

# **FSA**

## **HANDBOOK**

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## Loans and Loan Deficiency Payments for Peanuts

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To access the transmittal page click on the short reference

For State and County Offices,  
Peanut DMA's, and CMA's

SHORT REFERENCE

2-LP Peanuts  
(Revision 9)



**UNITED STATES DEPARTMENT OF AGRICULTURE**

Farm Service Agency  
Washington, DC 20250

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**Loans and Loan Deficiency Payments  
for Peanuts  
2-LP Peanuts (Revision 9)**

**Amendment 8**

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**Approved:** Deputy Administrator, Farm Programs



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**Amendment Transmittal**

**A Reasons for Amendment**

Subparagraph 2 A has been amended to:

- include 32-AS and 19-PS
- remove 25-AS, 4-CP, 3-FI, and 12-PS
- update the purpose description for 7-CP and 63-FI.

Subparagraphs 2 B and 3 I have been amended to update the link to the AMS approved warehouse website.

Subparagraphs 3 B, 3 G, 3 J, 29 A, and 201 B have been amended to reflect the change of eLDP to LDP.

Subparagraph 26 G has been amended to remove the word “approximate” and add “maximum” to eligible quantity for loan or LDP.

Subparagraphs 27 A and 88 D have been amended to update 8-LP references.

Subparagraph 120:

- L has been amended to update the 8-LP reference and remove the 3-FI reference
- Q has been amended to remove the 3-FI and 8-LP references and add the 64-FI reference.

Exhibit 5 has been amended to update FSIS Federal and State contacts.

Exhibit 11 has been amended to update loan rate tables with the addition of crop year 2022 rates and the removal of crop year 2019 rates.

Exhibit 12 has been amended to update handling and in-handling (Warehouse Charges and Grading and Inspection Rates) rates for crop year 2022.

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**Part 1 Basic Program Provisions****1 Purpose and Authority****A Handbook Purpose**

This handbook provides instructions and guidelines to State and County Offices for administering loans and LDP's for 2014 and subsequent peanut crops.

**B Sources of Authority**

Authority for the policies prescribed in this handbook is provided by the following:

- Agricultural Act of 1949, as amended  
\* \* \*
- \*--Agriculture Improvement Act of 2018--\*
- 7 CFR Parts 735, 996, 1405, 1216, 1405, 1421, and 1425
- CCC Charter Act, as amended.

**C Delegation of Authority**

The authority to approve all loan and LDP forms and documents prepared according to this handbook may be redelegated, in writing according to 16-AO, by:

- COC to CED, **except** forms and documents in which CED has a monetary interest
- CED to Federal and non-Federal County Office employees, **except** forms and documents in which the person approving has a monetary interest.

**Reminder:** Cross training in all applicable program areas shall be completed **before** signing authority redelegation is made.

## 1 Purpose and Authority (Continued)

### C Delegation of Authority (Continued)

Follow this table for exceptions to redelegate authority for approval of loans and LDP's.

IF the producer is...	THEN the approval authority shall be...
Federal or non-Federal State or County Office employee	CED.
COC member	
DD	
SED	
STC member	
CED	COC.

**Note:** Questionable cases may be referred to the next higher authority for determination.

## 2 Related Handbooks and Web Sites

### A Related Handbooks

The following table lists FSA handbooks that contain procedure related to the peanut program.

Handbook	Purpose
9-AO	Audit and investigations.
1-APP	Appeals.
*--32-AS	Records management.--*
1-CM	Signatures, estates, trusts, minors, or powers of attorney.
3-CM	Farm, tract, and crop data.
10-CM	Farm reconstitutions.
1-CMA	CMA and DMA common loan and LDP procedure.
2-CP	Reporting acreage.
* * *	* * *
6-CP	HELC and WC provisions.
7-CP	*--Finality Rule and Equitable Relief.--*
1-FI	Processing payment initiated through NPS.
* * *	* * *
50-FI	Interest rates.
58-FI	Establishing claims.
61-FI	Prompt payment provisions.
62-FI	Reporting to IRS.
63-FI	*--Financial Services Web Application.--*
64-FI	Establishing and reporting receipts and receivables in NRRS.

## 2 Related Handbooks and Web Sites (Continued)

## A Related Handbooks (Continued)

<b>Handbook</b>	<b>Purpose</b>
8-LP	Loan eligibility.
1-PL	Payment limitation.
3-PL	Web-based subsidiary files for 2009 and subsequent years.
5-PL	Payment eligibility, payment limitation, and average AGI.
6-PL	Payment limitation, payment eligibility, and average AGI income.
1-PPG	Peanut buyers and handlers program guidelines for 2019 and subsequent crop years.
* * *	* * *
15-PS	Web-based price support procedures and common functions.
16-PS	Price support commodity loan processing system for 2015 and subsequent years.
*--19-PS	Price support LDP system for 2022 and subsequent years.--*

## B Useful Web Sites

The following web sites may be useful when handling loans and LDP's for peanuts.

<b>Web Site Content</b>	<b>Web Address</b>
Price Support	<a href="http://www.fsa.usda.gov/programs-and-services/price-support/Index">http://www.fsa.usda.gov/programs-and-services/price-support/Index</a>
Peanut MAL and LDP General Information	<a href="http://www.fsa.usda.gov/programs-and-services/price-support/commodity-loans/non-recourse-loans/peanut-program/index">http://www.fsa.usda.gov/programs-and-services/price-support/commodity-loans/non-recourse-loans/peanut-program/index</a>
Peanut Storage Agreement Approved Warehouse *--Lookup by State	<a href="https://www.ams.usda.gov/rules-regulations/uswa">https://www.ams.usda.gov/rules-regulations/uswa</a>  Under "Resources", CLICK "USWA Licensed Warehouses".--*
Peanut LDP Rates	<a href="http://www.fsa.usda.gov/programs-and-services/price-support/Index">http://www.fsa.usda.gov/programs-and-services/price-support/Index</a>  Under "Weekly Commodity Rates...", CLICK "View the Peanut LDP rates".
Forms	<a href="http://fsaintranet.sc.egov.usda.gov/dam/ffasforms/forms.html">http://fsaintranet.sc.egov.usda.gov/dam/ffasforms/forms.html</a>
Handbooks	<a href="http://fsaintranet.sc.egov.usda.gov/dam/handbooks/handbooks.asp">http://fsaintranet.sc.egov.usda.gov/dam/handbooks/handbooks.asp</a>
Notices	<a href="http://www.fsa.usda.gov/FSA/notices?area=home&amp;subject=lare&amp;topic=not&amp;setflag=FROMURL&amp;getData=NONE">http://www.fsa.usda.gov/FSA/notices?area=home&amp;subject=lare&amp;topic=not&amp;setflag=FROMURL&amp;getData=NONE</a>

### 3 Responsibilities

#### A Program Administration

The peanut program is administered under the general supervision of DAFP through PSD. FSA has the primary responsibility, through STC's and COC's, for administering the peanut program.

#### B PSD Responsibilities

PSD shall provide:

- guidelines and procedures for marketing farmer stock peanuts to peanut handlers and/or shellers and buying points
- \*--guidelines for obtaining MAL or LDP--\*
- overall program integration.

#### C ITSD Responsibilities

ITSD shall do the following.

Step	Action
1	Operate PMP-DC.
2	Receive, process, and distribute FSA-1007 transmission files.
3	Provide technical support on issues about FSA-1007 transmissions.  <b>Note:</b> This does <b>not</b> include support of the buying point automation software.
4	Generate FSA-1007 transmission reports.
5	Monitor transmission activities to PMP-DC.
6	Provide shellers support to PMP-DC.
7	Provide sign-up procedures for e-Authentication to access profiles.

FMS, FSC, Payment Reporting and Financing Group shall:

- provide automation support to maintain data in State and County Offices
- accumulate transmitted data reflecting MAL and LDP activities for report purposes
- update and maintain PMP-DC.



### 3 Responsibilities (Continued)

#### D State Office Responsibilities

State Offices shall do the following.

Step	Action
1	Inform buying points and handlers and/or shellers that technical questions about FSA-1007 processing and transmissions shall be handled by handlers and/or shellers representatives.
2	Contact PSD for questions about buying point automation procedures and peanut *--MAL's and LDP's.--*
3	Refer questions on peanut inspection and grading to the AMS, Federal-State Inspection Service.  <b>Note:</b> See Exhibit 5 for Federal-State Inspection Service, AMS contact information.
4	Inform County Offices, peanut CMA's, and DMA's of the contents of this handbook.
5	Determine Statewide policies and guidelines according to this handbook.

#### E County Office Responsibilities

County Offices shall do the following.

Step	Action
1	Inform producers that: <ul style="list-style-type: none"> <li>they will be responsible for tracking their peanut production and maintaining beneficial interest</li> <li>the final loan availability date is January 31 of the year following the harvest</li> <li>loans mature no later than the last day of the ninth calendar month following the month in which CCC-677 or CCC-678 was approved.</li> </ul>
2	Inform peanut producers that they will be responsible for keeping track of individual producer shares for each load of peanuts delivered for commercial sale, *--warehouse-stored MAL, or LDP.--*

### 3 Responsibilities (Continued)

#### E County Office Responsibilities (Continued)

Step	Action
3	Inform peanut producers and handlers and/or shellers to contact Federal-State Inspection Service, AMS for questions associated with peanut inspection and grading.  <b>Note:</b> See Exhibit 5 for Federal-State Inspection Service, AMS contact information.
4	Instruct buying points and handlers and/or shellers to contact the handlers and/or shellers designated representative for technical questions about FSA-1007 processing and transmissions.
5	Instruct peanut producers to contact the warehouse operator for questions about the contents of the warehouse receipt for peanuts.
6	Inform peanut producers that warehouse-stored MAL's will be based on the warehouse receipt for peanuts.
7	Remind peanut producers, handlers and/or shellers, and warehouse operators that County Offices, CMA's, and DMA's <b>shall not</b> :  <ul style="list-style-type: none"> <li>• receive FSA-1007 transmissions</li> <li>• handle corrections to FSA-1007's and warehouse receipts for peanuts.</li> </ul>
8	Inform peanut producers, buying points, handlers and/or shellers, warehouse operators, and other entities associated with the peanut industry of the contents of this handbook.
9	Determine policy and guidelines according to this handbook.

#### F Peanut Handlers and/or Shellers Responsibilities

Peanut handlers and/or shellers shall do the following.

Step	Action
1	Continue to use the assigned handler number and buying point number.  <b>Note:</b> New peanut handler and/or sheller <b>must</b> contact PSD for handler number assignment. New buying points <b>must</b> continue to be registered with Federal-State Inspection Service, AMS.
2	Provide affiliated peanut buying points with software and hardware to process and transmit <b>all</b> FSA-1007 records to PMP-DC following the requirements established by FSA.
3	Instruct affiliated buying points on the continued use of FSA-1007 to reflect official results of farmer's stock inspection. Use FSA-1007's following the guidelines issued by FSA.
4	Designate a handler and/or sheller technical representative who will provide technical support and training to affiliated buying points.

## 3 Responsibilities (Continued)

## F Peanut Handler and/or Sheller Responsibilities (Continued)

Step	Action
5	Contact the FSA National Help Desk for questions about transmissions to PMP-DC. See subparagraph N for FSA National Help Desk information.
6	*--Contact Dana Wood at <b>dana.wood@usda.gov</b> before sending test--* transmissions to PMP-DC.
7	Ensure that <b>all</b> FSA-1007 records processed by all affiliated buying points are transmitted daily to PMP-DC following the guidelines issued by FSA.
8	*--Contact Dana Wood at <b>dana.wood@usda.gov</b> to request a new--* transmission ID and password to transmit to PMP-DC.
9	Inform peanut producers that warehouse-stored MAL's will be processed based on the warehouse receipt for peanuts.
10	Instruct affiliated buying points that corrections to peanut grading and inspection data will be handled by Federal-State Inspection Service, AMS. Transmitted records with errors in FSA-1007, Section I will be superseded upon approval by the Federal-State Inspection Service, AMS inspector.  <b>Note:</b> There is no need to notify the County Office of superseded or corrected FSA-1007's.
11	Submit end-of-season reconciliation file ( <b>Recon.dat</b> ) to ITSD after completing all marketing activities for the crop year according to the specific crop year's Peanut Marketing Guidelines, Exhibit 1.1 that is available on the PSD web site.
12	Complete the online peanut handlers and/or shellers and buying point profile survey at <b><a href="https://apps.fsa.usda.gov/pmp-web">https://apps.fsa.usda.gov/pmp-web</a></b> .
13	Print the buying point number where the peanuts were inspected on the warehouse receipt for peanuts. If using EWR, complete the "Buying Point Number" field as identified in the file layout when creating the receipt.
14	*--Follow 1-PPG issued by PSD for applicable crop year that is available on the PSD website.
15	If using EWR, follow the requirements issued by the provider and 1-PPG, Exhibit 5.--*

### 3 Responsibilities (Continued)

#### G Buying Point Responsibilities

Buying points must do the following.

Step	Action
1	Install peanut buying point hardware and software following the instructions provided by the affiliated peanut handlers and/or shellers.
2	Continue to use the assigned buying point number and handler number.  <b>Note:</b> New buying point numbers will be assigned by AMS. See Exhibit 5 for Federal-State Inspection Service, AMS contact information.
3	Follow the instructions issued by the handler and/or sheller about FSA-1007 processing and transmissions.
4	Contact the affiliated handler and/or sheller representative for technical software support.
5	Inform peanut producers that warehouse-stored MAL's will be processed based on the warehouse receipt for peanuts.
6	Contact Federal-State Inspection Service, AMS for questions about peanut grading, inspection, and SC-95 authentication code signatures.
7	Direct peanut producers to their local County Office for questions about *--warehouse-stored MAL's and LDP's.--*
8	Create a backup of all FSA-1007 transmissions and keep the backup until all marketings for the crop year have been reconciled.
9	Print the buying point number on the warehouse receipts for peanuts if issuing receipts from this location.
10	Follow Guidelines for Peanut Marketing Activity issued by PSD for applicable crop year that is available on the PSD website.

#### H Federal-State Inspection Service, AMS Responsibilities

Federal-State Inspection Service, AMS shall do the following.

Step	Action
1	Continue to assign buying point numbers and notify ITSD and PSD of newly assigned numbers.
2	Sign and date FSA-1007, Section I.
3	Approve superseded FSA-1007 to correct errors in a transmitted FSA-1007, Section I.
4	Handle questions about grading, inspection, and SC-95 authentication code signatures.
5	Issue official FSA-1007 serial numbers provided by PSD.

### 3 Responsibilities (Continued)

#### I AMS Responsibilities

AMS will do the following.

Step	Action
1	Handle questions about peanut warehouses storing farmer stock peanuts offered as collateral for warehouse-stored MAL's.
2	Handle issues about rates for storage, receiving, and loadout for warehouse-stored loan collateral and forfeited peanuts, when applicable.
3	Handle questions about peanut storage agreements and warehouse receipts for peanuts.
4	Handle warehouse receipt corrections for peanuts, as applicable.
5	Maintain a current list of approved peanut warehouses. A list is available at *-- <a href="https://www.ams.usda.gov/rules-regulations/uswa">https://www.ams.usda.gov/rules-regulations/uswa</a> . Under "Resources", CLICK "USWA Licensed Warehouses".--*
6	Maintain custody of warehouse receipts and other documents representing commodities owned by CCC.
7	Assist County Offices with identifying potential buyers for local sales, if necessary.

#### J EWR Provider Responsibilities

The provider will do the following.

Step	Action
1	Provide assistance and information to handler and/or sheller interested in using EWR's at their warehouse locations.
2	Store and maintain copies of all EWR's in a secure manner.
3	Provide County Offices with warehouse receipt data to process loans in CLPS and *--LDP's.--*

#### K CED Responsibilities

CED's will:

- carry out the day-to-day operations of the peanut program according to COC determinations and this handbook
- contact the State Office for peanut program assistance.

### 3 Responsibilities (Continued)

#### L Nondiscrimination Responsibilities

STC or COC shall **not**, on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, bar any producer from participating in, or otherwise subject any producer to discrimination with respect to any benefits result from STC or COC approval to participate in a loan or LDP program.

#### M Outreach Responsibilities

STC and COC shall ensure that peanut program information and awareness is communicated to underrepresented individuals, groups, and communities. Underrepresented individuals, groups, and communities may include, but are **not** limited to, minority, women, small producers, and new producers.

#### N FSA National Help Desk Contact Information

\*--Designated handler and/or sheller representatives may call the FPAC Service Desk at **800-255-2434**, for technical support relating to PMP-DC and FSA-1007 transmissions, as--\* follows:

- for eAuthentication account credentials and password reset, select “1”
- for PMP-DC questions, select “2” (Applications and Programs) and do the following:
  - tell Service Desk that assistance is required for PMP-DC \* \* \*
  - \*--ask Service Desk representative to assign the incident to the **FPAC Service Desk**.

FPAC Service Desk calls will be answered directly Monday through Friday from 6 a.m. until 6 p.m. CT.--\*

**Note:** Calls received after work hours will be recorded by voicemail and returned the next workday morning.

### 4, 5 (Reserved)

## Section 1 General Provisions

### 6 Loan Maturity and Loan and LDP Availability

#### A Maturity Date

Loans mature on demand, but no later than the last day of the ninth calendar month after the month in which CCC-677 and/or CCC-678 are approved. See subparagraph 19 D for replended loans.

**Note:** If the maturity date falls on a nonworkday, the loan maturity date shall be extended until the next workday.

#### B Availability Date

Loans and LDP's are available from August 1 through January 31 of the year after the calendar year in which the crop is normally harvested.

**Note:** If the final loan availability date falls on a nonworkday, the producer's option to request a loan or LDP shall be extended until the next workday.

## 7 Spot Checks and Production Evidence

### A Spot Checking Loans and LDP's

Farm-stored loans and LDP's are subject to spot check during and after the loan availability period. See 8-LP, Part 3, Sections 1 and 2 for the following:

- spot check policy
- spot check procedure.

Handle all program violations, including incorrect certifications, unauthorized removal, and unauthorized dispositions, according to 8-LP, Part 4.

### B Production Evidence

[7 CFR 1421.12] Production evidence is **required** for any farm-stored loan quantity on which a market gain is received or LDP **selected for spot check** according to 2-CP.

Production evidence is **not** required to be submitted for any producer's loan or LDP that is **not** selected for spot check.

Outstanding farm-stored loans repaid under CCC-681-1 provisions are **not** subject to spot check if delivery or production evidence was submitted at time of repayment.

LDP's are **not** subject to spot check if production evidence was submitted at time of request for LDP.

### C FSA-1007

FSA-1007 may be considered acceptable production evidence only if a producer has filed completed CCC-633 EZ, pages 1 and 2, and peanuts are immediately sold on delivery. The date peanuts are sold will be the date:

- printed on FSA-1007, under columns R, S, and T, in the "Date Delivered for Immediate Sale" field
- used when determining when beneficial interest is lost.

This date should **not** exceed 72 hours from "Date Inspected" field in FSA-1007, Section I.

FSA-1007 is computer-generated. County Offices will **not** be responsible for completing FSA-1007.



**7 Spot Checks and Production Evidence (Continued)****D Acceptable Production Evidence**

Acceptable types of production evidence are:

- evidence of sales
- delivery evidence
- load summaries from warehouse, processor, or buyer
- warehouse receipts
- paid measurement service
- spot check measurements with paid measurement service
- cleaning ticket for seed
- scale tickets, if **not** issued by the producer for the producer's own production
- maximum eligible quantity determined according to 8-LP, Part 10, Section 2 for commodities harvested as other than grain
- FSA-1007 according to subparagraph C.

**Note:** Production evidence may be handwritten, but is **not** acceptable for any type of production evidence submitted by the producer for the producer's own production.

**7 Spot Checks and Production Evidence (Continued)****E Requirements**

All production evidence submitted, including scale tickets, **except** for maximum eligible quantity determined, is **required** to show the following:

- producer's name
- crop year, may be certified or provided by the producer
- commodity
- net weight
- type of peanuts
- date of sale, if commodity was sold
- proof of payment from buyer, if commodity was sold.

**Note:** Proof of payment can be settled records or copy of the check.

**F Production Evidence for Fed Quantities**

Production evidence for fed quantities is any of the following:

- paid measurement service
- spot-checked production and measurement service performed until the spot-checked quantity is paid
- maximum quantity eligible determined according to 8-LP, paragraph 336.

**7 Spot Checks and Production Evidence (Continued)****G Unacceptable Production Evidence**

Unacceptable production evidence may be documentation that:

- indicates someone other than the producer is applying for benefits
- does **not** meet the acceptable production evidence requirements.

If the producer submits production evidence with a different person and/or entity name, COC shall review the evidence thoroughly to verify whether the production is eligible. Different names on the production evidence should be reviewed to:

- determine relationship to producer and other farming interests
- ensure that beneficial interest has been maintained.

These different person and/or entity names are, but are **not** limited to, the following:

- spouse
- minor children
- church organizations
- other charitable entities
- owners.

**H Production Evidence Voluntarily Submitted**

County Offices shall accept production evidence when producers voluntarily provide production evidence and were **not** selected for spot check.

See 8-LP, Part 4 for determining possible violations.

## 7 Spot Checks and Production Evidence (Continued)

### I Production Evidence Not Required

Production evidence is **not** required to be submitted for any loan or LDP that is **not** selected for spot check.

Outstanding loans repaid under CCC-681-1 provisions are **not** subject to spot check if delivery or production evidence was submitted at time of repayment.

LDP's are **not** subject to spot check if production evidence was submitted at time of request for LDP.

## 8 Measuring Standards

### A Units of Expression

The following table lists units of expression, as they relate to peanuts.

IF expressing...	THEN express it in...
farm acreage	acres and hundredths of an acre.
actual yields per acre	whole pounds.
farm yields	
peanuts produced	tons.
loan quantity	
	<b>Note:</b> 1 ton equals 2,000 pounds.
loan rate	dollars and cents per ton.

## 9-15 (Reserved)

## Section 2 Eligibility

## 16 Eligible Peanut Producers

## A Definition of Eligible Producer

Eligible producer means a person or legal entity that:

- has complied with annual program requirements including:
    - reporting acreage for all cropland on the farm according to 2-CP and 8-LP, subparagraph 200 A
    - completing AD-1026 according to 6-CP for producer and all affiliated persons
    - completing CCC-941 according to 5-PL for 2014 through 2018 crop years for producer and all affiliated persons
- \*--Notes:** CCC-941 is **not** needed on file at loan disbursement, but is required if MLG is applicable or applying for LDP.

CCC-941 is not required for CCE.--\*

- completing applicable CCC-902 if repaying a loan with a market gain or requesting LDP according to according to 5-PL, paragraph 41

**Note:** COC **must** make the following determinations, if repaying a loan with a market gain or requesting LDP:

- actively engaged in farming
- cash rent tenant
- member contribution

**\*--Note:** Not required for CCE repayment.--\*

- has a beneficial interest in the eligible commodity for which a loan or LDP is requested
- shares in the risk of producing the applicable commodity.

The person or legal entity may be any of the following:

- landlord or waterlord
- landowner
- sharecropper
- tenant.

Legal entity means the entity either:

- owns land or an agricultural commodity, product, or livestock
- produces an agricultural commodity, product, or livestock.

**16 Eligible Peanut Producers (Continued)****B Company or Other Legal Entity**

An eligible producer may be an irrigation company or other legal entity that provides **all or part** of the following that are necessary to produce and harvest a crop:

- equipment
- labor
- land
- water.

**C Estates and Trusts**

An eligible producer may be an estate or trust, including any of the following:

- receiver of an insolvent debtor's estate
- executor or administrator of a decedent's estate
- guardian of any of the following:
  - a ward
  - an estate
  - an incompetent person
- trustees of a trust estate, if their representative authority is legally valid (1-CM).

**D Minors**

A minor may be an eligible producer; however, signature requirements in 1-CM **must** be met.

**16 Eligible Peanut Producers (Continued)****E Heirs of Deceased Producer**

An eligible producer may be an heir of a deceased producer, whether succession-of-interest occurs before or after harvest, when **all** of the following apply:

- succeeds to the beneficial interest of the deceased in the commodity, including purchase from other heirs
- assumes the decedent's obligation under a loan if a loan has already been obtained
- for farm-stored loans, ensures that safe storage continues
- completes CCC-686, according to 8-LP, paragraph 205, when the heirs want to obtain or assume a loan and either of the following applies:
  - there will be no administration or probate of the estate
  - administration or probate of the estate is closed.

**F Hybrid Seed Contract Producer Eligibility**

When determining if a producer under a hybrid seed contract is eligible for MAL or LDP, County Offices shall **not** take into consideration existing hybrid seed contracts when determining beneficial interest eligibility. However, all other MAL and LDP program requirements are applicable.

**Note:** The contract **must**:

- specify that it is a hybrid seed contract
- be for an eligible loan commodity.

## 17 Ineligible Producers

### A Ineligibility

Ineligible producers are producers who:

- have **not** reported acreage for all cropland on the farms requesting MAL and/or LDP for the current crop year according to 2-CP

**Note:** Acreage reports must be obtained for the specific commodity on the farm **before** MAL disbursements and LDP benefits are received for that specific commodity. Report acreage, according to 2-CP, for all cropland on the farm on which the crop pledged as collateral or LDP was produced. Failure to report all cropland on a farm shall be considered noncompliance with program requirements and considered a violation according to 2-CP, Part 2.

- violate WC and HELC provisions according to 6-CP
- have **not** complied with applicable program requirements
- are convicted under Federal or State law of a controlled substance violation according to 1-CM
- have a delinquent nontax debt to the Federal Government according to paragraph 202
- violate FCIC provisions as determined by FCIC.



## 18 Producers Obtaining Loans or LDP's Through CMA's and DMA's

### A CMA and DMA Eligibility

CMA's and DMA's approved by CCC to participate in loan and LDP programs may obtain loans or LDP's on eligible peanuts for CMA or DMA members who are eligible to receive price support.

An approved:

- CMA is considered an eligible producer
- DMA is considered to be an eligible entity.

**Note:** See 1-CMA, Exhibit 6 for approved peanut CMA's and DMA's.

### B Determining Member Eligibility

Member eligibility is determined according to 1-CMA, Part 7.

### C Farm-Stored Loans and LDP's

Contact PSD through State and County Offices to determine eligibility, based on the approved CMA or DMA agreement, each year for the first loan or LDP CMA requests for farm-stored peanuts.

### D Approved Peanut CMA's and DMA's

See 1-CMA, Exhibit 6 for a list of approved CMA's and DMA's.

## 19 Eligible Peanuts

### A Definitions

[7 CFR 996.13] Farmer stock peanuts mean picked and threshed peanuts that have **not** been shelled, crushed, cleaned, or otherwise changed (**except** for removal of foreign material, LSK's, and excess moisture) from the form in which customarily marketed by producers.

Seg. 1 peanuts mean farmer stock peanuts with **not** more than 3.49 percent damaged kernels or more than 1.00 percent concealed damage caused by RMD and which are free from visible *Aspergillus flavus*.

Seg. 2 peanuts mean farmer stock peanuts with more than 3.49 percent damaged kernels or more than 1.00 percent concealed damage caused by RMD and which are free from visible *Aspergillus flavus*.

Seg. 3 peanuts mean farmer stock peanuts with visible *Aspergillus flavus*.

### B Basic Eligibility Requirements

\*--To be eligible for 2019 through 2023 crop year loans and LDP's peanuts **must**:--\*

- have been produced by an eligible producer
- be in existence and in storable condition
- be merchantable, and **must not** contain:
  - toxin-producing molds
  - other substances poisonous to humans or animals
- meet the definition of peanuts in 7 CFR Part 996

## 19 Eligible Peanuts (Continued)

### B Basic Eligibility Requirements (Continued)

- meet the specific commodity eligibility requirements for nonrecourse loan
- **not** have been any of the following:
  - cleaned
  - crushed
  - shelled
  - otherwise changed

**Exceptions:** Peanuts will be discounted for:

- damaged kernels
  - excess foreign material
  - excess moisture
  - \*--split kernels.--\*
- **not** be contaminated by birds, insects, rodents, or other vermin.

### C Eligible Types of Peanuts

Eligible types of peanuts are:

- “RUN”
- “SPE”
- “SPW”
- “VAL”
- “VIR”.

### D Repledged

Peanuts previously pledged as collateral for a loan that was redeemed with cash, at principal plus interest, may be repledged for loan during the applicable loan availability period (subparagraph 76 D).

**Note:** The maturity date of repledged loans shall be the same as the original loan maturity date.

## 19 Eligible Peanuts (Continued)

### E Handling Seg. 1 Peanuts

Eligible producers who produce and harvest Seg. 1 peanuts are eligible for a farm- or warehouse-stored nonrecourse loan for any production produced on the farm.

To be eligible for loan:

- farm-stored peanuts **must** be stored in approved farm storage structures (subparagraph 26 B)
- warehouse-stored peanuts **must** be stored in CCC-approved warehouses.

**Note:** Storage requirements do **not** apply to LDP's.

Seg. 1 peanuts are subject to premiums and discounts based on grade factors shown on the warehouse receipt.

### F Handling Seg. 2 and 3 Peanuts

\*--Seg. 2 and 3 peanuts are eligible for nonrecourse MAL's or LDP's. The quantity of Seg. 2 and 3 peanuts eligible for loan or LDP shall be the net weight, **excluding** foreign material--\* and excess moisture and including LSK pounds or tons. Seg. 2 and 3 peanuts are repaid at principal plus interest.

Seg. 2 and 3 peanuts pledged for collateral for loan will:

- be discounted to 35 percent of NLR for the applicable type
- **not** be subject to any other premiums and discounts.

Farmer stock peanuts graded Seg. 3 may be reconditioned at the buying point to remove foreign material and LSK's. When a load of peanuts is presented for regrade, a copy of FV-95 **must** be presented to the inspector to identify the load.

### G Other Uses

Peanuts harvested other than for nut, including hay, are eligible for LDP's. Green peanuts are peanuts that before drying, or removing moisture from the peanuts either by natural or artificial means, are marketed by the producer for consumption exclusively as boiled peanuts.

**Note:** County Offices **must** determine the maximum eligible quantity according to 8-LP, paragraph 336.

## 20-25 (Reserved)

## Section 3 Quantity and Quality Determinations

## 26 Quantity Eligible for Loan or LDP

## A Eligible Quantity

\*--Any 2019 through 2023 peanut crop produced by a producer on a farm is considered--\* eligible, **except** as provided in paragraph 27.

For loan eligibility, peanuts:

- \*--**must not** contain less than 2.50 percent, and no more than 10.49 percent moisture

**Note:** Peanuts exceeding 10.49 percent moisture are ineligible for a nonrecourse loan.--\*

- that contain more than 4.0 percent foreign material will be discounted according to the peanut discounts table in Exhibit 8.

\*--Eligible quantities for MAL's on warehouse-stored Seg. 1, 2, and 3 peanuts must be in--\* "Total Tons", that is the sum of "Net Tons" and Net LSK Tons", from the warehouse receipt for peanuts.

## B Approved Storage

Peanuts stored in approved farm-storage structures are eligible for farm-stored loans. Eligible farm-storage structures **must**:

- be located on or off the farm, excluding public warehouses
- provide safe storage for the peanuts through the loan maturity date
- be measurable.

