

For: AL, AR, FL, GA, LA, MS, NC, SC, TN, and TX State and County Offices

**Certifying Dairy Spoilage Losses for the  
2005 Dairy Disaster Assistance Payment (DDAP-II) Program**

Approved by: Acting Deputy Administrator, Farm Programs



**1 Certification of Dairy Spoilage Losses**

**A Background**

The 2005 DDAP-II program compensates eligible participants for dairy spoilage losses that had to be dumped because of closed milk plants and damaged containment equipment as a result of the 2005 hurricanes in the Gulf region. Dairy producers are required to:

- provide adequate proof of dumped or spoiled milk production to the satisfaction of COC
- calculate eligible spoilage losses for the dairy operation during the eligible claim period months.

Notice LD-572, subparagraph 9 B provided that if documentation of dumped milk production is **not** available, then:

- the applicant may submit a written statement certifying the amount of dumped production
- COC must determine that the certified amount is reasonable based on the production history of the dairy operation.

A certification form has been developed to replace the written certification statements previously required by Notice LD-572, subparagraph 9 B and make certifications for dumped milk production consistent among States.

**B Purpose**

This notice informs State and County Offices of CCC-745, a new certification form that replaces written certifications from DDAP-II applicants of spoiled or dumped milk losses. CCC-745 is available on the following web sites:

- FSA at <http://165.221.16.90/dam/ffasforms/forms.html>
- eForms at <http://forms.sc.egov.usda.gov/eforms/mainervlet>.

<b>Disposal Date</b>	<b>Distribution</b>
July 1, 2007	Above State Offices; State Offices relay to County Offices

**Notice LD-578**

**1 Certification of Dairy Spoilage Losses (Continued)**

**C Completing CCC-745**

If documentation of dumped or spoiled milk production is not available, then dairy producers may certify the pounds and dates dumped or spoiled on CCC-745 according to Exhibit 1. Attach the completed CCC-745 to CCC-743 for the dairy operation.

**Note:** Producers in dairy operations that previously provided certified written statements of dairy spoilage losses to the County Office must be contacted to request that CCC-745 be completed to certify spoilage losses and replace written statements.

**D Supporting Evidence**

The specific reason that caused the milk production to spoil or be dumped must be provided by the producers in the dairy operation on CCC-745 along with any evidence to substantiate the reason provided. Since the conditions that may have caused the spoilage or dumping of the milk production will vary according to region, COC or the designee must:

- be satisfied with the reason and supporting evidence provided
- determine that the certified amount is reasonable based on the production history of the dairy operation.

**Note:** Supporting evidence **must** be attached to CCC-743.

**E General Reasons for Spoilage or Dumping**

Hurricane related reasons for dairy production spoilage or dumping include, but are not limited to the following:

- no refrigeration
- no road access
- no milk pick-up
- contaminated production.

**F Contact**

State Offices shall direct questions about this notice or the DDAP-II program to either of the following.

<b>Name</b>	<b>Telephone Number</b>	<b>E-mail Address</b>
Dani Cooke, PSD	202-720-1919	<a href="mailto:danielle.cooke@wdc.usda.gov">danielle.cooke@wdc.usda.gov</a>
Elizabeth Miller, PSD	202-690-8038	<a href="mailto:elizabeth.miller@wdc.usda.gov">elizabeth.miller@wdc.usda.gov</a>

**Completing CCC-745**

**A Instructions for Completing CCC-745**

Complete CCC-745 according to the following.

Item	Instructions
<b>Part A – General Information</b>	
1	Enter the applicable State code.
2	Enter the applicable county code.
3	Enter the assigned contract number from CCC-743.
4 A and B	Enter the name of the dairy operation and the contact producer’s name
<b>Part B – Dumped Milk Record</b>	
5	Enter the date the dairy production was dumped by the handler or dairy operation.
6	Enter the quantity in pounds of dairy production dumped.
7	Enter the circumstance or reason the dairy production spoiled and had to be dumped.
8	Enter the type of evidence or documentation that supports the reason or circumstance the dairy production had to be dumped.
<b>Part C – Producer Certification</b>	
9 and 10	After reading the certification statement in Part C, sign and date as applicable. All producer’s who share in the dairy operation must sign and date, as applicable.
<b>Part D – CCC Acceptance and Approval</b>	
11 A through 11 D	COC designee shall print their name, signature, title, and date of signature.
12	COC designee shall enter a check (✓) in the appropriate box to approve or disapprove certification.
13	COC designee shall enter any noteworthy remarks or remarks about the supporting evidence or approval or disapproval of the certification.

