

For: State and County Offices

Determining Maximum Eligible Quantity for Disaster Affected Acreage

Approved by: Deputy Administrator, Farm Programs



1 Overview

A Background

PSD has received questions about production from RMA downloads and FCIC/NAP appraisals for farms that a producer has received or requested a marketing loan assistance (MAL) and LDP benefits. In some cases, COC-assigned production or producer-certified production on disaster affected acreage receiving MAL or LDP benefits differs from the RMA downloads and FCIC/NAP appraisals.

The intent of using crop appraised yields is to have the same yield established for MAL's, LDP's, and crop disaster related programs.

B Purpose

This notice reminds State and County Offices to follow 8-LP, paragraph 132, if a producer has applied for crop insurance indemnity or NAP on acreage related to a disaster to determine the maximum eligible quantity for MAL's and LDP's.

C Contacts

The following provides contacts if there are questions about this notice.

IF located in a...	THEN contact...
County Office	State Office.
State Office	either of the following: <ul style="list-style-type: none"> • Kelly Hereth by: <ul style="list-style-type: none"> • e-mail to kelly.hereth@wdc.usda.gov • telephone at 202-720-0448 • Toni Williams by: <ul style="list-style-type: none"> • e-mail to toni.williams@wdc.usda.gov • telephone at 202-720-2270.

Disposal Date	Distribution
July 1, 2008	State Offices; State Offices relay to County Offices

Notice LP-2080

2 Determining Maximum Eligible Quantities for MAL's and LDP's

A State Office Action

State Offices shall ensure that County Offices are aware of the contents of this notice.

B County Office Action

County Offices shall use the crop appraisal on file to determine the maximum eligible quantities of a commodity harvested as other than grain for loan and LDP benefits.

Exception: COC may determine maximum eligible quantity using other methods according to 8-LP, subparagraph 536 D when a crop appraisal is on file **only** if either of the following apply:

- the appraisal has been completed on units that differ from the FSA farm that MAL or LDP has been requested
- 1 appraisal has been completed on multiple farms and documentation does **not** differentiate between farms.

Note: Crop appraisals on file include RMA downloads for crop disaster programs and NAP crop appraisals. Producers are responsible for providing crop appraisal documentation.

Discrepancies should be reviewed and documented by COC to determine if an overpayment or an over disbursement has occurred and promptly collect any amounts due CCC.

Follow 8-LP, paragraph 23 for any loan amount or LDP exceeding the authorized amount, including any charges and applicable interest.

Notify the producer, in writing, of amounts owed to CCC according to Notice LP-2078.