a percentage share interest with different associated producers in multiple livestock operations that are physically located in the same county, the eligible livestock for each participant shall be listed on separate CCC-852's based on each participant's share.

In the following examples, the named individual or legal entity is fictitious and not intended to portray an actual person or entity. The examples are for illustration purposes only.

**Example:** Sammy Smith has the following livestock interests in Motley County, Texas, which suffered an eligible adverse weather event for calendar year 2012.

- 50-50 share owner of a beef cattle herd with Bill Brown. Sammy Smith and Bill Brown, as individuals, each have a 50 percent interest in 100 head of beef cows; 10 adult beef cows were lost because of adverse weather.
- 75-25 share owner of a beef cattle herd with Martha Green; Sammy Smith and Martha Green jointly own the 100 beef cows as individuals on 75-25 percent share; 20 adult beef cows were lost because of adverse weather.
- 25-50-25 share owner of a beef cattle herd with Bob Black and Mike White. Sammy Smith, Bob Black, and Mike White have a 25-50-25 percent interest, respectively, in the 300 beef cattle; 25 adult beef cows were lost because of adverse weather after normal mortality.--\*

**\*--74 Application for Payment (Continued)****A Filing Application for Payment (Continued)**

**Example:** The following five CCC-852's would be filed in Motley County, Texas, for calendar year 2012, assuming all participants file CCC-852 for the eligible livestock, and none of the participants has any other livestock interests:

- one CCC-852 for Sammy Smith that includes **all** of the following:
  - beginning inventory of 200 adult beef cows - 100 percent share
  - 26 adult beef cows that died because of eligible adverse weather includes:
    - 5 eligible adult beef cow losses from the operation with Bill Brown
    - 15 eligible adult beef cow losses from the operation with Martha Green
    - 6 adult beef cow losses from the operation with Bob Black and Mike White
- one CCC-852 for Bill Brown that includes all of the following:
  - beginning inventory of 50 adult beef cows - 100 percent share
  - 5 eligible adult beef cow losses from the operation with Sammy Smith
- one CCC-852 for Martha Green that includes all of the following:
  - beginning inventory of 25 eligible adult beef cows - 100 percent share
  - 5 eligible adult beef cow losses from the operation with Sammy Smith--\*

**\*--74 Application for Payment (Continued)**

**A Filing Application for Payment (Continued)**

**Example:** • one CCC-852 for Bob Black that includes all of the following:

- beginning inventory of 150 adult beef cows - 100 percent share
- 13 eligible adult beef cow losses from the operation with Sammy Smith and Mike White

**Note:** Mr. White and Mr. Smith agreed to allow Mr. Black to claim 1 extra adult beef cow.

- one CCC-852 for Mike White that includes all of the following:
  - beginning inventory of 75 adult beef cows - 100 percent share
  - 6 eligible adult beef cow losses from the operation he shares with Sammy Smith and Bob Black.

After all information is entered into the web-based CCC-852 software, County Offices shall print the automated CCC-852 and obtain the participant's signature.--\*

**\*--74 Application for Payment (Continued)****B Signing and Certifying CCC-852**

When signing CCC-852, item 25A, the participant is:

- applying for LIP benefits as the participant listed on CCC-852, item 5
- certifying **all** of the following:
  - information provided on CCC-852 is true and correct
  - claimed livestock died as a direct result of an eligible loss condition that occurred in the calendar year for which benefits are requested
  - livestock claimed on CCC-852 are eligible livestock according to paragraph 42
  - the physical location of the:
    - claimed livestock on the day they died
    - participant's current livestock inventory
  - the names and share of all other producers that had an interest in the claimed livestock
  - all supporting documentation provided are true and correct copies of the transaction reported
  - no compensation has been received for livestock losses listed on CCC-852 pursuant to 7 CFR §§ 1416.6, 1416.306, and section 10407(d) of the Animal Health Inspection Protection Act (7 U.S.C. 8306(d))--\*

**\*--74 Application for Payment (Continued)****B Signing and Certifying CCC-852 (Continued)**

- authorizing FSA officials to:
  - enter upon, inspect, and verify all applicable livestock, and livestock deaths, in which the participant has an interest for the purpose of confirming the accuracy of the information provided
  - review, verify, and authenticate all information provided on CCC-852 and supporting documents provided
  - contact other agencies, organizations, or facilities to verify data provided by a participant or third party from such agencies, organizations, or facilities
- acknowledging that:
  - failure to provide information requested by FSA is cause for disapproval of CCC-852
  - providing a false certification to FSA is cause for disapproval of CCC-852, and is punishable by imprisonment, fines, and other penalties.

**Note:** Participants who receive assistance must keep records and supporting documentation for 3 years following the end of the year in which the application for payment was filed.--\*

**\*--74 Application for Payment (Continued)**

**C Signature Requirements**

All participants' signatures **must** be received no later than:

- January 30, 2015, for losses occurring on or after October 1, 2011, and before January 1, 2015
- 30 calendar days after the end of the calendar year in which the loss of livestock occurred for 2015 calendar year applications for payment
- 90 calendar days after the end of the calendar year in which the eligible loss condition occurred.

Follow 1-CM for signature requirements.

**Important:** 1-CM, Part 25 provides signature requirements for general partnerships. County Offices shall see 1-CM for signature requirements for general partnerships.

**D Printing and Reviewing Automated CCC-852**

After all information is entered into the automated system, County Offices shall:

- print an automated CCC-852
- if a manual CCC-852 was submitted:
  - attach the manual CCC-852 to the automated CCC-852
  - conduct a second party review of all data on the automated CCC-852 to ensure that all data is the same on both the manual and automated CCC-852.--\*

**\*--74 Application for Payment (Continued)**

**D Printing and Reviewing Automated CCC-852 (Continued)**

**Important:** The individual conducting the second party review shall:

- not be the same individual who entered the data into the automated system
- initial and date automated CCC-852 to indicate second party review has been completed.

**Note:** Manual CCC-852's shall only be taken if the automated system is not operational or available at the time of application. DD's shall conduct second party reviews for all manual CCC-852's submitted to ensure that manual CCC-852's are loaded in the automated system within 5 workdays from the date the participant signs.--\*

**\*--74 Application for Payment (Continued)**

**E Supporting Documents**

All supporting documents must be completed by the participant and on file in the County Office before CCC-852 may be approved.

The participant must have provided the following to the County Office by no later than the applicable application for payment signup deadline provided in paragraph 40:

- proof of death documentation, including documentation from APHIS, Federal and State DNR's, or other sources as determined by the Deputy Administrator, to document eligible attacks by animals and avian predators
- copy of contract growers contracts
- proof of normal mortality documentation
- livestock inventory reports for open range operations.--\*

**\*--74 Application for Payment (Continued)**

**E Supporting Documents (Continued)**

Additional supporting documents including, but not limited to, the following must be completed by the participant and be on file in the County Office before CCC-852 can be approved:

- CCC-902 on file for the applicant according to 5-PL
- CCC-901 on file for legal entities according to 5-PL
- AD-1026 on file according to 6-CP
- CCC-941 and other acceptable document according to 5-PL to determine compliance with average AGI provisions for 2011 and subsequent years.--\*

**\*--75 Acting on CCC-852****A Approving CCC-852**

COC must act on all submitted, completed, and signed CCC-852's.

**Exception:** Only COC has authority to act on (approve or disapprove) CCC-852's submitted that use producer records, third party certification, livestock beginning inventory history for calf/lamb open range operations, or acceptable proof of livestock death and inventory loss as proof of loss.

See paragraph 40 D for guidance on late-filed CCC-852.

**Important:** DD review of initial applications must be completed according to subparagraph D before applications may be approved or disapproved.

CCC-852 shall be approved or disapproved as certified by the participant. When more than 1 type of livestock is claimed, CCC-852 shall be approved or disapproved based on all livestock claimed. However, COC does have authority to make adjustments to certain information reported on CCC-852 when documentation warrants making adjustments.

In the following example, the named individual or legal entity is fictitious and not intended to portray an actual person or entity. The example is for illustration purposes only.

