

For: State and County Offices, and Designated Marketing Associations (DMA's)

CCC-633 EZ, Loan Deficiency Payment (LDP) Agreement and Request

Approved by: Deputy Administrator, Farm Programs



1 Overview

A Background

Loan deficiency payments (LDP's) are payments made to producers who, although eligible to obtain a marketing assistance loan (MAL), agree to forgo the loan in return for a payment on an eligible commodity. LDP's are currently requested on CCC-709, CCC-633 LDP, and through the online eLDP process. LDP's must be requested before beneficial interest is lost according to 8-LP, Part 2 and before the final loan availability date for the eligible commodity.

Each crop year, numerous producers fail to submit an applicable LDP request for program benefits before beneficial interest (BI) is lost in the commodity. Producers and other members of the agricultural industry have attributed the loss of benefits to the use of multiple forms to obtain the same benefit and the lack of understanding about BI. The BI requirement is statutory; therefore, requests for relief in those cases could not be granted.

In an effort to simplify the LDP program, a new form will be made available on or about August 1, 2005. The new form allows producers to indicate intentions to receive LDP benefits before loss of BI and allows producers to submit an LDP request for benefits at any time during the loan/LDP availability period (before or after losing BI). This form will be effective for the 2005 and subsequent crop years.

The new form, CCC-633 EZ, has been developed to encompass:

- field direct LDP's
- basic LDP's
- cotton AA.

Disposal Date	Distribution
July 1, 2006	All FSA Offices; State Offices relay to County Offices and DMA's

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1 Overview (Continued)

A Background (Continued)

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

- date BI is lost in the eligible commodity, according to acceptable production evidence
- the date of request for payment.

B Purpose

This notice provides States and County Offices, and DMA's with:

- general information on implementing and using CCC-633 EZ
- policies and procedures for using CCC-633 EZ for 2005 and subsequent crop years
- instructions and an example of CCC-633 EZ (Exhibit 1)
- policy clarification in question and answer format (Exhibit 2).

Notes: See Notice CN-988 for policies specific to cotton and CCC-633 EZ, Page 3.

Producers are still required to meet all producer and commodity eligibility requirements as provided in 8-LP. 8-LP will be amended to include policies and procedures applicable to CCC-633 EZ.

C Contact

If there are any questions about this notice or CCC-633 EZ, contact either of the following.

Name	Telephone	Email Address
Kimberly Graham	202-720-9754	KGraham@wdc.fsa.usda.gov
DeAnn Allen	202-720-9889	DeAnn.Allen@wdc.usda.gov

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2 General Information About CCC-633 EZ

A General Information

CCC-633 EZ allows producers to enter into an agreement with CCC to indicate their intention to receive LDP benefits for all eligible commodities for the applicable crop year. CCC-633 EZ:

- incorporates all types of LDP requests into a single 3-page application form
- **Note:** CCC-633 EZ, Page 1, is the LDP agreement; and Page 2 or Page 3, is the LDP benefit request.
- ensures LDP eligibility for eligible producers on all eligible commodities when Page 1 is filed before loss of BI and before the final loan availability date
- can be used to request LDP's for all eligible loan commodities listed in 8-LP, subparagraph 127 C including hay, silage, and green peanuts
- covers all quantities the producer has BI in on the date Page 1 is completed and received in the applicable County Office
- only needs to be filed in 1 County Office for all counties in which the producer has an interest in an eligible commodity
- needs to be filed in DMA from which a peanut producer intends to obtain a peanut LDP
- does 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.

- applies to CMA's who apply to Service County Offices for LDP's.
- simplifies the LDP application process for producers and County Office employees.

Producers **must** submit CCC-633 EZ, Page 2, on or before the applicable final loan availability date for the respective commodities to be eligible for the LDP benefit.

See Exhibit 1 for instructions for completing CCC-633 EZ.

See Exhibit 2 for questions and answers about using CCC-633 EZ.

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2 General Information About CCC-633 EZ (Continued)

B CCC-633 EZ, Page 1

CCC-633 EZ, Page 1:

- allows producers to indicate their intention to receive LDP benefits
- is completed one time per crop year for all eligible commodities.