Peanuts can be stored in bags, if all of the conditions in 8-LP, paragraph 522 are met for storing commodities in bags.

Warehouse-stored loans are available only on peanuts actually stored in CCC-approved warehouse operating under an approved Peanut Storage Agreement at the time either of the following occurs:

- warehouse-stored loan is requested
- farm-stored loan collateral is transferred to warehouse-storage.

## C Farm-Stored Peanuts

Farm-stored loans and LDP's will be limited to 100 percent of the eligible certified or measured quantity for initial loan disbursements and LDP's made during the loan availability period.

**26 Quantity Eligible for Loan or LDP (Continued)****D Warehouse-Stored Peanuts**

For warehouse-stored peanuts, price support will be limited to 100 percent of the eligible net quantity, including LSK's, recorded on warehouse receipts submitted during the loan availability period.

**Note:** If the quantity on the receipt represents eligible and ineligible quantities, require the producer to obtain a receipt representing **only** the eligible quantity. Any cost for replacement receipts shall be paid by the producer.

**E Individual Loans or LDP's**

Any eligible peanuts **not** delivered to an approved CMA shall be eligible for individual loans or LDP's, according to subparagraph A.

**F CMA Loans or LDP's**

Approved CMA's shall be eligible for farm- and warehouse-stored loans or LDP's on the eligible quantity that CMA members deliver to CMA for which requests are filed according to subparagraph A.

**Note:** See paragraph 18 for additional eligibility requirements for CMA's requesting farm-stored loans or LDP's.

**G DMA Loans or LDP's**

Approved DMA's shall be eligible for farm- and warehouse-stored loans or LDP's on the eligible quantity that producers deliver to DMA for which requests are filed according to subparagraph A.

**\*--Note:** Use 8-LP, paragraph 336, to determine the maximum quantity eligible for loan or--\* LDP.

**H LDP Quantity Requested and Denied**

Peanuts requested for LDP and denied because of AGI provisions are **only** eligible for nonrecourse loan and has to be repaid at principal plus interest or through CCE.

**27 Quantity Ineligible for Loan or LDP****A Loans**

Quantities of peanuts are **not** eligible for loan if:

- previously placed under loan and redeemed with cash using an NPP repayment rate
- LDP has been requested and made on that quantity, **except** for subparagraph 26 H.

If ineligible peanuts are inadvertently placed under loan, call the loan according to 8-LP, \*--Part 4. The producer is required to repay the principal plus interest.--\*

**B LDP's**

Quantities of peanuts are **not** eligible for LDP if:

- previously placed under loan and repaid with cash at a rate less than principal plus interest
- LDP has been made on that quantity.

**28 Maintaining Quality and Quantity****A Damaged Peanuts**

County Offices shall remind producers requesting farm-stored loans that damaged peanuts may deteriorate more quickly than peanuts that are in good condition, and that:

- CCC will **not** assume any loss in quality or quantity
- settlement will be based on the quality and quantity of the peanuts delivered.

**B Cautioning Producers**

County Offices shall caution producers that liquidated damages and administrative actions apply according to 8-LP, Part 4 if either of the following is determined for:

- loans, incorrect certification, unauthorized removal, or unauthorized disposition
- LDP's, incorrect certification.

**C Quality on Farm-Stored Loans**

Quality determinations will **not** be made for farm-stored loans at loanmaking. The quality of the peanuts will have to be determined if delivered to CCC at settlement.

**D Quality on Warehouse-Stored Loans**

Federal-State Inspection Services will provide the official grade determination and the grading factors shall be shown on the warehouse receipt.



## 29 Beneficial Interest

### A Beneficial Interest Provisions

\*--To obtain MAL or LDP, producers **must** have beneficial interest in the peanuts at the time--\* of the request, and beneficial interest **must** be maintained through repayment for MAL's. CCC has determined that if a producer has control of the commodity, it is assumed that the producer has risk of loss of the commodity; therefore, the risk of loss component is removed when determining whether a producer has beneficial interest in the commodity. Beneficial interest consists of the producer maintaining control of the commodity and title to the commodity. If either of these conditions is **not** true, the producer does **not** have beneficial interest in the peanuts.

### B Reviewing Contracts

The National Office will review and make the final beneficial interest determination for all peanut contracts that have **not** been approved to date. Steps in the following table **must** be followed **before** submitting contracts to the National Office. Annually, a list of approved peanut contracts will be provided to States.

Step	Action
1	County Offices shall, <b>before</b> approving a loan or LDP request: <ul style="list-style-type: none"> <li>• require a copy of the contract</li> <li>• review the contract to ensure that beneficial interest remains with the producer until marketing</li> <li>• send a preliminary determination to the State Office for concurrence.</li> </ul>
2	State Offices shall: <ul style="list-style-type: none"> <li>• review the contract and preliminary determination</li> <li>• agree or disagree with determination</li> <li>• forward determination to the National Office for a final determination.</li> </ul>
3	National Office shall: <ul style="list-style-type: none"> <li>• review the contract and preliminary determination</li> <li>• agree or disagree with determination</li> <li>• send the final determination to all peanut States.</li> </ul>

**29 Beneficial Interest (Continued)****C Approved Contracts**

Any contract that has been reviewed and approved by FSA for determining the loss of beneficial interest is **not** interchangeable or replaceable unless the contract is amended, revised, or canceled before the earlier of the date:

- peanuts are harvested
- beneficial interest is lost.

**D Amendments, Side Agreements, and Revisions**

Any written and/or verbal agreement, or revision to the approved contract, with or without the producer's awareness, may cause the producer to lose beneficial interest and could result in refund of unearned benefits to CCC.

**E Certification of No Contract**

Producers **must** certify to no contract on CCC-491, according to 8-LP, subparagraph 228 B, if both of the following are true:

- the producer does **not** have a written contract
- there is reason to believe the producer may have lost beneficial interest in the commodity.

**30-35 (Reserved)**

## Section 4 Warehouse Receipt Requirements

### 36 General Warehouse Receipt Requirements

#### A Basic Requirements

All warehouse receipts **must**:

- represent eligible peanuts actually stored in a CCC-approved warehouse with CCC-25
- be negotiable, if paper receipt, or loanable, if EWR
- be issued to the producer, or in the case of loans made to approved CMA's, be issued to CMA
- be endorsed on the back by the producer, if using paper receipts to vest title in the holder
- for EWR's, CCC **must** be made the current holder
- show ownership if peanuts are owned by the warehouse operator solely, jointly, or in common with others
- contain a statement that the peanuts are insured (warehouse operator coverage)
- meet requirements for peanut EWR, if using electronic receipts.

#### B Required Entries

Each warehouse receipt **must** show:

- amount of prepaid load-in or load-out charges, if any
- commingled peanuts, if applicable
- date warehouse receipt was issued
- grading factors, moisture, and damage
- name and address of producer
- name and address of storing warehouse
- net weight, including weight of LSK's
- Seg.
- signature of warehouse operator or authorized agent
- State where the peanuts were inspected
- \*--storage date (including Storage Start Date and Storage Paid Through Date)--\*
- type (only 1 type of peanuts is permitted for each loan or LDP)
- warehouse code assigned by CCC
- warehouse receipt number.

## 36 General Warehouse Receipt Requirements (Continued)

\* \* \*

### C Authorized Offsets

Offsets from the loan proceeds may be made for amounts contained on a separate statement of unpaid charges or a separate bill for unpaid charges. Unpaid charges **must** be associated with the handling of the commodity represented by the warehouse receipt and the marketing of the commodity pledged as loan collateral.

\*--County Offices are authorized to offset charges associated with:

- cleaning
- drying
- custom harvesting
- seed account
- storage.--\*

\* \* \*

State and County Offices and DMA's **must** request written DAFP concurrence for any charges, except for cleaning, drying, custom harvesting, seed accounts, and storage costs associated with the handling of peanuts that will be offset from a producer's loan proceeds.

\*--**Note:** If the State's peanut assessment has been authorized by DAFP as an authorized--\* offset not taken through the CLPS software, provisions of this paragraph apply.

### D Excess Moisture

\*--Peanut warehouse receipts showing moisture that exceeds 10.49 percent are ineligible for a nonrecourse loan.--\*

\* \* \*

If sheller and/or handler and producers agree to use the high moisture grading process, the \*--high moisture content grade percentages are to be reflected on FSA-1007 and the warehouse receipt.

FSA-1007 was enhanced to also include HMG conversion in Section II. If the producer, handler/sheller, and buying point agree that the HMG process will be used, the converted HMG should be placed in the applicable grade factor categories of marketing in Section II of FSA-1007. If the HMG process is used, the HMG conversion factors in Section II are to be transmitted to the PMP-DC in Kansas City.--\*

## 37 Electronic Warehouse Receipt Requirements

### A Background

FSA's web-based EWR system:

- provides functionalities needed to process EWR's for price support
- eliminates manual entry of warehouse receipt data when processing MAL's and LDP's
- interfaces with the EWR provider system to handle EWR's issued by warehouses on behalf of the producer.

**Note:** Paper warehouse receipts are acceptable for requesting peanut MAL's and will be processed in the normal manner.

Authorized FSA employees can access the web-based EWR system using their eAuthentication user ID and password. See 15-PS and 16-PS.

### B Definitions [7 CFR 735.3]

CFS means an electronic system operated and maintained by a provider, as a disinterested ~~third party~~ authorized by AMS, where information relating to warehouse receipts, ~~USWA documents, and other electronic documents are recorded is maintained in a confidential and secure fashion independent of any outside influence or bias in action or appearance.~~

~~EWR~~ means a warehouse receipt authorized by AMS to be issued or transmitted under ~~USWA in the form of an electronic document.~~

Holder means a person that has possession in fact or by operation of law of a warehouse receipt, USWA electronic document, or any electronic document.

~~Provider~~ means a person authorized by AMS, as a disinterested third party, that maintains ~~1 or more confidential and secure electronic systems independent of any outside influence or bias in action or appearance.~~

### C Functionalities

~~FSA's web-based EWR system interfaces with CLPS, and LDP is used when producers apply for MAL or LDP.~~

38-45 (Reserved)

## Section 5 (Reserved)

46-75 (Reserved)



**Part 2 Making Loans****Section 1 General Loanmaking Provisions****76 Obtaining Peanut Loans****A General Information**

[7 CFR 1421.14] Peanut loans to individual producers may be obtained through:

- CCC-approved CMA
- CCC-approved DMA
- County Offices.

**B Individual Producers**

Eligible producers may obtain loans according to 8-LP and this handbook by placing peanuts in approved:

- farm-storage and all of the following:
  - certifying the quantity on CCC-666, complete FSA-409, CCC-666, and CCC-677-1 to request measurement service
  - obtaining a loan on up to 100 percent of the certified or measured quantity
- warehouse-storage and all of the following:
  - obtaining loans on 100 percent of the quantity, including LSK's, shown on the warehouse receipt
  - certifying the quantity on CCC-666, **unless** the State Office determines that using CCC-666 is an unnecessary burden on the producer.

**Note:** County Offices shall record all applicable dates for loan on CCC-666.

**76 Obtaining Peanut Loans (Continued)****C Approved CMA's and DMA's**

Approved CMA's and DMA's may:

- obtain farm-stored loans on peanuts stored on farms in approved storage structures, if other eligibility requirements are met
- obtain warehouse-stored loans on peanuts stored in CCC-approved warehouses
- obtain a loan on peanuts that members previously placed under individual-producer loans and eventually delivered to CMA, **only** if the loan was repaid as principal plus interest
- **not** pledge peanuts as collateral for loan, if previously received LDP benefits.

**Note:** See 1-CMA, Exhibit 6 for a list of approved CMA's and DMA's.

**D Repledging Loans**

Producers and approved CMA's may repledge a quantity of eligible peanuts that were previously mortgaged to CCC as collateral for a loan and the loan was repaid at principal plus interest.

**Note:** The maturity date of repledged loans shall be the same as the original loan maturity date.

Peanuts may **not** be repledged for loan if the original loan was either of the following:

- called because of incorrect certification, unauthorized removal, and/or unauthorized disposition
- repaid with cash, using an NPP repayment rate.

**77-85 (Reserved)**



## Section 2 Initial Loanmaking

## 86 Basic Loanmaking

## A Basic Loan Rates for Peanuts

Loan rates for peanuts for peanuts are announced annually. The current crop year loan rates per peanut type can be found in

<http://www.fsa.usda.gov/programs-and-services/price-support/commodity-loan-rates/index>

Warehouse-stored loans on Seg. 1 peanuts are subject to premiums and discounts based on the grade factors shown on the warehouse receipt.

Seg. 2 and 3 peanuts pledged as collateral for loan will:

- be discounted to 35 percent of NLR for the applicable type
- **not** be subject to additional discounts.

See Exhibit 11 for peanut loan rates and premiums.

Seg. 3 peanuts may be reconditioned at the buying point to remove foreign materials and \*--LSK. When a load of peanuts are presented for regrade, a copy of SC-95 **must** be--\* presented to the inspector to identify the load.

## B Loan Rates in CLPS

The CLPS software automatically downloads the loan rates for each peanut type for the applicable crop year.

The rates per percent of SMK's for each peanut type are hardcoded in CLPS.

## C CCC-676's

CLPS will assign a loan number sequentially with loan numbers for each crop year.

## 86 Basic Loanmaking (Continued)

**D Lien Searches and Financing Statements**

Follow applicable procedure in 8-LP, paragraphs 504, 505, and 521 for:

- performing lien searches
- obtaining CCC-679's
- filing UCC-1's or UCC-1F's, for farm-stored loans.

**E Peanut Promotion, Research, and Assessment Fees**

7 CFR Part 1405 provides CCC the authority to collect commodity assessments from the proceeds of MAL's when the proceeds from MAL's are disbursed. 7 CFR Part 1216 requires peanut producers to pay a 1 percent assessment on all peanuts sold to first handlers.

Research and promotion fees are processed in Kansas City and disbursed to the applicable State Board, Commission, or Association monthly.

The amount deducted from the loan amount will be printed on CCC-677's and CCC-678's as the following:

- marketing assessments for the National Research and Promotion fee
- assessment for all authorized State commodity assessment fees.

Peanut DMA's and CMA's shall be responsible for collecting the research and promotion fee from the producer and remitting that amount to NPB and all approved applicable State entities. CMA and DMA service County Offices **must** enter zero in the "Marketing Assessment" and "Assessment" fields.

\*--The assessment rate for NPB assessment will be 1 percent of the volume of the loan.

**Note:** Starting with the 2018 crop year, the assessment rate for the NPB changed from 1 percent of the full value of the loan to 1 percent of the volume (quantity) of the loan.--\*

**86 Basic Loanmaking (Continued)****F Seg. 1 Warehouse-Stored Premiums and Discounts**

Warehouse-stored loans for Seg. 1 peanuts will be adjusted for premiums and discounts at loanmaking according to Exhibits 8 and 11.

**Note:** Premiums and discounts do **not** apply to farm-stored loan or Seg. 2 or 3 peanut disbursements.

**G Verifying Eligible Quantity**

COC shall verify that the quantity of peanuts a producer pledges as collateral for loan does **not** exceed the producer's share of the quantity that could reasonably have been produced on the farm. COC shall establish a yield considering crop conditions within the county according to 8-LP, subparagraph 230 E.

**H Establishing Yield Estimates**

COC shall:

- annually determine reasonable yield estimates for each commodity based on crop and weather conditions in the county
- document determinations in COC minutes
- review questionable applications.

**I Eligible Quantity**

County Offices shall:

- use PS directives to determine and track a producer's reasonable production
- provide a running account total, by producer, for remaining loan and LDP eligible quantities.

**87      Loanmaking for Farm-Stored Loans****A    Requesting Farm-Stored Loans**

[7 CFR 1421.105] When requesting farm-stored loans, producers shall:

- for certified loans, certify the quantity in farm storage on CCC-666 according to 8-LP, paragraph 524
- for measured loans:
  - complete CCC-409, CCC-666, and CCC-677-1 according to paragraph 524
  - request measurement service according to 8-LP, paragraph 525 and 8-LP, Exhibit 15.

**Notes:** UCC-1's **must** be filed according to 8-LP, paragraph 521.

For farm-stored loans, STC shall **not** require that a loan be measured or obtain an official grade inspection from AMS before or after disbursement. Loans are available on the quantity of eligible peanuts certified by the producer.

**B    Record of Measurement**

Complete and maintain CCC-677-1 according to 8-LP, paragraph 525 for measured loans and spot checks.

## 88 Loanmaking for Warehouse-Stored Loans

### A Acceptable Receipts

Producers must present acceptable warehouse receipts with their loan request.

\*--Acceptable warehouse receipts may either be paper receipts or EWR's recorded in a--\*  
CFS maintained in 1 or more locations that are approved by FSA to operate such system.

**Notes:** Currently, peanut warehouses issue EWR's through a single provider (EWR, Inc.).

See Part 6, Section 10, for information on EWR's.

If any information on the warehouse receipts is incorrect or otherwise unacceptable  
\*--for recording the loan in CLPS, County Offices will:--\*

- **not** approve the loan
- require the producer to do the following **before** approving the loan:
  - submit acceptable warehouse receipts
  - obtain CCC-679, if applicable
  - sign CCC-678.

### B Warehouse Storage Charges

\*--The Agriculture Improvement Act of 2018 requires CCC to pay storage, handling, and--\*  
other associated costs for peanuts that are forfeited. As a result, the warehouse-stored loan  
rate will **not** be reduced if the warehouse receipt issued by the warehouse has **not** been paid  
through the loan maturity date.

For peanuts that are placed under the warehouse-stored MAL that are subsequently forfeited  
to CCC, CCC will pay storage from the date the documents are received to loan maturity,  
handling, and associated costs.

**Note:** Producers are responsible for storage from the date the commodity is deposited to the  
day before the documents are received.

### C In-Handling Charges

\*--The Agriculture Improvement Act of 2018 requires CCC to pay handling and other  
associated costs other than storage, when peanuts are placed in the MAL Program for the  
2019 through 2023 crop years. The Commodity Operations Division will continue to be  
responsible for setting these rates for the 2019 through 2023 crop years.--\*

**88 Loanmaking for Warehouse-Stored Loans (Continued)****C In-Handling Charges (Continued)**

In-handling charges must be:

- paid to the storing warehouse at the time the loan is disbursed
- repaid when MAL is redeemed.

See Exhibit 12 for in-handling charges.

**D Statement of Charges**

\*--8-LP, paragraph 550 provides policies for authorizing offsets of amounts, contained on a--\* separate statement of unpaid charges or a separate bill for unpaid charges, from the loan proceeds. These charges **must** be associated with the:

- handling of the commodity represented by the warehouse receipt
- marketing of the commodity pledged for loan collateral.

For peanuts, County Offices are authorized to **only** offset charges from the producer's loan proceeds associated with authorized charges in subparagraph 36 C. These charges are **not** considered a lien, but **must** be included on CCC-679, item 5 (c), if an offset will be made for these charges.

**Note:** If statement of approved charges is submitted by the sheller, the producer **must** sign the statement of charges. CCC-679 **must** be completed according to this subparagraph. However, if **no** lien exists, then at the bottom of CCC-679 write, "**No liens found**". A signature is **not** required on CCC-679 when no liens are found.

**89-99 (Reserved)**

**Section 3 (Reserved)**

**100-119 (Reserved)**

**Part 3 Repayments, Releases, and Loan Maturity****Section 1 General Provisions****120 Loan Repayment Provisions****A Marketing Loan Repayments**

Marketing loan repayments are intended to:

- minimize potential loan forfeitures
- minimize the accumulation of peanut stocks by the Federal Government
- minimize the cost incurred by the Federal Government in storing peanuts
- allow peanuts produced in the United States to be marketed freely and competitively, both domestically and internationally.

**B Repayment Types**

After the date of disbursement, farm-stored and warehouse-stored loans may be repaid at any time during the loan period.

The following types of repayments are available:

- principal plus interest
- market price repayment at NPP repayment rate, under the marketing loan provisions, according to paragraph 277.

**120 Loan Repayment Provisions (Continued)****C When to Require Principal Plus Interest**

Loan repayments **must include principal plus interest** on farm-stored quantities delivered under CCC-681-1 and either of the following applies:

- repayment is made after the end of the grace period for CCC-681-1
- repayment is for the quantity delivered after loan maturity, even if repayment is made by the end of the grace period
- repayment is for Seg. 2 and 3 peanut loans.
- \*--incorrect certification determination
- loan has been called.--\*

\* \* \*

See 8-LP, Part 7, Section 3 for interest calculation procedures.

**D When Market Prices Are Announced**

NPP for peanuts will be announced, to the extent practicable, at 3 p.m. e.t. each Tuesday and will be effective Wednesday at 12:01 a.m. e.t.

**Exception:** If Tuesday is a nonworkday, the announcement will be made on or after the next workday.

NPP rates used to determine the market price repayment rate based (CCC-determined value) or LDP rate can be found at

\*--<http://www.fsa.usda.gov/programs-and-services/price-support/Index>--\*

**E Locking-In Repayment Rates**

Producers may lock in a repayment rate for peanuts by completing CCC-697 according to 8-LP, paragraph 716.

\*--**Note:** Repayments using CCE may not be locked in. See 8-LP, paragraph 794.--\*



**120    Loan Repayment Provisions (Continued)****F   Denied Market Gains**

Part or all of a producer's calculated market gain may be denied if **any** of the following apply:

- AGI exceeds \$900,000, unless using CCE
- permitted entity share is less than 100 percent.

The person or entity who is not AGI compliant is eligible for MAL, but the loan **must** be repaid at principal plus interest, or by a CCE if in effect.

If there is a market gain for a commodity, the denied gain should be equal to the share of the producer who is determined to be ineligible for a market loan gain.

\* \* \*

**120 Loan Repayment Provisions (Continued)****G Market Gain Reported to IRS**

Market gain means the difference between the loan principal amount and CCC-determined value.

The amount of market gain is reported to IRS for Federal income tax purposes and shall be included on CCC-1099. See 62-FI for additional information.

**H Repayment of Warehouse-Stored Loan In-Handling Charges**

In-handling charges paid to the storing warehouse, when the loan was disbursed, will be added to the total repayment amount due on the loan quantity being redeemed. The amount of handling charges due shall be calculated by multiplying the loan quantity being redeemed times the CCC-approved handling charges applicable to the loan.

The calculated amount shall be:

- displayed on repayment \* \* \*
- printed in CCC-500, "Remarks" section
- added to the amount due at repayment.

**I Acceptable Forms of Payment**

County Offices shall accept the following forms of payment from producers or buyers as repayment for loans:

- cash
- certified or cashier's checks
- money orders
- wire transfer (subparagraph S)
- checks issued, at the producer's request payable solely to CCC or the applicable County Office
- to CCC and other applicable lienholders
- solely to CCC or the applicable County Office

**120 Loan Repayment Provisions (Continued)****I Acceptable Forms of Payment (Continued)**

- that include the producer's name as 1 of the payees
- personal checks from producers or buyers.

**Exception:** See subparagraph J for guaranteed remittances.

**J Guaranteed Remittances**

To protect CCC's interest, STC, CCC, or CED may require guaranteed remittances for **all** repayments on a:

- countywide basis
- Statewide basis, by STC **only**
- individual basis.

If COC determines to require guaranteed remittances, the County Office shall:

- request authority from STC for a countywide policy
- if approved, apply the policy to **all** repayments
- continue to follow 3-FI for dishonored checks.

**K Repayment Date**

The repayment date shall be the date the repayment is received in the County Office that disbursed the loan.

For EFT's the repayment date is the date remittance is received at FRB.

**120 Loan Repayment Provisions (Continued)****L Recording Payments**

Record repayments in CLPS according to 16-PS.

Before recording market loan repayments on warehouse-stored loans, make additional disbursements, if applicable, according to 8-LP \* \* \*.

CCC-500 will be generated by CLPS. County Offices shall:

- sign and date CCC-500
- give the producer the original CCC-500 as a receipt for the repayment
- keep a copy in the loan folder.

**Note:** Do **not** send CCC-500 to FRB.

Prepare and deposit collections according to \* \* \* 64-FI to record the collection in NRRS.

**M Repaying Matured Loans**

Producers may repay matured loans at the outstanding loan principal plus interest:

- **before** CCC acquires the commodity
- for farm-stored loans, **after** issued CCC-691, **but** before settlement is completed in CLPS.

**N Repaying Loans During Appeal Process**

A producer may repay a loan, at NPP under the marketing loan provisions, for which an appeal process is in effect.

**120 Loan Repayment Provisions (Continued)****O Receipt of Uncertified Checks**

If an uncertified personal or corporate check is offered for release of loan collateral and repayment of the loan, CED or designee shall use prudent judgment in releasing loan collateral.

**P Restrictions**

County Offices shall **not** accept any checks that:

- are post-dated
- do **not** conform to proper business practice
- contain restrictive endorsements on the back of the check
- contain restrictive inscriptions on the front of the check.

**Note:** Handle checks with restrictive endorsements according to 3-FI.

**Q Action When Notified of Dishonored Checks**

After receiving notification from FSC or the bank that a check has been dishonored, County Offices shall immediately:

- notify the State Office Price Support Section
- \*--take appropriate action according to 64-FI for the following:--\*
  - “dishonored check fee”
  - “amount due for dishonored check”
- spot check the farm-stored commodity, as follows:
  - charge the producer for the expense of the spot check
  - to determine whether the commodity has been removed.

**120    Loan Repayment Provisions (Continued)**

**R    Processing Refunds for Loan Overpayments**

\*--Refer to 16-PS to process refunds on loan overpayments.--\*

\* \* \*

120    **Loan Repayment Provisions (Continued)****S   Wire Transfer Repayments**

\*--Wire transfer repayments are available through CLPS. Producers or buyers may wire--\* transfer repayments directly to CCC's account at the U.S. Department of Treasury.

CCC-258 is provided to producers or buyers by County Offices to cross-reference loans redeemed by CCC-258.

County Offices can use their manual log of wire transfer numbers, maintained according to 3-FI, paragraph 39, to enter the loan numbers to which the wire transfer will apply.

Process loan redemptions made by wire transfer according to the following.

<b>Step</b>	<b>Action</b>
1	Upon request from a buyer or producer for a loan redemption by wire transfer, provide (by FAX, if requested) CCC-258 according to subparagraph C.
2	Advise the buyer or producer that the completed CCC-258 is to be: <ul style="list-style-type: none"> <li>transmitted to the bank providing the wire transfer</li> <li>FAXed by the bank or the buyer to the County Office <b>on the day of the wire transfer</b> with the bank's receipt of the wire transfer.</li> </ul>
3	Accept the wire transfer receipt from the bank as confirmation of receipt of funds *--and record the repayment through CLPS. The system will generate CCC-500--* as a receipt for the wire transfer. See 3-FI for additional information on how to record remittance. The date the wire transfer funds are received in CCC's account is the date of repayment. Use NPP in effect on the date the receipt of the wire transfer funds are received in CCC's account.  CCC-258 states that if funds are transferred to CCC's account after the date in block 3, additional interest may be due.

## 120 Loan Repayment Provisions (Continued)

**T Completing CCC-258**

County Offices shall complete CCC-258 according to the following and 1-FI.

Item	Instructions
1	Completed at the option of the bank and is <b>not</b> required by CCC.
2	No entry necessary. Notifies the payer that interest is calculated to the date entered in item 3.
3	Enter repayment date requested by the payer. The wire transfer of funds <b>must</b> occur no later than the requested repayment date for the transfer of funds to be sufficient to repay the loan. If the date is <b>not</b> specified by the payer, County Office will enter the date corresponding to the amount entered in item 8.
4	Preprinted. Bank's routing number for the FSA account.
5	Completed at the option of the bank for informational purposes. Not required by CCC.
6	Completed by the bank.
7	Completed by the bank.
8	County Office shall compute the repayment amount to the date entered in item 3 and enter the estimated payment amount required from the payer. Although this amount may be used for the transfer of funds, the final loan repayment amount applied is the amount determined by CCC.
9	Completed by the bank.
10	Preprinted.
11	<p>Contains a preprinted alpha/numeric code. County Offices shall enter the following:</p> <ul style="list-style-type: none"> <li>• "1" to show the type of payment, followed by "/"</li> <li>• State and county code and check digit, followed by "/"</li> </ul> <p><b>Note:</b> County Offices shall contact their State Office for assistance, if needed.</p> <ul style="list-style-type: none"> <li>• "SCH#" and the 4-digit log number between "9001" and "9998" that is from the county log of wire transfer numbers maintained according to 3-FI, subparagraph 39 B, followed by "/".</li> </ul> <p><b>Example:</b> BNF = /AC -00004992 OBI = CCC/1 * * *.</p>



**120 Loan Repayment Provisions (Continued)**

**T Completing CCC-258 (Continued)**

Item	Instructions
12	Optional. County Office may manually enter name of the buyer or producer and the loan number or numbers for which payment will be wired.
13	Optional. County Office may manually enter, "Fax receipt of the bank wire transfer to the County Office on the date of the wire transfer to the FAX number entered in item 14B", as additional instructions to the bank.
14	Enter County Office telephone and FAX number. This is the FAX number to which the wire transfer receipt shall be FAXed.
15	Signature of County Office representative.

**121-139 (Reserved)**



**Section 2 Types of Repayments****140 Types of Loan Repayments****A Principal Plus Interest Repayments**

Producers are required to repay loans at principal plus interest for the following reasons:

- when the principal plus interest is less than NPP
- after the 15th calendar day after CCC-681-1 expires for farm-stored quantities delivered
- loans disbursed as recourse loans
- incorrect certification determination
- loan has been called
- any quantity delivered for farm-stored loans on CCC-681-1 after maturity
- Seg. 2 and 3 peanut loans.

See 8-LP for the repayment of quantities removed or disposed of without prior written authorization.

\* \* \*

**\*--B Cash Marketing Loan Repayment--\***

Market loan repayments with cash are at the **lesser** of the following:

- principal plus interest
- CCC-determined value.

The CCC-determined value (NPP repayment), in some cases, may be higher than the loan rate, but less than the loan principal plus interest.

**140 Types of Loan Repayments (Continued)**

**C Commodity Certificate Exchanges**

Beginning with the 2015 crop year, the “Commodity Certificate Exchange” option is **now** available. See 8-LP, paragraph 794 for specific instructions.

**D Determining NPP**

NPP value for the day the repayment is received in the County Office that disbursed the loan shall be used in determining the repayment rate.

Calculate NPP repayment rate using prices posted for the applicable type of peanuts on the PSD web site at

**\*--<http://www.fsa.usda.gov/programs-and-services/price-support/commodity-loans/non-recourse-loans/peanut-program/index>--\***

**141-155 (Reserved)**

## Section 3 Designated Agents

## 156 CCC-605P, Designation of Agent

**A Producer Responsibility**

Producers may designate an agent to redeem all or a portion of the farmer stock peanuts pledged as collateral for MAL.

Designation of an agent does **not** relieve the producer from the terms and conditions of the note and security agreement.

Agents:

- designated by producers may transfer the designation to a subsequent agent by endorsement on CCC-605P
- subsequently designated on CCC-605P, may further transfer the designation to other subsequent agents on CCC-605P-2 by endorsement.