**Example:** Jim Brown files CCC-852 that includes 10 adult beef cows reported in item 16 lost because of adverse weather that meet the livestock eligibility requirements and 5 horses lost because of adverse weather that do not meet the livestock eligibility requirements. In this case, COC can enter "0" in item 19, "COC Adjusted Number of Lost Due to Adverse Weather/Animal Attack" field of CCC-852 for horses and then approve CCC-852 for the 10 eligible adult beef cows. Jim Brown would be provided appeal rights according to 1-APP for the 5 horses not paid.--\*

**\*--75 Acting on CCC-852 (Continued)****A Approving CCC-852 (Continued)**

Before approving CCC-852, COC **must**:

- ensure that **all** program eligibility requirements are met
- be satisfied with **all** the following:
  - claimed livestock deaths occurred as follows:
    - because of an eligible loss condition
    - on or after October 1, 2011
  - reasonableness of the claimed livestock deaths
  - proof of death provided is verifiable
  - documentation of livestock inventory when the deaths occurred, if applicable, is verifiable
  - reliable records along with beginning and ending inventory records, if applicable, provide adequate proof of death
  - third party certifications, if applicable, meet all requirements according to paragraph 45
  - livestock beginning inventory history for calf and lamb open range operations, if applicable, meet all the requirements according to paragraph 44
  - acceptable proof of livestock death and inventory for livestock losses occurring October 1, 2011, through December 31, 2014, if applicable, meet all requirements according to paragraph 44
  - all signature requirements are met.

**Note:** See subparagraph B when:

- COC questions any data provided by participant
- disapproving CCC-852.--\*

**\*--75 Acting on CCC-852 (Continued)****B Disapproving CCC-852**

COC must act on all completed and signed CCC-852's submitted. See subparagraph A when approving CCC-852.

**Exception:** Only COC has authority to act on (approve or disapprove) CCC-852's submitted that use producer records or third party certification as proof of loss, livestock beginning inventory for calf/lamb open range operations or acceptable proof of livestock death or inventory loss is acceptable according to paragraph 44.

If it is determined that any information provided on CCC-852 is not reasonable or is questionable, additional verifiable documentation or evidence shall be requested from the participant, in writing, to support the data provided. Other agencies, organizations, or facilities may also be contacted to verify information provided by participants.

**Important:** See subparagraph C when contacting other agencies, organizations, or facilities to verify information provided by participants.

**Exception:** COC shall **not** require tax records; however, participant may voluntarily provide tax records.

If all program eligibility requirements are **not** met, or it is determined that the information on CCC-852, or any additional supporting documentation provided by the participant, is **not** accurate or reasonable, then the following actions shall be taken:

- disapprove CCC-852
- notify participant of disapproval
- provide participant applicable appeal rights according to 1-APP
- thoroughly document reason for disapproval in the COC minutes.

**Note:** See paragraph 40 for late-file payments.--\*

## \*--75 Acting on CCC-852 (Continued)

**C Verifying Data With Other Agencies, Organizations, or Facilities**

When contacting agencies, organizations, or facilities to verify data provided by a participant or third party, the County Office shall be specific in the information requested. The request should include, but is not limited to, the following:

- participant's name
- explanation of the representation the participant made about the agency, organization, or facility that FSA is attempting to verify as accurate or not
- animal kind and type
- information that is being requested.

**D DD Review and Report of Initial CCC-852's**

DD shall review the first five CCC-852's for calendar years October 1, 2011, through calendar year 2014 approval where:

- proof of death is provided according to paragraph 44, before COC or CED may approve any such CCC-852
- reliable records are provided along with verifiable beginning and ending inventory records as proof of death according to paragraph 44, before COC may approve CCC-852
- third party certification is used to prove death according to paragraph 45, before COC may approve any such CCC-852
- livestock beginning inventory history for calf or lamb open range operations is used according to paragraph 44, before COC may approve such CCC-852
- acceptable proof of livestock death and inventory loss is used according to paragraph 44, before COC may approve any such CCC-852.

**Note: Only COC is authorized to act on CCC-852's where reliable records are provided according to paragraph 45, third party certification according to paragraph 45, livestock beginning inventory history for calf or lamb open range operation issued according to paragraph 44, acceptable proof of livestock death and inventory loss is used according to paragraph 44 is used to prove loss.--\***

**\*--75 Acting on CCC-852 (Continued)****D DD Review and Report of Initial CCC-852's (Continued)**

For 2015 and subsequent calendar years, DD shall review the first five CCC-852's each calendar year before approval where:

- proof of death is provided according to paragraph 44, before COC may approve any such CCC-852
- reliable records are provided along with verifiable beginning and ending inventory records as proof of death according to paragraph 44, before COC may approve CCC-852
- third party certification is used to prove death according to paragraph 45, before COC may approve any such CCC-852
- livestock beginning inventory history for calf or lamb open range operations is used according to paragraph 44, before COC may approve any such CCC-852.

**Note: Only COC is authorized to act on CCC-852's where reliable records are provided according to paragraph 44, third party certification is used to prove loss, and livestock beginning inventory history for calf/lamb open range operations is used according to paragraph 44.--\***

**\*--75 Acting on CCC-852 (Continued)**

**D DD Review and Report of Initial CCC-852's (Continued)**

The review shall ensure that:

- separate CCC-852's are submitted by participant and administrative county
- signature requirements, including power of attorney, are met
- proof of death is provided and verifiable, according to paragraph 44, when applicable
- reliable records are provided along with verifiable beginning and ending inventory records as proof of death according to paragraph 44, when applicable
- third party certifications, if applicable, meet all requirements according to paragraph 45
- livestock beginning inventory history for calf/lamb open range operations, if applicable, meet all requirements according to paragraph 44
- no State or County Office developed forms, worksheets, applications, or other documents are being used to obtain or collect the data required from participants
- supporting data required for payment eligibility is properly completed and on file before a payment is issued; such as CCC-902, CCC-901, CCC-941, AD-1026, and accurate subsidiary and SCIMS data.--\*

**\*--75 Acting on CCC-852 (Continued)**

**D DD Review and Report of Initial CCC-852's (Continued)**

Within 10 workdays of completing the review, DD shall provide a written report to SED describing the review findings, including a list of errors discovered, proposed corrective action, and the overall status of implementing LIP in the County Office.

DD review of the initial CCC-852's and supporting documentation submitted is critical to ensuring that LIP is being administered according to the procedures provided in this handbook and the regulations in 7 CFR Part 1416, Subparts A and D.

Reviewing the initial CCC-852's and supporting documentation in a timely manner:

- identifies possible weaknesses in the administration of the program that may be resolved by additional training, clarified procedures, or modified software
- prevents numerous participants from being impacted by erroneous administration of the program
- allows corrections to be made in a timely manner before erroneous payments are issued.--\*

\*--76 CCC-852, Livestock Indemnity Program Application

A Completing Manual CCC-852

Complete CCC-852 according to the following table.

Item	Instruction
1	Enter State and County Code. This is the administrative county office for the farm where the death loss occurred and/or physical location county office where the death loss occurred.
2	Enter the calendar year the eligible loss condition occurred that caused the livestock death losses.
3	Enter County Office Name. This is the administrative county office for the farm where the death loss occurred and/or physical location county office where the death loss occurred.
4	Enter the application number.  <b>Note:</b> This is an automated system assigned number.
<b>Part A - Producer Information</b>	
5	Enter the producer's name and address.
<b>Part B - Notice of Loss</b>	
6	<p>Enter the date of the eligible loss condition that caused the livestock death losses claimed in item 16.</p> <p><b>Notes:</b> A number should be assigned to each date of occurrence and/or when loss was apparent. This number will be used to tie the adverse weather events entered in item 7.</p> <p><b>Example:</b> For a freeze and blizzard that occurred on March 1, 2014, and hurricane that occurred on August 1, 2014, item 6 should be completed as follows:</p> <p style="padding-left: 40px;"><u>Item 6:</u></p> <p style="padding-left: 80px;">1. March 1, 2014 2. August 1, 2014</p> <p>Multiple dates may be entered if livestock deaths resulted from more than 1 eligible loss condition during the calendar year. Dates can be a range of dates.</p>

--\*

\*--76 CCC-852, Livestock Indemnity Program Application (Continued)

A Completing Manual CCC-852 (Continued)