Completing CCC-745 (Continued)

B Example of CCC-745

The following is an example of CCC-745.

<p><b>CCC-745</b> (12-05-06)</p>		<p>U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation</p>		<p>See Page 2 for Privacy Act and Public Burden Statements.</p>	
<p><b>2005 DAIRY DISASTER ASSISTANCE PAYMENT (DDAP-II) DUMPED MILK CERTIFICATION</b></p>		<p>1. State Code</p>	<p>2. County Code</p>	<p>3. Application Number (From CCC-743)</p>	
<p><b>PART A - GENERAL INFORMATION</b></p>					
<p>4A. Name of Dairy Operation</p>			<p>4B. Contact Producer's Name</p>		
<p><b>PART B - DUMPED MILK RECORD</b></p>					
<p>5. DATE (MM-DD-YYYY)</p>	<p>6. POUNDS DUMPED</p>	<p>7. REASON PRODUCTION WAS DUMPED</p>	<p>8. EVIDENCE SUBMITTED</p>		
	lbs.				
<p><b>PART C - PRODUCER CERTIFICATION</b></p>					
<p><i>I certify that all the information entered on this certification is true and correct and all persons in this operation have provided accurate information regarding the dairy spoilage losses suffered by the dairy operation as a result of Katrina, Ophelia, Rita and/or Wilma in 2005. I understand that it is my responsibility to provide documentation and evidence to the satisfaction of the County FSA Committee that supports this certification and the conditions that lead to the spoilage of milk from this dairy operation as the result of a qualifying hurricane. I understand that I can be denied payments based on the inaccuracy in this certification and application. I understand that payments are subject to conditions and limits imposed by regulation and CCC and that this is a certification that must accompany a completed application, CCC-743. All information provided herein is subject to verification by CCC. The criminal and civil fraud statutes that apply to this certification, may include 15 USC 714m, 18 USC 286, 297, 371, 641, 651, and 1001; and 31 USC. Other authorities may apply.</i></p>					
<p>9. Producer's Signature</p>			<p>10 Date Signed (MM-DD-YYYY)</p>		
<p><b>PART D - CCC ACCEPTANCE AND APPROVAL</b></p>					
<p>11A. Name of COC Designee</p>			<p>11B. Title of COC Designee</p>		
<p>11C. Signature of COC Designee</p>			<p>11D. Date Signed (MM-DD-YYYY)</p>		
<p>12. CERTIFICATION STATUS:    <input type="checkbox"/> APPROVED    <input type="checkbox"/> DISAPPROVED</p>					
<p><small>The U.S. Department of Agriculture (USDA) prohibits discrimination in all its program 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, genetic information, political beliefs, 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). To file a complaint of Discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.</small></p>					

Completing CCC-745 (Continued)

B Example of CCC-745

CCC-745 (12-05-06)

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13. REMARKS

**NOTE:** *The authority for collecting the following information is Pub. L. 109-234, 120 Stat. 474. 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 15 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). The authority for requesting the following information is authorized by the Emergency Agricultural Disaster Assistance Act of 2006 (Pub. L. 109-234). The information will be used to establish eligibility and determine payment amounts for dairy operations located in Presidential and Secretarial declared disaster counties, and counties contiguous, when requesting benefits under the 2005 Dairy Disaster Assistance Payment (DDAP-II) Program due to 2005 hurricanes Katrina, Ophelia, Wilma, and Rita, and related conditions. Furnishing the requested information is voluntary, however failure to furnish the requested information will result in a determination of ineligibility for DDAP-II Program benefits unless this report is completed and filed as required by existing law and regulations (7 CFR Part 1430). This information may be provided to other agencies, IRS, Department of Justice, or other State and Federal law enforcement agencies, and in response to a court magistrate or administrative tribunal or to other request for information. The provisions of criminal and civil fraud statutes, including 18 USC 286, 287, 371, 641, 651, 1001, 1004 and 31 USC 3729, may be applicable to the information provided. **RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.***