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 commodity becomes ineligible for MAL, when CCC-633 EZ, Page 2 has been submitted for payment of LDP benefits for a specific quantity.

C CCC-633 EZ, Page 2

To receive LDP benefits under CCC-633 EZ, producers must complete and submit CCC-633 EZ, Page 2 to the applicable County Office or DMA. Producers who request an LDP benefit:

- and retain BI in the requested quantity, will receive an LDP based on the LDP rate in effect on the date a completed CCC-633 EZ, Page 2 is received in the County Office or DMA

Note: This option is similar to requesting LDP benefits on CCC-633 LDP.

- after BI is lost in the requested quantity, will receive an LDP based on the LDP rate in effect in the administrative County Office on the date BI was lost.

Note: The County Office or DMA has the sole discretion for determining when BI is lost in the commodity as provided in 8-LP. Acceptable production evidence **must** be provided with CCC-633 EZ, Page 2 if the producer no longer retains BI in the requested quantity.

When production evidence is provided with CCC-633 EZ, Page 2, LDP will not be subject to spot check. Certified LDP's are subject to random spot check and producers are required to submit acceptable production evidence according to 8-LP, subparagraph 535 C. County Offices may require the submission of other documentation to determine program eligibility and date BI was lost in the requested quantity.

For commodities harvested as other than grain, fed, used for seed, or slaughtered, CCC-633 EW must be completed before LDP can be issued.

Multiple requests for LDP benefits, CCC-633 EZ, Page 2, may be submitted to cover all eligible quantities.

For the 2005 crop year **only**, producers who want to receive LDP based on the date of delivery, must request LDP using CCC-709.

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2 General Information About CCC-633 EZ (Continued)

D LDP Rate and Amount

The applicable LDP rate and amount will be calculated according to the following table.

IF CCC-633 EZ, Page 2 is submitted and...	THEN the LDP benefit is based on the...
the producer retains BI in the requested quantity	requested quantity times the LDP rate in effect for the county where the commodity is stored on the date of the request.
BI has been lost in the requested quantity	requested quantity times the LDP rate in effect in the administrative county for the eligible commodity on the date BI was lost.

E CCC-633 EZ Availability

CCC-633 EZ is available from the following Web sites:

- PSD Web site at www.fsa.usda.gov/dafp/psd
- eForms Web site at <http://forms.sc.egov.usda.gov/eforms/mainervlet>
- FFAS Employee Forms Web site at <http://165.221.16.90/DAM/ffasforms/forms.html>.

3 Transition to CCC-633 EZ for 2005 and Subsequent Crop Years

A 2005 Crop Year

The 2005 crop year will be a transition year for implementing and using CCC-633 EZ. For the 2005 crop year, CCC-633 EZ will be used to request LDP benefits in addition to LDP requests received on CCC-709, CCC-633 LDP, and the eLDP online process. County Offices or DMA's shall accept any of these methods of payment requests for the 2005 crop year.

eLDP's are available to all eligible customers with eAuthentication Level 2 accounts and customer profiles. eLDP's shall be requested according to Notice PS-509.

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3 Transition to CCC-633 EZ for 2005 and Subsequent Crop Years (Continued)

A 2005 Crop Year (Continued)

For the 2005 crop year:

- County Offices or DMA's shall honor CCC-709's and CCC-633 LDP requests that have been submitted and are currently on file

Notes: County Offices or DMA's shall encourage producers to file CCC-633 EZ to provide benefits on quantities not covered under the original CCC-709 that is on file. For those producers who file CCC-633 LDP, inform them of the applicability of CCC-633 EZ for the 2006 and subsequent crop years and the possible benefits for the 2005 crop year.

When CCC-633 EZ is filed after CCC-709 was filed, CCC-633 EZ will only be applicable to those bushels that are not covered under CCC-709.

- previously filed CCC-709 will take precedence over CCC-633 EZ, unless CCC-709 is withdrawn or revised by a producer according to 8-LP, paragraph 305
- CCC-633 EZ does not provide benefits for eligible quantities in which BI was lost before CCC-633 EZ was submitted and approved
- if CCC-709 is not on file, CCC-633 EZ, Page 2, covers quantities in which the producer retains BI and may be used to request LDP benefits, provided CCC-633 EZ, Page 1 is completed before loss of BI.