Item	Instruction								
7	<p>Enter the eligible loss condition that caused the livestock deaths.</p> <p><b>Notes:</b> Enter the number from date of occurrence/when loss was apparent from item 6 that corresponds with the eligible loss condition.</p> <p><b>Example:</b> For a freeze and blizzard that occurred on March 1, 2014, and hurricane that occurred on August 1, 2014, item 6 and item 7 should be completed as follows:</p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: center;"><u>Item 6:</u></td> <td style="text-align: center;"><u>Item 7:</u></td> </tr> <tr> <td style="text-align: center;">1. March 1, 2014</td> <td style="text-align: center;">1. Freeze</td> </tr> <tr> <td style="text-align: center;">2. August 1, 2014</td> <td style="text-align: center;">1. Blizzard</td> </tr> <tr> <td></td> <td style="text-align: center;">2. Hurricane</td> </tr> </table> <p>Multiple eligible loss conditions may be entered if more than 1 eligible loss condition resulted in the loss of eligible livestock during the calendar year.</p>	<u>Item 6:</u>	<u>Item 7:</u>	1. March 1, 2014	1. Freeze	2. August 1, 2014	1. Blizzard		2. Hurricane
<u>Item 6:</u>	<u>Item 7:</u>								
1. March 1, 2014	1. Freeze								
2. August 1, 2014	1. Blizzard								
	2. Hurricane								

--\*

\*--76 CCC-852, Livestock Indemnity Program Application (Continued)

A Completing Manual CCC-852 (Continued)

Item	Instruction
8A	<p>Producer or representative of producer may sign to indicate that livestock losses have occurred because of the eligible loss condition listed in item 7 and the losses occurred or were apparent to the producer on the dates listed in item 6.</p> <p>Producer or producer representative may also file a “notice of loss” with the a administrative County Office for the farm where the death loss occurred and/or physical location county office where the death loss occurred by 1 of the following alternative methods:</p> <ul style="list-style-type: none"> <li>• telephone</li> <li>• facsimile</li> <li>• e-mail.</li> </ul> <p>Enter the method by which the “notice of loss” was filed with the administrative county office for the farm where the death loss occurred and/or physical location county office where the death loss occurred if the producer or producer’s representative did not sign in item 8A.</p> <p><b>Note:</b> Multiple “Notices of Loss” may be filed during the calendar year if multiple eligible loss conditions resulted in livestock losses during the calendar year.</p>
8B	<p>Signatory in item 8A shall enter their title/relationship when signing in the representative capacity.</p> <p>If a producer and/or applicant is <b>not</b> signing in the representative capacity, this field should be left blank. If a producer/applicant is signing on behalf of themselves, it is acceptable to write “self”; however, it is <b>not</b> necessary.</p>
8C	<p>Producer or producer’s representative enters date they signed “Notice of Loss” or County Office employee enters date producer or producer’s representative reported “Notice of Loss” using 1 of the alternative methods in item 8A.</p>

--\*

\*--76 CCC-852, Livestock Indemnity Program Application (Continued)

A Completing Manual CCC-852 (Continued)

Item	Instruction
<b>Part C - Livestock Location and Associated Producer Information</b>	
9	<p>Enter the physical location of claimed livestock at the time they died for the eligible loss condition. Include the name of the County where the claimed livestock were physically located at the time they died.</p> <p><b>Examples:</b> Jones County, TX, Farm 100, or 1211 Bovine Rd, Cow Palace, TX.</p>
10	<p>Enter the current physical location of the livestock in inventory.</p> <p><b>Examples:</b> Jones County, TX, Farm 100, or 1211 Bovine Rd., Cow Palace, TX.</p>
11	<p>Enter associated producers who had an ownership or contract grower share in the livestock <b>and indicate their share.</b></p>
<b>Part D - Livestock Losses by Kind and Type</b>	
12	<p>Enter the corresponding number associated to the date of occurrence entered in item 6 that applies to the loss of livestock to be entered in item 14.</p>
13	<p>Enter “Yes” if the producer in item 5 is a contract grower. Otherwise, enter “No”.</p>
14	<p>Enter livestock kind, type, and weight range for which the loss occurred.</p> <p>If livestock in a previously recorded livestock kind/type and weight has changed to a new weight range, and a loss has occurred to the livestock in the new weight range, enter the original and new livestock kind/type and weight range as follows on the same line:</p> <p>Nonadult beef cattle under 400 lbs. (original)                      Nonadult beef cattle 400 lbs. or more (new).</p> <p><b>Note:</b> Losses occurring for the nonadult beef cattle 400 lbs. or more (new) would be recorded in item 16. An entry would not be entered item 15.</p> <p>An entry in this field is always required when there is a loss in a particular kind, type, and weight range of livestock.</p> <p><b>Note:</b> Livestock by kind, type, and weight range can be obtained from the local FSA office or LIP Fact Sheet located at <a href="http://disaster.fsa.usda.gov">http://disaster.fsa.usda.gov</a>.</p>

--\*

\*--76 CCC-852, Livestock Indemnity Program Application (Continued)

A Completing Manual CCC-852 (Continued)

Item	Instruction
15	<p>Enter the total number of eligible livestock listed in item 14 in inventory on the beginning date of the eligible loss condition referenced in item 12, for all livestock located in the administrative county office for the farm(s) where the death loss occurred and/or physical location county office where the death loss occurred, when 1 of the following apply.</p> <p><b>Exceptions: If normal mortality death losses are being claimed to have occurred before the beginning date of the first eligible loss condition,</b> item 15 must have animals added that were in inventory before the beginning date of eligible loss condition but which are not in inventory for whatever reason (normal mortality, sold, butchered, etc.) as of the beginning date of eligible loss condition. This is to ensure that calculated normal mortality is consistent with any claimed losses because of normal mortality</p> <p>If a producer suffers eligible losses of newborn livestock, according to subparagraph 42 B, the number of newborn livestock born during the eligible loss condition will be included in “Inventory on Date of Adverse Weather Event/Animal Attack”.</p> <ul style="list-style-type: none"> <li>• The loss being reported is the first loss of livestock incurred for the particular kind/type, and weight range of livestock listed in item 14 for the eligible loss condition date referenced in item 12.</li> <li>• Additional livestock are purchased for a particular kind/type and weight range of livestock after the first loss of livestock for that particular kind/type and weight range of livestock has been incurred, and the additional purchased livestock have incurred a loss because of an eligible loss condition.</li> <li>• Additional livestock are born for a particular kind, type and weight range that have suffered losses from a previous eligible loss condition in the same calendar year and 1 or more of the additional newborn livestock die within 7 calendar days from the last day of a subsequent eligible loss condition.</li> </ul> <p><b>Note: Do not record an entry in item 15 for a particular type/kind and weight range of livestock when subsequent losses occur within a particular kind/type and weight range for which inventory has already been reported on CCC-852.</b></p> <p>If a producer does not have a 100 percent ownership or contract grower share interest in a particular kind/type and weight range of livestock that was lost because of an eligible adverse weather event, the livestock for which the producer does not have a 100 percent ownership or contract grower share shall be prorated based on the producer’s percent share interest. See subparagraph 74 A for prorating livestock based on producer’s share.</p>

--\*

\*--76 CCC-852, Livestock Indemnity Program Application (Continued)

A Completing Manual CCC-852 (Continued)

Item	Instruction
16	<p>Enter the number of head of livestock by kind/type and weight range that died because of the eligible loss condition for all livestock located in the administrative county office for the farm(s) where the death loss occurred and/or physical location county office where the death loss occurred, referenced in item 12.</p> <p>An entry in this field is always required when there is a loss in a particular kind, type, and weight range of livestock.</p> <p><b>Notes:</b> Livestock must have died on or after October 1, 2011, but no later than 60 calendar days from the ending date of the eligible loss condition in item 7.</p> <p>If a producer does not have a 100 percent ownership or contract grower share interest in a particular kind/type and weight range of livestock that was lost because of an eligible loss condition, the livestock for which the producer does not have a 100 percent ownership or contract grower share shall be prorated based on the producer's percent share interest. See subparagraph 74 A for prorating livestock based on producer's share.</p>

--\*

\*--76 CCC-852, Livestock Indemnity Program Application (Continued)

A Completing Manual CCC-852 (Continued)

