

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

MAL and LDP Producer Eligibility Requirements for Crop Years 2009 Through 2012

Approved by: Deputy Administrator, Farm Programs



1 Overview

A Background

Notice LP-2135 provided:

- general MAL and LDP policies for 2009 through 2012 crop years
- producer eligibility requirements.

B Purpose

This notice is being issued to clarify MAL and LDP producer eligibility requirements for crop years 2009 through 2012.

2 MAL and LDP Producer Eligibility

A Producer Eligibility for Crop Years 2009 Through 2012

For crop years 2009 through 2012, MAL's and LDP's are available to eligible producers according to 8-LP, paragraph 100.

An eligible producer is a person or entity that has complied with eligible annual program requirements according to 8-LP, paragraph 128, including:

- reporting acreage for applicable crops, according to 2-CP
- completing AS-1026, according to 6-CP
- completing CCC-926, according to 4-PL:
 - CCC-926 is **not** needed at the time of loan disbursement
 - CCC-926 is required if the MAL is repaid under the marketing loan gain provision or upon request of LDP benefits.

Disposal Date	Distribution
April 1, 2010	State Offices; State Offices relay to County Offices and FAX to CMA's and DMA's

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2 MAL and LDP Producer Eligibility (Continued)

A Producer Eligibility for Crop Years 2009 Through 2012 (Continued)

Foreign persons or foreign entities are ineligible for MAL's, marketing loan gains, or LDP's.

Note: Apply foreign person provisions and the foreign person rule according to 4-PL, Part 3.

States, local government, political subdivisions, and agencies thereof are **not** authorized to receive any MAL, marketing loan gain, or LDP.

B Foreign Person

The applicable CCC-902 is needed on file at the time of MAL disbursement or LDP request to determine foreign person status. In most instances, producers who participate in DCP/ACRE have already submitted the applicable CCC-902 for an actively in farming determination and to determine foreign person status.

Producers who apply **only** for MAL or LDP will need to complete the U.S. citizenship and certification portions of CCC-902 to certify U.S. citizenship status. No other parts of CCC-902 have to be completed. County Offices shall manually denote across the top of CCC-902 the following statement.

“For MAL and LDP purposes only”

3 Action

A State Office Action

State Offices shall instruct County Offices to notify all producers of the contents of this notice using all available resources.

B County Office Action

County Offices shall:

- continue to use 8-LP for additional guidance
- use every available resource to inform producers and farm organizations of the contents of this notice.