

Request for Pork Checkoff Referendum

The U.S. Department of Agriculture's (USDA) Agricultural Marketing Service (AMS) announced that it will conduct a Request for Referendum among eligible producers and importers of hogs, pigs, pork, and pork products to determine if they want a referendum on the Pork Promotion, Research, and Consumer Information Order, commonly known as the Pork Checkoff Program. Participation is voluntary, and only individuals who desire a referendum on the Pork Checkoff Program should participate.

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www.fsa.usda.gov/oh

USDA will only conduct a referendum on the order if at least 15 percent of the total number of eligible pork producers and importers request a referendum. If necessary, the referendum will be conducted within one year after the results of the Request for Referendum are announced. If results of the Request for Referendum indicate that a referendum is **not supported**, a referendum would **not be conducted**.

The Request for Referendum on the Pork Checkoff Program will be **held Dec. 8, 2008 through Jan. 2, 2009**. Producers and importers who were engaged in pork production or in the importation of hogs, pigs, pork, or pork products between Jan. 1, 2007, and Dec. 31, 2007, and were at least 18 years of age on or before Dec. 31, 2007, are eligible to participate.

For producers, the Request for Referendum will be conducted at the USDA Farm Service Agency (FSA) offices where their administrative farm records are maintained. For producers **not** participating in FSA programs, the opportunity to participate will be provided at the County FSA office where the person owns or rents land. Eligible producers may obtain form, *LS-54-1: Pork Promotion, Research, and Consumer Information Request for Referendum* from those offices either in person, by mail or by facsimile. Forms may also be obtained on the AMS website at:

<http://www.ams.usda.gov/LSMarketingPrograms>, and click on, "Pork Request for Referendum Information" link and then click on "Form LS-54-1" link. **Note**, form *LS-54-1* will only be available on the AMS website between Dec. 8, 2008 through Jan. 2, 2009.

In order to vote, form *LS-54-1* and supporting documentation, where applicable, such as a sales receipt, veterinary bill, feed bill, copies of grower contracts, cancelled check or proof of payment **must be** returned in person, by mail, or by facsimile to the appropriate county FSA office by the close of business Jan. 2, 2009. Form *LS-54-1* and supporting documentation returned by mail **must be** postmarked no later than midnight on Jan. 2, 2009, and received by Jan. 9, 2009.

The Order is authorized by the Pork Promotion, Research, and Consumer Information Act of 1985, part of the 1985 Farm Bill. The program became effective on Sept. 5, 1986, and assessments began Nov. 1, 1986. This program is designed to strengthen the position of pork and pork products in the marketplace.

For more information, contact Kenneth R. Payne, Chief; Marketing Programs Branch, Room 2628-S; Livestock and Seed Program, AMS, USDA; Stop 0251; 1400 Independence Avenue, SW; Washington, D.C. 20250-0251; by calling (202) 720-1115; faxing (202) 720-1125; or email at: Kenneth.Payne@usda.gov.

Turn-Around Marketing Assistance Loan Policy

Under the 2008 Farm Bill, producers who store commingled commodities in unapproved/unlicensed warehouses **are not eligible** to repay Marketing Assistance Loans (MAL) using the commodity certificate exchange. Producers that deliver commodities to unapproved/unlicensed warehouses will lose beneficial interest in the commodity on the day of delivery.

Federal or State licensed warehouses, with or without a Credit Commodity Corporation (CCC) storage agreement, and CCC-approved warehouses **are eligible** for turn-around loans. Producers who store commodities in these facilities are eligible to repay a turn-around MAL using the commodity exchange provision **only** for the 2008 and 2009 crop years. The authority to offer or make available commodity certificate exchanges to producers will terminate at the end of the 2009 crop year and will be unavailable for subsequent crop years (2010-2012).



Tobacco Transition Payment Program 1099 Form Information

On Nov. 1, 2008, the National Tobacco Processing Center (NTPC) stopped providing call center support for the Tobacco Transition Payment Program (TTPP) participants. County offices that issued payments will only be able to answer questions related to the CCC-1099-G form.

TTPP participants with tax questions about the IRS-1099-S, 1099 INT, or IRS-1099-OID forms will need to contact a qualified tax advisor or IRS at 1-800-829-1040, then press "1" and "4", and after that ask the IRS operator for the "Complex Issues Division - Tobacco Group". TTPP participants can also contact the National FSA office to correct and reissue a wrong CCC-1099-G, IRS-1099-S, IRS-1099-INT and IRS-1099-OID forms. TTPP participants can contact the National FSA office by telephone at 1-866-729-9705 and fax by 1-816-823-1871.