Item	Instruction
17	<p>For calendar year 2011, enter the number of livestock that died on or after October 1, 2011, and before January 1, 2012, because of normal mortality on or after the first eligible loss condition referenced in item 12.</p> <p>For 2012 and subsequent calendar years, enter the number of livestock that died during the calendar year because of normal mortality before or on the first eligible loss condition, referenced in item 12, for all livestock located in the administrative county office for the farm(s) where the death loss occurred and/or physical location county office where the death loss occurred.</p> <p>For subsequent eligible loss conditions, enter the number of livestock that died because of normal mortality since the prior eligible loss condition.</p> <p><b>Notes:</b> For 2011 losses, the eligible loss condition causing the loss must have occurred on or after before October 1, 2011, and before January 1, 2012.</p> <p>The producer shall provide documentation to the County Office to support livestock deaths because of normal mortality according to paragraph 44.</p>
18	<p>COC shall enter the adjusted inventory, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines an inventory different than the inventory certified to by the producer.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 18 and only after parts H and I are complete.</p>
19	<p>COC shall enter the adjusted number of livestock lost because of an eligible loss condition, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines the number of eligible livestock lost because of an eligible loss condition is different than the number of livestock certified to by the producer as lost because of the eligible loss condition.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 19 and only after Parts H and I are complete.</p>
20	<p>COC shall enter the adjusted number of livestock lost because of normal mortality, if applicable.</p> <p><b>Notes:</b> An entry is only required when COC determines the number of livestock lost because of normal mortality is different than the number of livestock certified to by the producer as lost because of normal mortality.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in item 20 and only after Parts H and I are complete.</p>

--\*

\*--76 CCC-852, Livestock Indemnity Program Application (Continued)

A Completing Manual CCC-852 (Continued)

Item	Instruction
<b>Part E - Documentation of Beginning Inventory</b>	
21	<p>Enter the type of supporting documentation provided by the producer to verify beginning inventory and enter the number of livestock supported by the documentation provided.</p> <p><b>Note:</b> See paragraph 44 for examples of acceptable documentation that may provide verifiable evidence of livestock beginning inventory.</p>
<b>Part F - Documentation to Verify Livestock Losses</b>	
22	<p>Enter the type of documentation provided by the producer to verify livestock losses due to normal mortality and losses as a direct result of an eligible loss condition. Enter the applicable number of livestock supported by the documentation provided.</p> <p><b>Note:</b> See paragraph 44 for acceptable documentation for verifying livestock losses.</p>
<b>Part G - Similar Loss/Contract Growers</b>	
23	<p>Enter the amount of monetary compensation received by the producer from their contractor for the loss of income suffered from the death of the livestock under contract (for contract growers only).</p>
24	<p>Enter amount of compensation received from other disaster assistance programs for the same livestock losses.</p> <p><b>Important:</b> Include benefits received from any Federal or State established programs for the same livestock losses because of eligible attacks.</p>
<b>Part H - Producer Certification</b>	
25A through 25C	<p>After reading the certification, the livestock owner or contract grower or representative signs and dates.</p> <p>Signatory in item 25A shall enter their title/relationship when signing in the representative capacity.</p> <p>If a producer/applicant is <b>not</b> signing in the representative capacity, this field should be left blank. If an applicant is signing on behalf of themselves, it is acceptable to write "self"; however, it is <b>not</b> necessary.</p>
<b>Part I - County Committee Determination</b>	
26	<p>Enter COC signature.</p>
27	<p>Enter date of COC action.</p>
28	<p>Enter a check in approved or disapproved box.</p> <p><b>Important:</b> CCC-852 shall be approved or disapproved as certified by the producer after applicable COC adjustment fields are completed. Provide appeal rights according to 1-APP if the application is either disapproved or if COC made adjustments to claimed losses.</p>

--\*

**\*--76 CCC-852, Livestock Indemnity Program Application (Continued)****B Scenario 1 for Application Example 1****Death Losses – Adult Beef Cows**

Bob Wheat is a cow calf operator in Jones County, Texas. Bob Wheat is the owner of Farm 1450 and cash leases 1780 in Jones County. On March 1, 2016, Bob Wheat owned a total of 100 head of adult beef cows in Jones County; 25 head on farm 1450 and 75 head on farm 1780.

On February 15, 2016, Bob Wheat loses 3 adult beef cows to normal mortality.

On February 1, 2016, 2 adult beef cows on farm 1450 are marketed.

**Adverse Weather Event 1** - On March 1, 2016, Mr. Wheat suffers 5 death losses of adult beef cows as a result of a freeze and blizzard. On March 15, 2016, Mr. Wheat phones the Jones County FSA Office to report the 5 losses of adult beef cows because of the freeze and blizzard on farm 1450.

On May 15, 2016, Bob Wheat purchased 50 additional head of adult beef cows and places these 50 head on farm 1450.

**Adverse Weather Event 2** - On August 1, 2016, Bob Wheat lost 6 head of adult beef cows because of a hurricane. Mr. Wheat notifies the Jones County FSA Office by e-mail on August 15, 2016, of the 6 losses of adult beef cows because of a hurricane in farm 1450.

**Adverse Weather Event 3** - On September 1, 2016, Bob Wheat reports by e-mail to the Jones County FSA Office the loss of an additional 5 head of adult beef cows on farm 1450 because of another hurricane that occurred on August 20, 2016--\*

**\*--76 CCC-852, Livestock Indemnity Program Application (Continued)****B Scenario 1 for Application Example 1 (Continued)**

Mr. Wheat provides the following to the COF prior to signing the application for payment:

- provides proof of death loss documentation for adult beef cow losses because of freeze, blizzard, and hurricanes
- provides proof of death loss documentation for 5 adult beef cow losses due to normal mortality
- sale barn purchase receipt dated May 15, 2016, showing 50 adult beef cows being purchased
- bank chattel inspection form dated January 3, 2016, that supports the 100 adult beef cow inventory.

Since Mr. Wheat is claiming normal mortality death losses on February 15, 2016, before the beginning date of the eligible loss condition, Mr. Wheat's inventory entered on CCC-852, item 15 must include livestock in inventory **before** the beginning date of eligible loss condition but which are not in inventory for whatever reason as of the beginning date of eligible loss condition. Therefore, for eligible loss condition 1, Mr. Wheat includes the following livestock as beginning inventory in item 15:

- 100 head of adult beef cows in Jones County on March 1, 2016, 25 adult beef cows on farm 1450, and 75 adult beef cows on farm 1780; plus
- 2 adult beef cows marketed on February 1, 2016; plus
- 3 adult beef cows that died because of normal mortality on February 15, 2016.

Mr. Wheat enters 105 adult beef cows on CCC-852, item 15, for eligible loss condition 1.

For eligible loss condition 2, Mr. Wheat enters 50 adult beef cows that were purchased on May 15, 2016.

For eligible loss condition 3, Mr. Wheat enters 0 adult beef cows.

**Note:** The beginning inventory of adult beef cows is the total inventory on the beginning date of the eligible loss condition for all livestock located in the administrative county office for the farm(s) where the death loss occurred and/or physical location county office where the death loss occurred.--\*

\*--76 CCC-852, Livestock Indemnity Program Application (Continued)

C Example of CCC-852 for Scenario 1 Application Example 1

This form is available electronically.

<b>CCC-852</b> (04-15-14)  <b>LIVESTOCK INDEMNITY PROGRAM APPLICATION</b>	<b>U.S. DEPARTMENT OF AGRICULTURE</b> Commodity Credit Corporation	1. State and County Code  48 109	2. Calendar Year  2016
		3. County Office Name  Jones	4. Application Number  25

**NOTE:** The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 1416, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and the Agricultural Act of 2014 (Pub. L. 113-79). The information will be used to determine eligibility for livestock indemnity program benefits. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for livestock indemnity program benefits.

*This information collection is exempted from the Paperwork Reduction Act as specified in the Agricultural Act of 2014 (Pub. L. 113-79, Title I, Subtitle F-Administration).*

*The provisions of criminal and civil fraud, privacy and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.*

**PART A – PRODUCER INFORMATION**

5. Producer's Name and Address (City, State and Zip Code)

Bob Wheat  
 P.O. Box Anywhere  
 Anywhere, Texas 11111

**PART B – NOTICE OF LOSS**

6. Date(s) of Occurrence/When Loss Was Apparent  1) March 1, 2016 2) August 1, 2016 3) August 20, 2016	7. Adverse Weather Event(s) or Eligible Animal Attack(s)  1) Freeze and Blizzard 2) Hurricane 3) Hurricane
--	--

8. I am reporting that I have incurred livestock losses due to the adverse weather event(s) or eligible animal attacks listed in Item 7 and the losses occurred or were apparent to me on the date(s) listed in Item 6.