B 2006 and Subsequent Crop Years

Beginning with the 2006 crop year, CCC-709 and CCC-633 LDP will be obsolete. CCC-633 EZ and the eLDP online request shall be the only methods available to request and obtain LDP benefits. The eLDP online process will be enhanced to include a data field to indicate that CCC-633 EZ is on file for the applicable producer. A future PS notice will provide details of the enhancement and its availability to State and County Offices.

CCC-633 EZ can be submitted in person, by mail, fax, or through eForms.

Note: FSA-237 must be on file with the County Office before a FAXed request is received to be considered a valid request.

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4 State and County Office Action

A State Action

SED's and State Price Support Specialists shall ensure that:

- County Offices immediately notify producers of the contents of this notice using all available sources
- policies and procedures in this notice are being uniformly followed by County Offices.

B County Office Action

County Offices shall:

- publicize the contents of this notice to all producers, commodity groups and associations, and local farm organizations or other interested parties through:
 - oral discussion
 - newsletters
 - other methods of communication, such as radio broadcasts, etc.
- contact producers that have current CCC-709 requests on file for the 2005 crop year and inform them of the contents of this notice
- use the question and answers provided in Exhibit 2 for guidance when explaining the concept of CCC-633 EZ.

Completing CCC-633 EZ

A Instructions for Completing CCC-633 EZ

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

Item	Instructions
1	Enter the producer’s name and address. This should be the name of the individual, joint operation, or entity for which benefits may be requested.
2	Enter the telephone/cell number, including area code, of the applicant.
3	Enter the last 4 digits of the Social Security or tax ID number of the producer or entity in item 1.
4	Enter the crop year for the commodities covered by the LDP agreement..
5	<p>Enter the States(s) (if necessary) and county(s), where the applicant has an interest for the designated crop year.</p> <p>Note: This form covers interests in all eligible LDP commodities of the applicant listed in item 1. The County Office that first receives Page 1 shall forward to other County Offices, as applicable, by fax or mail.</p>
Part A – Terms and Conditions	
All applicants requesting LDP shall review and understand the terms and conditions of this agreement.	
Part B – Methods of Payment Request	
<p>All applicants requesting LDP shall review and understand the methods by which a payment request may be initiated under this agreement.</p> <p>Note: A request for payment (CCC-633 EZ, Page 2 or 3) must be received in the County Office before the final loan availability date for the applicable commodity.</p>	
Part C – Producer Signature and Certification	
6 and 7	<p>After reading the certification statement, the applicant shall enter signature and date.</p> <p>Note: Generally there will be 1 form per individual/joint operation/entity. Multiple signature lines are provided for cases where multiple signatures are required to act for the joint operation/entity. If additional signature lines are needed, the applicants shall use CCC-633 EZ, Continuation, Page 4, Part C.</p>
Part D – CCC Agreement (FSA Use Only)	
8	Enter signature of authorized CCC representative.
9	Enter title of authorized CCC representative.
10	Enter date of CCC representatives signature.
11	Enter any additional information pertinent to the approval or disapproval of this agreement.
12	Enter the name and address of the County FSA Office, LSA, or DMA receiving and signing the original CCC-633 EZ, Page 1. The County Office may enter their assigned State and county code in place of their name and address.

Completing CCC-633 EZ (Continued)

A Instructions for Completing CCC-633 EZ (Continued)

CCC-633 EZ, Pages 2 or 3 (Request for LDP or Request for Cotton LDP), must accompany all requests for payment. If additional information is needed to determine eligible producer, net quantity, and payment rate, the request will not be paid until evidence is provided.