**Note:** Original CCC-605P **must** be submitted to the County Office at the time of loan redemption, as applicable.

**B Basic Information**

County Offices shall make CCC-605P, CCC-605P-1, and CCC-605P-2 available to the public. Producers should be advised that a separate CCC-605P is required for each loan.

CCC-605P, CCC-605P-1, and CCC-605P-2 **shall be prepared by producers and designated agents only.**

When a valid CCC-605P or CCC-605P-2 and the supporting CCC-605P-1, as applicable, are presented at the County Office, the last agent designated may redeem the peanut tonnage covered by CCC-605P or CCC-605P-2.

**Before** designated agent redemption can be processed, the agent **must** present **all** of the following:

- CCC-605P
- list of tons
- sufficient funds.

**Note:** If a designated agent redeems MAL, any market gain will be attributed to the producer's payment limit.

**156 CCC-605P, Designation of Agent (Continued)****C Using CCC-605P**

Peanut producers will use CCC-605P to designate an agent to redeem all or a portion of their peanut production pledged as collateral for MAL.

The original CCC-605P is the property of the producer or the designated agent. County Offices shall **not** file or maintain the original document.

Complete CCC-605P for each loan.

Producer's designated agent is **not** obligated to exercise the option provided under the terms of CCC-605P.

**D Filing Designation of Agent Forms**

Only peanut producers or producer's designated agent may file CCC-605P, CCC-605P-1, and CCC-605P-2.

If a designated agent is redeeming part of the peanuts covered by CCC-605P, County Office shall file in the loan folder, a photocopy of the CCC-605P, CCC-605P-1, or CCC-605P-2 supporting the redemption and return the originals to the agent.

**E Canceling CCC-605P**

Producers may:

- cancel CCC-605P, **before** the redemption, by providing a written request to the County Office with the following information
  - name of agent
  - loan number
  - applicable tons or warehouse receipts
- redeem the loan collateral themselves, effectively canceling CCC-605P, or by request of producer's designated agent, by providing the required repayment funds
- forfeit the loan collateral to CCC unless redeemed by the producer's agent.

The producer **must** sign and date the request.

## 156 CCC-605P, Designation of Agent (Continued)

**F Instructions for Completing CCC-605P**

Complete CCC-605P according to the following table.

<b>Item</b>	<b>Entry</b>
1	Name and address of the County Office.
2	Name and address of the producer filing CCC-605P.
3	Name and address of the agent being designated to redeem the peanuts.
4	Name of County Office where the loan documents are being held.
5	Maturity date for the loan in which the peanuts are currently pledged.
6	Loan number.
7	Crop year in which the pledged peanuts were produced.
8	<p>If:</p> <ul style="list-style-type: none"> <li>total loan quantity is being designated by the producer, CHECK (✓) “<b>ALL</b>”</li> <li>partial loan quantity is being designated by the producer, agent, or subsequent agent, CHECK (✓) “<b>See attached Form CCC-605P-1 or other list</b>”.</li> </ul> <p><b>Note:</b> An alternate list other than CCC-605P-1 is acceptable. The list <b>must</b> have the same information that is required on CCC-605P.</p>
9	Total tons and/or pounds.
10A through 10D	All producers who are a party to the loan agreement <b>must</b> sign and date, including the producer identified in item 2.
11	Any remarks or comments that may be pertinent to CCC-605P.
12A	Designated agent or its representative <b>must</b> sign CCC-605P.
12B	Designated agent signing in item 12A <b>must</b> enter the date CCC-605P is signed.
13	Each time a new agent is designated to act on behalf of the identified producer, the subsequent and transferring agent <b>must</b> sign item 13.

## 156 CCC-605P, Designation of Agent (Continued)

## G Example CCC-605P

The following is an example CCC-605P.

<b>This form is available electronically.</b> <b>CCC-605P</b> U.S. DEPARTMENT OF AGRICULTURE (05-23-13) Commodity Credit Corporation		1. COUNTY OFFICE NAME AND ADDRESS (Include Zip Code) Betlock County FSA 413 Cotton Lane Lubbock, TX 23187-1234 TELEPHONE NUMBER (Include Area Code): 917-345-6789
<b>DESIGNATION OF AGENT – PEANUT</b>		
<b>INSTRUCTIONS: ITEMS 2 - 10 MUST BE COMPLETED BY THE PRODUCER.</b>		
<b>PART A – LOAN AND AGENT DATA</b>		
2. PRODUCER'S NAME AND ADDRESS (Include Zip Code) Mary Brown 14 Sparkle Lane South Lubbock, TX 59456-1111	3. AGENT'S NAME AND ADDRESS (Include Zip Code) Fortune Peanut, Inc. 25 Greenback Lane South Lubbock, TX 59457-2222	4. COUNTY OFFICE HOLDING WAREHOUSE RECEIPTS Betlock County FSA, Texas
5. MATURITY DATE (MM-DD-YYYY) 05-31-20XX	6. LOAN NUMBER 267894	7. CROP YEAR 20XX
<b>PART B - DESIGNATION OF AGENT FOR LOAN REDEMPTION</b>		
<p><i>THE UNDERSIGNED PRODUCER(S) ("PRODUCER") hereby authorizes the agent identified in Item 3 or, if applicable, the subsequent agent identified by endorsement on Page 2 of this form or the execution of a Form CCC-605P-2, to redeem all or a portion of the peanuts pledged as collateral for the loan identified in Part A. The Producer agrees that no other Form CCC-605P has been or will be executed with respect to such peanuts. If this form covers all the warehouse receipts pledged as security for the loan as described in Part A, mark "all" in Item 8. If this form is for only some of the warehouse receipts pledged as security for the loan, mark "see attached Form CCC-605P-1, or other list" and enter the receipt number(s) in numerical order on Form CCC-605P-1 or other list properly dated and signed by the producer. Attach CCC-605P-1 or other list to this form.</i></p>		
8. LOAN QUANTITY APPLICABLE TO THIS AGREEMENT: ALL <input checked="" type="checkbox"/> See attached Form CCC-605P-1 or other list <input type="checkbox"/>		9. NUMBER OF TONS/POUNDS
<p>Title to the peanuts shall, without a sale thereof, immediately vest in CCC upon maturity of the loan. CCC shall have no obligation to pay for any market value which the peanuts may have in excess of the amount of the loan. CCC may sell, transfer and deliver the peanuts or documents evidencing title thereto at such time, in such manner, and upon such terms and conditions as CCC may determine, without demand, advertisement, or notice of the time and place of sale. CCC does not guarantee that the peanuts subject to this agreement will be permitted to be redeemed at a level lower than the original loan level if the producer has exceeded statutory Adjusted Gross Income amounts. In addition, CCC does not guarantee that the peanuts subject to this agreement will not be redeemed by anyone other than the designated agent or that the warehouse receipts representing the peanuts will not be released to anyone other than the designated agent.</p>		
10A. SIGNATURE OF PRODUCER (BY)	10B. TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY	10C. DATE (MM-DD-YYYY)
11A. SIGNATURE OF PRODUCER (BY)	11B. TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY	11C. DATE (MM-DD-YYYY)
12A. SIGNATURE OF PRODUCER (BY)	12B. TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY	12C. DATE (MM-DD-YYYY)
13A. SIGNATURE OF PRODUCER (BY)	13B. TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY	13C. DATE (MM-DD-YYYY)
14. REMARKS		
<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 the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.) and the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246). The information will be used by the peanut producer to designate an agent to redeem all or a portion of peanut production pledged as collateral for a specified loan. 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-14, Applicant/Borrower. Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for the peanut producer to designate an agent to redeem all or a portion of peanut production pledged as collateral for a specified loan.</p> <p>This information collection is exempted from the Paperwork Reduction Act, as it is required for administration of the Food, Conservation, and Energy Act of 2008 (see Pub. L. 110-246, Title I, Subtitle F - Administration).</p> <p>The provisions of appropriate 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> <p>The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the bases 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).</p> <p>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.</p>		



156 CCC-605P, Designation of Agent (Continued)

G Example CCC-605P (Continued)

<b>CCC-605P</b> (05-23-13)	<b>ENDORSEMENTS</b>	Page 2
<b>THE TRANSFEROR/ENDORSER MUST COMPLETE THE RELEVANT INFORMATION FOR EACH TRANSFER. FAILURE TO COMPLETE THE INFORMATION RENDERS THIS CCC-605P VOID.</b>		
Endorsement transfers both functions specified in Part B, if applicable, and the transferor agent's authority is extinguished.		
<b>15. BY ENDORSEMENT:</b>		
A. _____ (Name of agent)  does hereby transfer the functions specified in Part B:  TO _____ (Name of subsequent agent)  BY _____ (Signature of agent)	D. _____ (Name of agent)  does hereby transfer the functions specified in Part B:  TO _____ (Name of subsequent agent)  BY _____ (Signature of agent)	
B. _____ (Name of agent)  does hereby transfer the functions specified in Part B:  TO _____ (Name of subsequent agent)  BY _____ (Signature of agent)	E. _____ (Name of agent)  does hereby transfer the functions specified in Part B:  TO _____ (Name of subsequent agent)  BY _____ (Signature of agent)	
C. _____ (Name of agent)  does hereby transfer the functions specified in Part B:  TO _____ (Name of subsequent agent)  BY _____ (Signature of agent)	F. _____ (Name of agent)  does hereby transfer the functions specified in Part B:  TO _____ (Name of subsequent agent)  BY _____ (Signature of agent)	

**157 Required Signatures for CCC-605P and CCC-605P-2****A Signatures Required for Valid CCC-605P**

A copy of CCC-605P is acceptable if the signatures follow the guidelines in 1-CM for:

- producers
- producers' agents.

**Note:** See 1-CM, paragraph 730 for information on agents for peanuts.

Each sheller and/or handler or entity **must** provide a list of authorized agents and/or representatives with sample signatures for designated agents from their company to PSD and the State Office. The State Office will provide a copy of all authorized agents' signatures to each peanut County Office in their State.

**B Signature Required for Valid CCC-605P-2**

For CCC-605P-2 to be considered valid, the agent **must** present:

- properly completed CCC-605P-2
- copy of the original CCC-605P that was properly completed and signed by the producer
- copy of all CCC-605P-2's transferring designation for the presented CCC-605P-2.

**C Forms Availability**

CCC-605P, CCC-605P-1, and CCC-605P-2 are available at either of the following:

- USDA's Service Center Agencies eForms Web Site at <http://forms.sc.egov.usda.gov/eForms/searchAction.do>
- FFAS Employee Forms/Publications Site through FSA's Intranet site at <http://intranet.fsa.usda.gov/fsa>.

## 158 CCC-605P-1, Continuation Sheet for CCC-605P

**A Using CCC-605P-1**

Peanut producers will use CCC-605P-1 to list applicable warehouse receipt numbers for peanuts that have been designated to an agent for handling.

CCC-605P-1 is the original property of the producer or the designated agent. County Offices shall **not** file or maintain the original document.

**Note:** An alternate list other than CCC-605P-1 is acceptable. This list **must** have the same information that is required on CCC-605P-1.

**B Completing CCC-605P-1**

Complete CCC-605P-1 according to the following table.

Item	Entry
1	Name and address of the producer filing CCC-605P-1.
2	Name and address of the agent being designated to redeem the peanuts.
3	Name of County Office where the loan documents are being held.
4	Maturity date for the loan in which the peanuts are currently pledged.
5	Loan number.
6	Crop year in which the pledged peanuts were produced.
7	List, in numerical order, the numbers as indicated on the warehouse receipts.
8	Producer identified in item 1 or any producer listed on CCC-605P, item 10, <b>must</b> sign and date CCC-605P-1.

## 158 CCC-605P-1, Continuation Sheet for CCC-605P (Continued)

## C Example CCC-605P-1

The following is an example CCC-605P-1.

<b>CCC-605P-1</b> (05-23-13)		<b>U.S. DEPARTMENT OF AGRICULTURE</b> Commodity Credit Corporation  <b>DESIGNATION OF AGENT - PEANUTS</b> <b>(CONTINUATION SHEET TO FORM CCC-605P)</b>	
<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 the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.) and the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246). The information will be used by the peanut producer to designate an agent to redeem all or a portion of peanut production pledged as collateral for a specified loan. 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-14, Applicant/Borrower. Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for the peanut producer to designate an agent to redeem all or a portion of peanut production pledged as collateral for a specified loan.			
This information collection is exempted from the Paperwork Reduction Act, as it is required for administration of the Food, Conservation, and Energy Act of 2008 (see Pub. L. 110-246, Title I, Subtitle F - Administration).			
The provisions of appropriate 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>			
1. PRODUCER'S NAME AND ADDRESS		2. AGENT'S NAME AND ADDRESS	
4. MATURITY DATE (MM-DD-YYYY)		5. LOAN NUMBER	
		3. COUNTY OFFICE HOLDING WAREHOUSE RECEIPTS	
		6. CROP YEAR	
7. List warehouse receipt numbers in numerical order.			
WHSE. RECEIPT NO.	WHSE. RECEIPT NO.	WHSE. RECEIPT NO.	WHSE. RECEIPT NO.
1.	21.	41.	61.
2.	22.	42.	62.
3.	23.	43.	63.
4.	24.	44.	64.
5.	25.	45.	65.
6.	26.	46.	66.
7.	27.	47.	67.
8.	28.	48.	68.
9.	29.	49.	69.
10.	30.	50.	70.
11.	31.	51.	71.
12.	32.	52.	72.
13.	33.	53.	73.
14.	34.	54.	74.
15.	35.	55.	75.
16.	36.	56.	76.
17.	37.	57.	77.
18.	38.	58.	78.
19.	39.	59.	79.
20.	40.	60.	80.
8A. SIGNATURE OF PRODUCER		8B. TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY	
		8C. DATE (MM-DD-YYYY)	
The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, 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).			
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.			

## 159 CCC-605P-2, Designation of Subsequent Agent - Peanuts

**A Using CCC-605P-2**

CCC-605P-2:

- will be used by peanut producers, designated agents, or subsequent designated agents if less than the loan quantity is designated
- **must** be attached to CCC-605P or CCC-605P-1 before being accepted
- is also used to list warehouse receipt numbers that the designated agent will be responsible for handling
- original is the property of the producer or the designated agent. County Offices shall **not** file or maintain the original document.

**Notes:** An alternate list other than CCC-605P-2 is acceptable. The list **must** have the same information that is required on CCC-605P-2.

Original CCC-605P-2 **must** be submitted to the County Office at time of loan redemption, as applicable.

**B Completing CCC-605P-2**

Complete CCC-605P-2 according to the following table.

Item	Entry
1	Name and address of the current agent before subsequent designation was made.
2	Name and address of the subsequent agent being designated to redeem the peanuts.
3	Name of County Office where the loan documents are being held.
4	Maturity date for the loan in which the peanuts are currently pledged.
5	Loan number.
6	Total number of pounds the subsequent agent will be responsible for redeeming. <b>Note:</b> 1 ton equals 2,000 pounds.
7	Crop year in which the pledged peanuts were produced.
8	Producer identified in item 1 or any producer listed on CCC-605P, item 10, <b>must</b> sign and date CCC-605P-2.
9	Any remarks that are pertinent to CCC-605P-2, but could <b>not</b> be entered under any of the provided fields.
10	If CCC-605P-2 is to designate a subsequent agent other than agent identified in item 2, the subsequent agent <b>must</b> complete items 10 A through F, if applicable.

## 159 CCC-605P-2, Designation of Subsequent Agent - Peanuts (Continued)

## C Example CCC-605P-2

The following is an example CCC-605P-2.

This form is available electronically. <b>CCC-605P-2</b> (05-23-13)		<b>U.S. DEPARTMENT OF AGRICULTURE</b> Commodity Credit Corporation	
<b>DESIGNATION OF SUBSEQUENT AGENT – PEANUTS</b>			
<p><b>NOTE:</b> <i>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 Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.) and the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246). The information will be used by the agent to authorize a subsequent agent to act on behalf of the peanut producer or another subsequent agent to redeem a portion of peanut production pledged as collateral for a specified loan. 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-14, Applicant/Borrower. Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for the agent to authorize a subsequent agent to act on behalf of the peanut producer or another subsequent agent to redeem a portion of peanut production pledged as collateral for a specified loan.</i></p> <p><i>This information collection is exempted from the Paperwork Reduction Act, as it is required for administration of the Food, Conservation, and Energy Act of 2008 (see Pub. L. 110-246, Title I, Subtitle F – Administration).</i></p> <p><i>The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</i></p>			
<b>INSTRUCTIONS: Items 1 - 8 must be completed by Agent.</b>			
<b>PART A – LOAN AND AGENT DATA</b>			
<b>1. AGENT'S NAME AND ADDRESS</b>  Fortune Peanut, Inc. 25 Greenback Lane South Lubbock, TX 59457	<b>2. SUBSEQUENT AGENT'S NAME AND ADDRESS</b>  John Smith 1 Main Street South Lubbock, TX 59456	<b>3. COUNTY OFFICE HOLDING WAREHOUSE RECEIPTS</b>  Betlack County FSA Texas	
<b>4. MATURITY DATE (MM-DD-YYYY)</b>  05-31-20XX	<b>5. LOAN NUMBER</b>  267894	<b>6. NUMBER OF POUNDS</b>  1 ton/2,000 lbs.	<b>7. CROP YEAR</b>  20XX
<b>PART B - DESIGNATION OF SUBSEQUENT AGENT FOR LOAN REDEMPTION</b>			
<p><b>THE UNDERSIGNED AGENT ("AGENT")</b> hereby authorizes the subsequent agent identified Item 2 as the agent to act on behalf of the Producer or another subsequent agent as evidenced by endorsement on Page 2 of this form or the execution of a subsequent Form CCC-605P-2, to redeem the peanuts pledged as collateral for the loan identified in Part A which is listed on the attached Form CCC-605P-1 or other list properly dated and signed by the Agency. The Agent agrees that no other Form CCC-605P-2 has been or will be executed with respect to such peanut. A copy of the CCC-605P and any other CCC-605P-2 that provide proof of the Agent's authority to designate a subsequent agent shall be attached.</p> <p>Title to the peanuts shall, without a sale thereof, immediately vest in CCC upon maturity of the loan. CCC shall have no obligation to pay for any market value which the peanuts may have in excess of the amount of the loan. CCC may sell, transfer and deliver the peanuts or documents evidencing title thereto at such time, in such manner, and upon such terms and conditions as CCC may determine, without demand, advertisement, or notice of the time and place of sale. CCC does not guarantee that the peanuts subject to this agreement will be permitted to be redeemed at a level lower than the original loan level if the producer has exceeded statutory Adjusted Gross Income amounts. In addition, CCC does not guarantee that the peanuts subject to this agreement will not be redeemed by anyone other than the designated agent or the warehouse receipts representing the peanuts are not released to anyone other than the designated agent.</p>			
<b>8A. SIGNATURE OF AGENT</b>	<b>8B. Title/Relationship of the Individual Signing in the Representative Capacity</b>	<b>8C. DATE (MM-DD-YYYY)</b>  04-30-20XX	
<b>9. REMARKS</b>			
<p><small>The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the bases 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>			

159 CCC-605P-2, Designation of Subsequent Agent - Peanuts (Continued)

C Example CCC-605P-2 (Continued)

<b>CCC-605P-2</b> (05-23-13)	(Page 2 of 2)
<b>ENDORSEMENTS</b>	
THE TRANSFEROR OR ENDORSER MUST COMPLETE THE RELEVANT INFORMATION FOR EACH TRANSFER. FAILURE TO COMPLETE THE INFORMATION RENDERS THIS CCC-605P-2 VOID.	
Endorsement transfers both functions specified in Part B, and the transferor agent's authority is extinguished.	
<b>10. BY ENDORSEMENT:</b>	
A. _____ (Name of agent)  does hereby transfer the functions specified in Part B:  TO _____ (Name of subsequent agent)  BY _____ (Signature of agent)	D. _____ (Name of agent)  does hereby transfer the functions specified in Part B:  TO _____ (Name of subsequent agent)  BY _____ (Signature of agent)
B. _____ (Name of agent)  does hereby transfer the functions specified in Part B:  TO _____ (Name of subsequent agent)  BY _____ (Signature of agent)	E. _____ (Name of agent)  does hereby transfer the functions specified in Part B:  TO _____ (Name of subsequent agent)  BY _____ (Signature of agent)
C. _____ (Name of agent)  does hereby transfer the functions specified in Part B:  TO _____ (Name of subsequent agent)  BY _____ (Signature of agent)	F. _____ (Name of agent)  does hereby transfer the functions specified in Part B:  TO _____ (Name of subsequent agent)  BY _____ (Signature of agent)

160-170 (Reserved)





**Part 4 Settlements and Forfeitures****Section 1 Farm-Stored Settlements****171 General Provisions****A Preparing Loan Maturity Reports**

\*--Prepare loan maturity reports according to 16-PS.--\*

**B Sending Maturity Notification Letters**

Prepare and send maturity notification letters to producers with outstanding farm-stored loans, according to 8-LP, paragraph 797 and 8-LP, Exhibit 7, at least 45 calendar days, but **not** more than 60 calendar days, **before** the applicable loan maturity date.

**C Maximum Quantity for Delivery**

The quantity eligible for delivery to CCC under a farm-stored loan settlement is limited to 110 percent of the outstanding loan quantity.

**Note:** If the maximum quantity is exceeded, see 8-LP, paragraph 820 for additional instructions.

**D Preparing for Deliveries**

Handle the deliveries of nonrecourse farm-stored loans according to 8-LP, Part 8, Section 1.

**E Sale of Farm-Stored Loan Deliveries**

CCC has authorized the sale of farm-stored nonrecourse loans delivered to warehouse operators accepting peanut deliveries. Handle sales according to 8-LP, Part 8, Section 3.

**172 Determining Loan Settlement Values**

**A Basic Rule**

Settlements shall be based on the quantity, limited according to 8-LP, Part 8 and quality of peanuts delivered in the settlement of the loan based on the official inspection by Federal-State Inspection Service.

**B Settlement Rate Based on Net Weight**

Settlement rates, like loan rates for warehouse-stored loans, are based on net weight, including LSK, of peanuts times NLR for the types of peanuts delivered, then adjusted for premiums and discounts.

**C Discounts**

For the applicable discounts, see Exhibit 8.

**D Settlement Value of Zero**

If discounts applied during settlement result in the peanuts having a value of zero or less than zero, use zero as the settlement value.

**173 Handling Settlements****A Preparing CCC-691**

Schedule deliveries and prepare CCC-691 according to 8-LP, Part 8, Section 2. If local sale is applicable, conduct sale and issue CCC-691 according to 8-LP, Part 8, Section 3.

**B CCC-692**

Process the settlement in CLPS according to 16-PS to generate CCC-692. If the settlement results in an amount due:

- the payable amount for the producer shall be transferred to NPS for payment by EFT or Treasury check
- CCC, send the producer a notification letter for the amount due, or collecting any deficiency, according to 8-LP, paragraph 823 and 8-LP, Exhibit 11, subparagraph A.

County Offices shall distribute CCC-692's as follows:

- place the original in the producer's loan folder
- attach a \* \* \* copy of CCC-691
- provide a copy to the producer.

**C Submitting Documents to KCCO**

\*--County Offices will submit the following documents to AMS according to 8-LP,--\* paragraph 826:

- copy of CCC-691
- copy of CCC-692
- supplemental certificates, if applicable
- warehouse receipt, if applicable
- any additional documents necessary to support the settlement.

173 Handling Settlements (Continued)

**D Releasing CCC-677 After Settlement**

**After** the commodity has been delivered, settlement completed, and documents transmitted to KCCO, County Offices shall:

- mark the original CCC-677, “**DELIVERED**”
- return CCC-677 to the producer.

If **either** of the following apply, do **not** release CCC-677 to the producer:

- loan deficiency exists and has **not** been satisfied
- loan amount has been transferred to claims and has **not** been paid.

174-184 (Reserved)

**Section 2 Peanut Loan Forfeitures****185 Warehouse-Stored Peanut MAL Forfeitures****A Peanut Forfeitures**

Peanut warehouse-stored loan forfeitures should be processed in CLPS the next workday after loan maturity. There is **no** waiting period after the loan maturity date.

**B Warehouse Charges on Peanuts Forfeited to CCC**

\*--The Agriculture Improvement Act of 2018 authorizes CCC to pay storage, handling, and other associated costs for all peanuts pledged as collateral for MAL during the 2019 through 2023 crop years that are subsequently forfeited to CCC.--\*

If a warehouse-stored MAL is forfeited. The producer is responsible for storage charges from the “Storage Start Date” (Exhibit 2) through the day before the “Date Document Received” date (Exhibit 2). A receivable for the storage costs, from the “Storage Start Date” to the day before the “Date Document Received” date, will be created at forfeiture.

**C Handling Charges**

Handling charges paid when the loan was disbursed are **not** required to be repaid.

**185 Warehouse-Stored Peanut MAL Forfeitures (Continued)****D Storage Charges**

Producers are responsible for paying warehouse storage charges for forfeited peanuts from the “Storage Start Date” through the “Date Document Received” date.

If MAL is **not** repaid within the 9-month period and peanuts are subsequently forfeited to CCC, storage charges will be handled as follows.

<b>IF storage charges were...</b>	<b>THEN CCC will pay storage charges to the...</b>
paid through loan maturity	<b>producer</b> will be refunded the storage paid through maturity.
<b>not</b> fully paid	storing warehouse from either of the following, as applicable: <ul style="list-style-type: none"> <li>• starting the day after loan maturity through final disposition</li> <li>• later of the “Date Storage Paid Through” or “Date Document Received” through final disposition, when applicable.</li> </ul>

**Note:** The producer will be billed for storage charges incurred from the “Storage Start Date” through the day before the “Date Document Received” date, if applicable. CCC will use “Date Storage Paid Through” on the receipt to determine to whom and when storage will be refunded.

**E Releasing CCC-678 After Forfeiture**

After warehouse receipts have been forfeited:

- mark the original CCC-678, “**FORFEITED**”
- return CCC-678 to the producer
- file a copy in the loan folder
- \*--if using EWR, reason code “9 - Forfeiture” will be used in the CLPS forfeiture process.--\*

**186-189 (Reserved)**

**Part 5 LDP's****190 Basic LDP Provisions****A Definition of LDP**

LDP means payments made to producers who, although eligible to obtain MAL, agree to forgo the loan in return for a payment on eligible peanuts.

The amount of LDP is the difference between the loan rate based on the national average for the applicable peanuts and NPP, times the quantity.

**B General Provisions**

LDP's:

- shall **not** be combined for more than 1 class of peanuts
- will be processed through eLDP web site by County Office or producer

**Note:** See 15-PS for eLDP instructions.

- will be issued by EFT or check, as applicable, subject to assignment
- shall be subject to AGI \* \* \*
- are subject to:
  - administrative offset according to 58-FI
  - spot check according to 8-LP, Part 3
- **must** be requested on or before the final loan availability date

**190 Basic LDP Provisions (Continued)****B General Provisions (Continued)**

- **cannot** be:
  - canceled or repledged once a request has been made or disapproved
  - repaid to obtain a loan or LDP

**Note:** LDP requests disapproved because the requested quantity exceeded the maximum eligible commodity may be approved if the producer provides acceptable production evidence.

- repaid to request a subsequent loan or LDP on the same quantity
- are **not** subject to commodity assessments
- exceeding \$100,000 requires the applicant to comply with lobbying disclosure requirements according to 8-LP, paragraph 28
- are **not** subject to State assessments
- will be paid when approved.

Lien searches and lien waivers are **not** required.

**C Producer Eligibility Requirements**

Producers applying for LDP **must**:

- meet eligibility requirements in Part 1, Section 2
- agree to forgo obtaining a loan for the quantity on which LDP is requested.

**D CMA and DMA Eligibility Requirements**

CMA's applying for LDP for their members, and DMA's requesting LDP's for their producers, **must**:

- meet eligibility requirements in paragraph 16
- agree to forgo obtaining a loan for the quantity on which LDP is requested.

See Part 7 for additional information.



**190 Basic LDP Provisions (Continued)****E AGI Requirements**

See 8-LP, paragraph 34 for applicable AGI requirements.

**F Denied LDP Amounts**

Part or all of a producers calculated LDP amount may be denied if **any** of the following apply:

- AGI requirements are **not** met
- eligibility requirements are **not** met.

\* \* \*

**Note:** If LDP benefits are denied because of AGI requirements, actively engaged, or payment limitation, producers shall have the opportunity to request a nonrecourse loan by the final availability date.

**G LDP Amount Reported to IRS**

The amount of LDP is:

- the LDP rate, times the quantity
- reported to IRS.

**Note:** CMA's and DMA's are responsible for reporting the amount of LDP's for their producers to IRS.

**H Commodity Eligibility Requirements**

To be eligible for LDP, the peanuts **must**:

- **not** have been previously pledged as collateral for a price support loan
- meet the eligibility requirements in paragraph 19.

**I Waiver of Storage Requirements**

Approved storage requirements are waived when CCC-633 EZ is approved.

**190 Basic LDP Provisions (Continued)****J Filing LDP's**

LDP's shall be maintained in 1 of the following:

- a separate LDP file for each request received
- 1 LDP file for each producer
- 1 LDP file for each producer by commodity class.

See 8-LP, subparagraph 1000 H for an example of a County Office checklist for determining eligibility and processing an LDP request.

**K Requesting Payment**

When quantities have been delivered, producers may request payment by:

- certifying to the quantity delivered and date of delivery
- providing production evidence.

Producers are subject to spot check for any certified:

- quantity
- delivery date.

**L Low Quality Peanuts**

Seg. 2 and 3 peanuts are eligible for LDP's.

The quantity of Seg. 2 and 3 peanuts eligible for LDP shall be the net weight that includes LSK pounds or tons.

**M Suggested County Office Checklist for LDP's**

County Office can use the example in 8-LP, subparagraph 1000 H, when completing LDP approvals and issuing payments.

## 191 Requests for LDP's Documented on CCC-633 EZ

### A Requesting LDP's

LDP requests are complete when a County Office receives completed and signed CCC-633 EZ, pages 1 and 2, according to 8-LP, Part 10.

LDP's **must** be requested:

- **before** beneficial interest is lost according to 8-LP, Part 2

**Note:** CCC-633 EZ, page 1 **must** be filed **before** beneficial interest is lost.

- on or before the final availability date for the crop year of the commodity
- from a CMA and/or DMA service County Office for CMA's or DMA's according to 1-CMA.

CCC-633 EZ's:

- allow producers to enter into an agreement with CCC to indicate intention to receive LDP benefits for all eligible commodities for the applicable crop year
- incorporate all types of LDP requests into a single 2-part application consisting page 1 (LDP agreement) and page 2 (LDP benefit requests)
- ensure that LDP benefits for eligible producers on all eligible commodities when page 1 is filed **before** loss of beneficial interest, and pages 2 is received **before** the final loan or LDP availability date
- cover production sold before CCC-633 EZ, page 2 is submitted, as long as the producer filed CCC-633 EZ, page 1 **before** loss of beneficial interest
- can be used to request LDP's for hay and green peanuts
- cover all quantities the producer has beneficial interest in on the date page 1 is completed and received in the applicable County Office
- page 1 only needs to be filed in 1 County Office for all counties in which the producer or entity has an interest in the peanuts

**Note:** County Offices **must** FAX a copy of the completed CCC-633 EZ to all counties in which the producer has an interest according to subparagraph C.