A. Producer's Signature (By)	B. Title/Relationship of the Individual Signing in the Representative Capacity	C. Date (MM/DD/YYYY)
------------------------------	--	----------------------

**PART C – LIVESTOCK LOCATION AND ASSOCIATED PRODUCER INFORMATION**

9. Where were the claimed livestock physically located at the time they died? (Include County name, farm number, etc.)  Farm 1450	10. Where is the current physical location of the livestock in inventory?  Farm 1450 and 1780
---	---

11. Associated Producers (List all other producers that have an ownership share of any livestock listed in Item 14 and indicate their share.)  
 None

**PART D - LIVESTOCK INFORMATION**

12. Adverse Weather Event/Animal Attack Date Number	13. Contract Grower		14. Livestock Kind/Type and Weight Range	15. Inventory on Date of Adverse Weather Event/Animal Attack	16. Number of Death Losses Due to Adverse Weather Event/Animal Attack	17. Number Lost Due to Normal Mortality	COC USE ONLY		
	Yes	No					18. Adjusted Inventory	19. Adjusted Number Lost Due to Adverse Weather/Animal Attack	20. Adjusted Number Lost Due to Normal Mortality
1		X	Adult Beef Cows	105	5	3			
2		X	Adult Beef Cows	50	6				
3		X	Adult Beef Cows		5				

--\*

\*--76 CCC-852, Livestock Indemnity Program Application (Continued)

C Example of CCC-852 for Scenario 1 Application Example 1 (Continued)

<b>CCC-852</b> (04-15-14)		Page 2 of 2
<b>PART E – DOCUMENTATION OF BEGINNING INVENTORY</b>		
21. List the document(s) provided to verify beginning inventory. Attach copies of documents.		Number of Livestock
<b>Example: Receipt from Harry's Sale Barn for purchase of 25 feeder pigs on November 10, 2014</b>		<b>25</b>
A. Bank Chattel Inspection dated January 3, 2016		100
B. Sale Barn Purchase Receipt Dated May 15, 2016		50
C.		
D.		
<b>PART F – DOCUMENTATION TO VERIFY LIVESTOCK LOSSES</b>		
22. List the document(s) provided to verify livestock losses. Attach copies of documents.		Number of Livestock
<b>Example: Rendering receipt for pick up of 10 pigs March 12, 2014</b>		<b>10</b>
A. Rendering Truck REceipt dated March 3, 2016		5
B. FEMA records dated August 10, 2016		6
C. Date stamped pictures dated February 15 and September 4, 2016		8
D.		
<b>PART G – SIMILAR LOSS/CONTRACT GROWERS</b>		
23. Other Compensation (Contract Growers): \$		
24. Reduction: \$		
<b>PART H – PRODUCER CERTIFICATION</b>		
<p>Payments under the Livestock Indemnity Program will be made with respect to certain livestock deaths that occurred as a direct result of an eligible adverse weather event, except drought, or attacks by animals reintroduced into the wild by the Federal Government or protected by Federal law, including wolves and avian predators. Each producer must file a separate form CCC-852 to be eligible to receive program benefits. By signing this application, the producer:</p> <ul style="list-style-type: none"> <li>• Agrees to provide CCC any documentation it requires to determine eligibility that verifies and supports all information provided, including the producer's certification, and understands the application may be disapproved if they fail to provide any such information requested by CCC;</li> <li>• Authorizes CCC, at any time, with or without their presence, to enter upon, inspect and verify all livestock, livestock deaths, and acreage in which they have an interest;</li> <li>• Agrees to comply with, and acknowledges they are subject to, all the regulations governing the program and understands that instructions and assistance are available for completing this form;</li> <li>• Authorizes CCC to obtain from third parties, such as, but not limited to, other government agencies, individuals, auction barns, contractors or processors, feed vendors, veterinarian services, and rendering services, records or other evidence that substantiates the information provided on this application or any supporting documentation provided.</li> </ul> <p><b>I certify that:</b></p> <ul style="list-style-type: none"> <li>• If applying as an individual, that I am a citizen of the United States or a resident alien; if applying as a partnership, the members of the partnership are citizens of the United States; or if applying as a corporation, limited liability corporation, or other farm organizational structure, the entity is organized under State law. If applying as a Native American tribe, the tribe is organized according to the Indian Self-Determination and Education Assistance Act; if applying as any Native American organization or entity, the Native American organization or entity is chartered under the Indian Reorganization Act; if applying as a Native American economic enterprise, the Native American economic enterprise was established under the Indian Financing Act of 1974;</li> <li>• On the day livestock died, I owned or was a contract grower of all livestock entered on this application and physically maintained control of all such livestock on that date on my farm for commercial use as part of my farming operation;</li> <li>• All livestock entered as losses on this application died during the calendar year in Item 2 as a direct result of an eligible adverse weather event(s) or eligible animal attack no later than 60 calendar days from the ending dates of such adverse weather event(s) or eligible animal attack(s) provided in Item 7 in the county provided in Item 9, and that all losses occurred on or after October 1, 2011;</li> <li>• I have not received any compensation for livestock losses listed on this application pursuant to section 10407(d) of the Animal Health Protection Act (7 U.S.C. 8306(d)).</li> </ul> <p>All livestock entered on this application meet all the livestock eligibility criteria provided in 7 CFR Part 1416 Subpart D, including being maintained for commercial use as part of my farming operation;</p> <ul style="list-style-type: none"> <li>• I understand that this application may be disapproved if information or evidence provided is false or in error, and that other sanctions or penalties could apply; and</li> <li>• All information on this application and all supporting documents I provided is true and correct.</li> </ul>		
25A. Producer's Signature (By)	25B. Title/Relationship of the Individual Signing in the Representative Capacity	25C. Date (MM/DD/YYYY) 10/15/2016
<b>PART I – COUNTY COMMITTEE DETERMINATION</b>		
26. COC or Designee Signature	27. Date (MM/DD/YYYY)	28. Determination <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
<small>The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited basis will apply to all programs and/or employment activities.) Persons with disabilities who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-3333 or (800) 845-6136 (in Spanish).</small>		
<small>If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at <a href="http://www.ascr.usda.gov/complaint_filing_cust.html">http://www.ascr.usda.gov/complaint_filing_cust.html</a>, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a>. USDA is an equal opportunity provider and employer.</small>		

--\*

**\*--76 CCC-852, Livestock Indemnity Program Application (Continued)****D Scenario 2 for Application Example 2****Death Losses – Adult Beef Cows, Lightning – Wildfire**

Julia Roberts is a livestock operator in Jones County, Texas. Julia Roberts owns a total of 900 non-adult beef cattle on March 1, 2016 in Jones County. Julia Roberts is the owner of Farms 1 and 2. Farm 1 is physically located in Jones County and is administrated in Jones County. Farm 2 is physically located in Fisher County and is administrated in Jones County. Julia Roberts has a 100 percent ownership share in 200 head of non-adult beef cows weighing over 400 pounds located on Farm 1 and 200 head of non-adult beef cows weighing over 400 pounds located on Farm 2. Julia Roberts also has 100 percent ownership share in 500 head of non-adult calves weighing over 400 pounds located in XYZ feedlot in Jones County.

**Adverse Weather Event 1** - On March 1, 2016, Julia Roberts suffers 10 death losses of non-adult beef cows on Farm 1 as a result of lightning caused wildfire. Mrs. Roberts phones the Jones County FSA Office on March 15, 2016, to report the 10 losses to the non-adult beef cattle because of lightning.

On April 1, 2016, Julia Roberts loses 2 head non adult beef cows weighing over 400 lbs. on Farm 1 because of normal mortality. Mrs. Roberts provides the County Office rendering truck receipts when the dead cows are picked up.