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

Item	Instructions
Part E - Request for LDP	
13	Enter producer's name and address. Entry should be the same as CCC-633 EZ, Page 1, Item 1.
14	Enter the last 4 digits of the applicant's Social Security or tax ID number.
15	Enter the telephone/cell number, including area code, of the applicant.
16	Enter the crop year for which LDP is requested.
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	For FSA use only. Enter the processing system assigned LDP number.
19	<p>Enter the commodity for which LDP is requested along with the class, variety, or type, as applicable.</p> <p>For sunflowers, enter "oil" or "other" as applicable. For wool, enter "graded" or "ungraded" as applicable. If the producer has entered "graded", also enter the micron and yield from the core test results.</p> <p>If the commodity requested is wheat and the class is mix, producers must indicate the predominate class of wheat.</p>
20	<p>Enter the net quantity and unit of measure requested for this payment.</p> <p>For commodities harvested as other than grain, the quantity may be certified as tons, acres harvested, bushels, pounds or hundredweight (cwt).</p> <p>For wool and mohair the quantity must be in pounds.</p> <p>CCC is required to establish a whole grain yield according to 8-LP, paragraph 536.</p>
21	Enter the share of the quantity in Item 20 for the LDP requested.

Completing CCC-633 EZ (Continued)

A Instructions for Completing CCC-633 EZ (Continued)

Item	Instructions
22	<p>Check the box, A (Certified), B (Measurement Service), or C (Production Evidence), that corresponds with the source of the quantity in item 20.</p> <p>If no acceptable production and/or sales evidence is provided at the time of payment request, check box “A” for certified. Certified quantities are subject to spot-check and CCC may require production evidence to support the certification.</p> <p>If measurement service is requested to determine quantity, check box “B”. The servicing County Office will initiate a measurement service at the location described in Item 23. 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> <p>If this request for payment is accompanied by production and/or sales evidence, check box “C”. When acceptable production and/or sales evidence is provided at the time of payment request, no additional documentation will be required.</p>
23	<p>Enter the State (if necessary) and county, where the quantity in Item 20 is stored. In addition, enter the location within the same county where the commodity is stored.</p> <p>For example, bin number, legal description, and/or land description. Enter the warehouse name if commodity is warehouse-stored.</p> <p>A separate LDP request must be completed for quantities stored in a different county.</p>
24	<p>Enter the date of this request or the date beneficial interest was lost. If a request has multiple dates (such as date of feeding or sale) and production evidence or schedule/ledger is provided that shows when beneficial interest is lost, this item can be left blank.</p>
25	<p>For FSA use only. Enter the LDP rate in effect as it determines when beneficial interest was lost or when an acceptable application is submitted.</p>
Part F – Producer Certification	
26 and 27	<p>The producer shall sign and date each request at the time of completion. This indicates the applicant’s intention to receive an LDP payment based on the applicable quantity and effective LDP rate. If additional signature lines are needed, use CCC-633 EZ Continuation, Page 4, Part F.</p> <p>If beneficial interest has not been lost, the effective LDP rate will be based upon the time and date a properly completed request for payment is received in the County FSA Office.</p>
Part G – CCC Approval	
28	<p>Enter signature of authorized CCC representative.</p>
29	<p>Enter title of authorized CCC representative.</p>
30	<p>Enter date of CCC representatives approval.</p>
31	<p>FSA office will check either “Approved” or “Disapproved”.</p>
32	<p>Enter any additional information pertinent to the approval or disapproval of this payment request.</p>

Completing CCC-633 EZ (Continued)

A Instructions for Completing CCC-633 EZ (Continued)

Complete CCC-633 EZ, Page 3 according to Notice CN-988, Exhibit 2.

CCC-633 EZ Continuation, Page 4 is a continuation sheet for additional signatures, if required.

Under the form heading, enter the page number (1, 2, or 3) on the solid line that this specific form is to be attached.

Item	Instructions
	Part C – Producer Certification
	If this form is a continuation page for CCC-633 EZ, Page 1, check the box in front of Part C.
6 and 7	After reading the certification statement on CCC-633 EZ, Page 1, Part C, the additional producers on this agreement shall sign and date.
	Part F – Producer Certification
	If this form is a continuation page for CCC-633 EZ, Page 2, check the box in front of Part F.
26 and 27	To certify CCC-633 EZ, Page 2, Part F, the additional producers on this agreement shall sign and date.
	Part J – Producer Certification
	If this form is a continuation page for CCC-633 EZ, Page 3, check the box in front of Part J.
43 through 45	To certify CCC-633 EZ, Page 3, Part J, the additional producers on this agreement shall sign, enter the shares, and date.