**191 Requests for LDP's Documented on CCC-633 EZ (Continued)****A Requesting LDP's (Continued)**

- do **not** negate the producer's ability to obtain MAL

**Note:** If the producer submits CCC-633 EZ, page 2, requesting payment of LDP benefits, then the specific quantity in which the LDP benefit was requested becomes ineligible for MAL.

- apply to CMA's and DMA's who apply to Service County Offices for LDP's according to 1-CMA.

By completing and agreeing to the terms and conditions provided on CCC-633 EZ, page 1 **before** losing beneficial interest, producers may be eligible to receive LDP benefits based on the earlier of:

- date beneficial interest is lost according to acceptable production evidence
- the date of request for payment, if beneficial interest is retained
- date of delivery, if beneficial interest is retained.

Producers **must** submit CCC-633 EZ, pages 1 and 2 **before** the applicable final loan availability date for peanuts to be eligible for the LDP benefit.

**B Submitting CCC-633 EZ's**

CCC-633 EZ, page 1 can be submitted to any County Office in which the producer has an interest. CCC-633 EZ, page 2 **must** be requested at the County Office where the farm records are kept for the farm on which the peanuts were produced. Requests **must** be submitted by any of the following:

- in person
- by mail
- by FAX
- through eForms.

Following submission and approval of CCC-633 EZ, page 1, eLDP requests can be submitted by eligible producers who have:

- a customer profile
- level 2 eAuthentication account access.

**Note:** See 15-PS for additional information.

**191 Requests for LDP's Documented on CCC-633 EZ (Continued)****C Multi-County Producers**

If the producer farms in more than 1 county, the County Office first contacted shall:

- accept the LDP request on CCC-633 EZ, page 2
- contact the other County Offices when either of the following applies:
  - the request covers eligible production from more than 1 farm and the farm program records are kept in more than 1 County Office
  - LDP's were received from more than 1 County Office
- FAX LDP requests to the applicable administrative County Office for completion.

If a single CCC-633 EZ, page 2 includes production from multiple farms that are located in a different county, the County Office that accepts the LDP request **must** indicate in item 32 that "multiple LDP's will be issued to cover the requested quantity according to this LDP request".

**Note:** The applicable administrative County Office **must**:

- verify the COC-established maximum yield for the eligible production in the applicable county
- document in item 32 where the verification of information was obtained.

**D Contracts**

Review contracts or require certification of no contract, if applicable, and make beneficial interest determinations according to paragraph 29 **before** approving LDP's only in situations when there is reason to believe the producer may have lost beneficial interest in the peanuts.

**191 Requests for LDP's Documented on CCC-633 EZ (Continued)****E Approvals and Payments**

LDP requests **must** be:

- approved when all eligibility requirements are met
- date-stamped when CCC-633 EZ, pages 1 and 2 are received in the County Office to indicate the intention and the request date.

**Note:** If the FAX machine preprints the correct date and time, when any CCC-633 EZ pages are received in the County Office, or if the date is printed on an eForms submission, then the date stamp is **not** required.

Issue payments when:

- CCC-633 EZ, page 1 has been filed and page 2 has been approved
- all required production evidence, such as delivery documentation, has been received for LDP's on which beneficial interest has been lost
- second party review has been completed according to 8-LP

**Note:** Reviewer should initial and date CCC-633 EZ, page 2

- CCC-770 LDP/eLDP has been completed and signed, if applicable.

**F Revising CCC-633 EZ**

CCC-633 EZ can be revised **before** the commodity is harvested.

If a producer wants to revise CCC-633 EZ during harvest, **not** to include any future quantity harvested for production units specified on CCC-633 EZ, require the producer to:

- line through the applicable quantity to be revised
- enter the revised quantity already harvested as applicable, initial, and date.

All producers who signed CCC-633 EZ **must** initial and date **all** revisions.

**191 Requests for LDP's Documented on CCC-633 EZ (Continued)****G Terminating CCC-633 EZ**

CCC-633 EZ can be terminated if the producer has **not** harvested **any** of the commodity covered by CCC-633 EZ. Once harvest has begun, producers **cannot** terminate CCC-633 EZ.

**H Canceling CCC-633 EZ's, Page 2**

CCC-633 EZ, page 2 **cannot** be canceled at any time. After producers sign CCC-633 EZ, page 2, LDP is obligated to be paid by CCC to the producer.

**I Prompt Payment**

See 8-LP for prompt payment due dates.

**J Deferred Payments**

Payments **cannot** be deferred or delayed at any time. All payments **must** be made as soon as possible after the date of request.

## 192 CCC-633 EZ's

## A Page 1

The purpose of CCC-633 EZ, page 1 is to:

- allow producers to indicate their intention to receive LDP benefits
- be completed 1 time per crop year to include the quantity of peanuts in which the producer maintains beneficial interest on the date page 1 is received in the applicable County Office
- cover all counties in which the producer or legal entity does business.

CCC-633 EZ, page 1:

- **must** be received in the County Office on or **before** subsequent CCC-633 EZ, page 2 is submitted for payment

**Note:** DMA's and LSA's will obtain CCC-633 EZ from their customers.

- is crop year specific and does **not** apply for subsequent crop years
- may be submitted by the producer for the upcoming crop year, beginning **October 1** of the preceding crop year, through the final peanut loan availability date, as long as the producer still has beneficial interest in the commodity.

County Offices shall encourage producers to submit CCC-633 EZ, page 1 each crop year whether or **not** the producer plans to subsequently request a loan or LDP.

Because CCC-633 EZ, page 1 serves as the producer's **intention** to request and receive LDP benefits, the producer still maintains the ability to pledge the eligible commodity for MAL. The eligible commodity becomes ineligible for MAL, when page 2 has been submitted for payment of LDP benefits.



## 192 CCC-633 EZ's (Continued)

**A Page 1 (Continued)**

The County Office receiving the initial filing of CCC-633 EZ, page 1 will:

- complete Part D
- FAX or mail a copy to all County Offices, identified in item 5, in which the producer or entity has a farming interest.

**Note:** If there are additional counties that the producer neglected to include in item 5, LDP benefits are **not** denied because that County Office did **not** receive CCC-633 EZ, page 1. FAX or mail omitted County Offices a copy of CCC-633 EZ, page 1 when identified.

**B Page 2**

CCC-633 EZ, page 2 is for all harvested commodities, including peanuts.

Complete CCC-633 EZ, page 2 to request LDP for peanuts including peanuts harvested as green peanuts and as hay.

Producers may submit:

- multiple requests using the applicable CCC-633 EZ, page 2 to cover all eligible quantities
- one CCC-633 EZ, page 2 to cover multiple commodities if the quantities are requested on the same day.

**Example:** Producer can submit CCC-633 EZ, page 2 on January 21, 2015, for corn and peanuts. Only one CCC-633 EZ, page 2 is necessary, but the County Office will process 2 separate LDP's.

**Note:** After CCC-633 EZ, page 2 is submitted and approved for payment, **no** other changes can be made to the original CCC-633 EZ.

**C Pages 3 and 4**

CCC-633 EZ, pages 3 and 4 are **not** applicable to peanuts.

## 192 CCC-633 EZ's (Continued)

**D Page 5**

CCC-633 EZ, page 5 is a continuation sheet for additional signatures.

**E Completing CCC-633 EZ Page 2**

To receive LDP benefits, producers **must** complete and submit CCC-633 EZ, page 2 to DMA or County Office where the farm records are maintained for the farm on whose production LDP is requested. Producers who submit CCC-633 EZ, page 2:

- and retain beneficial interest in the requested quantity, will receive LDP based on the LDP rate in effect on the date a completed page 2 is received in that DMA or County Office
- after beneficial interest is lost in the requested quantity, will receive LDP based on the LDP rate in effect on the date before beneficial interest was lost

**Note:** CCC has the sole discretion for determining when beneficial interest is lost in the commodity as provided in 8-LP, subparagraph 227 G. Acceptable production evidence **must** be provided with page 2 if the producer no longer retains beneficial interest in the requested quantity.

- based on the date of delivery, will receive LDP based on the LDP rate in effect on the date of delivery.

When production evidence is provided with page 2, LDP will **not** be subject to spot check.

<b>IF the source of the LDP quantity (item 21) is...</b>	<b>THEN the...</b>
certified	commodity is subject to random spot check and producers are required to submit acceptable production evidence according to 8-LP, subparagraph 335 C.
measurement service	County Office would initiate measurement service with FSA-409. The quantity indicated on CCC-633 EZ, page 2 would receive LDP rate in effect on the date page 2 is completed and submitted, but would <b>not</b> be paid until verified by measurement service. The applicant <b>must</b> enter a specific quantity or "All" in CCC-633 EZ, page 2, item 20 for the payment request to be complete. This prevents the producer from leaving CCC-633 EZ, page 2, item 20 blank and then altering the request after the measurement service is completed because of a change in LDP rate.
production evidence	producers are required to submit acceptable production evidence according to 8-LP, subparagraph 335 C with page 2.

**193 FAXed CCC-633 EZ's**

**A Acceptable FAXed CCC-633 EZ's**

FAXed CCC-633 EZ's are considered complete when both of the following are met:

- County Office has received CCC-633 EZ, page 1 **before** the producer loses beneficial interest
- producer correctly completes CCC-633 EZ, page 2, including all producer signatures.

**B Unacceptable FAXed LDP Applications**

Unacceptable FAXed LDP applications are:

- applications submitted on any form other than CCC-633 EZ
- CCC-633 EZ's missing information that is absolutely necessary to determine LDP.

Provide the producer with written notification that:

- CCC-633 EZ did **not** contain adequate information
- a new LDP rate will be established based on the date a new acceptable CCC-633 EZ, page 2 is received in the County Office.

**193 FAXed CCC-633 EZ's (Continued)**

**C Signatures**

Followup original copies and signatures are **not** required for FAXed CCC-633 EZ's.

**D CCC-633 EZ's Requested, But Not Received**

If a producer inquires about a FAXed CCC-633 EZ that was **not** received, County Offices shall:

- require producer to submit documentation to verify the date and time of the CCC-633 EZ FAX transmission
- accept producer's completed CCC-633 EZ
- document the date CCC-633 EZ was FAXed and the reason the FAX was **not** received
- **not** accept or approve producer's CCC-633 EZ unless the producer can provide actual FAXed date verification.

**Note:** Incomplete transmissions are **not** considered to be valid CCC-633 EZ's.

**194 LDP Rates****A Effective LDP Rate**

LDP rate means the rate in effect on the date based on the following:

- of request, if beneficial interest is maintained on date of request
- beneficial interest is lost according to acceptable production evidence
- of delivery, if the producer requests the date of delivery option on the applicable CCC-633 EZ, page 2 **before** delivering the requested quantity.

The date beneficial interest is lost is the date the producer loses control of the commodity through sale, feeding to livestock, or delivery to an unauthorized warehouse, livestock feeder or processor.

**B Determining LDP Rates**

LDP rates are determined by the amount the applicable commodity loan rate exceeds NPP when beneficial interest is lost in the requested commodity.

NPP for peanuts:

- will be announced each Tuesday at 3 p.m. e.t. for each of the 4 types of peanuts
- become effective on Wednesday, at 12:01 a.m. e.t.
- can be obtained at [www.fsa.usda.gov/Internet/FSA\\_File/peanut.xls](http://www.fsa.usda.gov/Internet/FSA_File/peanut.xls).

Use LDP rate in effect until the next posting of the repayment and/or rates.

**194 LDP Rates (Continued)****C LDP Rate for Multiple Deliveries**

The LDP rate for multiple deliveries of production covered under CCC-633 EZ is based on the first consecutive quantity delivered, unless otherwise designated on CCC-633 EZ.

Selecting a specific delivery date to obtain LDP rate for all quantity delivered is **not** permitted.

If multiple deliveries occur for production delivered under CCC-633 EZ and:

- multiple LDP's will be made, LDP rate is based on the date of delivery for the quantity being paid under LDP, as applicable
- a single LDP will be made, the weighted average LDP rate for the total quantity will be determined based on the eligible LDP rate for the dates eligible quantity was delivered.

**D Determining LDP Amounts**

LDP amounts are calculated by multiplying the applicable LDP rate times the LDP quantity requested.

**E LDP Rate for FAXed CCC-633 EZ, Page 2**

For FAXed CCC-633 EZ, page 2, the LDP rate is the applicable rate in effect as follows:

- when CCC-633 EZ, page 2 is received in the County Office, if LDP request is completed according to this paragraph and beneficial interest was maintained
- on the date of delivery, if beneficial interest was lost on date of delivery, which is listed on FSA-1007.

**Example:** If the rate is effective at 12:01 a.m. e.t. and the FAXed CCC-633 EZ is received at 5 a.m. e.t., LDP rate is the rate in effect on the current workday.

**195 Eligible Quantity****A Commodity Eligibility Requirements**

To be eligible for LDP, the quantity of peanuts **must**:

- meet eligibility requirements in paragraph 19
- have been produced by an eligible producer
- **not** have been previously pledged as collateral for a loan and repaid with cash at a rate less than the principal plus interest
- **not** have been previously requested or paid for LDP.

**Note:** Producers **must** submit a valid CCC-633 EZ, page 1 **before** losing beneficial interest.

The following are eligible for LDP:

- a quantity of peanuts eligible to be repledged for a nonrecourse loan
- hay derived from loan eligible peanuts
- green peanuts.

**Note:** Green peanuts and hay are **not** eligible for MAL.

\*--Seg. 2 and 3 peanuts are eligible for LDP. Eligible quantity will be based on net quantity--\* according to the acceptable production evidence.

For LDP's on contaminated commodities, see 8-LP, Part 4.

**B Quantity Requested**

Eligible producers may request LDP quantities by:

- certifying the quantity
- requesting measurement service
- certifying date of delivery
- providing delivery evidence.

**195 Eligible Quantity (Continued)****C Certified Quantity**

Producers may request LDP by certifying the quantity. A reasonableness check using yields established by COC, according to 8-LP, paragraph 230, **must** be completed to ensure that the commodity was produced by the producer. All certified LDP's are subject to spot check according to 8-LP, Part 3.

COC-set yield does **not** ensure that the commodity was produced; however, it establishes a guide for production reasonableness.

If producers later request measurement service and indicate on CCC-677-1 to use the quantity determined for production evidence:

- place CCC-677-1 in the producer's file
- use the measurement if LDP is later selected for spot check
- no further action is necessary.

**D Measured Quantity**

Eligible producers may request measurement service to obtain LDP.

If measurement service is requested on FSA-409, complete CCC-677-1, according to 8-LP, Exhibit 15, in addition to CCC-633 EZ, page 2.

LDP's requested by measurement service are **not** subject to spot check.

**E Quantity Supported by Production Evidence**

If producers do **not** want to certify to the quantity or date delivered, requests can be completed by providing production evidence according to 8-LP, Part 3, Section 3.

If production evidence is provided at time of payment request, LDP will **not** be subject to spot check.



**196 Basic LDP's****A Types of Basic LDP's**

LDP's are requested for any stored quantity the producer maintains beneficial interest in on date of request and can be either:

- farm-stored quantities
- warehouse-stored quantities.

**B Rate for Type of LDP**

This table provides guidance for determining LDP rate based on LDP type provided CCC-633 EZ, page 1 is on file.

<b>LDP Type</b>	<b>LDP Rate</b>
Beneficial interest maintained.	Rate on date of request.
Beneficial interest lost.	Rate in effect on date sold or date delivered to a non-authorized warehouse according to acceptable sales evidence.
Delivery date.  <b>Note:</b> Beneficial interest maintained, but before delivery the producer requests to use rate in effect on date of delivery.	Rate in effect on date delivered from the field.

## 197 Completing CCC-633 EZ's

## A Page 1

Complete CCC-633 EZ, page 1 according to the following.

Item	Instructions
1	Enter name and address of the producer (individual, joint operation, or legal entity) for which benefits may be requested.
2	Enter phone number, including area code, of the producer.
3	Enter last 4 digits of TIN for the producer in item 1.
4	Enter crop year for the commodities covered by CCC-633 EZ.
5	Enter States and the counties where the producer has an interest for the designated crop year.  <b>Note:</b> CCC-633 EZ covers interests in all eligible LDP commodities of the producer in item 1. The County Office that first receives page 1, shall forward to other County Offices, as applicable, by FAX or mail.
<b>Part A - Terms and Conditions</b>	
All producers requesting LDP shall review and understand the terms and conditions of this agreement.	
<b>Part B - Methods of Payment Request</b>	
All producers requesting LDP shall review and understand the methods by which a payment request may be initiated under this agreement.	
<b>Note:</b> Page 2 <b>must</b> be received in the County Office <b>before</b> the final loan availability date for peanuts.	

## 197 Completing CCC-633 EZ's (Continued)

## A Page 1 (Continued)

Item	Instructions
<b>Part C - Producer Signature and Certification</b>	
6 and 7	<p>After reading the certification statement, the producer needs to sign and date in items 6 and 7. The signatures indicate the producer has reviewed and agrees to the conditions listed. There will be one CCC-633 EZ, page 1 per producer. Multiple signature lines are provided for cases where multiple signatures are required to act for an operation or legal entity. If additional signature lines are needed, the producer shall use page 5, Part C.</p> <p>In item 6B, "Title/Relationship", the signatory shall enter their relationship authorizing them to sign on behalf of the producer; for example, power of attorney, position in the company, spouse, etc.</p> <p><b>Example:</b> Treasurer of Smith Bros., Inc.</p> <p>If the applicant is <b>not</b> signing in the representative capacity, leave field 6B blank. If "<b>SELF</b>" is written to indicate the producer is signing on behalf of their own self, it is acceptable; however, <b>not</b> necessary.</p> <p><b>Note:</b> Generally, there will be one CCC-633 EZ, page 1 per producer. Multiple signature lines are provided for cases where multiple signatures are required to act for the operation or legal entity. If additional signature lines are needed, the producer shall use page 5, Part C.</p>
<b>Part D - CCC Agreement (FSA Use Only)</b>	
8	Enter signature of authorized CCC representative.
9	Enter title of authorized CCC representative.
10	Enter date of CCC representative's signature.
11	Enter additional information pertinent to the approval or disapproval of agreement.
12	Enter name and address of the County FSA Office, LSA, or DMA receiving and signing the original page 1. The County Office may enter their assigned State and county code in place of their name and address.

**Note:** Page 2 **must** accompany all requests for payment. If additional information is needed to determine eligible producer, net quantity, and payment rate, then the request will **not** be paid until evidence is provided.

## 197 Completing CCC-633 EZ's (Continued)

## B Page 2

Complete CCC-633 EZ, page 2 according to the following.

Item	Instructions
<b>Part E - Request for LDP</b>	
13A	Enter producer's name, address, and phone number, including area code.  <b>Note:</b> This should be the same as in item 1.
13B	Enter last 4 digits of TIN of the producer in item 13A.
14	Enter alternate phone number, including area code, of producer in item 13A (optional).
15	Enter crop year for which LDP is requested.
16	Enter State and county where the farm records are maintained.
17	Check (✓) either "Yes" or "No" to the question, "Are you or any co-applicant delinquent on any Federal Non-tax debt?" If "Yes" is checked, explain in item 32.
18	<b>For FSA use only.</b> Enter processing system-assigned LDP number.
19	Enter the peanut type for which LDP is requested. Indicate if LDP is for green peanuts or hay.
20	Enter net quantity, in tons, requested for this payment.  <b>Note:</b> User may enter "All" if the producer selects the "date of delivery" option or a measured LDP.  For commodities harvested as other than grain, the quantity may be certified as tons.

## 197 Completing CCC-633 EZ's (Continued)

## B Page 2 (Continued)

Item	Instructions
<b>Part E - Request for LDP (Continued)</b>	
21	<p>Check (✓) the block from the following that corresponds with the source of the quantity in item 20:</p> <ul style="list-style-type: none"> <li>• “A”, “Certified”, if no acceptable production and/or sales evidence is provided at the time of payment request</li> </ul> <p><b>Note:</b> Certified quantities are subject to spot check and CCC may require production evidence to support the certification.</p> <ul style="list-style-type: none"> <li>• “B”, “Measurement Service”, if measurement service is requested to determine quantity</li> </ul> <p><b>Note:</b> The servicing County Office will initiate a measurement service at the location described in item 22. By requesting measurement service, the applicant agrees the quantity determined by measurement service will be the maximum quantity eligible for LDP and the request for payment is irrevocable.</p> <ul style="list-style-type: none"> <li>• “C”, “Production Evidence”, if request for payment is accompanied by production and/or sales evidence.</li> </ul> <p><b>Note:</b> When acceptable production and/or sales evidence is provided at the time of payment request, no additional documentation will be required.</p>
22	<p>Enter:</p> <ul style="list-style-type: none"> <li>• State, if necessary, and county where the quantity in item 20 is stored</li> <li>• location within the same county where the commodity is stored.</li> </ul> <p><b>Example:</b> Bin number, legal description, and/or land description; enter the warehouse name if commodity is warehouse-stored.</p> <p>A separate LDP request <b>must</b> be completed for quantities stored in a different county.</p>
23A and 23B	<p>Enter date of this request, date beneficial interest was lost, or the date of delivery. If a request has multiple dates (such as date of feeding or sale) and production evidence, schedule, and/or ledger that is provided shows when beneficial interest is lost, this item can be left blank. <b>If</b> page 2 is filed before delivery and the producer wants to use the “date of delivery” option, Box “B” <b>must</b> be checked.</p>

## 197 Completing CCC-633 EZ's (Continued)

## B Page 2 (Continued)

Item	Instructions
<b>Part E - Request for LDP (Continued)</b>	
24	<b>For FSA use only.</b> Enter LDP rate in effect according to the applicable date as provided in item 23. For multiple dates of delivery, ENTER “ <b>See Attached Production Evidence</b> ”.
<b>Part F - Producer Certification</b>	
25 through 27	<p>After reading the certification statement, the producer <b>must</b> sign, enter share percentage of the LDP quantity, and date in items 25A, 26, and 27. The signatures indicate the producer has reviewed and agrees to the conditions listed. There will be one CCC-633 EZ per producer. Multiple signature lines are provided for cases where multiple signatures are required to act for an operation or entity. If additional signature lines are needed, the producer shall use page 5, Part F. The approval date will be the date all required signatures are in the County Office.</p> <p>In item 25B, “Title/Relationship”, the signatory shall enter their relationship authorizing them to sign on behalf of the producer; for example, power of attorney, position in the company, spouse, etc.</p> <p><b>Example:</b> Treasurer of Smith Bros., Inc.</p> <p>If the applicant is <b>not</b> signing in the representative capacity, leave field 25B blank. If “<b>SELF</b>” is written to indicate the producer is signing on behalf of their own self, it is acceptable; however, <b>not</b> necessary.</p> <p>If beneficial interest has <b>not</b> been lost, the effective LDP rate will be based on the time and date a properly completed request for payment is received in the FSA County Office.</p>
<b>Part G - CCC Approval</b>	
28	Enter signature of authorized CCC representative.
29	Enter title of authorized CCC representative.
30	Enter date of CCC representative's approval.
31	FSA office will check (✓) either “Approved” or “Disapproved”.
32	Enter any additional information pertinent to the approval or disapproval of this payment request. Second party review initials are <b>required</b> .

## 197 Completing CCC-633 EZ's (Continued)

## C Page 5

CCC-633 EZ, page 5 is a continuation sheet for additional signatures, if required. Complete CCC-633 EZ, page 5 according to the following.

Item	Instructions
Title Block	Under the title, ENTER the page (1 or 2) on the solid line that this page shall be attached.
<b>Part C - Producer Certification</b>	
	If this is a continuation page for CCC-633 EZ, page 1, check (✓) box in front of Part C.
6 and 7	<p>After reading the certification statement on page 1, Part C, the additional producers on this agreement shall sign and date.</p> <p>In item 6B, "Title/Relationship", enter the relationship authorized for you to sign on behalf of the producer; for example, power of attorney, position in the company, spouse, etc.</p> <p><b>Example:</b> Treasurer of Smith Bros., Inc.</p>
<b>Part F, J, and P - Producer Certification (complete as applicable)</b>	
	If this is a continuation page for page 2, check (✓) box in front of Part F, J, or P, as applicable.
25 through 27, 43 through 45,  or 79 through 81	<p>After reading the certification, the producer signs, enters the share percentage of the LDP quantity, and dates.</p> <p>In "Title/Relationship", the signatory shall enter their relationship authorizing them to sign on behalf of the producer; for example, power of attorney, position in the company, spouse, etc.</p> <p><b>Example:</b> Treasurer of Smith Bros., Inc.</p> <p>If the applicant is <b>not</b> signing in the representative capacity, leave "Title/Relationship" field blank. If "<b>SELF</b>" is written to indicate the producer is signing on behalf of their own self, it is acceptable; however, <b>not</b> necessary.</p> <p>If beneficial interest has <b>not</b> been lost, the effective LDP rate will be based upon the time and date a properly completed request for payment is received in the FSA County Office.</p>

## 197 Completing CCC-633 EZ's (Continued)

## D Example of CCC-633 EZ

The following is an example of CCC-633 EZ, page 1.

\*--

This form is available electronically.		Page of	
<b>CCC-633 EZ</b> (05-21-19)		<b>U.S. DEPARTMENT OF AGRICULTURE</b> Commodity Credit Corporation	
<b>LOAN DEFICIENCY PAYMENT (LDP) AGREEMENT AND REQUEST</b> All eligible producers entering into this agreement MUST meet marketing assistance loan eligibility and have beneficial interest in the quantities covered by this agreement for the applicable crop year when signing this form. A producer is considered to have beneficial interest in the specified quantities if the producer has ALL of the following: <ul style="list-style-type: none"> <li>Title to the commodity</li> <li>Control of the commodity</li> </ul>		1. Name and Address of Producer (Include ZIP Code) (Please Print)  2. Telephone or Cell Number (Include Area Code)  3. Crop Year  4. State(s) and County(s)	
File this form <b>BEFORE</b> loss of beneficial interest (title and control) to indicate your intentions to receive Loan Deficiency Payment (LDP) benefits for this crop year for all counties and all eligible harvested, sheared, or slaughtered commodities for the individual, joint operation, or entity identified in Item 1. The CCC-633 EZ - LDP Request (Page 2), Cotton LDP Request (Page 3), or Request for Wool, Mohair, or Unshorn Pelt LDP (Page 4) must be completed <b>BEFORE</b> the final loan/LDP availability date to receive LDP benefits.			
<b>PART A TERMS AND CONDITIONS</b> <ul style="list-style-type: none"> <li>The LDP rate will be based on the earlier of: a) the date beneficial interest is lost as applicable to specific commodity provisions; or b) the LDP request date as submitted on the CCC-633 EZ (Page 2) Part E, or CCC-633 EZ (Page 4) for wool, mohair, and unshorn pelts. For cotton LDPs requested on CCC-633 EZ Cotton (Page 3), the LDP rate will be based on the information provided on Page 3.</li> <li>Quantities covered by this agreement were produced by the producer and not purchased or acquired directly or indirectly from any other source or committed under a marketing agreement to a Cooperative Marketing Association (CMA).</li> <li>As a condition of receiving an LDP, a producer (or members of a CMA) must first resolve delinquent federal non-tax debt(s). The debt(s) must be resolved before the final loan/LDP availability date.</li> <li>CCC may request copies of contracts and supplemental documentation to determine eligible quantity and when beneficial interest was lost.</li> <li>If a Marketing Assistance Loan (MAL) is disbursed for a quantity covered by this agreement and the MAL is repaid at a price less than principal and interest, this agreement becomes null and void for that specific quantity.</li> <li>All producers with an interest in the quantity covered by this agreement must sign a CCC-633 EZ Part C, to obtain LDP benefits.</li> </ul>			
<b>PART B METHODS OF PAYMENT REQUEST (Request must be submitted by final loan/LDP availability date.)</b> <ul style="list-style-type: none"> <li>For quantities represented by verifiable production evidence under this agreement, submission of evidence in combination with Part E, Part N, or Part O of this form as applicable shall be considered a request for payment. Evidence must include sufficient data to determine producer and commodity eligibility and LDP rate.</li> <li>For quantities for which verifiable evidence is unavailable (i.e., certified quantities, fed quantities, quantities used for seed, silage, etc.), the request for payment shall be initiated by recording a certification of quantity on Part E, Part N, or Part O of this form as applicable. Additional information may be requested by CCC to determine producer and commodity eligibility and LDP rate.</li> <li>Submission of an eLDP shall be a request for payment. The CCC-633 EZ Part E is not required for that specific quantity.</li> <li>For Cotton Producers Only: Producer agrees: a) any request for a module lock-in or post-ginning LDP is irrevocable and cannot be cancelled or revised unless the LDP is denied due to AGI; b) any request for a gin-direct LDP is irrevocable on or after the date of ginning; c) entry of information on Page 3 of this application constitutes an irrevocable application for the Adjusted World Price (AWP) to be locked in on the date an accurately completed application is submitted for an LDP based on gin-provided documentation identifying the bales produced from the module/storage unit for which the AWP lock-in applies.</li> </ul>			
<b>PART C PRODUCER SIGNATURE AND CERTIFICATION (For additional signatures, complete CCC 633 EZ Continuation, Part C)</b> I/we certify all information entered on this form is true and correct. By certifying to the terms and conditions in Part A, the producer(s) hereby enters into this agreement with CCC for all eligible commodities. The producer(s) agrees: 1) any false claim or false statement may lead to civil liability or criminal prosecution; 2) LDP's may be selected for spot-check and the producer will be required to provide supplemental documents to determine program eligibility; 3) to forgo a commodity loan on the quantity requested for LDP unless a quantity is denied LDP due to payment limitation; 4) not to refund any LDP amount in order to obtain a commodity loan; 5) this agreement and subsequent payment request is subject to CCC determination of producer and commodity eligibility subject to 7 CFR Parts 1421, 1425, 1427 and 1434; 6) that CCC shall require refund of LDP, plus interest, from the date of payment if producer(s) and/or commodity is later determined ineligible by CCC; 7) CCC shall assess administrative penalties and/or liquidated damages in accordance with 7 CFR Parts 1421, 1425, 1427 or 1434, as applicable, if producer(s) misrepresented the eligible quantity and/or commodity covered by this agreement; 8) the maximum eligible quantity and yield determinations must equal the quantity and yield determinations for disaster or crop insurance indemnity payments, when and if applicable; and 9) to submit the applicable CCC-633 EZ, Page 2, Page 3, Page 4 or an eLDP online request before obtaining LDP amounts.			
5A. Producer's Signature (BY)	5B. Title/Relationship (Individual Signing in a representative capacity)	5C. Date (MM-DD-YYYY)	5D. Producer's Signature (BY)
			5E. Title/Relationship (Individual Signing in a representative capacity)
			5F. Date (MM-DD-YYYY)
<b>PART D CCC AGREEMENT (FOR CCC USE ONLY)</b>			
7. Signature of CCC Representative	9. Date (MM-DD-YYYY)	10. Additional Information	11. Name and Address of County FSA Office or LSA or DMA
8. Title of CCC Representative			
<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 1421, 7 CFR Part 1425, 7 CFR Part 1427, 7 CFR Part 1434, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246) as amended by the American Taxpayer Relief Act of 2012, and the Agriculture Improvement Act of 2018 (Pub. L. 113-79). The information will be used to determine eligibility for loan deficiency payment 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 loan deficiency payment program benefits.			
<b>Paperwork Reduction Act (PRA) Statement:</b> The information collection is exempted from PRA as specified in 7 U.S.C. 9091(c)(2)(B). The provisions of appropriate 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>			
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.			
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.			
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.			