**Adverse Weather Event 2** – On April 7, 2016, Julia Roberts emails the county office and reports that she lost 10 head non-adult beef cows on Farm 2 because of a wildfire that occurred on April 6, 2016. She also reported moving the remaining cows (195) to Farm 1.--\*

**\*--76 CCC-852, Livestock Indemnity Program Application (Continued)****D Scenario 2 for Application Example 2 (Continued)**

On April 15, 2016, Julia Roberts visits the Jones County FSA Office, and while at the office she provides:

- private insurance documents, including adjustor claim verification supporting the 10 non-adult beef cows lost because of lightning caused wildfire
- date stamped pictures
- third party certification (CCC-854)
- Farm Credit balance sheet dated February 15, 2016, to support beginning inventory of 900 non-adult beef cows
- rendering truck receipt dated April 14 that supports the 2 normal mortality non-adult cow death losses.

Mrs. Roberts reviewed and signed CCC-852 for payment. For eligible loss condition 1, Mrs. Roberts includes 900 head of non-adult beef cows as beginning inventory on CC-852, item 15.

**Note:** The beginning inventory of non-adult beef cows is the total inventory on the beginning date of the eligible loss condition as determined on CCC-852, item 15, for all livestock located in the administrative county office for the farm(s) where the death loss occurred and/or physical location county office where the death loss occurred.

For eligible loss condition 2, Mrs. Roberts enters 0 non-adult beef cows as beginning inventory on CCC-852, item 15.

**E Example of CCC-852 for Scenario 2 Application Example 2**

\*--

This form is available electronically.									
<b>CCC-852</b> (04-15-14)	U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation	1. State and County Code  48 109	2. Calendar Year  2016	<b>LIVESTOCK INDEMNITY PROGRAM APPLICATION</b>					
		3. County Office Name  Jones	4. Application Number  25						
<p><b>NOTE:</b> The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 1416, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and the Agricultural Act of 2014 (Pub. L. 113-79). The information will be used to determine eligibility for livestock indemnity program benefits. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for livestock indemnity program benefits.</p> <p>This information collection is exempted from the Paperwork Reduction Act as specified in the Agricultural Act of 2014 (Pub. L. 113-79, Title I, Subtitle F-Administration).</p> <p>The provisions of criminal and civil fraud, privacy and other statutes may be applicable to the information provided. <b>RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</b></p>									
<b>PART A – PRODUCER INFORMATION</b>									
5. Producer's Name and Address (City, State and Zip Code) Julia Reports P.O. Box Anywhere Anywhere, Texas 11111									
<b>PART B – NOTICE OF LOSS</b>									
6. Date(s) of Occurrence/When Loss Was Apparent 1) March 1, 2016 2) April 6, 2016			7. Adverse Weather Event(s) or Eligible Animal Attack(s) 1) Lightning 2) Wildfire						
8. I am reporting that I have incurred livestock losses due to the adverse weather event(s) or eligible animal attacks listed in Item 7 and the losses occurred or were apparent to me on the date(s) listed in Item 6.									
A. Producer's Signature (By)		B. Title/Relationship of the Individual Signing in the Representative Capacity		C. Date (MM/DD/YYYY)					
<b>PART C – LIVESTOCK LOCATION AND ASSOCIATED PRODUCER INFORMATION</b>									
9. Where were the claimed livestock physically located at the time they died? (Include County name, farm number, etc.) Farm 1 and Farm 2			10. Where is the current physical location of the livestock in inventory? Farm 1, Farm 2, and XYZ Feedlot						
11. Associated Producers (List all other producers that have an ownership share of any livestock listed in Item 14 and indicate their share.) None									
<b>PART D - LIVESTOCK INFORMATION</b>									
12. Adverse Weather Event/Animal Attack Date Number	13. Contract Grower		14. Livestock Kind/Type and Weight Range	15. Inventory on Date of Adverse Weather Event/Animal Attack	16. Number of Death Losses Due to Adverse Weather Event/Animal Attack	17. Number Lost Due to Normal Mortality	COC USE ONLY		
	Yes	No					18. Adjusted Inventory	19. Adjusted Number Lost Due to Adverse Weather/Animal Attack	20. Adjusted Number Lost Due to Normal Mortality
1		X	Non-adult beef cows > 400 lb	900	10				
2		X	Adult Beef Cows		10	2			

--\*

76 CCC-852, Livestock Indemnity Program Application (Continued)

E Example of CCC-852 for Scenario 2 Application Example 2 (Continued)

\*--

<b>CCC-852 (04-15-14)</b>		Page 2 of 2
<b>PART E – DOCUMENTATION OF BEGINNING INVENTORY</b>		
21. List the document(s) provided to verify beginning inventory. Attach copies of documents.		Number of Livestock
<b>Example: Receipt from Harry's Sale Barn for purchase of 25 feeder pigs on November 10, 2014</b>		<b>25</b>
A. Farm Credit balance sheet dated February 5, 2016		9
B.		
C.		
D.		
<b>PART F – DOCUMENTATION TO VERIFY LIVESTOCK LOSSES</b>		
22. List the document(s) provided to verify livestock losses. Attach copies of documents.		Number of Livestock
<b>Example: Rendering receipt for pick up of 10 pigs March 12, 2014</b>		<b>10</b>
A. Private insurance documents, including loss adjustor claim verification		10
B. 3 <sup>rd</sup> party certification and date stamped pictures		5
C. Rendering truck receipts dated April 14, 2016		2
D.		
<b>PART G – SIMILAR LOSS/CONTRACT GROWERS</b>		
23. Other Compensation (Contract Growers): \$		
24. Reduction: \$		
<b>PART H – PRODUCER CERTIFICATION</b>		
<p>Payments under the Livestock Indemnity Program will be made with respect to certain livestock deaths that occurred as a direct result of an eligible adverse weather event, except drought, or attacks by animals reintroduced into the wild by the Federal Government or protected by Federal law, including wolves and avian predators. Each producer must file a separate form CCC-852 to be eligible to receive program benefits. By signing this application, the producer:</p> <ul style="list-style-type: none"> <li>• Agrees to provide CCC any documentation it requires to determine eligibility that verifies and supports all information provided, including the producer's certification, and understands the application may be disapproved if they fail to provide any such information requested by CCC;</li> <li>• Authorizes CCC, at any time, with or without their presence, to enter upon, inspect and verify all livestock, livestock deaths, and acreage in which they have an interest;</li> <li>• Agrees to comply with, and acknowledges they are subject to, all the regulations governing the program and understands that instructions and assistance are available for completing this form;</li> <li>• Authorizes CCC to obtain from third parties, such as, but not limited to, other government agencies, individuals, auction barns, contractors or processors, feed vendors, veterinarian services, and rendering services, records or other evidence that substantiates the information provided on this application or any supporting documentation provided.</li> </ul> <p><b>I certify that:</b></p> <ul style="list-style-type: none"> <li>• If applying as an individual, that I am a citizen of the United States or a resident alien; if applying as a partnership, the members of the partnership are citizens of the United States; or if applying as a corporation, limited liability corporation, or other farm organizational structure, the entity is organized under State law. If applying as a Native American tribe, the tribe is organized according to the Indian Self-Determination and Education Assistance Act; if applying as any Native American organization or entity, the Native American organization or entity is chartered under the Indian Reorganization Act; if applying as a Native American economic enterprise, the Native American economic enterprise was established under the Indian Financing Act of 1974;</li> <li>• On the day livestock died, I owned or was a contract grower of all livestock entered on this application and physically maintained control of all such livestock on that date on my farm for commercial use as part of my farming operation;</li> <li>• All livestock entered as losses on this application died during the calendar year in Item 2 as a direct result of an eligible adverse weather event(s) or eligible animal attack no later than 60 calendar days from the ending dates of such adverse weather event(s) or eligible animal attack(s) provided in Item 7 in the county provided in Item 9, and that all losses occurred on or after October 1, 2011;</li> <li>• I have not received any compensation for livestock losses listed on this application pursuant to section 10407(d) of the Animal Health Protection Act (7 U.S.C. 8306(d)).</li> </ul> <p>All livestock entered on this application meet all the livestock eligibility criteria provided in 7 CFR Part 1416 Subpart D, including being maintained for commercial use as part of my farming operation;</p> <ul style="list-style-type: none"> <li>• I understand that this application may be disapproved if information or evidence provided is false or in error, and that other sanctions or penalties could apply; and</li> <li>• All information on this application and all supporting documents I provided is true and correct.</li> </ul>		
25A. Producer's Signature (By)	25B. Title/Relationship of the Individual Signing in the Representative Capacity	25C. Date (MM/DD/YYYY) 10/15/2016
<b>PART I – COUNTY COMMITTEE DETERMINATION</b>		
26. COC or Designee Signature	27. Date (MM/DD/YYYY)	28. Determination <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
<small>The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, marital, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited basis will apply to all programs and/or employment activities.) Persons with disabilities, who wish to file a program complaint, write to the address below or if you require alternative means of communication (e.g., Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).</small>		
<small>If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at <a href="http://www.nrcr.usda.gov/complaint_filing_cust.html">http://www.nrcr.usda.gov/complaint_filing_cust.html</a>, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a>. USDA is an equal opportunity provider and employer.</small>		

\*--

**\*--77 CCC-770 LIP, Livestock Indemnity Program Checklist****A Introduction**

The Improper Payments Information Act of 2002 requires Federal agencies to evaluate programs to determine whether internal controls are sufficient to prevent improper payments. CCC-770 LIP was developed to address areas of concern to ensure that LIP payments are issued properly.