Completing CCC-633 EZ (Continued)

B Example of CCC-633 EZ

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

<p>This form is available electronically.</p>		<p>Form Approved - OMB No. 0560-0129</p>	
<p>CCC-633 EZ (07-21-05)</p>		<p>U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation</p>	
<p>LOAN DEFICIENCY PAYMENT (LDP) AGREEMENT AND REQUEST</p>			
<p>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:</p> <ul style="list-style-type: none"> • risk of loss in the commodity • title to the commodity • control of the commodity 		<p>1. Name and Address of Producer (Include ZIP Code) (Please Print)</p>	
		<p>2. Telephone/Cell Number (Include Area Code):</p>	
		<p>3. ID Number (Last 4 Digits):</p>	<p>4. Crop Year:</p>
		<p>5. State(s) and County(s)</p>	
<p>File this form BEFORE loss of beneficial interest (risk of loss, 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 commodities for the individual, joint operation, or entity identified in Item 1. The CCC-633 EZ - LDP Request (Page 2) or Cotton LDP Request (Page 3) must be completed BEFORE the final loan/LDP availability date to receive LDP benefits.</p>			
<p>PART A - TERMS AND CONDITIONS</p>			
<ul style="list-style-type: none"> • 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. For cotton LDP's requested on CCC-633 EZ Cotton (Page 3), the LDP rate will be based on the information provided on Page 3. • 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). • 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. • CCC may request copies of contracts and supplemental documentation to determine eligible quantity and when beneficial interest was lost. • 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. • All producers with an interest in the quantity covered by this agreement must sign a CCC-633 EZ Part C, to obtain LDP benefits. 			
<p>PART B - METHODS OF PAYMENT REQUEST (Request must be submitted by final loan/LDP availability date.)</p>			
<ul style="list-style-type: none"> • For quantities represented by verifiable production evidence under this agreement, submission of evidence in combination with Part E of this form shall be considered a request for payment. Evidence must include sufficient data to determine producer and commodity eligibility and LDP rate. • 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 of this form. Additional information may be requested by CCC to determine producer and commodity eligibility and LDP rate. • Submission of an eLDP shall be a request for payment. The CCC-633 EZ Part E is not required for that specific quantity. • 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 payment limitation; 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. 			
<p>PART C - PRODUCER SIGNATURE AND CERTIFICATION (For additional signatures, complete CCC-633 EZ Continuation, Part C)</p>			
<p>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, 1423, 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, 1423, 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 or an eLDP online request before obtaining LDP amounts.</p>			
6. Signature of Producer	7. Date (MM-DD-YYYY)	6. Signature of Producer	7. Date (MM-DD-YYYY)
6. Signature of Producer	7. Date (MM-DD-YYYY)	6. Signature of Producer	7. Date (MM-DD-YYYY)
<p>PART D - CCC AGREEMENT (FOR CCC USE ONLY)</p>			
8. Signature of CCC Representative		10. Date (MM-DD-YYYY)	11. Additional Information
9. Title of CCC Representative		12. Name and Address of County FSA Office or LSA or DMA	
<p>NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the following information is 7 CFR Parts 1421 and 1427. The information will be used to determine eligibility and the amounts of program benefits. Furnishing the requested information is voluntary. Failure to furnish the requested information will result in determination of ineligibility for program benefits. 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. The provisions of criminal and civil fraud statutes, including 18 USC 238, 287, 371, 641, 651, 1001, 13 USC 714n, and 31 USC 372b, may be applicable to the information provided.</p> <p>According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0560-0129. 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. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</p>			
<p>Page 1</p>			
<p>The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited basis 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 USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.</p>			

Completing CCC-633 EZ (Continued)

B Example of CCC-633 EZ (Continued)

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

CCC-633 EZ (07-21-05)
PART E - REQUEST FOR LDP

13. Name and Address of Producer (Include Zip Code) (Please Print) 14. ID Number (Last 4 Digits) 15. Telephone/Cell Number (Include Area Code) 16. Crop Year 17. Are you or any co-applicant delinquent on any federal non-tax debt? If "YES", explain in Item 32.
 YES NO

A completed CCC-633 EZ (Page 1) must be on file before beneficial interest (risk of loss, 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.