USDA Farm Service Agency's Administrator Declares Physical Loss in Thirteen Ohio Counties

The U.S. Department of Agriculture Farm Service Agency's (FSA) Administrator Teresa Lasseter has declared Emergency Physical Loss loans will be available in thirteen Ohio counties.

The following counties were designated as primary counties, due to high winds that occurred September 14, 2008. Those include: Allen, Belmont, Clermont, Franklin, Harrison, Highland, Mercer, Miami, Monroe, Montgomery, Preble, Ross and Wyandot counties. Counties eligible because they are contiguous to those listed above are: Adams, Auglaize, Brown, Butler, Carroll, Champaign, Clark, Clinton, Crawford, Darke, Delaware, Fairfield, Fayette, Greene, Guernsey, Hamilton, Hancock, Hardin, Hocking, Jackson, Jefferson, Licking, Madison, Marion, Noble, Pickaway, Pike, Putnam, Seneca, Shelby, Tuscarawas, Union, Van Wert, Vinton, Warren and Washington Counties.

All counties listed above were designated **on November 12, 2008**, making FSA Emergency Physical Loss loans available to eligible applicants with qualifying severe physical losses in the primary and contiguous counties, provided eligibility requirements are met. This approval is limited to applicants who suffered severe physical losses only. To qualify, farmers must be unable to obtain credit from commercial sources. Farmers in eligible counties have eight months from the date of the declaration to apply for loans to help cover part or all of their actual losses. FSA will consider each loan application on its own merits, taking into account the extent of losses, security available and repayment ability. FSA has a variety of programs, in addition to the emergency loan program, to help eligible farmers recover from adversity.

USDA has also made other programs available to assist farmers, including the Emergency Conservation Program, Federal Crop Insurance and the Noninsured Crop Disaster Assistance Program.

Interested farmers should contact their local FSA county office for further information on eligibility requirements and application procedures for these and other programs.

Beginning Farmers and Ranchers

FSA has funding to assist beginning farmers and or members of socially disadvantaged groups to finance agricultural enterprises. Under these designated farm loan programs, FSA can provide financing to eligible applicants through either direct or guaranteed loans. FSA defines a beginning farmer as a person who:

- Has operated a farm for not more than 10 years;
- Will materially and substantially participate in the operation of the farm;
- Agrees to participate in a loan assessment, borrower training and financial management program sponsored by FSA;
- Does not own a farm in excess of 30 percent of the county's median farm size; and
- Also, the applicant must meet the loan eligibility requirements of the program to which he/she is applying.

Note: All applicants for direct farm ownership loans must have participated in business operation of a farm for at least three years.

To find out more about loans for Beginning Farmer and Ranchers and more basic qualifications required, contact your local FSA county office to setup an appointment with a loan approval official.

Removing CCC Loan Collateral

Producers are reminded, if you have grain under Commodity Credit Corporation loan it cannot be removed or disposed of without prior county office staff authorization or repayment. The county office staff may issue release authorizations based on a telephone or in person request when you are ready to move the grain. A loan violation is subject to monetary and administrative penalties, such as repaying the loan at principal plus interest, liquidated damages, calling the loan and denial of future farm-stored loans and loan deficiency payments.

Presidential Disaster Designation Declared For 33 Ohio Counties Decision Allows Farmers to Apply For USDA Assistance

The U.S. Department of Agriculture has designated a Presidential disaster declaration for 33 counties in Ohio as primary agricultural natural disaster areas, making certain farmers and other agricultural producers in the counties eligible for low-interest emergency loans from USDA's Farm Service Agency (FSA).

A Presidential disaster declaration designated the following counties as primary natural disaster areas, due to the severe wind storm associated with Tropical Depression Ike that occurred **September 14, 2008**. Those counties are: Ashland, Brown, Butler, Carroll, Champaign, Clark, Clermont, Clinton, Coshocton, Delaware, Fairfield, Franklin, Greene, Guernsey, Hamilton, Harrison, Highland, Hocking, Holmes, Knox, Licking, Madison, Miami, Montgomery, Morrow, Perry, Pickaway, Preble, Shelby, Summit, Tuscarawas, Union and Warren counties.

Counties eligible because they are contiguous to those listed above are: Adams, Athens, Auglaize, Belmont, Columbiana, Crawford, Cuyahoga, Darke, Fayette, Geauga, Hardin, Huron, Jefferson, Logan, Lorain, Marion, Medina, Morgan, Muskingum, Noble, Pike, Portage, Richland, Ross, Stark, Vinton and Wayne counties.