Page 1

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## 197 Completing CCC-633 EZ's (Continued)

## D Example of CCC-633 EZ (Continued)

The following is an example of CCC-633 EZ, page 2.

\*--

CCC-633 EZ (05-21-19)								Page	of
<b>PART E REQUEST FOR LDP</b>									
12. Contact Name and Address of Producer (Include Zip Code) (Please Print)						13. Telephone or Cell Number (Include Area Code) (Optional)		14. Crop Year	
						15. State and County where Farm Records are Maintained		16. Are you or any co-applicant delinquent on any federal non-tax debt? If "YES", explain in Item 34.  <input type="checkbox"/> YES <input type="checkbox"/> NO	
<p>A completed CCC-633 EZ, Page 1 must be on file before beneficial interest (title and control) is lost in the requested quantity for this to be considered a valid request for payment. This request for payment, with acceptable production evidence (if applicable), must be submitted to the County FSA office that administers the farm records for the requested commodity and quantity.</p> <p>Complete Items 18 through 22 and sign/date below. Indicate in Item 20 if this is a certified LDP, request for measurement service, or indicate production evidence is attached, as applicable. When beneficial interest has been lost, indicate date of sale, fed, used for seed, etc., as applicable, in Item 22. If additional entries are needed, provide data on an additional CCC-633 EZ, Page 2.</p>									
17. LDP No. (CCC Use Only)	18. Commodity Class, Variety, Type	*19 Net Quantity Requested and Unit (bu., tons, cwt., lbs., etc.)	20. Source of Quantity (Check one of the following)			21. Stored or Delivery Location, if applicable (State, County, Warehouse, or Bin Site)	22. Effective Date of LDP Rate (MM-DD-YYYY)		23. LDP Rate (CCC Use Only)
			A. Certified	*B. Measure- ment Service	C. Production Evidence	Examples: Warehouse-Stored: Ohio, Athens Co., ABC Warehouse Farm-Stored: Texas, Webb Co., 30' Butler Bin, North of House	A. Date of LDP Request or Date Beneficial Interest Was Lost	B. Check to Request Date of Delivery	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	
<p>* If measurement service is requested, I agree to pay the required fee(s) and agree this request is irrevocable. The quantity determined by measurement service will be the maximum quantity eligible at the time of this request. Producer must enter in Item 19, a specific quantity or "ALL" for this LDP application to be valid.</p>									
<b>PART F PRODUCER CERTIFICATION (For additional signatures, complete CCC 633 EZ Continuation, Part F)</b>									
<p>I certify all information entered on this form is true and correct. By completing Part E and signing and dating this form, I hereby make a request for payment from the Commodity Credit Corporation (CCC) for the commodity described above under the terms and conditions as provided on the CCC-633 EZ, Loan Deficiency Payment (LDP) Agreement and Request. I also understand that a CCC-633 EZ, Page 1 MUST be on file at the FSA County Office for this LDP request to be considered complete.</p>									
24A. Producer's Signature (By)	24B. Title/Relationship (Individual Signing in a Representative Capacity)	25. Share %	26. Date (MM-DD-YYYY)	27A. Producer's Signature (By)	27B. Title/Relationship (Individual Signing in a Representative Capacity)	28. Share %	29. Date (MM-DD-YYYY)		
<b>PART G CCC APPROVAL (FOR CCC USE ONLY)</b>									
30. Signature of CCC Representative	31. Title of CCC Representative	32. Date (MM-DD-YYYY)	33. Action:  <input type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED		34. Additional Information/Second Party Review				

Page 2

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197 Completing CCC-633 EZ's (Continued)

D Example of CCC-633 EZ (Continued)

The following is an example of CCC-633 EZ, page 5.

\*\_\_

CCC-633 EZ Continuation (05-21-19)		U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation		Page      of	
<b>CONTINUATION SHEET FOR LOAN DEFICIENCY (LDP) PAYMENT AGREEMENT AND REQUEST</b> (Use with CCC-633 EZ Pages 1, 2, 3, or 4)					
Attach to Form CCC-633 EZ, Page No: _____					
Enter a Check by the Appropriate Part to Indicate which Section this Form Applies.					
<input type="checkbox"/> <b>PART C PRODUCER CERTIFICATION (CCC 633 EZ Page 1) (Continuation)</b>					
5A. Producer's Signature (By)	5B. Title/Relationship (Individual Signing in a representative capacity)	5C. Date (MM-DD-YYYY)	5A. Producer's Signature (By)	5B. Title/Relationship (Individual Signing in a representative capacity)	5C. Date (MM-DD-YYYY)
<input type="checkbox"/> <b>PART F 633 EZ Page 2) (Continuation for LDP Request)</b>					
24A. Producer's Signature (By)	24B. Title/Relationship (Individual Signing in a representative capacity)	25. Share %	26. Date (MM-DD-YYYY)	24A. Producer's Signature (By)	24B. Title/Relationship (Individual Signing in a representative capacity)
<input type="checkbox"/> <b>PART J PRODUCER CERTIFICATION (CCC 633 EZ Page 3) (Continuation for Cotton LDP Request)</b>					
45A. Producer's Signature (By)	45B. Title/Relationship (Individual Signing in a representative capacity)	46. Share %	47. Date (MM-DD-YYYY)	45A. Producer's Signature (By)	45B. Title/Relationship (Individual Signing in a representative capacity)
<input type="checkbox"/> <b>PART P Page 4) (Continuation for Wool, Mohair, or Unshorn Pelt LDP Request)</b>					
83A. Producer's Signature (By)	83B. Title/Relationship (Individual Signing in a representative capacity)	84. Share %	85. Date (MM-DD-YYYY)	83A. Producer's Signature (By)	83B. Title/Relationship (Individual Signing in a representative capacity)

Page 5

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**198 Completing CCC-633 EZ for Measured Quantities****A Measurement Service Requested**

When CCC-633 EZ is submitted and measurement service is requested to determine LDP measured quantity, producers shall:

- file FSA-409 according to 2-CP
- file CCC-677-1 according to 8-LP, Exhibit 15
- complete CCC-633 EZ according to this paragraph
- indicate a quantity in CCC-633 EZ, page 2, item 20 B.

**Note:** This can be a specific amount or “**All**”, **not** to exceed the measured quantity. This item **cannot** be left blank.

See 8-LP, paragraph 525 for additional information on measurement service. County Offices shall use LDP rate in effect on the date CCC-633 EZ is requested.

When measurement service has been completed, County Offices shall:

- obtain producer verification of measurements according to 8-LP, paragraph 525
- issue LDP for the requested quantity, **not** to exceed measured quantity
- notify the producer that if a subsequent LDP or nonrecourse loan is requested on a remaining quantity previously measured, the new request shall be processed as a certified application (loan or LDP) up to the final loan availability date if all eligibility requirements have been met.

**Note:** These requests may be subject to spot checks.

LDP's for a specific quantity **must** be requested **before** the final loan availability date.

## 198 Completing CCC-633 EZ for Measured Quantities (Continued)

**B Entire Measured Quantity Used for LDP**

Follow this table when measurement service is completed and the producer wants to use the **entire** measured quantity for LDP.

Step	Action
1	Use LDP rate in effect on the date CCC-633 EZ, page 2 is requested.
2	Issue LDP for the <b>entire</b> measured quantity when CCC-633 EZ, page 2 is approved for CCC.  <b>Note:</b> On CCC-633 EZ, item 20, producers <b>must</b> ENTER “All”.
3	Attach a copy of FSA-409 to CCC-633 EZ and CCC-677-1.

Producers who request to use **only** a specific quantity **must** request LDP's for the specific quantity **not** to exceed the measured quantity.

**C Less Than Entire Measured Quantity Used for LDP**

Follow this table when measurement service is completed and the producer wants to use a **specific quantity** for LDP requests.

Step	Action
1	Use applicable LDP rate in effect on the date CCC-633 EZ, page 2 is requested.
2	Issue LDP for the <b>requested</b> quantity <b>not</b> to exceed the original measured quantity when CCC-633 EZ, page 2 is approved for CCC.
3	If the producer obtains multiple LDP's or loans on the remaining quantity, <b>not</b> to exceed the measured quantity, inform the producer that spot checks may be performed by the County Office until all of the measured quantity has been issued for LDP or loan.
4	Cross-reference all LDP and loan requests with the initial LDP or loan made on the measured quantity.  Verify that the total of all LDP's and loans do <b>not</b> exceed measured quantity.

**199 FSA-1007, Inspection Certificate and Calculation Worksheet****A Purpose**

FSA-1007:

- may be considered acceptable production evidence **only** if a producer filed a completed CCC-633 EZ and the peanuts are immediately sold on delivery

**Note:** The date the peanuts are sold will be printed on FSA-1007 and is the date used when the beneficial interest is lost.

- is **not** a warehouse receipt and will **not** be acceptable evidence for obtaining a warehouse-stored loan
- will be considered acceptable production evidence for LDP's or loans that are randomly selected for spot check.

**B County Office Action**

FSA-1007 is a computer-generated document. County Offices will **not** be responsible for completing FSA-1007.

## 200 Notification of Denied LDP Benefits

### A Denied LDP Notification

When the producer is denied LDP benefits, County Offices shall:

- immediately notify the producer in writing
- use the applicable letter in 8-LP, Exhibit 11, subparagraph K or L about denial of loan or LDP benefits and include the following:
  - reason for denying LDP
  - appeal rights according to 1-APP.

**Notes:** Rewrite the letter to reflect the reason for LDP denial, as applicable.

See 8-LP, Exhibit 11, subparagraph A, “Miscellaneous Notification Letters for Loans and LDP’s”.

If LDP benefits are denied because of AGI, actively engaged or payment limitation, producers are afforded the opportunity to request a nonrecourse loan by the final availability date if all other eligibility requirements are met.

### B County Office Action

County Offices shall use the net weight, including LSK’s, as the basis for determining the quantity eligible for LDP.

**201 Eligibility for LDP****A Peanuts Harvested as Other Than Nuts and Green Peanuts**

Peanuts harvested as other than nuts, including green peanuts and hay, are eligible for LDP's; however, they are **not** eligible for MAL.

Green peanuts that are, before drying and removing of moisture from peanuts either by natural or artificial means, marketed by the producer for consumption exclusively as boiled peanuts are eligible for LDP.

County Office **must** determine the maximum eligible quantity according to 8-LP, paragraph 336.

**B Eligibility**

Eligible peanuts harvested as other than nuts are any peanuts produced on a farm that are:

- harvested as hay
- mechanically harvested
- roasted
- processed immediately on harvest or later processed, as applicable.

**Notes:** Grazing is **not** considered harvested and is **not** eligible for LDP.

\*--LDP, other than nuts category, green and hay **only**.--\*

**201 Eligibility for LDP (Continued)**

**C Maximum Eligible Quantities**

To process LDP on peanuts harvested as other than nuts, determine the maximum eligible production according to paragraph 202.

CCC-633 EZ may be certified to establish the LDP rate and should be certified in tons or acres, as applicable.

When the maximum eligible quantity is determined, according to paragraph 202, CCC-633 EZ can be approved and payment made.

**D Using NAP Crop Planting Periods**

To ensure that producers receive eLDP program benefits for the applicable crop year's production, County Offices shall use NAP crop planting periods to establish final planting and harvest dates for green peanuts, because there is a wide range of planting and harvest dates in some States.



## 202 Determining Maximum Eligible Quantity

### A Actual Production

LDP's for peanuts harvested as other than hay will be made on actual production.

Maximum eligible quantity is considered production evidence for peanuts harvested as other than hay according to 8-LP, Part 10, Section 2.

**Note:** Complete CCC-633EW according to subparagraph F, as applicable.

### B LDP Quantity

Producers may request LDP, **not** to exceed maximum eligible quantity, on:

- all peanuts harvested as hay
- number of acres harvested as hay
- percentage of production harvested as hay.

### C STC and COC Responsibilities

STC and COC have a major role and responsibility in determining, reviewing, and approving certain determinations that affect many producers, such as determining:

- \*-- nut yields for producers who harvest peanuts as hay
- if haying the peanuts is a normal and customary practice for the area
- if good farming practices customary for the area have been used.--\*

STC's should play an active role in providing guidance to COC's to ensure that responsible and equitable determinations are made. In turn, COC's have been given greater responsibility to ensure that:

- the actual production determination fairly reflects what a producer's anticipated yield would have been, if the crop had been harvested as farmer stock peanuts

**Example:** If the peanuts are affected by any disaster, such as drought, hail, etc., the yield shall be adjusted to accurately reflect the actual yield, if the crop was allowed to be harvested farmers stock legume.

- the yield is adjusted to accurately reflect the actual yield if the crop was allowed to be harvested as nuts
- these determinations are **not** made in an unrealistic manner, but are well documented and can be supported when reviewed by auditors; thereby protecting program integrity.

**202 Maximum Eligible Quantity (Continued)****C STC and COC Responsibilities (Continued)**

STC's and COC's are in the best position to know what production levels or practices are reasonable for their area. This responsibility is being entrusted to STC's and COC's to deliver the program in the most feasible, reasonable, and reliable manner possible. Adjoining County Offices that are divided by State boundaries are encouraged to work with both STC's when determining acceptable production levels and practices for applicable counties.

**D Determining Maximum Eligible Quantity**

The maximum eligible quantity determinations **must**:

- be equivalent to the whole grain yield for that crop
- reflect disaster conditions, as applicable.

Determine the maximum eligible quantity according to 8-LP, paragraph 336.

COC shall exercise judgment and rely on their knowledge of practices and growing conditions when:

- determining the maximum eligible quantity from any method
- adjusting the results of any method according to STC guidelines, as applicable.

**Notes:** Except for the conversion factor method, calculate maximum eligible quantity for peanuts harvested as hay by multiplying acres harvested times the yield.

COC **must** approve all maximum eligible quantity determinations and document accordingly, including notifying the producer of the yield determination and providing appeal rights, as applicable.

Comparing 3 similar farms is **not** permitted.

**202 Maximum Eligible Quantity (Continued)****E Using CCC-633EW's**

CCC-633EW is a:

- worksheet for determining maximum eligible quantity for all producers of a specific commodity per farm
- a ledger to account for each loan or LDP quantity.

**Note:** Producers who request a loan at the reduced loan rate or LDP on a commodity harvested as other than grain **cannot** request a quantity that exceeds the maximum eligible quantity according to CCC-633EW.

County Offices shall complete one CCC-633EW if all of the following apply:

- there are multiple farms
- producer is the same for all farms
- production is commingled.

**Note:** Eligible acres of peanut production obtained from FSA-578 **must** include all totals from all farms. The yield will be the same for the commodity from all farms regardless of which farm the commodity was actually produced.

**F Completing CCC-633EW's**

Complete CCC-633EW for **each** request when maximum eligible quantity **must** be determined. See 8-LP, paragraph 336.

Item	Instructions
1-5	Self-explanatory.
6	<b>Complete item 6 to determine a peanut yield, if farmer stock peanuts have been harvested.</b>
6 A	Enter farm number if different from item 5.
6 B	Enter the eligible acres of peanut production from FSA-578.
6 C	Enter actual peanut production. Actual production <b>must</b> be verifiable or supported by acceptable production evidence.
6 D	Divide item C by item B to determine the actual peanut yield.
7-8	<b>Complete items 7 and 8 to determine a reasonable production yield based on COC's judgment and knowledge of practice, if method 1 or 2 is not applicable.</b>

## 202 Maximum Eligible Quantity (Continued)

## F Completing CCC-633EW's (Continued)

Item	Instructions
9	<b>Complete item 9 to determine a COC-established yield, crop appraisal yield, or production determined by using conversion factors, as applicable.</b>
9 A	Enter COC-established yield or other yields or production, as applicable.
9 B	Record COC justification when determining COC yield or other yields or production, as applicable.
10	Enter yield from item 6 D, 7 F, or 9 A, as applicable.
11	<p>Determine maximum eligible quantity and maintain the ledger of the maximum quantity available as follows, in item 11:</p> <ul style="list-style-type: none"> <li>• A, enter LDP or loan number</li> <li>• B, enter applicable acreage from FSA-578 (acres should include harvested as farmers stock and other than peanuts)</li> <li>• C, leave blank</li> <li>• D, leave blank</li> <li>• E, enter calculated yield from item 6 D, 7 F, or 10</li> <li>• F, multiply item B times item E</li> <li>• G, maintain a balance of the maximum quantity available.</li> </ul> <p>Apply the loan or LDP quantity against the maximum eligible quantity. Do <b>not</b> allow the producer to receive loan or LDP on quantities in excess of the maximum eligible quantity.</p> <p>If individual producers from joint operations apply on separate loan or LDP applications, create a separate ledger showing their share of the maximum quantity available.</p>

**202 Maximum Eligible Quantity (Continued)****F Completing CCC-633EW's (Continued)**

After item 11 has been completed, to determine the maximum quantity available, then complete item 11, according to the following, to maintain the balance of maximum quantity available.

Item	Instructions	
11 A	Enter LDP or loan number, as applicable.	
11 B	Enter acreage applicable to the quantity certified on CCC-633 EZ.	
11 C	Enter share of the producer, as applicable.	
11 D	Enter name of the producer, as applicable.	
11 E	No further action is necessary.	
11 F	No further action is necessary.	
11 G	<b>Step</b>	<b>Action</b>
	1	Enter result of item B times item E in the left column. If multiple producers share the farm, determine the share, as applicable, by multiplying item B times item C, and enter the amount in the left column.  Enter quantity, as applicable, on CCC-633 EZ.
	2	Subtract amount entered in item 11 G, step 1, to determine the balance of maximum quantity available.

### G Example of CCC-633EW Using Actual Production

The following is an example of CCC-633EW using actual production.

[illegible]

**203 Dates for Submitting Evidence****A Final Dates to Submit Evidence**

Producers **must** submit production evidence for:

- sold quantities within 15 calendar days from date of request
- peanuts stored on the farm, the earlier of the following:
  - 15 calendar days of when the commodity has been sold
  - the last day of the 9th calendar month after the month in which LDP was disbursed.

**B Production Evidence Not Submitted**

If producers have **not** submitted production evidence by the final date to submit evidence, County Offices shall notify applicable producers in writing that:

- production evidence **must** be submitted within 30 calendar days
- LDP's, plus interest, **must** be refunded to CCC if production evidence is **not** received in the County Office within 30 calendar days from the date of notification.

COC may accept production evidence after the deadline and rescind the demand for refund if it is determined the delay in submitting production evidence resulted from circumstances beyond the producer's control.

See 8-LP, Exhibit 11, subparagraph M for the applicable letter.

**204-209 (Reserved)**





**Part 6 (Withdrawn--Amend. 2)**

**Section 1 (Withdrawn--Amend. 2)**

**210-212 (Withdrawn--Amend. 2)**

**213-224 (Reserved)**

**Section 2 (Withdrawn--Amend. 2)**

**225 (Withdrawn--Amend. 2)**

**226-234 (Reserved)**

**Section 3 (Withdrawn--Amend. 2)**

**235-237 (Withdrawn--Amend. 2)**

**238-249 (Reserved)**

**Section 4 (Withdrawn--Amend. 2)**

**250-251 (Withdrawn--Amend. 2)**

**252-259 (Reserved)**

**Section 5 (Withdrawn--Amend. 2)**

**260 (Withdrawn--Amend. 2)**

**261-274 (Reserved)**

**Section 6 (Withdrawn--Amend. 2)**

**275-277 (Withdrawn--Amend. 2)**

**278-289 (Reserved)**

**Section 7 (Withdrawn--Amend. 2)**

**290-291 (Withdrawn--Amend. 2)**

**292-309 (Reserved)**

**Section 8 (Withdrawn--Amend. 2)**

**310 (Withdrawn--Amend. 2)**

**311-329 (Reserved)**

**Section 9 (Withdrawn--Amend. 2)**

**330 (Withdrawn--Amend. 2)**

**331-349 (Reserved)**

**Section 10 (Withdrawn--Amend. 2)**

**350-353 (Withdrawn--Amend. 2)**

**354-364 (Reserved)**

**Section 11 (Withdrawn--Amend. 2)**

**365-375 (Withdrawn--Amend. 2)**

**376-390 (Reserved)**



## Part 7 Peanut DMA's

## Section 1 General Provisions

## 391 Overview

## A Availability

According to 7 CFR Part 1421 Subpart E, under CCC's peanut MAL program, peanut MAL's and LDP's are available to peanut producers according to the general regulations governing 2019 through 2023 peanut crops. Peanut producers may obtain MAL's and LDP's from any of the following:

- CMA's
- DMA's
- FSA County Offices.

## B Related Handbooks

FSA handbooks that DMA's **must** have and be knowledgeable of, related to peanut MAL's and LDP's include the following:

- 1-CM for signature and authorization requirements for FAXed signatures, powers of attorney, and assignments
- 1-CMA for producer and payment eligibility information
- 1-FI for processing payment through NPS
- 3-FI for handling remittances
- 50-FI for CCC interest rates
- 58-FI for managing receivables and claims
- 63-FI for financial services and Web applications
- 8-LP for general MAL and LDP provisions
- 5-PL for payment eligibility, payment limitation, and AGI for Agriculture Improvement Act of 2018
- \*--6-PL for payment limitation, payment eligibility and average AGI income
- 1-PPG for peanut buyers and handlers program guidelines for 2019 and subsequent crop years
- 15-PS for LDP procedure--\*
- 16-PS for CLPS procedure.

**392 DMA Responsibilities****A DMA Action as Agent for CCC**

DMA shall act as CCC's agent for the following purposes:

- preparing and executing CCC peanut MAL and CCC-633 EZ documents
- determining that producers and the commodity are eligible for MAL's, LDP's, or marketing gain
- determining that eligible peanuts are free and clear of all liens by performing lien searches at DMA expense
- instructing the holder of EWR's, if applicable, to notify EWR provider to amend EWR to show CCC is the holder
- receiving CCC funds from DMA service County Office, previously approved by CCC, for peanut MAL or LDP amounts shown on MAL or LDP documents presented to the DMA service County Office
- disbursing CCC peanut MAL and LDP proceeds to individual producers who have beneficial interest in eligible peanuts
- preparing and executing documents for MAL repayments
- collecting repayment funds from producers or buyers and transmitting repayments funds to CCC
- transmitting documents to render forfeited collateral to CCC
- collecting data for reporting to CCC, as required by CCC.

**392 DMA Responsibilities (Continued)****B Additional DMA Responsibilities**

As part of performing the responsibilities in subparagraph A, DMA's shall:

- perform services according to the procedures in the applicable peanut program regulations and notices published in FR, applicable peanut FSA handbooks and amendments thereto, and any notices or instructions issued by DAFP
- make and service CCC peanut MAL's and LDP's , only upon presenting warehouse receipts, unless otherwise directed by CCC
- become familiar with the peanut program as set for in the applicable regulations, notices published in FR, applicable peanut FSA handbooks and amendments thereto, forms and any other instructions issued about the peanut loan program
- attend DMA, peanut MAL, and peanut LDP program training offered by CCC at DMA expense
- provide sufficient personnel, computer hardware, computer communications systems, and software, as determined necessary by CCC, to administer the peanut MAL and LDP program.

**392 DMA Responsibilities (Continued)****C Prohibited DMA Activities**

DMA's shall **not**:

- pool producer's peanuts to obtain peanut MAL's or LDP's from CCC
- pool proceeds obtained from peanut MAL's or LDP's made by CCC
- make farm-stored certified or measured MAL's or LDP's, unless authorized by CCC
- take title to any peanuts
- operate DMA operation under the same entity and TIN that is a CCC-approved CMA
- because of race, color, national origin, gender, religion, age, disability, political belief, sexual orientation, and marital or family status, deny any producer from participating in MAL or LDP for which they would otherwise be eligible to obtain benefits earned by participating in the peanut MAL or LDP program
- refuse services to producers because DMA was **not** granted a power of attorney on FSA-211 for executing MAL documents to obtain loans, repay loans for producers, obtaining LDP's, or marketing producer's peanuts
- adopt any scheme or device to circumvent MAL and LDP program regulation purposes, the regulations governing DMA's, or its agreement with CCC
- make MAL's or LDP's to producers involved in a bankruptcy proceeding

**Note:** Advice producers to contact their administrative FSA County Office.

- make MAL's or LDP's on ineligible peanuts.

**393 CCC Authority and Responsibilities****A DAFP Responsibilities**

DAFP shall provide peanut program general direction and supervision.

**B PSD Responsibilities**

PSD shall:

- administer the peanut program
- administer requirements in this handbook
- receive and approve or disapprove DMA applications
- provide producer eligibility data to DMA's that will be used to determine whether the producer is an eligible producer or if the producer is eligible for MLG or LDP, when applicable
- make FSA claims, assignments, debts, and other applicable information available to DMA's
- perform DMA administrative reviews.

**C FMD Responsibilities**

FMD shall:

- hold security that DMA's provide to CCC
- provide CCC's peanut program interest rate to DMA's
- approve and monitor the amount of DMA drawdown accounts.

## 394 DMA Service County Office Responsibilities

### A Designated DMA Service County Office Responsibilities

FSA County Office designated to be DMA service County Offices shall:

- accept and process peanut MAL and CCC-633 EZ's from DMA

**Note:** DMA will bundle MAL and LDP requests received from individual producers with the same disbursement date. DMA service County Offices will provide a single MAL or LDP to DMA that covers the quantities represented by multiple receipts from multiple producers.

- hold paper warehouse receipts if EWR's are **not** available
- disburse MAL and/or LDP to DMA-designated bank account by direct deposit
- provide MAL and/or LDP documents to DMA.

### B DMA Service County Office Limitations

FSA County Office designated to be DMA service County Offices shall **not**:

- determine commodity and producer eligibility
- charge DMA a service fee
- collect assessments for DMA loans.

395-419 (Reserved)



## Section 2 Applying for DMA Status and Annual Recertification

### 420 Application Process

#### A Requesting DMA Status

Entities or subsidiaries that provide marketing functions for peanut producer marketing associations that want to apply for DMA status shall submit the following documents and information to PSD:

- 2 properly executed CCC-912-P's
- audited financial statement less than 1 year old on date submitted, including accompanying notes, schedules, or exhibits, certified by a certified public accountant as fairly representing the entity's financial condition

**Note:** A pro-forma financial statement may be submitted if the entity to perform DMA services is a new entity.

- TIN applicable to the entity
- list of employees involved in CCC program activities, including current directors, officers, and primary owners
- signature samples of DMA employees authorized to sign CCC documents
- copy of applicable incorporating or partnership documents
- contact person's:
  - name and title
  - mailing address
  - e-mail address
  - phone number
  - FAX number
- narrative explaining how the proposed DMA entity or parent entity provides marketing services to a marketing association of peanut producers
- additional financial security, if applicable, according to paragraph 422.

**420 Application Process (Continued)****A Requesting DMA Status (Continued)**

- nomination of an FSA County Office to serve as the DMA service County Office
- certification as follows:

“We certify to the Farm Service Agency that [*insert name of DMA*], a CCC-approved Peanut Designated Marketing Association, [*insert “is” or “is not”*] controlled, either directly or indirectly, by a person or entity that acquires peanuts for processing or crushing through a business involved in buying and selling peanuts or peanut products.”

- the name, address, and telephone number of the DMA software provider
- amount needed, if any, for a CCC-authorized funds drawdown account
- any additional information requested by PSD.

**B DMA Status Updates**

After submitting documentation, promptly notify the Director, PSD, if any changes are made to the submitted documents.

**421 DMA Approval and Activation Process Summary****A Approving and Activating DMA's**

DMA's shall obtain approval and are activated according to subparagraph B.

**B Actions Required**

The following actions are required for DMA approval and activation.

<b>Step</b>	<b>Action</b>
1	<p>Potential DMA shall complete and FedEx application documents to the Director, PSD at the following address.</p> <p style="padding-left: 40px;">DIRECTOR FARM SERVICE AGENCY, PRICE SUPPORT DIVISION 1400 INDEPENDENCE AVE SW RM 4095 WASHINGTON DC 20250-4095 Phone: 202-720-9011</p>
2	<p>PSD shall:</p> <ul style="list-style-type: none"> <li>• review application documents</li> <li>• obtain additional information to support the application and, if necessary</li> <li>• grant entity approval or disapproval to act as DMA.</li> </ul>
3	<p>DMA shall:</p> <ul style="list-style-type: none"> <li>• provide PSD the following: <ul style="list-style-type: none"> <li>• list of all employees authorized to sign CCC documents for DMA</li> <li>• signature samples for everyone authorized to sign CCC documents</li> <li>• test files and other documents as required by PSD to demonstrate hardware and software accuracy</li> <li>• copies of DMA computer-generated CCC forms, if any</li> </ul> </li> <li>• contact PSD for assistance in obtaining a user ID and password to submit and receive CMA eligibility process files, if <b>not</b> already established for CMA purposes</li> <li>• establish a bank account enabled to receive direct deposit funds from CCC.</li> </ul>
4	<p>PSD shall:</p> <ul style="list-style-type: none"> <li>• coordinate establishing DMA system files on the DMA service County Office computer system</li> <li>• provide DMA training to DMA and to the DMA service County Office.</li> </ul>

**422 Financial Security Requirements****A Amount of Financial Security Required**

DMA's shall provide an:

- initial amount of financial security according to this subparagraph
- amount of financial security as determined by CCC during the annual recertification for DMA status conducted according to paragraph 423.

The financial security shall be in the following 2 parts:

- a current net worth ration of at least 1:1, current net worth being the DMA's current assets minus current liabilities, according to the financial statement provided for DMA that includes the following:

- application
- recertification for DMA status

**Note:** The current net worth of an existing entity with CMA status may be included in calculating the current net worth of a subsidiary that will have DMA status, according to a consolidated financial statement.

- an additional security type, according to subparagraph B, equal to \$100,000 or greater, as determined by CCC.

**422 Financial Security Requirements (Continued)****B Additional Types of Financial Security**

Additional types of financial security shall be any of the following:

- certified or cashier's check payable to CCC
- an irrevocable commercial letter of credit in a form acceptable to CCC and meeting the following minimal requirements:
  - contains default provisions similar to the following:

“the amount of the letter of credit is available upon submission of a dated statement issued on the letterhead of the beneficiary and signed by an authorized representative stating that:

    - demand is made for payment under this letter of credit in the amount of \$\_\_\_\_\_
    - the undersigned representative of the Commodity Credit Corporation (CCC) hereby certifies that \_\_\_\_\_, a CCC-approved Designated Marketing Association, has failed to perform its obligations as required by its agreement with CCC on form CCC-912-P and is; therefore, in default under said agreement”
  - the term of the letter of credit shall be for at least 1 year
- a performance or surety bond conditioned on DMA fully discharging all of its obligations under this agreement
- other form of security, as CCC may deem appropriate.