Complete Items 19 through 24 and sign/date below. Indicate in Item 22 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 24. If additional entries are needed, provide data on an additional CCC-633 EZ, Page 2.

18. LDP No. (FSA use only)	19. Commodity Class, Variety, Type	20. Net Quantity Requested and Unit of Measure (bu., tons, cwt, lbs., etc)	21. % Share of Quantity in Item 20	22. Source of Quantity (Check one of the following)			23. Stored Location, if applicable (State, County, Warehouse, or Bin Site) Examples: Warehouse-Stored: Ohio, Athens Co., ABC Warehouse Farm-Stored: Texas, Webb Co., 30' Butler Bin, North of House	24. Effective Date of LDP Rate (Date of Request or Date Beneficial Interest was Lost)	25. LDP Rate (FSA Use Only)
				A. Certified	*B. Measurement Service	C. Production Evidence			

* 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 20, a specific quantity or "ALL" for this LDP application to be valid.

PART F - PRODUCER CERTIFICATION (For additional signatures, complete CCC-633 EZ Continuation, Part F)
 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.

26. Signature of Producer 27. Date (MM-DD-YYYY) 26. Signature of Producer 27. Date (MM-DD-YYYY) 26. Signature of Producer 27. Date (MM-DD-YYYY)

PART G - CCC APPROVAL (FOR CCC USE ONLY)

28. Signature of CCC Representative 29. Title of CCC Representative 30. Date (MM-DD-YYYY) 31. Action: Approved Disapproved 32. Additional Information

Page 2

Completing CCC-633 EZ (Continued)

B Example of CCC-633 EZ (Continued)

The following is an example of CCC-633 EZ Continuation.

CCC-633 EZ Continuation (07-21-05)		U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation			
CONTINUATION SHEET FOR LOAN DEFICIENCY (LDP) PAYMENT AGREEMENT AND REQUEST (Use with CCC-633 EZ Pages 1, 2 or 3)					
Attach to Form CCC-633 EZ _____					
Enter a Check by the Appropriate Part to Indicate which Section this Form Applies.					
PART C - PRODUCER CERTIFICATION (CCC-633 EZ Page 1) (Continuation)					
6. Signature of Producer	7. Date (MM-DD-YYYY)	6. Signature of Producer	7. Date (MM-DD-YYYY)		
PART F - PRODUCER CERTIFICATION (CCC-633 EZ Page 2) (Continuation for LDP Request)					
26. Signature of Producer	27. Date (MM-DD-YYYY)	26. Signature of Producer	27. Date (MM-DD-YYYY)		
PART J - PRODUCER CERTIFICATION (CCC-633 EZ Page 3) (Continuation for Cotton LDP Request)					
43. Signature of Producer	44. % Share	45. Date (MM-DD-YYYY)	43. Signature of Producer	44. % Share	45. Date (MM-DD-YYYY)

CCC-633 EZ Questions and Answers

Question 1: If a producer signs CCC-633 EZ, can he/she still request a marketing assistance loan (MAL) on all or some portion of eligible commodities?

Answer 1: Yes, the producer can obtain MAL. CCC-633 EZ, Page 1, allows the producer to indicate his intentions to request LDP. However, if a request for payment (CCC-633 EZ, Page 2 or 3) has been completed and submitted to the County FSA Office that specific quantity is ineligible for MAL.

Question 2: A producer has land in several States and counties. Does he/she have to file CCC-633 EZ, Page 1, in every State and county?

Answer 2: No. A producer can complete and submit CCC-633 EZ, Page 1, in 1 county and that County Office will be responsible for faxing or mailing a completed CCC-633 EZ, Page 1, to all States and counties in which the producer has an interest.

Question 3: Will CCC-633 EZ cover multiple crop years?

Answer 3: No, CCC-633 EZ is crop year specific. However, CCC-633 EZ covers all the LDP eligible commodities for the producer or entity for the specified crop year.