**B Program Checklist**

CCC-770 LIP:

- is applicable to administering LIP
- may be used when CCC-852 is filed
- does **not** negate STC, SED, State Office, DD, COC, CED, and County Office responsibility for administering all provisions applicable to LIP.

**Note:** CCC-770 LIP was developed by the National Office and is the **only** authorized checklist for LIP. County Offices will **not** use State- or locally-generated checklists for administering LIP.

**C Maintaining CCC-770 LIP**

CCC-770 LIP is applicable for each producer, by administrative county, and calendar year, as applicable.

CCC-770 LIP has been designed to assist County Offices in determining eligibility for approving or disapproving producer's CCC-852. CCC-770 LIP will be filed in the producer's LIP folder.

**D Retention Period**

All CCC-770 LIP's **must** be retained in the producer's LIP folder with CCC-852 according to 25-AS. CCC-770 LIP will be destroyed when CCC-852 is destroyed.--\*

**\*--77 CCC-770 LIP, Livestock Forage Disaster Program (LIP) Checklist (Continued)****E County Offices Using CCC-770 LIP**

County Offices may use CCC-770 LIP as a management tool to help address deficiencies identified by a review or spot check of whether LIP policies or procedures are being followed before issuing LIP payments.

The County Office employee who completes each item on CCC-770 LIP is certifying that the applicable LIP provisions have, or have **not**, been met. As an alternative, County Offices may choose to review all items after COC approval, if applicable.

After all questions on CCC-770 LIP have been answered in a manner that supports approving the applicable CCC-852, the County Office employee will sign and date CCC-770 LIP, item 29, as the preparer.

**Note:** In cases involving multiple preparers, the preparer can use item 28, “Remarks” section, to indicate which items are verified.

County Offices will see the applicable handbook provisions, as specified, for additional information.

**Reminder:** County Offices **cannot** rely solely on CCC-770 LIP for administering LIP. All program provisions **must** be met, **not** just items on CCC-770 LIP. CCC-770 LIP is a tool to assist with LIP administration and includes the major areas where deficiencies have been identified, but it is **not**, nor is it intended to be, inclusive of all LIP provisions.

**F Determining When to Use CCC-770 LIP**

SED, STC, or designee, DD, or CED, will determine:

- when County Offices are to complete CCC-770 LIP, if apparent internal control deficiencies are found during CED, STC representative, or DD reviews
- whether CCC-770 LIP is necessary to avoid findings indicated in COR reviews
- when additional internal controls are necessary to reduce improper payments.--\*

\*--77 CCC-770 LIP, Livestock Indemnity Program Checklist (Continued)

**G Completing CCC-770's**

CCC-770 LIP shall be completed according to the following.

Item	Instructions
1	Enter the name of the producer.
2	Enter applicable State name.
3	Enter County Office name that is completing CCC-770 LIP.
4	Enter the calendar year for which benefits are being requested from CCC-852, item 2.
5-27	Check (✓) "YES", "NO", or "N/A", as applicable for each entry.
28	Enter any remarks that may explain special circumstances or explanation for items checked "NO".
29A and B, 30A and B	Any employee that initials 1 or more items from 5 through 27 shall certify by signing as preparer and entering date of signature.
31A, B, and C	<p><b>Important:</b> This item will be completed if CCC-770 LIP is selected for spot check. If CCC-770 LIP is selected for spot check, CED or designated representative shall certify:</p> <ul style="list-style-type: none"> <li>• item 33A by checking "Concur" or "Do Not Concur" accordingly if CCC-770 LIP items have been verified and completed</li> <li>• item 33B by signing</li> <li>• item 33C by entering date or signature.</li> </ul>
32A, B, and C	<p><b>Important:</b> This item will be completed if CCC-770 LIP is selected for spot check. If CCC-770 LIP is selected for spot check, CED or designated representative shall certify:</p> <ul style="list-style-type: none"> <li>• item 34A by checking "Concur" or "Do Not Concur" accordingly if CCC-770 LIP items have been verified and completed</li> <li>• item 34B by signing</li> <li>• item 34C by entering date or signature.</li> </ul>

--\*

\*--77 CCC-770 LIP, Livestock Forage Disaster Program (LIP) Checklist (Continued)

H Example of CCC-770 LIP

The following is an example of CCC-770 LIP.

This form is available electronically.

<b>CCC-770 LIP</b> (09-16-16)  <b>LIVESTOCK INDEMNITY PROGRAM (LIP) CHECKLIST</b>	U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency	1. Producer Name	2. State Name
		3. County Office Name	4. Calendar Year

**NOTE:** County Offices shall ensure that eligibility has been updated according to CCC-770 ELIG 2014 as applicable, before payments are issued for applicable producer.

Office Staff Actions	Handbook or Other Reference	YES	NO	N/A
5. Did the participant file a notice of loss on CCC-852, Parts A and B, for the physical location of the loss by the applicable deadline?	1-LDAP (Rev. 1), Paragraphs 40 and 71			
6. Did the participant sign and date CCC-852, application for payment for the physical location of the loss, by the applicable deadline?	1-LDAP (Rev. 1), Paragraphs 40 and 73			
7. If a participant files an application for payment, was signature authority verified?	1-CM, Part 25			
8. Does the loss condition which caused the loss of the claimed livestock meet the definition of an eligible loss condition?	1-LDAP (Rev. 1), Paragraphs 23 and 41			
9A. Do all of the livestock on the CCC-852 meet the requirements for being eligible livestock for owners or contract growers, as applicable?	1-LDAP (Rev. 1), Subparagraphs 42A and B			
9B. Does the total inventory in Item 15 on CCC-852, include all livestock in inventory in the administrative county for the physical location of the loss?	1-LDAP (Rev. 1) Subparagraph 76A			
9C. If subsequent losses occur within a particular kind/type and weight range, has the inventory in Item 15 on CCC-852 been recorded correctly?	1-LDAP (Rev. 1), Subparagraph 76A			
10. Does the applicant meet the requirements of an eligible livestock owner or eligible livestock contract grower, as applicable?	1-LDAP (Rev. 1), Subparagraphs 42D and E			
11. Did the applicant provide verifiable documentation of livestock losses claimed on CCC-852, including livestock the participant claims died because of normal mortality?	1-LDAP (Rev. 1), Subparagraph 44E			
12. If Item 11, is answered "NO", did the applicant provide reliable documentation of losses, in conjunction with verifiable beginning and ending inventory records as documentation of livestock loss claimed on CCC-852, including livestock the participant claims died because of normal mortality?	1-LDAP (Rev. 1), Subparagraphs 44B and D			
13. If Item 12 is answered "YES", has the COC determined whether the claimed livestock losses appear reasonable and acceptable?	1-LDAP (Rev. 1), Subparagraph 44D			
14. If Item 12 is answered "NO", was a 3 <sup>rd</sup> party certification provided on CCC-854 to document livestock losses, in conjunction with verifiable beginning and ending inventory records as documentation of livestock loss claimed on CCC-852, including livestock the participant claims died because of normal mortality?	1-LDAP (Rev. 1), Subparagraph 44C			
15. If Item 14 is "YES", does the CCC-854 indicate the number, kind/type and weight range of participant's livestock that died?	1-LDAP (Rev. 1), Subparagraph 45A			
16. If Item 14 is "YES", did COC approve/disapprove, sign and date CCC-854 after completing the review, and document review in COC minutes?	1-LDAP (Rev. 1), Subparagraphs 44C and 45A			
17. If the applicant is a calf and/or lamb open range livestock operation, were beginning livestock inventory records provided timely to determine the livestock beginning inventory history and were these records supported by written verifiable records?	1-LDAP (Rev. 1), Subparagraph 44E			
18. If Item 17 was answered "YES", did COC determine if the livestock beginning inventory records are acceptable and calculate the approved livestock beginning inventory history using CCC-856?	1-LDAP (Rev. 1), Subparagraph 44E and Paragraph 77			
19. If Item 17 was answered "YES", did COC review and approve/disapprove CCC-856 and was their determination documented in the COC minutes?	1-LDAP (Rev. 1), Subparagraph 44E and Paragraph 77			
20. Were livestock death losses claimed on CCC-852 attributed to an eligible attack?	1-LDAP (Rev. 1), Paragraph 23 and Subparagraph 41F			