**422 Financial Security Requirements (Continued)****C Liability**

DMA:

- shall hold CCC harmless from any claim made against CCC in connection with any MAL or LDP making, MAL servicing, or other activity carried out by DMA **not** according to the terms and conditions of the DMA agreement
- is liable to CCC for any losses incurred by CCC because of DMA failure to discharge all of its obligations under this agreement; payment in the amount of such losses shall be made:
  - first, to CCC from the financial security provided by DMA
  - second, by DMA if the amount of the loss exceeds the amount of the financial security.

**423 DMA Status Annual Recertification****A Timeframe**

DMA shall, within 4 months after the end of DMA's fiscal year, furnish all items in subparagraph B to PSD.

**B Recertification Documents**

The following documents shall be provided by DMA to PSD:

- a current and audited financial statement prepared according to generally accepted accounting principles
- a report of audit or review of the financial statement conducted by an independent certified public accountant

**Note:** The certified public accountant's report of audit or review shall include the accountant's certifications, assurances, opinions, comments, and notes with respect to the financial statement.

- additional financial security as determined by CCC, if the financial security on file with CCC does **not** meet current requirements or has expired
- basic DMA data and materials including the following:
  - any changes to DMA name, contact person's name, DMA address, telephone number, FAX number, or e-mail addresses
  - a current list of DMA employees authorized to conduct CCC business
- name, address, and telephone number of DMA software provide
- all completed DMA computer-generated CCC forms.

**424-429 (Reserved)**





**Section 3 Terminating or Suspending DMA Agreements****430 Terminating DMA Status****A Terminating With 30-Calendar-Day Notice**

The DMA agreement may be terminated by either party at any time a 30-calendar-days written notice is provided to the other party.

**B Immediate Termination**

The DMA agreement may be terminated by CCC without providing a 30-calendar-day notice, if CCC determines that DMA has failed to meet the terms and conditions of the DMA agreement.

**431 Suspending DMA Status****A Noncompliance Determination**

If CCC determines that DMA is **not** in compliance with the DMA agreement, CCC may also:

- suspend DMA from making new peanut MAL's and LDP's
- lift the suspension, if DMA can come into compliance with CCC terms and conditions within a time period established by CCC.

**B Executing Documents**

If DMA sends a notice of termination to CCC or receives a notice of termination from CCC, DMA shall immediately cease executing MAL or LDP documents.

**432-434 (Reserved)**



## Section 4 DMA Processing of MAL's and LDP's

## 435 Processing MAL and LDP Requests

## A Instructions for Processing Requests

DMA's shall follow subparagraph B for processing requests.

## B Actions

The following table provides steps for processing MAL and LDP requests.

Step	Action
1	<p>Peanut producer:</p> <ul style="list-style-type: none"> <li>may request MAL or LDP at DMA</li> </ul> <p><b>Note:</b> For LDP's, producers should file CCC-633 EZ, page 1, <b>before</b> loss of beneficial interest.</p> <ul style="list-style-type: none"> <li>shall provide beneficial interest information</li> <li>may provide FSA-211 according to paragraphs 450 through 452, at his or her option</li> </ul> <p><b>Note:</b> According to 1-CM, Exhibit 50, FSA-211 is <b>not</b> approved for a FAXed signature.</p> <ul style="list-style-type: none"> <li>shall provide jurisdictional data on CCC-10 for lien search purposes only</li> <li>shall deliver to DMA 1 of the following: <ul style="list-style-type: none"> <li>individual paper warehouse receipts in producer's name</li> <li>EWR number, warehouse code, and EWR provider's name.</li> </ul> </li> </ul>
2	<p>DMA shall follow procedures to determine whether the producer and commodity is eligible, based on beneficial interest, for MAL's and LDP's. See paragraph 29 for beneficial interest provisions. If beneficial interest is:</p> <ul style="list-style-type: none"> <li>held by the producer at the time of MAL or LDP, the process shall continue</li> <li>lost by the producer before requesting MAL or LDP, the process shall stop.</li> </ul>
3	<p>DMA shall verify producer eligibility according to 1-CMA. If the producer is:</p> <ul style="list-style-type: none"> <li>eligible, the process shall continue</li> <li>ineligible, DMA shall return the documents submitted by the producer in step 1 and stop the MAL or LDP process.</li> </ul> <p>DMA shall enter into FSA-211 with the producer, according to paragraphs 450 through 452, if requested by producer.</p>

## 435 Processing MAL and LDP Requests (Continued)

## B Actions (Continued)

Step	Action	
4	IF request is...	THEN DMA shall...
	MAL	<ul style="list-style-type: none"> <li>• complete lien search at DMA expense and if liens exist, obtain lien waiver on CCC-679</li> <li>• if EWR's are available, instruct producer to notify EWR provider to amend EWR to show CCC as holder</li> <li>• complete CCC-678 and obtain MAL forms</li> <li>• give CCC-601 and CCC-678 to each producer</li> <li>• if applicable, obtain CCC-674 or SF-LLL according to 8-LP, paragraph 28</li> <li>• if using DMA preprocessed file with the MAL and/or LDP request, see paragraph 480 for additional instructions</li> <li>• disburse funds to the producer from DMA's CCC-authorized drawdown account or wait for funds from the service County Office.</li> </ul> <p><b>Note:</b> The "date documents received" date for the DMA-prepared MAL shall be the date of disbursement.</p>
	LDP	<ul style="list-style-type: none"> <li>• complete CCC-633 EZ, pages 1 and 2</li> <li>• if EWR's are applicable, instruct producer to notify EWR provider to amend EWR to show peanuts were used to obtain LDP</li> </ul> <p><b>Note:</b> LDP rate applicable to CCC-633 EZ is rate in effect on date of DMA receives the request.</p> <ul style="list-style-type: none"> <li>• if applicable, obtain CCC-674 or SF-LLL according to 8-LP, paragraph 28</li> <li>• disburse funds to the producer from DMA's CCC authorized drawdown account or wait for funds from the service County Office.</li> </ul> <p><b>Note:</b> The LDP rate applicable to the CCC-633 EZ request is the rate in effect on the date DMA receives the request.</p>

## 435 Processing MAL and LDP Requests (Continued)

**B Actions (Continued)**

Step	Action
5	Producer or power of attorney entity shall sign MAL or LDP document.
6	<p data-bbox="391 369 1015 401">Within 3 workdays of disbursement, DMA shall:</p> <ul style="list-style-type: none"> <li data-bbox="391 443 764 474">• group MAL's with same: <ul style="list-style-type: none"> <li data-bbox="440 516 721 548">• disbursement date</li> <li data-bbox="440 558 639 590">• peanut type</li> <li data-bbox="440 600 695 632">• warehouse code</li> <li data-bbox="440 642 943 674">• State where peanuts were inspected</li> <li data-bbox="440 684 505 716">* * *</li> </ul> </li> <li data-bbox="391 747 753 779">• group LDP's with same: <ul style="list-style-type: none"> <li data-bbox="440 821 607 852">• LDP rate</li> <li data-bbox="440 863 662 894">• approval date</li> <li data-bbox="440 905 639 936">• peanut type</li> <li data-bbox="440 947 505 978">* * *</li> </ul> </li> <li data-bbox="391 978 1382 1052">• submit each group to the service County Office by either of the following methods: <ul style="list-style-type: none"> <li data-bbox="440 1083 1455 1188">• manually with individual paper warehouse receipts or list of EWR numbers and warehouse code, and the EWR provider's name representing bundled MAL's or LDP's</li> <li data-bbox="440 1230 1247 1262">• create DMA preprocessed files according to paragraph 480.</li> </ul> </li> </ul>

## 435 Processing MAL and LDP Requests (Continued)

## B Actions (Continued)

Step	Action
7	<ul style="list-style-type: none"> <li>• process each DMA-prepared MAL or LDP group for the quantity of peanuts on multiple receipts as a:               <ul style="list-style-type: none"> <li>• regular automated MAL or LDP if processed on the same day as the day the DMA-prepared MAL or LDP was disbursed</li> <li>• *--automated MAL or LDP, but use the appropriate processing date--*</li> </ul> </li> <li>• waive the service fee to DMA</li> <li>• <b>not</b> deduct national and State commodity assessment amounts</li> <li>• <b>not</b> require CCC-674 or SF-LLL</li> <li>• hold MAL paper warehouse receipts or <b>verify</b> that CCC is holder of EWR's as of date of disbursement</li> <li>• if CCC was <b>not</b> the holder on or before the date the DMA-prepared MAL was disbursed:               <ul style="list-style-type: none"> <li>• reject the applicable receipts and do <b>not</b> disburse MAL funds to DMA</li> <li>• instruct DMA to correct the applicable DMA-prepared MAL's, and resubmit to the service County Office</li> </ul> </li> <li>• disburse MAL or LDP funds to DMA</li> </ul> <p><b>Note:</b> DMA shall issue MAL or LDP funds to producer within 3 workdays of receiving payment from the service County Office.</p> <ul style="list-style-type: none"> <li>• provide MAL or LDP documents to DMA.</li> </ul>

**435 Processing MAL and LDP Requests (Continued)****B Actions (Continued)**

<b>Step</b>	<b>Action</b>
8	DMA shall send producer MAL maturity notice according to 8-LP, Exhibit 11.
9	DMA shall process MAL repayments, forfeitures, or reconcentrations as authorized by the producer, designated agent on CCC-605P, or power of attorney.
10	DMA shall repay MAL at the DMA service County Office with producer or buyer funds. If interest is applicable, the repayment amount to the service County Office <b>must</b> match the amount repaid at DMA. The Service County Office shall release the repaid: <ul style="list-style-type: none"> <li>• paper receipts through the DMA's</li> <li>• EWR's to the new EWR holder.</li> </ul>
11	DMA's shall maintain MAL or LDP documents according to 25-AS.

**436 CCC-770 DMA****A Background**

The Improper Payments Information Act of 2002 required each Agency to:

- identify programs and activities susceptible to significant improper payments
- estimate the annual amount of improper payments and report that estimate to Congress
- report the actions taken to reduce improper payments, including possible causes, and a description of the steps in place to ensure accountability for reducing improper payments.

**B DMA Action**

DMA's can use CCC-770 DMA as management tool to minimize incidence of improper payments and address deficiencies identified by a review or spot check. CCC-770 DMA shall be:

- obtain CCC-770 DMA on the FFAS Employee Forms/Publications Site through FSA's \*--Intranet site at <http://fsaintranet.sc.egov.usda.gov/dam/ffasforms/forms.html>--\*
- locally reproduced
- complete CCC-770 DMA according to 1-CMA, Exhibit 19
- file the completed CCC-770 DMA with the loan or LDP folder.

**437 Fees Charged to Producer by DMA**

**A Fees for Marketing Services**

If applicable, DMA may charge producers a fee for marketing services at a rate to be determined by DMA.

**B Fees for Providing MAL's and LDP's**

DMA may charge the producer requesting a CCC peanut MAL or LDP a fee for processing MAL or LDP documents and for servicing MAL, at a rate determined by DMA.

Service fees shall be:

- deducted from the MAL or LDP amount received by DMA from CCC before distribution to the producer
- assessed at the same rate for each producer requesting a CCC peanut MAL or LDP through the service provided by DMA.

**438-444 (Reserved)**



**Section 5 CCC Forms****445 Policy for Using CCC Forms****A Approved CCC Forms**

DMA's, as authorized agents of CCC, shall use:

- either current CCC forms or forms approved by CCC to document program services
- 1 of the following options:
  - forms and instructions obtained from CCC by accessing the web site at  
\*--<http://fsaintranet.sc.egov.usda.gov/dam/ffasforms/forms.html>--\*
  - contact the local County Office
  - computer-generated forms as described in this subparagraph.

**B Requesting and Using Computer-Generated Forms**

DMA's shall:

- request approval to use computer-generated forms by sending computer-generated copies of the proposed forms to PSD
- **not** use computer-generated forms until written approval has been received from the Director, PSD
- submit revised forms to PSD for approval
- submit all DMA-generated forms to PSD as part of the annual DMA status recertification review.

**446 Information Available on the Internet**

**A Up-To-Date Information**

PSD's web site is available for up-to-date information, policy, procedure, and forms.

**B PSD's Web Site**

\*--DMA can access the PSD web site at

**<http://www.fsa.usda.gov/programs-and-services/price-support/alt-delivery-system/index>**  
for the following DMA-related information:

- list of approved and suspended CMA's, DMA's and LSA's
- FSA handbooks
- FSA notices and forms
- additional information and other useful links.--\*

**447-449 (Reserved)**

## Section 6 Delegating Power of Attorney

## 450 Power of Attorney Policy

## A Delegating Power of Attorney on FSA-211

For signing MAL and LDP document purposes, producers may delegate power of attorney to another person or to DMA on FSA-211. DMA shall:

- see 1-CM for general policies about FSA-211
- verify that FSA -211 is notarized or witnessed

**Note:** A notary public seal is **not** required by FSA-211 when an individual signs FSA-211 in the presence of an FSA employee.

- **not** accept any power of attorney forms other than FSA-211
- persons who have been granted power of attorney by a producer shall deliver or mail FSA-211 to DMA.

**Note:** According to 1-CM, Exhibit 50, FSA-211 is **not** eligible for FAXed signatures.

## B Required Statement To Be Attached to FSA-211

FSA-211 used to delegate DMA with a producer's power of attorney shall include an attachment with the following statement:

“*[Insert producer's name]* hereby acknowledges that *[insert DMA's name]* is an agent of the Commodity Credit Corporation for the purpose of performing certain services requisite to the making and servicing of Commodity Credit Corporation peanut MAL's and LDP's to eligible producers of eligible peanuts and agrees to permit *[insert DMA's name]* to act as agent for both *[insert producer's name]* and the Commodity Credit Corporation. *[insert DMA's name]* shall disclose to *[insert producer's name]* all facts which *[insert DMA's name]* knows or should know would reasonably affect the judgment of *[insert producer's name]* in permitting *[insert DMA's name]* to act as agent for both *[insert producer's name]* and the Commodity Credit Corporation.”

## 451 Using FSA-211 With CCC-605P

**A Producer Actions**

Producers:

- may designate DMA to be agent on FSA-211, to act on their behalf to execute CCC-605P if FSA-211 specifically grants the authority to execute CCC-605P
- **must** be fully aware that designating an agent to execute CCC-605P grants that agent the authority to further delegate authority to another agent.

**Notes:** An agent designated on FSA-211 **cannot** execute a new FSA-211 to further delegate authority to another agent.

Producer may manually enter that FSA-211 does not allow CCC-697 lock-in authority in item B 7, “other”.

\*--Agent on 605P, 605P-1, and 605P-2 **cannot** sign CCC-694-2 for the producer. Producer must sign each crop year and then authorize Part 8C at the National Posted Price for Commodity Certificate Exchange.

Cotton Peanut - **Redemptions by Agents, Buyers, and Alternative Delivery Partners** - All transaction are to be processed as commodity certificate exchanges if the exchange rate is in effect at the time of the redemption. Required by each producer.--\*

**B DMA Actions**

DMA shall:

- see paragraphs 157 and 158 for CCC-605P policy
- accept CC-605P if FSA-211 specifically grants authority to designate another agent on CCC-605P
- accept MAL repayments from an agent, if FSA-211 grants the agent the authority to conduct all MAL and LDP transactions.

## 452 Completing FSA-211's

## A Instructions for Completing FSA-211's

Complete FSA-211 to delegate power of attorney to DMA according to the following table.

Item	Entry
1 through 4	DMA's name, address, county, and State.
5	Producer's name.
Section A	*--CHECK (✓) items 10 and 17 and ENTER " <b>Peanuts</b> ".--*
Section B	CHECK (✓) item 4, and if FSA-211 will be used to execute CCC-605P, CHECK (✓) item 7 and ENTER " <b>CCC-605P</b> ".  *--Note: Producer may exclude CCC-697 in item 7.--*
6 A through C	Individual producers shall sign and date.
7 A through D	Partnerships, corporations, and trusts, etc., shall sign, enter title, and date.
8	Notary public shall sign, apply seal, and enter State and county of commission, as applicable.
9 A through C	FSA employee witnessing shall sign, date, and enter position title.
10	Place, State, and date executed.

## 452 Completing FSA-211's (Continued)

## B Example FSA-211

The following is an example of a properly completed FSA-211.

\*--

<b>This form is available electronically.</b> <b>FSA-211</b> (11-25-14)			<b>U. S. DEPARTMENT OF AGRICULTURE</b> Farm Service Agency – Natural Resources Conservation Service – Commodity Credit Corporation – Federal Crop Insurance Corporation – Risk Management Agency		
<b>POWER OF ATTORNEY</b>					
THE UNDERSIGNED does hereby appoint the following grantee: (1) <u>Peanut DMA</u> of the following address: (2) <u>1 Main Street</u> in the county of: (3) <u>Some County</u> in the State of:					
(4) <u>Georgia</u> the attorney-in-fact for (5) <u>Joe Doe</u> (insert grantor's name) in connection with the Farm Service Agency, Natural Resources Conservation Service Agency, or Commodity Credit Corporation programs checked below. <b>NOTE: This power of attorney form is not valid for FSA Farm Loan Program purposes.</b>					
<b>A. FSA, NRCS and CCC PROGRAMS</b> (Check applicable programs)			<b>B. TRANSACTIONS for FSA, NRCS, and CCC PROGRAMS</b> (Check applicable actions)		
<input type="checkbox"/> 1. All current programs. <input type="checkbox"/> 2. All current and all future programs. <input type="checkbox"/> 3. Agricultural Risk Coverage/Price Loss Coverage (ARC/PLC). <input type="checkbox"/> 4. Biomass Crop Assistance Program (BCAP). <input type="checkbox"/> 5. Tree Assistance Program (TAP). <input type="checkbox"/> 6. Livestock Indemnity Program (LIP). <input type="checkbox"/> 7. Livestock Forage Disaster Program (LFP). <input type="checkbox"/> 8. Emergency Assistance for Livestock Honey Bees, and Farm-Raised Fish (ELAP). <input type="checkbox"/> 9. Noninsured Crop Disaster Assistance Program (NAP).			<input type="checkbox"/> 10. Marketing Assistance Loans and Loan Deficiency Payments. <input checked="" type="checkbox"/> 11. Margin Protection Program for Dairy Producers (MPP/Dairy). <input type="checkbox"/> 12. Farm Storage Facility Loan Program. <input type="checkbox"/> 13. Conservation Reserve Program (CRP). <input type="checkbox"/> 14. NRCS Conservation Programs. <input type="checkbox"/> 15. Emergency Conservation Program (ECP). <input type="checkbox"/> 16. Emergency Forest Restoration Program (EFRP). <input checked="" type="checkbox"/> 17. Other (Specify): <u>Peanuts</u>		
			<input type="checkbox"/> 1. All actions. <input type="checkbox"/> 2. Signing applications, agreements, and contracts. <input type="checkbox"/> 3. Making reports. <input checked="" type="checkbox"/> 4. Conducting all marketing assistance loan and LDP transactions. <input type="checkbox"/> 5. AGI Certification. <input type="checkbox"/> 6. Routing Banking Accounts. <input checked="" type="checkbox"/> 7. Other (Specify): <u>CCC-605P</u>		
This form may also be used to grant authority to an attorney-in-fact to act on the grantor's behalf with respect to FCIC crop insurance policies. Checking any of the FCIC transactions does not have any impact as to the FSA, NRCS or CCC transactions checked above:					
<b>C. INSURED CROPS/STATE/COUNTY</b> (Enter "All" or specify each crop, state, county and year(s))			<b>D. CROP INSURANCE TRANSACTIONS</b> (Check applicable actions)		
1. _____ 2. _____ 3. _____ 4. _____			<input type="checkbox"/> 1. All actions. <input type="checkbox"/> 2. Making applications for insurance. <input type="checkbox"/> 3. Reporting crop acreage and production reports. <input type="checkbox"/> 4. Reporting a notice of damage or loss and making claim for indemnity. <input type="checkbox"/> 5. Making transfers and cancellations. <input type="checkbox"/> 6. Making contract changes. <input type="checkbox"/> 7. Other (Specify):		
This Power of Attorney is valid in all counties in the United States unless otherwise noted. This power of attorney shall remain in full force and effect until (1) written notice of its revocation has been duly served upon FSA, NRCS or CCC as appropriate; (2) death of the undersigned grantor; or (3) incompetence or incapacitation of the undersigned grantor. The undersigned grantor shall provide separate written notice of revocation to the applicable crop insurance agent. This power of attorney shall not be effective until properly executed and served to a USDA Service Center.					
<b>AUTHORIZED SIGNATURES</b>					
6A. Signature of Grantor (Individual)		6B. Signature Date (MM-DD-YYYY) <u>08-01-20XX</u>		6C. For Grantor's Signature Continuation, check here if FSA-211A is attached. <input type="checkbox"/>	
7A. Signature of Grantor (Partnership, Corporation, Trust, etc.) (By)		7B. Title/Relationship of Individual Signing in the Representative Capacity		7C. Signature Date (MM-DD-YYYY)	
8. Notary Public (this form shall be acknowledged by a notary Public unless witnessed by a FSA employee or a corporate seal of grantor is affixed). Signature (a) _____ the state of (b) _____ the County of (c) _____					
<b>FOR FSA USE ONLY</b>					
9A. Witness Signature (FSA Employee Only)		9B. Signature Date (MM-DD-YYYY) <u>08-01-20XX</u>		9C. Official Position <b>Program Technician</b> USDA Service Center,	
10. This power of attorney was served to (a) _____ State of (b) <u>Georgia</u> and became effective this (c) <u>01</u> day of (d) <u>August</u> , (e) <u>20XX</u> .					
<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 718, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246), and the Agricultural Act of 2014 (Pub. L. 113-79). The information will be used to enable a producer (grantor) to appoint an individual/organization to serve as an attorney-in-fact (grantee) that is authorized to act on behalf of the producer, conduct business with USDA concerning Farm Service Agency, Natural Resources Conservation Service, Commodity Credit Corporation, Federal Crop Insurance Corporation, and Risk Management Agency programs. 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), USDA/NRCS-1, Landowner, Operator, Producer, Cooperator, or Participant Files, and USDA/FCIC-10, Policyholder. Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of producer ineligibility to participate in and receive benefits under Farm Service Agency, Natural Resources Conservation Service, Commodity Credit Corporation, Federal Crop Insurance Corporation, and Risk Management Agency programs.  This information collection for FSA commodity and conservation programs in Titles I and II of the Agricultural Act of 2014 (Pub. L. 113-79) are exempt from the Paperwork Reduction Act (PRA) as specified in the Agricultural Act of 2014, Title I, Subtitle F, Administration, and Title II, Subtitle G, Funding Administration. For the EFRP, this information collection is exempted from the PRA, as specified in the Fiscal Year 2010 Supplemental Appropriations Act (Public L. 111-212). For the FSPIL, this information collection is exempted from the PRA as it is required for the administration of the Food, Conservation, and Energy Act of 2008 (see Pub. L. 110-246, Title I, Subtitle F-Administration).  For those FSA, CCC, and NRCS programs that are not exempt from PRA, FSA may not conduct or sponsor, and a person is not required to respond to a collection of information unless this collection of information has a valid OMB control number, which is 0500-0190 for this information collection, and the average time required to complete this information collection is 15 minutes per response. <b>RETURN THIS COMPLETED FORM TO THE APPLICABLE USDA SERVICE CENTER</b>  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 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 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) 720-2603 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-3539 or (800) 845-6136 (in Spanish).  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.adjudication@usda.gov">program.adjudication@usda.gov</a> . USDA is an equal opportunity provider and employer.					

\*--

**452 Completing FSA-211's (Continued)**

**C Distributing FSA-211's**

The completed FSA-211 shall be distributed as follows:

- original to DMA
- copy to producer granting power of attorney
- copy to FSA Service County Office.

**453-459 (Reserved)**





**Section 7 Liens and Waivers**

**460 Lien Search Policy**

**A Policy**

DMA shall:

- follow lien policies in this paragraph and 8-LP, paragraph 504
- determine whether a lien exists by performing or obtaining a lien search as follows:
  - for all peanuts to be pledged for each MAL
  - for all loan requests greater than \$50,000
  - at the appropriate recording official's office or a centralized filing facility
  - in the appropriate uniform commercial code jurisdiction according to data on CCC-10 filed by producer
  - filed by the producer
  - at DMA expense.

**B Documenting Lien Search Results**

DMA shall:

- document the results of the lien search on FSA-2360 or similar form
- file the results in the applicable loan folder.

## 461 CCC-679's

## A Obtaining CCC-679's

DMA shall:

- if lien exists, obtain lienholder signatures on CCC-679 to release a particular lien on peanuts pledged for MAL and to document lienholder decisions
- obtain CCC-679 or each lienholder
- **not** disburse MAL if an offset is applicable, unless the lienholder agrees to the offset by checking CCC-679, line 1 or 3
- require CCC-679's for all MAL requests received from FSA FLP borrowers
- **not** obtain lien waivers for liens that are **not** recorded unless actual notice of the existing lien is provided to DMA by the lienholder in person or in writing

**Note:** Examples of unrecorded liens include landlord liens, sheller's possessory liens, and harvesters' liens.

- for lienholders that notify CCC that lien remains in effect, but joint checks are no longer necessary, execute another CCC-679 with the most current lienholder instructions.

**Note:** If statement of approved changes is submitted by the sheller, the producer **must** sign the statement of charges. CCC-679 **must** be completed according to subparagraph 36 D. However, if **no** lien exists, then at the bottom of CCC-679 write, "**No liens found.**" A signature is **not** required on CCC-679 when no liens are found.

## 461 CCC-679's (Continued)

**B Instructions for Completing CCC-679's**

DMA shall complete:

- CCC-679 according to the following table
- item 8 (3), if applicable, according to subparagraph C.

<b>Item</b>	<b>Entry</b>
1A-C	County name, address, phone number, and FAX number.
2	Producer's name and address.
3	Crop year.
4	ENTER " <b>Peanuts</b> ".
5 (a), (b), or (c)	Lienholder shall check the appropriate block.  <b>Note:</b> See subparagraph C for additional instructions.
5 (c)	Estimated net disbursement amount, if applicable.
6	Lienholder's or authorized agent's name and address.
7A-C	Lienholder signs and dates.

## 461 CCC-679's (Continued)

**C Completing CCC-679, Item 5 (c)**

DMA shall complete CCC-679, item 5 (c), according to the following table.

IF...	AND...	THEN...
an administrative offset does <b>not</b> apply		in CCC-679, item 5 (c), ENTER " <b>none</b> ".
an administrative offset applies	the lienholder is any of the following: <ul style="list-style-type: none"> <li>• United States of America through USDA or FSA</li> <li>• USDA</li> <li>• USDA, formerly FmHA</li> <li>• FSA</li> <li>• FSA, formerly FmHA</li> </ul>	in CCC-679, item 5 (c), enter the offset amount as of the date CCC-679 was prepared.
a statement of charges, according to subparagraph 88 D, signed by the producer accompanies the warehouse receipt		do either of the following: <ul style="list-style-type: none"> <li>• add the total dollar amount of the charges to any other offset amounts</li> <li>• modify the statement to add language that states whose charges are being offset without specifying the type or amount of the charge.</li> </ul>

## 461 CCC-679's (Continued)

## D Example CCC-679

The following is an example of a properly completed CCC-679.

<b>This form is available electronically.</b> <b>CCC-679</b> U.S. DEPARTMENT OF AGRICULTURE (04-07-10) Commodity Credit Corporation  <p style="text-align: center;"><b>LIEN WAIVER</b></p>				1A. County Name and Address (Including Zip Code) This County 1 Main Street Sometown, TX 12345-6789	
				1B. County Office Telephone Number (Including Area Code) 123-456-7890	
				1C. County Fax Number (Including Area Code) 123-456-7891	
2. Name and Address of Producer (Including Zip Code) Farmer Jones Box 185 Sometown, TX 12345-9876		3. Crop Year 20XX		4. Commodity Peanuts	
<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 1421, 7 CFR Part 1427, 7 CFR Part 1435, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246). The information will be used to determine eligibility for 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) and USDA/FSA-14, Applicant/Borrower. Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for program benefits.</p> <p>The authority for collecting the following information is Pub. L. 107-171. This authority allows for the collection of information without prior OMB approval mandated by the Paperwork Reduction Act of 1995. The time required to complete this information collection is estimated to average 6 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of appropriate 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>					
5. The undersigned is the holder of a lien on the commodity identified above. In order for the producer identified above to pledge such commodity as collateral for a Commodity Credit Corporation ("CCC") loan, with respect to CCC only, the undersigned waives all interest in, and title to, such commodity. The undersigned agrees that the proceeds of the loan shall be disbursed (lienholder must check one of the following):  (a) <input checked="" type="checkbox"/> To the producer.  (b) <input type="checkbox"/> Jointly to the producer and the undersigned lienholder.  (c) <input type="checkbox"/> Jointly to the producer and the undersigned lienholder, less (1) \$ <u>500.00</u> administrative offset as of (2) <u>10-01-20XX</u> (Date) and charges due (3) <u>ABC Peanut Company</u> .					
6. Name and Address of Lienholder or Authorized Agent Agri Bank 101 Main Street Sometown, TX 12345-0101					
7A. Lienholder Signature (By)		7B. Title/Relationship (of the Individual Signing in the Representative Capacity)		7C. Date	
				10-15-20XX	
7A. Lienholder Signature (By)		7B. Title/Relationship (of the Individual Signing in the Representative Capacity)		7C. Date	
<p><small>The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).</small></p> <p><small>To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.</small></p>					

**461 CCC-679's (Continued)**

**E Distributing CCC-679's**

DMA shall distribute CCC-679 as follows:

- original filed in a locked, fireproof file cabinet
- copy to the producer
- copy to the lienholder.

**462-465 (Reserved)**

**Section 8 Offsets and Assignments****466 General Policies for Offsets and Assignments****A DMA Policies**

The following offsets and assignment policies apply to DMA's.

- Offsets, when applicable, shall be collected for producers who obtain loans or LDP's through DMA's from loan and LDP funds.
- Assignments, when applicable, shall be collected for producers who obtain LDP's through DMA's from LDP funds.
- Producers through DMA's have the following options:
  - **not** obtain any loan and LDP on quantities with applicable offset or assignment
  - pay applicable offset or assignment on production included in loan and LDP activity.
- DMA's shall follow control County Office guidance in bankruptcy cases.

**B Payment Date**

The date of payment for offsets and assignments shall be the date DMA contacts the County Office to obtain payment information.

**Note:** See subparagraph D for DMA payment priority order.

**C Notifications**

DMA's will receive notification that offsets and assignments are applicable:

- normally, through the CMA Process according to 1-CMA, Part 7
- in rare instances, through notifications from the State Office.

**466 General Policies for Offsets and Assignments (Continued)****D DMA Payment Priority Order**

When DMA producer has both offsets and assignments applicable, DMA's shall collect offsets first, and then assignments.

**E State Office Notifications**

State Offices are authorized to notify DMA's of large individual dollar amount offsets and assignments.

**467 Offset Actions for DMA's****A DMA Policies**

The following policies in addition to those listed in this paragraph also apply to offsets through DMA's:

- no action is needed when the applicable producer does **not** obtain either loan or LDP funds through DMA
- when a lien has been filed for a producer with an offset, the lienholder has the right to refuse to grant a waiver. If the lienholder grants the waiver, proceed with processing the loan or LDP. If the lienholder does **not** grant the waiver, the producer is **not** eligible for loans or LDP's.