Question 4: When a producer who farms as an individual, is also a member of a general partnership and has an interest in a corporation, how many CCC-633 EZ, Page 1's, will have to be completed?

Answer 4: Three. The producer is considered 3 separate entities (individual, member of a corporation, and member of a partnership).

Question 5: When is the best time to have a producer complete CCC-633 EZ, Page 1?

Answer 5: Before beneficial interest is lost in the applicable crops. It is anticipated most producers would probably complete CCC-633 EZ, Page 1, at time of crop certification. Although certification may be completed for this crop year, County Offices are encouraged to obtain CCC-633 EZ, Page 1's, for all producers to cover any existing eligible commodity.

Question 6: A producer completed CCC-709 before CCC-633 EZ was available. Can the producer complete one now?

Answer 6: Yes, for any quantity that has not been harvested. CCC-633 EZ, Page 1, can be completed anytime before loss of beneficial interest in the applicable quantity. If the producer has lost beneficial interest on a quantity not covered by CCC-709 before CCC-633 EZ, Page 1 was completed, that quantity would not be eligible for LDP benefits.

CCC-633 EZ Questions and Answers (Continued)

Question 7: Do cotton producers who sign CCC-633 EZ, Page 1, have the same options for requesting LDP's as were available in past years?

Answer 7: Yes. All options for requesting cotton LDP's remain in effect.

Question 8: What is the advantage to filing CCC-633 EZ, Page 1, if the producer has CCC-709 on file for the 2005 crop year?

Answer 8: CCC-709 only covers quantities delivered directly from the field to a processor, buyer, warehouse, wool pool, or cooperative at harvest (or fed immediately during harvest). A timely filed CCC-633 EZ, Page 1 will cover:

- **any additional quantities delivered for sale that were not indicated, such as “over-run bushels”, not to exceed the reasonable quantity for that commodity**
- **production sold before LDP payment request is made**
- **the commodity that is delivered for storage on a CCC-633 LDP request that was NOT requested before loss of beneficial interest, if item D was checked on CCC-709 indicating CCC-709 only covered quantities immediately sold.**

Example: A producer completed CCC-709 for oats on May 15, 2005. CCC-709, Part B indicated “Only quantities delivered for immediate sales. Any quantity delivered for storage must be covered by CCC-633 LDP before loss of beneficial interest”. CCC-633 EZ, Page 1, was filed on August 19, 2005.

The oats were harvested on August 10, 2005. All production was harvested, delivered, and stored at Farmer's Warehouse. The oats were sold October 3, 2005, and the County Office was provided settlement sheets on October 4, 2005. Since CCC-633 EZ, Page 1, was on file before the producer lost beneficial interest in the oats, the producer is eligible to receive the LDP rate in effect on October 3, 2005. All oats production would have been ineligible for LDP benefits in this example if the producer had not filed CCC-633 EZ, Page 1.

CCC-633 EZ Questions and Answers (Continued)

Question 9: In the past, producers have certified a quantity of crop (10,000 bu. of corn, for example), only to find out at time of delivery that they under certified and delivered more quantity (11,000 bu.). The additional quantity was ineligible for LDP since beneficial interest was lost at time of delivery. Will CCC-633 EZ help in these situations?

Answer 9: Yes. If CCC-633 EZ, Page 1, was on file before loss of beneficial interest, LDP can be obtained on the additional quantity and the LDP rate would be based on the day beneficial interest was lost, if applicable. CCC-633 EZ, Page 2, must be submitted by the final loan availability date to obtain benefits. For production delivered after the final loan/LDP availability date, no loan or LDP benefits are available unless a request for payment had already been made before the final loan availability date.

Question 10: If a quantity was not pledged as collateral for MAL or requested for LDP, and the producer delivers and sells the quantity, is the producer eligible for LDP after loss of beneficial interest?

Answer 10: Yes, as long as CCC-633 EZ, Page 1, is on file and CCC-633 EZ, Page 2, is received in the County Office by the final loan availability date.

Question 11: When is the final date to submit CCC-633 EZ, Page 2 to the County Office?

