



United States  
Department of  
Agriculture

June 22, 2005

BCD-102

Farm and Foreign  
Agricultural Services

## NOTICE TO THE TRADE

Farm Service  
Agency

TO: All Warehouse Operators Approved Under the Uniform Grain and Rice Storage Agreement (UGRSA)

Kansas City  
Commodity Office  
P.O. Box 419205  
Kansas City,  
Missouri  
64141-6205

SUBJECT: Emergency and Temporary Storage Space

### **Background**

The 2005 crop harvest has already exceeded available commercial storage space in certain areas. Therefore, warehouse operators may request Commodity Credit Corporation (CCC) approval of short-term emergency, e.g., ground piles, and/or temporary storage space.

### **Emergency Storage Requirements**

Warehouse operators requesting emergency storage space must:

- Receive the appropriate licensing authority approval, State or Federal, for the emergency storage space;
- Meet CCC's security, net worth, bonding, and insurance requirements as required for conventional storage space;
- Provide written justification to CCC that a need for emergency storage exists in the local area including the exact location and quantity requested;
- Meet CCC's requirement that emergency storage space be accessible for examination purposes;
- Receive CCC's approval for the emergency storage space prior to using such space;
- Maintain a separate inventory record of all grain stored in emergency storage space as well as account for such grain in the Daily Position Record; and
- Agree that all grain will be removed from the emergency storage space by January 31, 2006.

**Temporary Storage Requirements**

CCC will continue to authorize the use of temporary storage space. Such space may be used from the time of initial approval until May 1, 2006. See Warehouse Operator's Handbook, Part 2, Section 1, No. 25, for licensing and approval requirements of temporary storage structures.

**Application for Emergency and Temporary Storage**

*U.S. Warehouse Act (USWA) Licenses.* If operating under a USWA license, direct questions regarding the use of emergency and temporary storage to Terry Chapman, Chief, Licensing Branch, Warehouse License and Examination Division, at:

Kansas City Commodity Office, Mail Stop 9148  
P.O. Box 419205  
Kansas City, MO 64141-6205  
Telephone: 816-926-6474  
E-mail: [Terry.Chapman@kcc.usda.gov](mailto:Terry.Chapman@kcc.usda.gov)

*State Licenses.* If operating under a State license, contact the applicable State licensing authority to determine its requirements for the use of emergency and temporary storage.

*UGRSA Requests.* After approval by the appropriate licensing authority, or for warehouse operators who operate in States with no licensing authority, submit a written justification to Rochelle Murray (emergency storage) or Paul Overman, (temporary storage), Bulk Commodities Division, Storage Contract Branch, at:

Kansas City Commodity Office, Mail Stop 8748  
P.O. Box 419205  
Kansas City, MO 64141-6205  
Telephone: 816-926-6446  
Facsimile: 816-926-1426  
E-mail: [Rochelle.Murray@kcc.usda.gov](mailto:Rochelle.Murray@kcc.usda.gov) –or-  
[Paul.Overman@kcc.usda.gov](mailto:Paul.Overman@kcc.usda.gov)

**CCC Rates**

The storage and handling rates currently approved under the UGRSA will apply. CCC will not pay any additional handling charges for grain moved into or out of emergency and temporary storage.

**Warehouse Operator's Liability**

The authorization to use emergency and temporary storage space does not relieve warehouse operators of their obligations under the USWA, State licensing authority (as

applicable), or the UGRSA. CCC-owned grain or grain pledged as collateral for CCC marketing assistance loans may be placed in emergency and temporary storage space after the use of such space has been approved by CCC.

Warehouse operators are responsible for the quantity and quality of grain stored in emergency and temporary storage space to the same extent as their liability for conventional storage space. All grain stored in emergency and temporary space is considered a part of the commingled inventory.

The Department of Agriculture strongly recommends that warehouse operators review their warehouse security plans and conduct a prudent risk assessment as required by UGRSA (see Amendment 1 to UGRSA) in connection with the application of emergency and/or temporary storage space. Warehouse operators may want to pay particular attention to threats that may not have been considered significant in the past and consider restricting access to facilities to authorized personnel only.

**Limitation**

Emergency and temporary storage is limited to wheat, corn, and other feed grains unless otherwise allowed by the warehouse operator's licensing authority.

*/s/ George W. Aldaya*

George W. Aldaya  
Director