

For: CMA's, DMA's, and LSA's

CMA Record Retention Requirements

Approved by: Deputy Administrator, Farm Programs



1 Overview

A Background

According to Notice AS-2130, **all** FSA offices were informed about the:

- freeze on the destruction of loan and non-loan program-related documents and tobacco related records
- advice of the Department of Justice and OGC, that **all** records whether program-related or administrative, **must** be maintained by **all** FSA offices until further notice
- requirement that **all** FSA offices **must** retain, preserve, and maintain **all** records relating to Hurricane Katrina, resulting flooding or the aftermath.

Following the same logic, for several years, PSD has instructed CMA's to retain indefinitely all CMA producer records, either paper or electronic.

B Purpose

This notice provides new policy about records retention to **CMA's only**.

C Contact

CMA's with questions about this notice may contact Chris Kyer by:

- e-mail at chris.kyer@wdc.usda.gov
- telephone at 202-720-7935.

Disposal Date	Distribution
June 1, 2008	CMA's, DMA's, and LSA's

Notice CMA-112

2 CMA Producer Record Retention Requirements

A PSD Action

After recent discussion with key CMA's and applicable FSA records officers, PSD has determined that the current CMA record retention requirement is overly restrictive because:

- CMA producer marketing assistance loan (MAL) and LDP documents are actually records internal to a cooperative and are **not** CCC records
- CMA producer MAL and LDP data is now available to FSA as a result of the Farm Security and Rural Investment Act of 2002, Section 1614 database reporting by CMA's
- FSA offices that make and service MAL's and LDP's to CMA's already retain records for MAL's and LDP's disbursed to CMA's.

B CMA Action

CMA's shall:

- **no** longer retain MAL or LDP related producer records indefinitely
- according to 7 CFR 1425.22 (a), maintain the books, documents, papers, and records of CMA and subsidiaries for 5 years after the applicable crop year and make such records available to CCC for inspection and examination at all reasonable times
- dispose of paper records containing personally identifiable information according to Notice AS-2142 shredding guidelines.

C DMA and LSA Action

DMA's and LSA's shall:

- continue to follow the same records retention policy as established for FSA offices
- Note:** This is because DMA's and LSA's make and service MAL's and LDP's to individual producers using CCC forms
- if necessary, after the standard retention period of 6 years following the date of liquidation, transfer records to a Federal Records Center according to 25-AS.