Answer 11: A request for payment (CCC-633 EZ, Page 2) must be completed and received in the County Office on or before the final loan availability date applicable to the commodity for that crop year. If CCC-633 EZ, Page 2, is filed after the final availability date, the quantity would be ineligible for LDP, even though CCC-633 EZ, Page 1 was timely filed.

Question 12: The producer has CCC-709 on file for all crops. Do we need CCC-633 EZ for crop year 2005?

Answer 12: CCC-633 EZ is not required to obtain LDP benefits for the 2005 crop year. However, producers are encourage to complete CCC-633 EZ, Page 1, before losing beneficial interest in the harvested commodity to ensure that LDP benefits are provided in cases, where the producer may not be losing beneficial interest immediately at harvest in the applicable quantity.

CCC-633 EZ Questions and Answers (Continued)

Question 13: Producer farms in 3 counties (A, B, and C) but only lists 2 counties (A and B) in item 5 on CCC-633 EZ, Page 1. What is the responsibility of County "A" (for example) that first receives the form to send to the remaining counties? Also, if County "C" never receives CCC-633 EZ, Page 1, are they to deny LDP benefits if CCC-633 EZ, Page 2, is sent to them?

Answer 13: The purpose of CCC-633 EZ, Page 1, is for the producer to agree to the LDP Terms and Conditions and Methods of Payment for the applicable crop year. One form is sufficient for all counties the producer has farming interest. CCC-633 EZ, Page 1, Item 5 allows the producer to identify the applicable counties. If there are other counties that aren't indicated by the producer, LDP benefits are not denied because County "C" didn't receive the form.

If necessary, County Offices can look in SCIMS and see the legacy links to the different offices the producer has business with or can use other means to identify where he/she does business. County "C" can also contact County Offices "A" and "B" to see if CCC-633 EZ, Page 1, is on file before possibly denying LDP benefits.

In summary, the County Office first contacted should make every effort to ensure that the other County Offices receive CCC-633 EZ, Page 1.

Question 14: Does the producer have to provide any additional information for cases of loss of beneficial interest and the producer certifies the date and quantity sold on CCC-633 EZ, Page 2, Item 24,?

Answer 14: Yes. The producer is required to provide acceptable production evidence, according to 8-LP, paragraph 535, before LDP will be paid. Additional evidence, such as proof of payment and written statements from buyer, may be required by the County Office to determine loss of beneficial interest.

For situations where the quantity was fed, used for seed, etc., COC must determine the maximum eligible quantity according to 8-LP, paragraph 536.

CCC-633 EZ Questions and Answers (Continued)

Question 15: Explain how the producer would complete CCC-633 EZ, Page 2, for measurement service situations?

Answer 15: The producer would have to enter a specific quantity or “ALL” in CCC-633, Page 2, Item 20 and indicate “MS” in CCC-633 EZ, Page 2, Item 22. The County Office would initiate measurement service with FSA-409. The quantity indicated on CCC-633 EZ, Page 2, would receive the LDP rate in effect on the date of LDP request, but would not be paid until verified by measurement service. The applicant must 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 due to a change in the LDP rate. Measurement service requests are completed according to 8-LP, subparagraph 307 C.

Example: If the producer indicated 10,000 bu. in CCC-633 EZ, Page 2, Item 20, but measurement service later determined 11,000 bu., the producer would be paid on 10,000 bu. based on the initial request. An additional CCC-633 EZ, Page 2, would have to be submitted for the 1,000 bu. by the final loan availability period and at the applicable LDP rate.

Question 16: If CCC-633 EZ, Page 2, is received in the County Office after the producer has lost beneficial interest, what types of production evidence are required?

Answer 16: For these cases, production evidence may be more restrictive and will include delivery evidence, sales evidence, the date the commodity was applied to the contract or other evidence necessary to determine what day beneficial interest was lost.

Example: Producer delivers 10,000 bu. of corn on October 20, 2005, and sold the corn on December 15, 2005. The producer submitted CCC-633 EZ, Page 2 on January 20, 2006. The LDP rate is based on the rate in effect on December 15, 2005. In this example, both delivery and sales evidence was necessary to determine the day beneficial interest was lost.