--\*

\*--77 CCC-770 LIP, Livestock Forage Disaster Program (LIP) Checklist (Continued)

H Example of CCC-770 LIP (Continued)

CCC-770 LIP (09-16-16)		Page 2		
Office Staff Actions	Handbook or Other Reference	YES	NO	N/A
21. If Item 20 is answered "YES", was documentation provided to substantiate livestock losses due to eligible attacks?	1-LDAP (Rev. 1), Subparagraph 44G			
22. Was all supporting documentation provided by the participant and on file in the County Office by the sign-up deadline and before CCC-852 was approved?	1-LDAP (Rev. 1), Subparagraph 44D			
23. If applicant is an eligible contract grower, has the LIP payment amount been reduced for the calendar year listed in Item 4, by the amount of monetary compensation received from their contractor for the loss of income in the calendar year listed in Item 4, from the dead livestock?	1-LDAP (Rev. 1), Subparagraph 43C			
24. Has CCC-852 been signed, dated, and approved by COC, CED, or authorized representative?	1-LDAP (Rev. 1), Paragraphs 73, 75, and 76			
25. Has CCC-852 approval/disapproval been thoroughly documented in COC minutes?	1-LDAP (Rev. 1), Paragraph 75			
26. If CCC-852, CCC-854 or CCC-856 is disapproved, or if any COC adjustments have been made, has the producer been notified in writing and provided the applicable appeal rights?	1-LDAP (Rev. 1), Paragraph 75			
27. Has a second party review been conducted and has CCC-852 been initialed and dated, if applicable?	1-LDAP (Rev. 1), Subparagraph 73D			
28. Remarks				
<b>Certification</b>				
29A. Signature of Preparer(s)	29B. Date (MM-DD-YYYY)	30A. Signature of Preparer(s)	30B. Date (MM-DD-YYYY)	
<b>31A. I concur/do not concur the above items have been verified and updated accordingly:</b> <input type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur				
31B. CED Signature for Spot Check			31C. Date (MM-DD-YYYY)	
<b>32A. I concur/do not concur the above items have been verified and updated accordingly:</b> <input type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur				
32B. STC Designee Signature for Spot Check			32C. Date (MM-DD-YYYY)	
<small>In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.</small>				
<small>Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.</small>				
<small>To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <a href="http://www.ascr.usda.gov/complaint_filing_cust.html">http://www.ascr.usda.gov/complaint_filing_cust.html</a> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a>. USDA is an equal opportunity provider, employer, and lender.</small>				

--\*

78-99 (Reserved)



Reports, Forms, Abbreviations, and Delegations of Authority

Reports

None

Forms

This table lists all forms referenced in this handbook.

Number	Title	Display Reference	Reference
AD-1026	Highly Erodible Land Conservation (HELIC) and Wetland Conservation (WC) Certification		Text
CCC-36	Assignment of Payment		250, 650, 915
CCC-37	Joint Payment Authorization		250, 650, 915
CCC-257	Schedule of Deposit		1
CCC-526	Payment Eligibility Average Adjusted Gross Income Certification		900
CCC-770 LFP	Livestock Forage Disaster Program (LFP) Checklist	444	441
CCC-770 LIP	Livestock Indemnity Program (LIP) Checklist		77
CCC-851	Emergency Loss Assistance for Livestock Application	889	75, Part 10, 900, 924, 929
CCC-851-1	Emergency Loss Assistance for Livestock Payment Calculation Worksheet	891, 899.24	Part 10
CCC-851-A	Continuation Sheet for Emergency Loss Assistance for Livestock Application	889	
CCC-852	Livestock Indemnity Program Application	76	Text
CCC-853	Livestock Forage Disaster Program Application	442	Parts 6-8
CCC-853-1	Estimated Livestock Forage Disaster Program Payment Calculation Worksheet	443	651
CCC-854	Livestock Indemnity Program Third Party Certification	45	44, 45, 76
CCC-855	Emergency Assistance for Livestock, Honey Bees, and Farm Raised Fish Program (ELAP) and Livestock Forage Disaster Program (LFP) Lease Agreement Certification Statement	412	411, 830, 887
CCC-860	Socially Disadvantaged, Limited Resource and Beginning Farmer or Rancher Certification		Part 10

## Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

## Forms (Continued)

Number	Title	Display Reference	Reference
CCC-901	Members Information 2009 and Subsequent Years		Text
CCC-902	Farm Operating Plan		Text
CCC-931	Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information		650
CCC-934	Emergency Loss Assistance for Farm-Raised Fish/Honey Bees Application	890	Part 10, 924, 929
CCC-934-1	Emergency Loss Assistance for Farm-Raised Fish Losses Payment Calculation Worksheet	890.5, 899.9	Part 10
CCC-934-A	Continuation Sheet for Emergency Loss Assistance for Farm-Raised Fish/Honey Bees Application	890	Part 10
CCC-941	Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information - Agricultural Act of 2014		74, 75, 250, 440, 441, 887, 888
FSA-325	Application for Payment of Amounts Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent		Text
FSA-578	Report of Acreage		Text

## Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

## Abbreviations Not Listed in 1-CM

The following abbreviations are not listed in 1-CM.

<b>Approved Abbreviation</b>	<b>Term</b>	<b>Reference</b>
2014 Farm Bill	Agricultural Act of 2014 (Pub. L. 113-79)	400, 800
AU	animal unit	Text, Ex. 16
AUD	animal unit day	422, 443, 654
AUM	animal unit months	Text, Ex. 16
CCD	Colony Collapse Disorder	845, 846, 890
CVV	Cache Valley Virus	802, 816
EHD	Epizootic Hemorrhagic Disease	802, 816, 830
EPCR	LFP Estimated Calculated Payment Report	421
FCIA	Federal Crop Insurance Act	242
IPIA	Improper Payments Information Act of 2002	Text
LBIH	livestock beginning inventory history	77
PRF	Pasture, Rangeland, Forage	420
RI-PRF	Rainfall Index-Pasture, Rangeland, Forage	420
TLBIH	transitional livestock beginning inventory history	77
VI-PRF	Vegetative Index-Pasture, Rangeland, Forage	420
WRP	Wetlands Reserve Program	411

Reports, Forms, Abbreviations, and Delegations of Authority (Continued)

Redelegations of Authority

For ELAP:

- COC may delegate authority to CED's to approve only routine CCC-851's or CCC-934's with verifiable supporting documentation
- CED's may delegate authority to PT's to approve CCC-851's or CCC-934's for routine cases.

**Important:** CED's and PT's shall **not** be delegated authority to:

- disapprove any CCC-851 or CCC-934
- approve any CCC-851 or CCC-934 when reliable records or producer's self-certification are provided as supporting documentation.

For LFP, CED may delegate authority to PT's to approve routine CCC-853's.

**Important:** PT's shall **not** be delegated authority to disapprove any CCC-853.

For LIP, COC may delegate authority to CED to approve only routine CCC-852's where proof of death is provided.

**Important:** CED shall **not** be delegated authority to:

- disapprove any CCC-852
- approve any CCC-852 where third party certification is used as proof of loss.