## 467 Offset Actions for DMA's (Continued)

**B DMA Action**

DMA's shall follow the procedures in the following table when offsets are applicable for a producer involved in a loan or LDP.

Step	Action
1	<p>When a joint operation record is received from the ADP process with "Y" in Field 67 for a component member, notify the joint operation's control County Office's State Office that record has been received. In notification, identify applicable joint operation, component members, and control County Offices.</p> <p><b>Notes:</b> The State Office has 30 calendar days to notify the applicable DMA when a payment to CCC is <b>not applicable</b>. See step 6 for additional instructions.</p> <p>When the loan or LDP proceed is for a component member of a joint operation, the proceed amount is determined by multiplying the applicable component member's actual share (ADP Process, field 16) times the joint operation's proceed amount.</p>
2	<p>Contact control County Office to determine offset amount and applicable administrative County Offices no more than 3 workdays before obtaining loan or LDP proceeds.</p> <p><b>Note:</b> If control County Office does <b>not</b> receive payment within 8 workdays of this contact, it will reject the payment. When this happens, DMA's <b>must</b> contact the control County Office again to determine the exact amount due on the day producer obtained loan or LDP proceeds.</p>
3	<p>DMA shall notify the control County Office of the date loan or LDP proceeds will be, or were, obtained for the producer within 2 workdays of the date of the proceed.</p> <p><b>Note:</b> This notification may be made at the time the inquiry in step 2 is made.</p>

## 467 Offset Actions for DMA's (Continued)

## B DMA Action (Continued)

Step	Action	
4	<b>IF offset is...</b>	<b>THEN issue a payment to...</b>
	less than loan or LDP proceeds due producer	<ul style="list-style-type: none"> <li>• CCC for producer to control County Office for offset according to step 5</li> <li>• producer for balance of proceeds due producer.</li> </ul>
	Equal to or greater than loan or LDP proceeds due producer	CCC for producer to control County Office for loan or LDP proceed amount according to step 5.
5	<ul style="list-style-type: none"> <li>• Issue payments to CCC.</li> <li>• Attach a memorandum stating that the payment is an "Offset payment of \$ _____ for [<i>producer's name, ID number, and administrative County Office</i>]".</li> <li>• Submit payment to control County Office.</li> </ul>	
6	<p>When notified by State Office that payment to CCC is <b>not applicable for a joint operation</b> after payment was made:</p> <ul style="list-style-type: none"> <li>• request refund from administrative County Office</li> </ul> <p><b>Note:</b> A copy of State Office's notification <b>must</b> be included with the refund request.</p> <ul style="list-style-type: none"> <li>• issue payment to producer within 3 workdays of receiving payment from administrative County Office.</li> </ul>	

## 468 Offset Actions for State and County Offices

**A Control County Office Actions**

Control County Offices shall follow the procedures in the following table for DMA offsets.

Step	Action	
1	If contacted by DMA, record the date the loan or LDP will be, or was, obtained for producer.  <b>Note:</b> Contact <b>must</b> be within 2 workdays of the date of loan or LDP or DMA <b>must</b> re-contact County Office for update amount.	
2	Determine County Offices where producer has offsets and each applicable amount.	
3	<b>IF...</b>	<b>THEN...</b>
	no offset exists	provide DMA written verification that offset no longer applies.
	any offset exists	continue.
4	Calculate offset amount, plus interest, through date in step 1 for each county.	
5	Inform the applicable DMA, within 2 workdays of DMA contact, of: <ul style="list-style-type: none"> <li>• offset amount, plus interest, for each offset and applicable County Office</li> <li>• County Office order of repayments by ascending State and County Office number order</li> <li>• how to handle cases involved in bankruptcies based on Regional Attorney instructions.</li> </ul> <b>Note:</b> For multiple types of debts within a single county, County Offices shall follow the normal priority of payment procedures in 58-FI.	
6	<b>IF offset payment is...</b>	<b>THEN...</b>
	<b>not</b> received from DMA within 8 workdays of date in step 1	<ul style="list-style-type: none"> <li>• call and notify DMA that no payment was received</li> <li>• provide DMA with an updated payment amount based on loan or LDP date.</li> </ul>
	received from DMA within the appropriate time period	forward payment to administrative County Office.

## 468 Offset Actions for State and County Offices (Continued)

**B Administrative County Office Action**

Administrative County Offices shall follow procedures in the following table for DMA offsets.

Step	Action	
1	<b>IF offset...</b>	<b>THEN...</b>
	payment is received from DMA	go to step 2.
	refund is requested by DMA	go to step 6.
2	Deposit payment according to 58-FI.	
3	Update producer's records to reflect offset payment received.	
4	Send DMA confirmation payment was received within 5 workdays of receiving payment.	
5	Update producer's "offset" flag to indicate that no offset is owed when all offset amounts have been paid.	
6	Issue a refund according to 1-FI within 3 workdays.	
	<b>Note:</b> Refund requests based on State Office notification for component members, <b>must</b> include a copy of the State Office's notification that a payment was <b>not</b> applicable.	

**C State Office Action**

State Offices shall follow procedures in the following table for DMA offsets.

**Note:** If State Office is aware that payment has been made before notification in step 1 is received, State Office shall notify applicable DMA's that offsets are **not** applicable.

Step	Action	
1	Upon notification from DMA that they have received a joint operation record from CMA process with a "Y" in Field 67 for a component member, verify within 20 calendar days whether payments for the component member may be collected through the joint operation, according to 58-FI.	
2	<b>IF offsets may...</b>	<b>THEN...</b>
	be collected	no further action is required.
	<b>not</b> be collected	immediately provide DMA a written notification that payments may <b>not</b> be collected for the component member through the joint operation.

469-479 (Reserved)

**Section 9 DMA Preprocessed Files****480 Handling Preprocessed DMA Files****A General Information**

Peanut DMA's have the option to submit preprocessed files containing paper warehouse receipt or EWR data to their designated Service County Office when requesting peanut MAL's and LDP's. DMA's shall:

- prepare the file according to FSA specified requirements in this paragraph and Exhibit 32
- e-mail the preprocessed file with the loan application to DMA service County Office contact in Exhibit 45.

The designated DMA service County Office shall accept preprocessed files submitted by DMA's and do the following:

- validate the preprocessed file according to 1-CMA and all other requirements for processing peanut loans and LDP's
- use FSA's web-based EWR system according to this handbook
- notify DMA of errors in the preprocessed file
- complete and disburse DMA loan applications in APSS
- complete and disburse LDP applications using eLDP.

Peanut DMA's shall be responsible for correcting errors in EWR's.

**B Preparing DMA Preprocessed Files**

DMA's shall **separate** the preprocessed files using paper warehouse receipts from those using EWR's.

Preprocessed file submitted by DMA's shall be prepared according to the file layout in Exhibit 32. Paper warehouse receipts and EWR's on each file shall be bundled according to paragraph 435.

**480 Handling Preprocessed DMA Files (Continued)****C Submitting Preprocessed Files to the service County Office**

In addition to all other loan or LDP requirements, DMA's electing to use preprocessed files shall e-mail their loan requests to their designated Service County Office with preprocessed files attached. The e-mail shall include a list of the preprocessed files along with the following information associated with **each** file:

- application date
- original approval date
- date of lien search
- disbursement date (same as "Date Documents Received" date).

See Exhibit 45 for the e-mail addresses of DMA service County Offices.

**Note:** DMA's electing **not** to use a preprocessed file shall continue to submit loan or LDP requests to their Service County Office according to normal procedures for loans and LDP's.

**D Accepting Preprocessed DMA Files**

DMA service County Offices shall process the preprocessed file attachment received from DMA according to this table.

<b>Step</b>	<b>Action</b>
1	Print e-mail received with DMA loan or LDP application. Keep a copy of the e-mail in DMA's loan folder.
2	Save the preprocessed file attachment to the <b>F:\Application Data\PeanutEWR</b> directory.

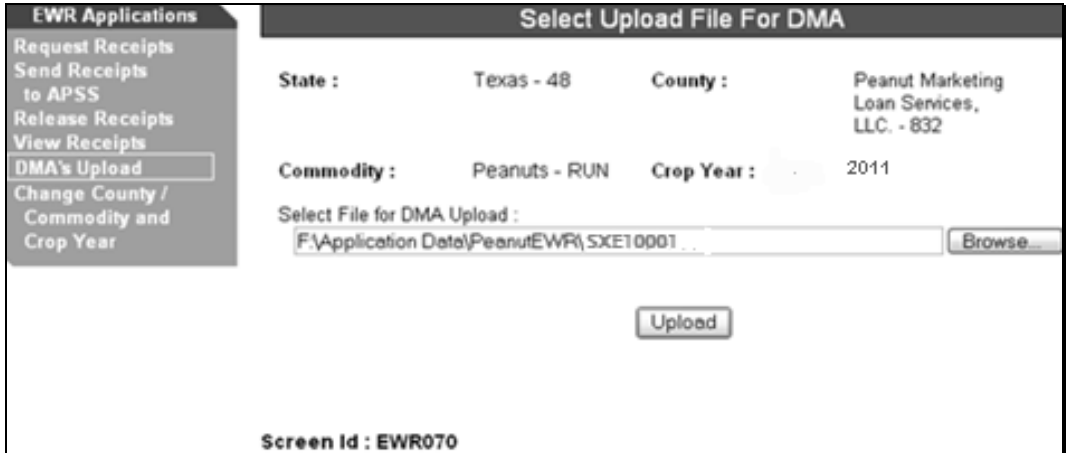
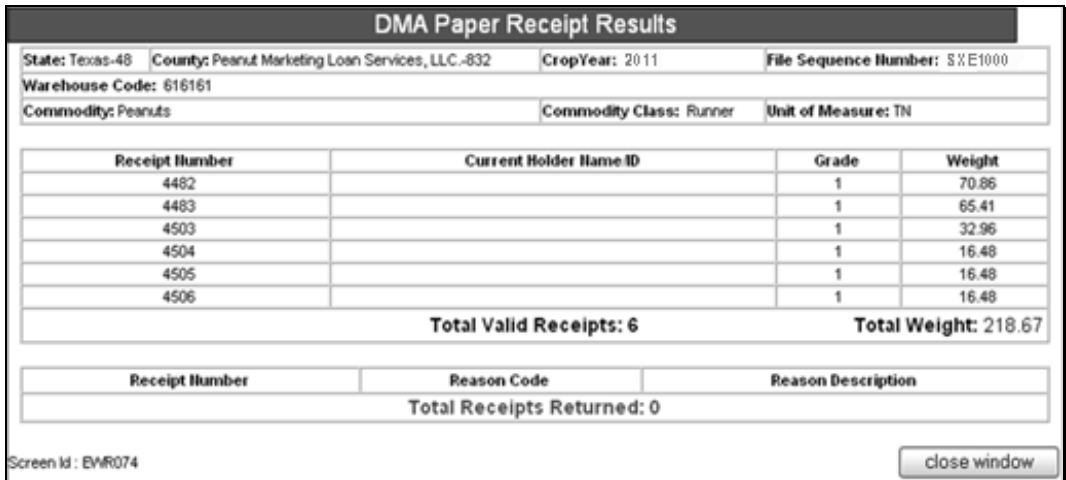
**E Uploading DMA Files**

Upload the preprocessed DMA file to FSA's web-based EWR system according to this table.

<b>Step</b>	<b>Action</b>
1	Access FSA's web-based EWR system * * *.  <b>Note:</b> When the selected county is a DMA service County Office, under the EWR Applications Menu, "DMA Upload" option will be displayed.

## 480 Handling Preprocessed DMA Files (Continued)

## E Uploading DMA Files (Continued)

Step	Action
2	<p>Under the EWR Applications Menu, CLICK “DMA’s Upload”.</p> <p>The following is an example of the Select Upload File for DMA Screen that will be displayed.</p>  <p>Screen Id : EWR070</p>
3	CLICK “Browse” and navigate to the file to upload.
4	<p>CLICK “Upload” to upload the DMA file to FSA’s web-based EWR system. The following DMA Paper Receipt Results Screen will be displayed.</p>  <p>Screen Id : EWR074</p> <p><b>Note:</b> Uploaded DMA electronic files using EWR may be viewed using the “View Type”, “FSA”, and “Provider” options. Uploaded DMA paper warehouse receipt files may <b>only</b> be viewed using the “View Type”, “FSA” option.</p>

## 480 Handling Preprocessed DMA Files (Continued)

**F Viewing DMA Receipts**

\*--Before sending the preprocessed electronic file to CLPS, it is recommended that users view the receipts to ensure that they meet the requirements according to subparagraph 372 A. Preprocessed paper warehouse receipt files are sent automatically to CLPS.--\*

Preprocessed DMA files with paper warehouse receipts can be viewed using the “View Type”, “FSA” **only**. The following is an example of the View Receipts Screen to select the paper warehouse receipt to view. CLICK “**Submit**” to select the file to view.

EWR Applications	View Receipts			
Request Receipts Send Receipts to APSS Release Receipts View Receipts DMA's Upload Change County / Commodity and Crop Year	State :	Texas - 48	County :	Peanut Marketing Loan Services, LLC. - 632
	Commodity :	Peanuts - RUN	Crop Year :	2011
	<input type="radio"/> Warehouse Code:	616161 - EWR Inc. ▼		
	Receipt Number:	<input type="text"/> (Optional)		
	<input checked="" type="radio"/> File Seq Num/Producer:	8XE10001 - PEANUT MARKETING LOAN SERVICES ▼		
	<input type="button" value="Submit"/>			

The following is an example of the Select Receipts for View Screen that will be displayed. Under the “Receipt Number” column, click the receipt number to view receipt details.

EWR Applications	Select Receipts for View				
Request Receipts Send Receipts to APSS Release Receipts View Receipts DMA's Upload Change County / Commodity and Crop Year	Filesequence Number: 8XE10001	Warehouse Code: 616161	CropYear: 2011	View Type: <input checked="" type="radio"/> FSA <input type="radio"/> Provider	
	Receipt Number	State	County	Loan LDP Ind	Loan Number
	<input type="button" value="4482"/>	48	632	Loan	
	<input type="button" value="4483"/>	48	632	Loan	
	<input type="button" value="4503"/>	48	632	Loan	
	<input type="button" value="4504"/>	48	632	Loan	
	<input type="button" value="4505"/>	48	632	Loan	
	<input type="button" value="4506"/>	48	632	Loan	
	Screen Id : EWR052				



## 480 Handling Preprocessed DMA Files (Continued)

## F Viewing DMA Receipts (Continued)

The following is an example of the Report of Paper Receipt View Screen.

Report of Paper Receipt View As of 08/25/2011				
<b>Electronic Warehouse Receipt</b>				
File Sequence Number: SXP10001				
Crop Year: 2011	Warehouse Code: 72010	Rcpt Number : 1487	License Type Code: US	
License Number 6-0263	Negotiable Rcpt Y	Insured Y	Paper Number 1487	
Pri Unit of Measure: TN	Pri Gross Unit: 103.46	Pri Net Units: 101.48	Warehouseman is Depositor:	
Sec Unit of Measure: LB	Sec Gross Unit: 0	Sec Net Units: 202959	Merged Warehouse: N	
FSA Status: Sent To APSS	FSA State Code: 48	FSA County Code: 832		
Date Rcpt Issued: 08/01/2011	Release Reason:	Date/Time Last Changed: Monday, August 1, 2011 11:32:28 AM CDT		
Delivery City:	Warehouse Name: Peanut Co LTD			
Delivery State Code: 48	Delivery County Code: 000			
Warehouseman Signature:	Received From:			
Farm Number:	Farm State Code:	Producer Name :		
Farm County Code :	Curr Holder Id:	Curr Holder Name:		
Curr Holder Date/Time:	Sub Holder Id:	Sub Holder Name:		
Sub Holder Date/Time:	Prev Holder Id:	Prev Holder Name:		
Prev Holder Date/Time:	Provider Id: 4701	Storage Start Date: 08/01/2011	Prepaid in Charges: 0	
Prepaid Out Charges: 0	Storage Charge: 0	Date Storage Paid Thru: 12/01/2011	Grade: 1	
Graded:	Class: SPW	Commodity: PEANUTS	Receiving Chrg Paid Ind: N	
<b>Electronic Warehouse Receipt Classing</b>				
Loose Shelled Kernel (LSK) Tons: 1.98	LSK Pounds: 3,966	Total Tons: 103.46	Total Pounds: 206,925	Moisture: 8.75
Total Damage Kernel Pct (Pct): 0	Foreign Material (FM) Pct: 5.61	Virginia ELK Pct: 0	Virginia Fancy Pct: 0	Valencia Cracked Pct: 0
Valencia Discolored Pct: 0	Total KRS : 0	SMKRS Pct: 66.78	Sound Splits (SS) Pct: 8.1	Total SMK Pct: 74.88
Other Kernels (OK) Pct: 1.52	Damaged Split Pct: 0	Total Kernel Pct: 84.5	Hull Pct: 23.6	Flavus Found:
Total Hull Kernel Pct: 100	Freeze Pct: 0	RMD Pct:	Storage Status:	Parent Warehouse City:
Parent Warehouse State:	Lot Number:	Receiving Charge (Chg) Amount:	Receiving Chg Paid: N	Receiving Chg Per:
Cleaning Chg:	Drying Chg:	Clean Dry Chg:	Hauling Chg:	Other Chg:
Custom Harvesting Chg:	Seed Account Chg:	Monthly Storage Chg: 2.71	Total Cleaning Chg:	Total Drying Chg:
Total Clean Dry Chg:	Total Hauling Chg:	Total Other Chg:	Buying Point Number: 48	Buying Point Name:
Receipt Value:	CCC Loan Status:			
<b>Price Support</b>				
Prev Holder Name :		Prev Holder Id:	Prev Holder Date/Time:	
Curr Holder Name :		Curr Holder Id:	Curr Holder Date/Time:	
Loan/LDP Number:	Date Loan/LDP Approved:	Date Loan/LDP Application:	Date Loan/LDP Disbursement:	
Rcpt Loan Value: \$0.00	Date Loan Documents Received:	Date Loan Repayment:	Date/Time Rcpt Released:	
Loan or LDP: Loan	Recourse/Non-Recourse Loan:	Date Forfeited:	CCC Storage Paid Thru Date:	
Loan Maturity Date:				
<div style="text-align: center;"> <a href="#">Back</a> <a href="#">Printer Friendly Page</a> </div>				
Screen Id : FWR054				

\*\*\*



# Reports, Forms, Abbreviations, and Redelegations of Authority

## Reports

None

## Forms

The following table lists all forms referenced in this handbook.

Number	Title	Display Reference	Reference
AD-1026	Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification		16, Ex. 2
CCC-10	Representations for Commodity Credit Corporation or Farm Service Agency Loans and Authorization to File a Financing Statement and Related Documents		435, 460
CCC-25	Uniform Grain and Rice Storage Agreement		36
CCC-257	Schedule of Deposit		276, 277, 350, 353
CCC-258	Wire Transfer of Funds		120
CCC-491	Beneficial Interest Certification for Loan and Loan Deficiency Payments		29
CCC-500	Loan Repayment Receipt		120, 276, 277
CCC-601	Commodity Credit Corporation Note and Security Agreement Terms and Conditions		435
CCC-605P	Designation of Agent - Peanuts	156	157-159, 435, 451, 452
CCC-605P-1	Continuation Sheet for CCC-605P	158	156, 157, 159
CCC-605P-2	Designation of Subsequent Agent - Peanuts	159	156-158
CCC-633EW	Loan and LDP Eligibility Worksheet Commodities Harvested As Other Than Grain Determining Maximum Eligible Quantity	202	
CCC-633 EZ	Loan Deficiency Payment (LDP) Agreement and Request	197	Text
CCC-638	Confirmation of Sale		291
CCC-639	Competitive Bid Pricing Worksheet		291
CCC-666	Farm Stored Loan Quantity Certification		76, 87
CCC-674	Certification for Contracts, Grants, Loans and Cooperative Agreements		235, 435
CCC-676	LDP and Loan Number Register		86, 260
CCC-677	Farm Storage Note and Security Agreement		3, 6, 86, 173, 225 235

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

## Forms (Continued)

Number	Title	Display Reference	Reference
CCC-677-1	Farm Storage Loan Worksheet		76, 87, 195, 198, 225
CCC-678	Warehouse Storage Note and Security Agreement		3, 6, 86, 88, 185, 235, 435, 395
CCC-679	Lien Waiver	461	Text
CCC-681-1	Authorization for Delivery of Loan Collateral for Sale		7, 120, 140
CCC-684-1	Note and Security Agreement Continuation Sheet Schedule of Commodity (for CCC-678)		236
CCC-686	Application For Loan or Loan Deficiency Payment By Heirs		16
CCC-691	Commodity Delivery Notice		120, 173, 291
CCC-692	Settlement Statement		173, 291
CCC-697	Request to Lock In a Market Loan Repayment Rate		451
CCC-699	Reconcentration Agreement and Trust Receipt		373
CCC-770 DMA	DMA Peanut MAL or LDP Processing Checklist		436
CCC-770 LDP/eLDP	Loan Deficiency Payment (LDP) and eLDP Program Review Checklist		191
CCC-902	Farm Operating Plan		16, Ex. 2
CCC-912-P	Agreement for Designated Marketing Association Terms and Conditions for Peanuts	Ex. 41	420, 422
CCC-941	Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information - Agricultural Act of 2014		16, Ex. 2
CCC-1099	CCC-1099-A, -A2, -G, -MISC		120
FSA-211	Power of Attorney	452	392, 435, 450, 451
FSA-409	Measurement Service Record		76, 192, 194, 199
FSA-578	Report of Acreage		202
FSA-1007	Inspection Certificate and Calculation Worksheet		3, 7, 36, 199
FSA-2360	Report of Lien Search		460

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

## Forms (Continued)

Number	Title	Display Reference	Reference
SC-95	Federal-State Inspection Service Peanut Inspection Notesheet		3, 18, 86
SF-LLL	Disclosure of Lobbying Activities		235, 435
SF-1199A	Direct Deposit Sign-Up Form		211
SF-3881	ACH Vendor/Miscellaneous Payment Enrollment Form		211
UCC-1	Financing Statement		86, 87, 225
UCC-1F	Effective Financing Statement		86

## Abbreviations Not Listed in 1-CM

The following abbreviations are **not** listed in 1-CM.

Approved Abbreviations	Term	Reference
CFS	Central Filing System	3, 88, 365, 366, Ex. 2
CCE	Commodity Certificate Exchange	16, 26, 120, 140
ELK	extra-large kernels	236, 291, Ex. 11, 32
HMG	high moisture grade	36
LSK	loose shell kernel	Text, Ex. 2, 11, 32
MLG	market loan gain	16, 235, 277, 393, Ex. 2
NLR	national loan rate	18, 86, 172, 236, 277
NPB	National Peanut Board	86, 235, 236
NPP	national posted price	Text
PMP-DC	FSA Peanut Market Place-Data Collection	3
RMD	rancidity, mold, and decay	18, 236, 291, 241, Ex. 2, 32
RUN	runner peanuts	18, 225, 235, 236, 291, 367, Ex. 11, 32
Seg.	segregation	Text, Ex. 2, 11
SMK	sound mature kernels	86, 236, 291, Ex. 11, 32
SPE	Spanish peanuts grown in the Southeast area	18, 225, 235, 236, 291, 367, Ex. 11, 32
SPW	Spanish peanuts grown in the Southwest area	18, 225, 235, 236, 291, 367, Ex. 11, 32

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

## Abbreviations Not Listed in 1-CM (Continued)

Approved Abbreviations	Term	Reference
TSR	Transaction Summary Report	252
USWA	U.S. Warehouse Act	365, Ex. 2
VAL	Valencia peanuts	18, 225, 235, 236, 291, 367, Ex. 11, 32
VIR	Virginia peanuts	18, 225, 235, 236, 291, 367, Ex. 11, 32
WRSP	Warehouse Receipt Summary for Peanuts	235, 236

## Redelegations of Authority

The following table lists redelegations of authority in this handbook.

Redelegation	Reference
<p>The authority to approve all loan and LDP forms and documents prepared according to this handbook may be redelegated, in writing according to 16-AO, by:</p> <ul style="list-style-type: none"> <li>• COC to CED, <b>except</b> forms and documents in which CED has a monetary interest</li> <li>• CED to Federal and non-Federal County Office employees, <b>except</b> forms and documents in which the person approving has a monetary interest.</li> </ul> <p><b>Reminder:</b> Cross training in all applicable program areas shall be completed before signing authority redelegation is made.</p>	1

Follow this table for exceptions to redelegate authority for approval of loans and LDP's.

IF the producer is...	THEN the approval authority shall be...
Federal or non-Federal State or County Office employee	CED.
COC member	
DD	
SED	
STC member	
CED	COC.

**Note:** Questionable cases may be referred to the next higher authority for determination.

## Definitions of Terms Used in This Handbook

### Central Filing System (CFS)

CFS means an electronic system operated and maintained by a provider, as a disinterested third party authorized by AMS, where information relating to warehouse receipts, USWA documents, and other electronic documents are recorded is maintained in a confidential and secure fashion independent of any outside influence or bias in action or appearance.

### “Date Document Received” Date

“Date Document Received” date means the date all required loan documents are received by the County Office.

### EWR

EWR means a warehouse receipt authorized by AMS to be issued or transmitted under USWA in the form of an electronic document.

## Definitions of Terms Used in This Handbook (Continued)

### Eligible Producer

Eligible producer means a person or legal entity that:

- has complied with annual program requirements including:
  - reporting acreage for all cropland on the farm according to 2-CP and 8-LP, subparagraph 200 A
  - completing AD-1026 according to 6-CP for producer and all affiliated persons
  - completing CCC-941 according to 5-PL for 2014 through 2018 crop years for producer and all affiliated persons

**Note:** CCC-941 is **not** needed on file at loan disbursement, but is required if MLG is applicable or applying for LDP. It is not required for CCE repayment. See 8-LP, paragraph 794.--\*

- completing applicable CCC-902 if repaying a loan with a market gain or requesting LDP according to 5-PL, paragraph 41

**Note:** COC **must** make the following determinations, if repaying a loan with a market gain or requesting LDP:

- actively engaged in farming
  - cash rent tenant
  - member contribution.
- has a beneficial interest in the eligible commodity for which a loan or LDP is requested
- shares in the risk of producing the applicable commodity.



**Definitions of Terms Used in This Handbook (Continued)****Farmer Stock Peanuts**

Farmer stock peanuts mean picked and threshed peanuts which have **not** been shelled, crushed, cleaned or otherwise changed (**except** for removal of foreign material, LSK's, and excess moisture) from the form in which customarily marketed by producers.

**Holder**

Holder means a person that has possession in fact or by operation of law of a warehouse receipt, USWA electronic document, or any electronic document.

**Legal Entity**

Legal entity means an entity that either:

- owns land or an agricultural commodity, product, or livestock
- produces an agricultural commodity, product, or livestock.

**LDP**

LDP means payments made to producers who, although eligible to obtain MAL, agree to forgo the loan in return for a payment on eligible peanuts.

**Provider**

Provider means a person authorized by DACO, as a disinterested third party, that maintains 1 or more confidential and secure electronic systems independent of any outside influence or bias in action or appearance.

**Definitions of Terms Used in This Handbook (Continued)****Seg. 1 Peanuts**

\*--Seg. 1 peanuts means farmer stock peanuts with **not** more than 3.49 percent damaged kernels or no more than 1.00 percent concealed damage caused by RMD, and that are free from visible *Aspergillus flavus*.

**Seg. 2 Peanuts**

\*--Seg. 2 peanuts means farmer stock peanuts with more than 3.49 percent damaged kernels or--\* more than 1.00 percent concealed damage caused by RMD and that are free from visible *Aspergillus flavus*.

**Seg. 3 Peanuts**

\*--Seg. 3 peanuts means farmer stock peanuts with visible *Aspergillus flavus*.--\*

**“Storage Start Date”**

“Storage Start Date” means the date the commodity was deposited into the warehouse.

**Federal-State Inspection Service Contact Information**

The following are FSIS contact persons, addresses, and telephone numbers.

<b>*--Southeast (Georgia, Alabama, Florida, Mississippi, and Missouri)--*</b>	
<b>Federal Contacts</b>	<b>State Contacts</b>
Mr. Richard Marowski Mr. William Shoulders *--Ms. Asa Feurtado--* Federal Program Managers USDA, AMS, SCP, Specialty Crops Inspection Division 98 3 <sup>rd</sup> Street Winter Haven, FL 33880  <b>Telephone:</b> 863-299-7132 <b>FAX:</b> 863-299-7814	Mr. Jeff Jeffers Alabama Federal-State Inspection Service PO Box 1368 Dothan, AL 36302 <b>Telephone:</b> 347-792-6525; <b>FAX:</b> 334-393-2025  Mr. Marlon Clements *--Mr. Mike Mountain--* Florida Division of Fruits and Vegetables Department of Agriculture and Consumer Services 170 Century Blvd. Bartow, FL 33830 <b>Telephone:</b> 863-578-1937; <b>FAX:</b> 863-578-1901  Mr. Randall Taylor Georgia Federal-State Inspection Service PO Box 71767 Albany, GA 31708-1767 <b>Telephone:</b> 229-432-6201; <b>FAX:</b> 229-438-8920  Mr. Kevin Riffin MDAC/Federal State Inspection Service PO Box 1609 Jackson, MS 39215-1609 <b>Telephone:</b> 601-359-1138; <b>FAX:</b> 601-359-1175  *--Mr. Zachary Talbott Missouri Department of Agriculture Grain Inspection Program PO Box 630 Jefferson City, MO 65102 <b>Telephone:</b> 573-751-5515--*

**Federal-State Inspection Service, Contact Information (Continued)**

<b>Virginia-Carolina (Virginia, North Carolina, and South Carolina)</b>	
<b>Federal Contacts</b>	<b>State Contacts</b>
<p><b>* * *</b>  Mr. Gary Crane  <b>*--</b>Mr. Nate O'Connor  Mr. Kevin Hopkins<b>--*</b>  Federal Program Managers  USDA, AMS, SCP, Specialty Crops  Inspection Division  8610 Baltimore Washington Blvd. Suite 212  Jessup, MD 20794    <b>Telephone:</b> 301-317-5365  <b>FAX:</b> 301-317-5438</p>	<p><b>*--</b>Mr. Greg Hoggard<b>--*</b>  NCDA Cooperative Grading Service  PO Box 588  Williamston, NC 27892  <b>Telephone:</b> 252-792-1672; <b>FAX:</b> 252-792-4784    <b>*--</b>Mr. Bryan Lawson  South Carolina Inspections and Grading  PO Box 13391  Columbia, SC 29201  <b>Telephone:</b> 803 737-4588<b>--*</b>    Ms. Teresa Byrd  VDACS, Peanut Marketing Program  PO Box 1130  Suffolk, VA 23434  <b>Telephone:</b> 757-925-2286; <b>FAX:</b> 757-925-2275</p>

Federal-State Inspection Service, Contact Information (Continued)

Southwest (Texas, Oklahoma, New Mexico, and Arkansas)	
Federal Contacts	State Contacts
<p>*--Mr. Steve Eguino Ms. Jennifer Hale Mr. William Raker--* Federal Program Managers USDA, AMS, SCP, Specialty Crops Inspection Division *--1406 Parker Street, Suite 203 Dallas, TX 75215 <b>Telephone:</b> 214-421-1948 <b>FAX:</b> 214-426-1830--*</p> <p>* * *</p>	<p>Mr. Russell Beamsley Texas Cooperative Inspection Program PO Box 368 Gorman, TX 76454 <b>Telephone:</b> 254-734-3006; <b>FAX:</b> 254-734-3009</p> <p>*--Mr. Jorge Sandoval--* New Mexico Federal-State Inspection Service PO Box 483 Portales, NM 88130 <b>Telephone:</b> 575-356-8393; <b>FAX:</b> 575-356-6464</p> <p>*--Mr. Johnny Martinez USDA, AMS, SCP, SCI Division Oklahoma <b>Telephone:</b> 682-305-6362</p> <p>Mr. Scott Bray Mr. John Lansdale Arkansas State Plant Board 285 Bradley 124 Hermitage, AR 71647 <b>Telephone:</b> 870-820-0290; <b>FAX:</b> 870-463-8719--*</p>



**Peanut Discounts Table**

The following provides discounts for peanuts.