All counties listed above were designated a Presidential disaster declaration on **October 24, 2008** making all qualified farm operators in the designated areas eligible for low-interest emergency loans from USDA's FSA, provided eligibility requirements are met. To qualify, farmers must be unable to obtain credit from commercial sources. Farmers in eligible counties have eight months from the date of the declaration to apply for loans to help cover part or all of their actual losses. FSA will consider each loan application on its own merits, taking into account the extent of losses, security available and repayment ability. FSA has a variety of programs, in addition to the emergency loan program, to help eligible farmers recover from adversity.

USDA has also made other programs available to assist farmers, including the Emergency Conservation Program, Federal Crop Insurance and the Noninsured Crop Disaster Assistance Program.

Interested farmers should contact their local FSA county office for further information on eligibility requirements and application procedures for these and other programs.

Selected Interest Rates for December 2008	
90-Day Treasury Bill	0.750%
Farm Operating Loans — Direct	3.375%
Farm Ownership Loans — Direct	4.875%
Farm Ownership Loans — Beginning Farmer Down Payment	1.500%
Emergency Loans	3.750%
Farm Storage Facility Loans	3.000%
Sugar Storage Facility Loans	4.500%
Commodity Loans 1996-Present	2.250%

Foreign Investors Who Hold Agricultural Land

Foreign investors, who buy, sell or hold a direct or indirect interest in U.S. agricultural land must report their holdings and transactions to the U.S. Secretary of Agriculture. Failure to timely file an accurate report can result in a penalty with fines up to 25 percent of the fair market value of the agricultural land. Foreign persons who are buying or selling land must report the transaction **within 90 days of the date of the transaction.**

Who Must Report:

- Individuals who are not U.S. citizens or citizens of the Northern Mariana Islands or the Trust Territory of the Pacific Islands;
- Individuals who are not lawfully admitted to the U.S. for permanent residence or who are not paroled into the U.S. under the Immigration and Nationality Act;
- Any organization created under laws of a foreign government or which has located its principle place of business outside the U.S.;
- Any U.S. organization in which a significant interest or substantial control is directly or indirectly held by foreign individuals, organizations or governments; and
- Any foreign governments.

What to Report:

- Each tract of agricultural land in the U.S., its territories, the Northern Mariana Islands and the Trust Territories of the Pacific Islands owned by persons required to report; and
- Leaseholds of 10 years or more.

USDA designated the FSA to collect the AFIDA report forms. Individuals wanting to obtain an AFIDA report form (FSA-153) may do so from any FSA County office. The (FSA-153) is available in both English and Spanish translations. You can also go on-line and download the form at:

http://forms.sc.egov.usda.gov/efcommon/eFileServices/Forms/FSA0153_010524V02.pdf.

Although interested parties may obtain a report form from any FSA County office, the completed form must be returned to the FSA County office where the land or where the programs are administered.

Foreign investors should contact your local FSA if this pertains to you. To locate the Farm Service Agency county office, you can look in the telephone book white pages or go on-line to: www.fsa.usda.gov/oh and then click on the "County Offices" link. Then click on the county where the land is located.

Minority Farm Register

The USDA Minority Farm Register is a tool to promote equal access to USDA farm programs and services for minority farmland owners, farmers, tenants, and other individuals with an agricultural interest. Participants may receive information or be personally contacted through USDA outreach efforts. USDA programs include direct and guaranteed farm ownership and operating loans, marketing loans, as well as conservation, housing & rural business, and risk management.

Participation in the Register is voluntary. All minority persons involved in farming are encouraged to participate. The information you provide may be shared through the USDA Office of Outreach with other USDA-approved outreach partners such as community-based organizations, educational institutions, and other government agencies.

If you are involved with farming and wish to be included in the Minority Farm Register, you are invited to visit the local county office staff and request the register form or download the form from the FSA Website at:
http://www.fsa.usda.gov/Internet/FSA_File/ad2035_040729v01.pdf.

Special Accommodations

Special accommodations will be made upon request for individuals with disabilities, vision or hearing impairment. If accommodations are required, individuals should contact the County Executive Director of their local Farm Service Agency office.

Dates to Remember

Dec. 8	Request for Referendum on the Pork Checkoff Program begins.
Dec. 25	Christmas Day Holiday. FSA Offices Closed.
Jan. 1	New Year's Day Holiday. FSA Offices Closed.
Jan. 1	Elected Committee Members and alternates take office.
Jan. 2	Last day to return form <i>LS-54-1</i> and supporting documentation for the Request for Referendum on the Pork Checkoff Program to the FSA County office.
Jan. 19	Martin Luther's Day Holiday. FSA Offices Closed.
Jan. 31	Deadline on 2008 LDPs for wool, mohair and unshorn lamb pelts.
Continues	Continuous SAFE program and Conservation Reserve program.

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