

For: State and County Offices

Documenting Livestock Death Losses Under the Livestock Indemnity Program (LIP)

Approved by: Acting Deputy Administrator, Farm Programs



1 Overview

A Background

The 2008 Farm Bill created 5 new disaster programs, 1 of which is LIP.

Note: Three of the 5 new disaster programs will be covered under a new series titled, "Livestock Disaster Assistance Programs" (LDAP).

LIP provides compensation to eligible livestock producers who have incurred livestock death losses in excess of normal mortality, on or after January 1, 2008, and before October 1, 2011. Losses because of adverse weather, as determined by the Secretary during the calendar year, including blizzards, disease, extreme cold, extreme heat, floods, hurricanes, and wildfires, are eligible for LIP.

Livestock producers who have incurred livestock death losses are making inquiries about types of documentation that are acceptable to document proof of livestock deaths.

B Purpose

This notice provides State and County Offices with acceptable types of documentation for livestock producers to prove death losses for LIP purposes.

Disposal Date	Distribution
August 1, 2009	State Offices; State Offices relay to County Offices

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2 Documenting Death Losses

A Compiling Death Loss Documentation

Livestock producers who have incurred eligible 2008 and/or 2009 eligible livestock death losses because of eligible adverse weather events shall be advised to begin compiling their livestock death loss documentation according to this notice.

Note: Producers shall be advised that death loss documentation will **not** be accepted by County Offices until their LIP applications are filed.

B Proof of Death

To be eligible for assistance under LIP, each livestock producer **must** provide verifiable documentation of livestock deaths. Adequate documentation **must** be provided that proves the death of eligible livestock occurred as a direct result of an eligible adverse weather event in the calendar year for which benefits are being requested. The quantity and kind of livestock that died as a direct result of the eligible adverse weather event during the calendar year for which benefits are being requested may be documented by, but is **not** limited to:

- bank or other loan documents
- FEMA records
- records assembled for tax purposes
- National Guard records
- private insurance documents
- production records
- property tax records
- purchase records
- rendering truck receipts
- veterinarian records
- written contracts.

C Producer Records

If adequate verifiable proof of death records documentation is **not** available, the livestock producer may provide reliable records, along with verifiable beginning and ending inventory, as proof of death.

See subparagraph E for verifiable documentation of inventory.

Reliable records may include, but are not limited to:

- brand inspection records
- contemporaneous producer records existing at the time of the event
- dairy herd improvement records
- pictures
- vaccination records.

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2 Documenting Death Losses (Continued)

D Certification of Livestock Deaths by Third Parties

Certifications of livestock deaths by third parties may be accepted **only** if verifiable proof of death records or reliable proof of death records along with verifiable beginning and ending inventory records are **not** available and **all** of the following conditions are met:

- the livestock owner or livestock contract grower, as applicable, certifies in writing:
 - that there is **no** other verifiable or reliable documentation of death available
 - the number of livestock, by category determined by FSA, were in inventory at the time the applicable adverse weather event occurred
 - the physical location of livestock, by category, in inventory when the deaths occurred
 - other details required for FSA to determine the certification acceptable
- the third party is an independent source who is **not** affiliated with the farming operation, such as a hired hand, and is **not** a “family member”; that is defined as a person whom a member in the farming operation is related as lineal ancestor, lineal descendant, sibling, spouse, or otherwise by marriage, and provides a written certification that provides **all** of the following:
 - name, telephone number, and address
 - specific details about their knowledge of the livestock deaths
 - their affiliation with the livestock owner or contract grower
 - the accuracy of the deaths claimed by the livestock owner or contract grower, such as, but **not** limited to the number and kind/type of the participant’s livestock that died because of the eligible adverse weather event
 - other details required by FSA to determine the certification acceptable.

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2 Documenting Death Losses (Continued)

E Verifiable Inventory Documentation

Documents that may provide verifiable evidence of livestock inventory include, but are **not** limited to, any or a combination of the following:

- canceled check documentation
- balance sheets
- inventory records used for tax purposes
- loan records
- private insurance documents
- property tax records
- sales and purchase receipts
- veterinary records
- brand inspection receipts
- chattel inspections.

3 Action

A County Office Action

All County Offices shall ensure that producers are notified by all available means about the types of documentation that are acceptable for documenting proof of livestock deaths for LIP.

B State Office Action

State Offices shall ensure that County Offices:

- are immediately informed of the contents of this notice
- immediately publicize the contents of this notice by all available means.