<b>Damage</b>	
<b>Percent</b>	<b>Deduction</b>
1	None
2	\$3.40
3	*--\$7.00--*

<b>Foreign Material</b>	
<b>Percent</b>	<b>Deduction</b>
1	None
2	None
3	None
4	None
5	\$1.00
6	\$2.00
7	\$3.00
8	\$4.00
9	\$5.00
10	\$6.00
11	\$7.00
12	\$8.50
13	\$10.00
14	\$11.50
15	\$13.00
Above 15 percent up to 99 percent.	\$13 + \$2 for each percent over 15 percent.

**Peanut Discounts Table \* \* \* (Continued)**

<b>Sound Splits</b>	
<b>Percent</b>	<b>Deduction</b>
1	None
2	None
3	None
4	None
5	\$0.80
6	\$1.60
7	\$2.40
8	\$3.20
9	\$4.00
10	\$4.80
11	\$5.60
12	\$6.40
13	\$7.20
14	\$8.00
15	\$8.80
Above 15 percent up to 99 percent.	\$8.80 + \$0.80 for each percent over 15 percent.



**Peanut Rates and Premiums**

\*--The following table provides peanut rates and premiums for the 2022 crop year.

<b>Seg. 1 Peanuts</b>		
<b>Peanut Type</b>	<b>2022 Crop Year</b>	
	<b>National Loan Rate Per Ton</b>	<b>Rate Per Percent Total SMK</b>
“RUN”	\$354.68	\$4.788
“SPE”	\$343.41	\$4.764
“SPW”	\$343.41	\$4.764
“VAL”	\$358.31	\$5.408
“VIR”	\$358.31	\$4.884
<b>All Peanut Types</b>		
“LSK”	\$140	
“Other Kernels”		\$1.40
“ELK”, Virginia only		\$0.35
<b>Seg. 2 and 3 Peanuts</b>		
<b>Peanut Type</b>	<b>2022 Crop Year</b>	
	<b>National Loan Rate Per ton</b>	
“RUN”	\$124.14	No Additional Premiums and Discounts
“SPW”	\$120.19	
“SPE”	\$120.19	
“VAL”	\$125.41	
“VIR”	\$125.41	

--\*

**Peanut Rates and Premiums (Continued)**

\*--The following table provides peanut rates and premiums for the 2021 crop year.

<b>Seg. 1 Peanuts</b>		
<b>Peanut Type</b>	<b>2021 Crop Year</b>	
	<b>National Loan Rate Per Ton</b>	<b>Rate Per Percent Total SMK</b>
"RUN"	\$354.89	\$4.812
"SPE"	\$343.05	\$4.788
"SPW"	\$343.05	\$4.788
"VAL"	\$357.70	\$5.393
"VIR"	\$357.70	\$4.908
<b>All Peanut Types</b>		
"LSK"	\$140	
"Other Kernels"		\$1.40
"ELK", Virginia only		\$0.35
<b>Seg. 2 and 3 Peanuts</b>		
<b>Peanut Type</b>	<b>2021 Crop Year</b>	
	<b>National Loan Rate Per ton</b>	
"RUN"	\$124.21	No Additional Premiums and Discounts
"SPW"	\$120.07	
"SPE"	\$120.07	
"VAL"	\$125.20	
"VIR"	\$125.20	

--\*

**Peanut Rates and Premiums (Continued)**

\*--The following table provides peanut rates and premiums for 2020 crop year.

<b>Seg. 1 Peanuts</b>		
<b>Peanut Type</b>	<b>2020 Crop Year</b>	
	<b>National Loan Rate Per Ton</b>	<b>Rate Per Percent Total SMK</b>
"RUN"	\$354.55	\$4.812
"SPE"	\$345.57	\$4.788
"SPW"	\$345.57	\$4.788
"VAL"	\$358.74	\$5.371
"VIR"	\$358.74	\$4.908
<b>All Peanut Types</b>		
"LSK"	\$140	
"Other Kernels"		\$1.40
"ELK", Virginia only		\$0.35
<b>Seg. 2 and 3 Peanuts</b>		
<b>Peanut Type</b>	<b>2020 Crop Year</b>	
	<b>National Loan Rate Per ton</b>	
"RUN"	\$124.09	No Additional Premiums and Discounts
"SPW"	\$120.95	
"SPE"	\$120.95	
"VAL"	\$125.56	
"VIR"	\$125.56	

--\*



## Peanut Handling and Storage Rates

The following table provides the 2019 and subsequent crop year peanut handling and storage rates.

<b>Handling Rates (per ton)</b>			
<b>State</b>	<b>Load-In Charges (when delivery requested by CCC)</b>	<b>Load-Out Charge</b>	<b>Monthly Storage Rate</b>
<b>Alabama</b>	\$8.00 per ton	\$20 per ton	\$2.71 per ton (daily storage rate is \$0.089)
<b>Arkansas</b>			
<b>Florida</b>			
<b>Georgia</b>			
<b>Mississippi</b>			
<b>New Mexico</b>			
<b>North Carolina</b>			
<b>Oklahoma</b>			
<b>South Carolina</b>			
<b>Texas</b>			
<b>Virginia</b>			

\*--The following table provides the 2021 and 2022 crop approved rates.--\*

<b>Warehouse Charges and Grading and Inspection Rates</b>		
<b>State</b>	<b>*--Crop Year 2021--*</b>	<b>*--Crop Year 2022--*</b>
<b>Alabama</b>	\$36.65	\$36.65
<b>Arkansas</b>	\$37.50	\$37.50
<b>Florida</b>	\$35.70	\$35.70
<b>Georgia</b>	\$34.85	\$34.85
<b>Mississippi</b>	\$37.50	\$37.50
<b>*--Missouri</b>		\$37.50--*
<b>New Mexico</b>	\$36.00	\$36.00
<b>North Carolina</b>	*--\$36.80--*	\$36.80
<b>Oklahoma</b>	\$39.00	\$39.00
<b>South Carolina</b>	\$37.50	\$37.50
<b>Texas</b>	\$37.10	\$37.10
<b>Virginia</b>	\$37.95	\$37.95

**Note:** The rates include **\$30** plus the initial grading and inspection fee as determined by the physical location of the buying point where the official farmer's stock inspection was conducted. Since the receiving rate in the table includes the cost for grading the peanuts, the cost of this service is the warehouse operator's responsibility and **must** be paid **timely** to AMS, FSIS from the receiving fees.



## DMA Preprocessed File Specifications

### A File Naming Conventions and Standards

Format standards require that each peanut loan/LDP receipt data file name consist of the following:

- a 3-character alphabetic prefix code that identifies the creating entity

**Note:** PSD shall issue the prefix code to DMA's. The following prefix codes have been issued to DMA's that have been approved.

\*--

DMA Name	DMA Code	Prefix Code for EWR	Prefix Code for Paper Receipt
Adams Land Company	05-807	ALE	ALP
American Peanut Marketing Associations, LLC	13-808	SFE	SFP
Concordia Allied Producers	13-806	SEE	SEP
Peanut Marketing Loan Services	48-832	SXE	SXP
VC Peanut DMA LLC	51-802	VCE	VCP

--\*

- a 5-digit numeric File Sequence Number
- all files will have a ".DAT" file extension.

**Notes:** All file names will consist of capital letters and numbers.

Each record in the file will contain **256** bytes plus a carriage return and line feed character at the end of each record.

The first digit of the sequence number shall be the last digit of the crop year. The remaining digits shall:

- start at 0001
- will be in increments of 1 for each file created by an entity.

**Examples:** The following are 2 example file names for VC Peanut DMA, LCC:

- \*--VCE90001.DAT would be the first 2019 CY file using **EWR**
- VCP90020.DAT would be the twentieth 2019 CY file using **paper receipts**.--\*

**DMA Preprocessed File Specifications (Continued)**

**B Header Record Format**

Each file **must** have a header record with the following format.

Position	Size	Type	Justified	Explanation	Example
1	2	Numeric	Right	Code for the State where the loan or LDP will be made. This code <b>must</b> remain consistent throughout the entire file.	51
3	3	Numeric	Right	Code for the DMA service County Office where the loan or LDP will be made. This code <b>must</b> remain consistent throughout the entire file.	802 (For VC Peanut DMA)
6	2	Numeric	Right	Enter last 2 digits of crop year.	14
8	5	Numeric	Right	File Sequence Number that increases by 1 for each file created by the entity. The first digit of the 5-digit sequence number is the last digit of the crop year. This number <b>must</b> remain consistent throughout the entire file.	40001
13	1	Alpha	Left	ENTER "A".	A
14	17			Space fill.	
31	5	Alpha	Left	ENTER "PNUT".	PNUT
36	3	Alpha	Left	Peanut type code; <b>must</b> be "RUN", "SPE", "SPW", "VAL", or "VIR".	RUN
39	6	Numeric	Right	Warehouse code.	072070
45	2	Alpha-Numeric	Left	Preparation code.  <b>Note:</b> For loan/LDP based on:  <ul style="list-style-type: none"> <li>• paper receipts, use code "2P"</li> <li>• EWR, use code "2E".</li> </ul>	2P
47	33	Alpha	Left	Enter the producer name; free form text.	John T. Logan



**DMA Preprocessed File Specifications (Continued)**

**B Header Record Format (Continued)**

Position	Size	Type	Justified	Explanation		Example
80	1	Numeric	Right	Indicate either payment type as follows:		1
				<ul style="list-style-type: none"> <li>• “1” for loan</li> <li>• “2” for LDP.</li> </ul>		
81	2	Alpha	Left	License type code. Enter 1 of the following:		US
				<ul style="list-style-type: none"> <li>• “US” for Federal license</li> <li>• “NL” for nonlicense</li> <li>• the standard 2 letter postal abbreviation (such as TX for Texas) for State-licensed warehouses.</li> </ul>		
83	2	Numeric	Right	Numeric State code where peanuts were inspected.		13
85	157			Space fill.		
242	3	Alpha	Left	Entry should match the first 3 letters of the file name. This is the file prefix code assigned by PSD to the entity creating the file.		VCP (For VC Peanut DMA using paper receipt)
245	1			Space fill.		
246	4	Numeric	Right	<b>IF using...</b>	<b>THEN enter...</b>	0000
				EWR’s	the number of EWR records.	
				paper receipts	zeros.	
250	4	Numeric	Right	EWR’s	zeros.	0004
				paper receipts	the number of paper receipt records.	
254	1			Space fill.		
255	1	Numeric	Left	<b>IF using...</b>	<b>THEN enter...</b>	
				EWR’s	<ul style="list-style-type: none"> <li>• “1” for loan</li> <li>• “2” for LDP.</li> </ul>	
				paper receipts	space fill.	
256	1	Numeric	Right	EWR’s	“1”	3
				paper receipts	“3”.	

**DMA Preprocessed File Specifications (Continued)**

**C Receipt Record Format**

Each file **must** have 1 or more receipt records with the following format.

Position	Size	Type	Justified	Explanation	Example
1	2	Numeric	Right	Code for the State where the loan or LDP will be made. This code <b>must</b> remain consistent throughout the entire file.	51
3	3	Numeric	Right	Code for DMA service County Office where the loan or LDP will be made. This code <b>must</b> remain consistent throughout the entire file.	802 (for VC Peanut DMA)
6	2	Numeric	Right	Enter last 2 digits of the crop year.	14
8	5	Numeric	Right	File Sequence Number that increases by 1 for each file created by the entity. The first digit of the 5-digit sequence number is the last digit of the crop year. This number <b>must</b> remain consistent throughout the entire file.	40001
13	1	Alpha	Left	ENTER “W”.	W
14	1			Space fill.	
15	8	Numeric	Right	Warehouse receipt number for the receipt. This <b>must</b> be numeric and have <b>no</b> duplicates within the file.	00076362
23	8			Space fill.	
31	8	Numeric		Date receipt was issued. Enter in “CCYYMMDD” format.	20140913
39	8	Numeric		Date storage starts. Enter in “CCYYMMDD” format.	20140913
47	1	Numeric	Right	ENTER “Seg” for this receipt (“1”, “2”, or “3” as appropriate).	1
48	8	Numeric	Right	Net pounds.	00002500
56	6.2	Numeric	Right	Net tons rounded to 2 decimals.	00000125
64	8	Numeric	Right	LSK pounds.	00000500
72	6.2	Numeric	Right	LSK tons rounded to 2 decimals.	00000025
80	8	Numeric	Right	Total pounds.	00003000
88	6.2	Numeric	Right	Total tons rounded to 2 decimals.	00000150
96	3.2	Numeric	Right	Enter ELK percent; zero fill if <b>not</b> “VIR” peanuts.	03500 (35 percent)

**DMA Preprocessed File Specifications (Continued)**

**C Receipt Record Format (Continued)**

<b>Position</b>	<b>Size</b>	<b>Type</b>	<b>Justified</b>	<b>Explanation</b>	<b>Example</b>
101	2.2	Numeric	Right	Enter moisture percent.	1000 (10 percent)
105	3.2	Numeric	Right	Enter foreign material percent.	00700 (7 percent)
110	3.2	Numeric	Right	Enter sound split percent.	00500 (5 percent)
115	3.2	Numeric	Right	Enter total SMK percent.	07500 (75 percent)
120	3.2	Numeric	Right	Enter other kernels (OK) percent.	00250 (2.5 percent)
125	3.2	Numeric	Right	Enter total damage percent.	00100 (1 percent)
130	3.2	Numeric	Right	Enter hull percent.	02150 (21.5 percent)
135	3.2	Numeric	Right	Enter total hull and kernel percent.	10000 (100 percent)
140	2.2	Numeric	Right	Enter RMD percent; valid range is 0 (minimum) through 1.00 (maximum). Field will allow 2 digits and 2 decimals.	0050 (.50 percent)
144	2.2	Numeric	Right	Enter the total amount of receiving charges.	1075 (\$10.75)
148	1	Alpha	Left	ENTER either “Y” for “Yes” or “N” for “No” to indicate whether the receiving charges have been paid.	Y
149	8	Numeric		Date storage paid through for this receipt. Enter in “CCYYMMDD” format.  <b>Note:</b> If no storage has been paid, the “date storage starts” shall be on entered on the receipt.	20141231
157	2	Alpha		ENTER “TT” (constant value).	TT

**DMA Preprocessed File Specifications (Continued)**

**C Receipt Record Format (Continued)**

Position	Size	Type	Justified	Explanation	Example
159	1.4	Numeric	Right	Prepaid in-charges per ton.	80000 (\$8.0000)
164	1.4	Numeric	Right	Prepaid out-charges per ton.	50000 (\$5.0000)
169	1.6	Numeric	Right	Monthly storage charge per ton.	2820000 (\$2.820000)
176	81			Space fill.	

**D Trailer Record Format**

Each peanut EWR data file **must** have a trailer record with the following format.

Position	Size	Type	Justified	Explanation	Example
1	2	Numeric	Right	Code for the State where the loan or LDP will be made. This code <b>must</b> remain consistent throughout the entire file.	51
3	3	Numeric	Right	Code for the county where the loan or LDP will be made. This code <b>must</b> remain consistent throughout the entire file.	802 (For VC Peanut DMA.)
6	2	Numeric	Right	Enter the last 2 digits of crop year.	14
8	5	Numeric	Right	File Sequence Number that increases by 1 for each file created by the entity. The first digit of the 5-digit sequence number is the last digit of the crop year. This number <b>must</b> remain consistent throughout the entire file.	40001
13	2	Alpha	Left	ENTER “ZZ”.	ZZ
15	4	Numeric	Right	ENTER “9999”.	9999
19	12			Space fill.	
31	4	Numeric	Right	Enter total number of receipts records in the file.	0003
35	222			Space fill.	

CCC-912-P, Agreement for Designated Marketing Association Terms and Conditions for Peanuts

The following is an example CCC-912-P.

CCC-912-P  
(05-04-11)

U.S. DEPARTMENT OF AGRICULTURE  
Commodity Credit Corporation

AGREEMENT FOR DESIGNATED MARKETING ASSOCIATION  
TERMS AND CONDITIONS FOR PEANUTS

**NOTE:** The authority for collecting the following information is Pub. L. 107-171. This authority allows for the collection of information without prior OMB approval mandated by the Paperwork Reduction Act of 1995. The time required to complete this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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 1421, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and the Farm Security and Rural Investment Act of 2002 (Pub. L. 107-171). The information will be used to determine eligibility to enter into an agreement for CCC appointment as a Designated Marketing Association for eligible peanut producers. 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 to enter into an agreement for CCC appointment as a Designated Marketing Association for eligible peanut producers. **RETURN COMPLETED FORM TO THE DIRECTOR, PRICE SUPPORT DIVISION, USDA, FSA, STOP 0512, WASHINGTON, D.C. 20250.**

1. Date of Agreement (Day, Month, Year):	2. Name of Designated Marketing Association
3. Street Address	4. City, State, Zip Code
5. Phone Number (Including Area Code):	6. State and DMA Code (Assigned by FSA):

**7. Purpose:**

- A. Under CCC's peanut marketing assistance loan program, peanut marketing assistance loans (MAL's) and loan deficiency payments (LDP's) are available to producers of peanuts in accordance with the general regulations governing the 2009 through 2012 crop, codified at 7 CFR Part 1421, and any amendments thereto (hereinafter referred to as "the regulations").
- B. According to the regulations at 7 CFR Part 1421, peanut producers may obtain peanut MAL's from a Designated Marketing Association (DMA).
- C. CCC desires to permit a DMA to act as agent for CCC in performing certain MAL making and servicing functions in accordance with CCC's peanut MAL and LDP program.

**8. Definitions:**

- A. **Designated Marketing Association** means an entity, or subsidiary thereof, that performs marketing functions for a marketing association of peanut producers, does not take title to the commodity, and is authorized by CCC to provide and to service CCC peanut MAL's and LDP's for individual producers who have beneficial interest in peanuts.

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**(Continued)**

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- B. **Administrative County Office** means the FSA County Office where a producer's FSA records are maintained.
- C. **DMA Service County Office** means a FSA County Office designated by CCC to accept, process, and disburse peanut MAL's and LDP's to the DMA.

**9. Functions to be performed by the DMA**

- A. **Functions** - Subject to other provisions of this Agreement, CCC hereby appoints the person or firm named above as a DMA for the purpose of performing certain services requisite to the making and servicing of CCC peanut MAL's and LDP's to eligible producers of eligible peanuts in accordance with the peanut MAL and LDP program carried out by CCC. The DMA may act as CCC's agent for the following purposes:

- (1) preparing and executing CCC peanut MAL and LDP application documents;
- (2) determining that producers and the commodity are eligible for peanut MAL's and LDP's;
- (3) determining that eligible peanuts are free and clear of all liens by performing lien searches at DMA expense and, if necessary, obtaining lien waivers;
- (4) instructing the holder of Electronic Warehouse Receipts (EWR), if applicable, to notify the EWR provider to amend the EWR to show CCC is the holder;
- (5) receiving CCC funds, as directed by CCC, from either a CCC approved bank or a DMA Service County Office, previously approved by CCC, for the peanut MAL or LDP amounts shown on the MAL documents presented to the bank or DMA Service County Office;
- (6) disbursing CCC peanut MAL and LDP proceeds to individual producers who have beneficial interest in eligible peanuts;
- (7) preparing and executing documents for MAL repayments;
- (8) collecting repayment funds from producers or buyers and transmitting such funds to CCC; transmitting documents to render forfeited collateral to CCC; and collecting data for reporting to CCC as required by CCC.

- B. In performing the above services, the DMA shall further:

- (1) perform such services in accordance with the procedures outlined in the applicable peanut program regulations and notices published in the Federal Register and the Code of Federal Regulations, applicable peanut FSA Handbooks and amendments thereto, and any Notices or instructions issued by the Deputy Administrator for Farm Programs; or Director, Price Support Division (PSD).
- (2) make and service CCC peanut MAL's and LDP's, only upon presentation of warehouse receipts, (unless otherwise provided by CCC), and grading information by an eligible producer to the DMA;

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**(Continued)**

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- (3) become familiar with the peanut program as set forth in the applicable regulations, notices published in the Federal Register, FSA peanut MAL Handbooks, forms, and other instructions issued relating to the peanut MAL and LDP program;
- (4) attend DMA and peanut MAL and LDP program training offered by CCC at DMA expense; and
- (5) provide sufficient personnel, computer hardware, computer communications systems, and software, as determined necessary by CCC, to administer the peanut MAL and LDP program.

**10. CCC shall:**

- A. provide producer eligibility and AGI data to the DMA that the DMA will use to determine whether the producer is an eligible producer or if the producer will exceed AGI limitation; and
- B. make FSA claim, assignment, debt, and other applicable information available to the DMA.

**11. Indebted Producers:** If the DMA is notified at any time that a producer requesting peanut MAL's or LDP's through the service provided by the DMA is indebted to CCC, is delinquent on other non-tax federal debt, or is otherwise subject to offset by CCC in accordance with the offset regulations of CCC, the DMA shall:

- A. contact CCC for the amount that is owed to CCC and is to be offset from the MAL or LDP proceeds prior to the disbursement of such proceeds; and
- B. prepare a check payable to CCC for the amount collected by offset and forward the check to CCC as directed by CCC.

**12. Fees:** The DMA may charge the producer requesting a CCC peanuts MAL or LDP a fee for preparation of MAL or LDP documents and for servicing the MAL, at a rate determined by the DMA. Fees shall be deducted from the MAL or LDP amount received by the DMA from CCC before distribution to the producer. Any fees charged by the DMA for making and servicing peanut MAL's or LDP's shall be assessed at the same rate for each producer requesting a CCC peanut MAL or LDP through the service provided by the DMA.

**13. Power of Attorney Policy:** Producers may designate the DMA, on form FSA-211 (Power of Attorney), to be the producer's agent for the purpose of executing MAL or LDP documents in order to obtain MAL's or LDP's, repaying peanut MAL's, or marketing peanuts on behalf of the producer. If the DMA is designated by a producer to be the producer's agent for the purpose of executing documents to obtain a peanut MAL or LDP, repaying peanut MAL's on behalf of the producer, or marketing the producer's peanuts, the DMA shall:

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**(Continued)**

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- A. disclose to CCC all facts which the DMA knows or should know would reasonably affect the judgment of CCC in permitting the DMA to act as agent for both CCC and the producer;
- B. include the following language (or equivalent language approved by CCC) as an attachment to each FSA-211 entered into between the DMA and a producer:

"[The producer] hereby acknowledges that [the DMA] is an agent of the Commodity Credit Corporation for the purpose of performing certain services requisite to the making and servicing of Commodity Credit Corporation peanut MAL's and LDP's to eligible producers of eligible peanuts and agrees to permit [the DMA] to act as agent for both [the producer] and the Commodity Credit Corporation. [The DMA] shall disclose to [the producer] all facts which [the DMA] knows or should know would reasonably affect the judgement of [the producer] in permitting [the DMA] to act as agent for both [the producer] and the Commodity Credit Corporation"; and

- C. submit for CCC's approval a sample copy of the FSA-211 and any attachments to be entered into between the DMA and producer.

**14. Prohibited Activity:** The DMA shall not:

- pool the producer's peanuts for the purpose of obtaining peanut MAL's or LDP's from CCC;
- pool the proceeds obtained from peanut MAL's or LDP's made by CCC;
- make settlement of MAL proceeds with producers on a pool basis;
- take title to any peanuts;
- make farm stored MAL's or LDP's unless authorized by CCC;
- make MAL's or LDP's to producers involved in bankruptcy proceedings unless otherwise authorized by CCC;
- make MAL's or LDP's to ineligible peanut producers or on ineligible peanuts;
- operate the DMA operation under the same entity and tax identification number that is a CCC-approved Cooperative Marketing Association (CMA).

**15. Scheme or Device:** The DMA will not adopt any scheme or device to circumvent the purpose of the applicable commodity program regulations, the regulation governing DMA's, or this Agreement.

**16. Marketing Services:** Any charge for marketing services performed by the DMA for a producer requesting CCC peanut MAL's or LDP's through the service provided by the DMA shall be established by the producer and the DMA before execution of a marketing agreement and power of attorney. Any such charge will be assessed at the same rate for all producers for which the DMA performs marketing services.



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**(Continued)**

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- 17. Nondiscrimination:** The DMA shall not discriminate against any person because of race, color, religion, sex, national origin, marital status, physical disability, mental disability, or age in conducting activities in accordance with this Agreement. The services of the DMA shall be made available to all eligible producers whether or not such producers have granted the DMA a power of attorney or have designated the DMA as the producer's agent for the purpose of:
- A. executing MAL documents to obtain peanut MAL's, or LDP's
  - B. repaying such peanut MAL's on behalf of the producer; or
  - C. marketing the producer's peanuts.
- 18. Financial Security:**
- A. The DMA shall furnish security to CCC in order to guarantee performance. The security shall be either:
- a certified or cashier's check payable to CCC;
  - an irrevocable commercial letter of credit in the form approved by CCC;
  - a performance or surety bond conditioned on the DMA fully discharging all of its obligations under this Agreement;
  - other form of security, as CCC may deem appropriate.
- The amount of the financial security shall be equal to an amount, as determined by CCC, that protects CCC from risk and takes into consideration the DMA's financial condition based upon the financial statements presented to gain initial DMA status and the financial statements presented to maintain DMA status.
- B. The DMA is liable to CCC for any losses incurred by CCC as a result of the DMA's failure to discharge all of its obligations under this Agreement. Payment in the amount of such losses shall be made to CCC first, from the financial security furnished by DMA, and second, by the DMA if the amount of the loss exceeds the amount of the financial security.
- 19. Records Retention:** The DMA shall maintain, according to FSA Handbook 25-AS, for an indefinite period, unless otherwise notified by CCC, all MAL or LDP, current and complete records with respect to executed MAL and LDP documents required by this Agreement.
- 20. Reviews:** The DMA shall permit CCC or its representatives to examine the books, MAL records, papers, and accounts relating to the activities of the DMA in connection with the making and servicing of CCC peanut MAL's or LDP's any time during normal business hours. Examination and inspections made by CCC or by a Federal, State, or other body authorized by CCC shall, however, in no way relieve the DMA of its obligations under the terms and conditions of this Agreement.
- 21. Release of Information:** No information collected or acquired by the DMA in its capacity as agent of CCC shall be released, supplied, or made available, without prior approval of CCC, to any person other than CCC or the person who supplied such information.

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**(Continued)**

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- 22. Maintaining DMA Status:** The DMA shall, within 4 months of the end of the DMA fiscal year, furnish to PSD:
- A. a current and audited financial statement prepared in accordance with generally accepted accounting principles and including the items listed below:
- balance sheet;
  - income statement (profit and loss statement);
  - cash flow statement;
  - statement of retained earnings;
- B. a report of audit or review of the financial statement conducted by an independent Certified Public Accountant in accordance with standards established by the American Institute of Certified Public Accountants. The accountant's report of audit or review shall include the accountant's certifications, assurances, opinions, comments and notes with respect to such financial statements; and
- C. basic DMA data including:
- any changes to DMA name, contact person name, DMA address, phone number, FAX number, or e-mail addresses;
  - a current list of DMA employees authorized to conduct CCC business;
  - copies of all CCC forms that are computer-generated by the DMA.
- 23. Liability:** The DMA shall hold CCC harmless from any claim made against CCC in connection with any MAL or LDP making, MAL servicing, or other activity carried out by the DMA which is not in accordance with the terms and conditions of this Agreement.
- 24. Termination or Suspension:** Either party may terminate this Agreement at any time upon 30-calendar days written notice to the other party. CCC may terminate this Agreement without providing 30 days notice if CCC determines that the DMA has failed to meet the terms and conditions of this Agreement. Termination of this Agreement by either party is without prejudice to any rights of a party against the other under this Agreement arising from a party's failure to meet the terms and conditions of this Agreement. If the DMA sends a notice of termination to CCC or receives a notice of termination from CCC, the DMA shall immediately cease the execution of MAL or LDP documents. CCC may also suspend the DMA from making new peanut MAL's and LDP's. If the DMA can come into compliance with CCC terms and conditions within a time period established by CCC, the suspension may be lifted.
- 25. Member Delegate:** Unless exempted by 41 U.S.C. 22, no member or Delegate to Congress, or resident commissioner, shall be admitted to any share or part of this Agreement or to any benefit arising from it. However, this provision does not apply to this Agreement to the extent that this Agreement is made with such persons in their capacity as producers of agricultural commodities or with a corporation for its general benefit.
- 26. Federal Employee Status:** This Agreement does not render the DMA or its employees, a Federal employee.

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(Continued)**

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- 27. Effective Date:** It is agreed that this Agreement will become effective upon execution by CCC and will remain in effect until terminated.

**IN WITNESS WHEREOF,** the parties have caused this Agreement to be executed on the date in Item 1.

**28. COMMODITY CREDIT CORPORATION**

A. Attest: \_\_\_\_\_ B. By \_\_\_\_\_ C. Date: \_\_\_\_\_  
(Signature) (Signature of Contracting Officer)

**29. DESIGNATED MARKETING ASSOCIATION**

A. Attest (Signature)		
B. Signature of Responsible Party (By)	C. Title/Relationship of Individual Signing in the Representative Capacity	D. Date (MM-DD-YYYY)

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**DMA Service County Office Contact Information**

The following are the service County Office contacts.

\*--

<b>Name</b>	<b>Service County Office</b>	<b>E-Mail Address</b>	<b>Contact</b>
Adams Land Company	Craighead, Arkansas	<b>deanna.bartlett@usda.gov</b>	Deanna Bartlett Phone: 870-819-4565
American Peanut Marketing Associations, LLC	Calhoun, Georgia	<b>whitney.collins@usda.gov</b>	Whitney Collins Phone: 229-849-2415 Ext. 105
Concordia Allied Producers	Worth, Georgia	<b>heather.crumley@usda.gov</b>	Heather Crumley Phone: 229-463-3148
Peanut Marketing Loan Services, LLC	Eastland, Texas	<b>sharon.curtis@usda.gov</b>	Sharon Curtis Phone: 254-629-1636, Ext. 104
V-C Peanut DMA, LLC	Southampton, Virginia	<b>teri.joyner@usda.gov</b>	Teri Joyner Phone: 757-653-2532, Ext. 3147

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