

Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish Program

CAUTION: These materials are for training purposes only. To learn the details about any certain point, refer to the applicable statute, regulations, handbooks, and policy notices.

The 2008 Farm Bill authorizes USDA to spend up to \$50 million per year for an Emergency Assistance for Livestock, Honey Bees, and Farm-Raised Fish Program (ELAP).¹ Administered by the Farm Service Agency (FSA), ELAP is intended to provide emergency relief for losses due to feed or water shortages, disease, adverse weather, or other conditions—such as blizzards and wildfires—that are not adequately addressed by other disaster programs.

A producer need not have experienced a certain minimum loss threshold to be eligible for ELAP.²

The regulations for ELAP can be found at 7 C.F.R. Part 760, Subparts B and C. Local FSA offices will administer ELAP using a program handbook containing detailed policies and procedures. The current handbook provisions for ELAP are in Part 5 of “Livestock Disaster Assistance Programs,” 1-LDAP. Producers can request a copy of this handbook from their local FSA office. It is also available on the Internet at www.fsa.usda.gov/Internet/FSA_File/1ldap-a4.pdf.

I. Losses Covered Under ELAP

ELAP is intended to be a catchall program providing assistance for a variety of losses not covered by other disaster assistance programs. In the ELAP program rule, FSA specified nine categories of losses that will be covered by the program. Even if a loss would otherwise fall under one of these categories, if assistance for that loss is available under other disaster programs created by the 2008 Farm Bill—the Livestock Forage Disaster Program (LFP), the Livestock Indemnity Program (LIP), or the Supplemental Revenue Assistance Payment Program (SURE)—then assistance will not be available under ELAP.³

To be eligible for ELAP, a loss must have occurred on or after January 1, 2008, and before October 11, 2011.⁴

¹ Food, Conservation, and Energy Act of 2008, Pub. L. No. 110-234, Title XII, § 12033(a) (May 22, 2008) (codified at 7 U.S.C. § 1531(e)).

² Handbook 1-LDAP, page 5-65, para. 251.I (Nov. 2, 2009).

³ 7 C.F.R. § 760.201(b).

⁴ 7 C.F.R. § 760.203(c)(2).

A. Loss of Purchased Forage or Feed

A producer may seek ELAP benefits for the loss of purchased forage or feed that was intended for use as feed for the producer's eligible livestock.⁵ The loss must be due to eligible adverse weather or an eligible loss condition, as determined by FSA, and the lost feed must have been intended for eligible livestock that were physically located in the county affected by the eligible loss condition when the condition began.

B. Loss of Harvested and Stored Forage or Feed

A producer may seek ELAP benefits for the loss of mechanically harvested forage or feed that was intended for use as feed for the producer's eligible livestock.⁶ The loss must have occurred after harvest due to eligible adverse weather or an eligible loss condition, as determined by FSA, and the lost feed must have been intended for use as feed by eligible livestock that were physically located in the county affected by the eligible loss condition when the condition began.

C. Additional Cost of Providing Feed to Livestock

ELAP can compensate producers for the additional costs incurred to provide or transport feed to eligible livestock due to eligible adverse weather or an eligible loss condition, as determined by FSA.⁷ These costs might include, among other things, equipment rental fees for hay lifts or snow removal. The additional costs must have been incurred for losses in the county affected by the eligible loss condition.

D. Cost of Purchasing Additional Feed for Livestock

ELAP can compensate producers for the cost of purchasing feed, above normal quantities, required to maintain eligible livestock during eligible adverse weather or an eligible loss condition, until additional feed becomes available.⁸ The additional feed must be used to maintain livestock in the county where the eligible loss condition occurred.

⁵ 7 C.F.R. § 760.203(d)(1).

⁶ 7 C.F.R. § 760.203(d)(2).

⁷ 7 C.F.R. § 760.203(d)(3).

⁸ 7 C.F.R. § 760.203(d)(4).

E. Grazing Loss Not Due to Wildfire on Federal Lands or Drought

A producer may seek ELAP benefits for grazing losses on eligible grazing lands located in a county where an eligible loss condition occurred.⁹ The grazing loss must be due to the eligible adverse weather or eligible loss condition, as determined by FSA. Grazing losses that are eligible for LFP assistance—wildfire on federally managed land or drought—are not eligible for ELAP.

F. Livestock Death Not Covered by LIP

A producer may seek ELAP benefits for livestock death loss that occurs in a county where an eligible loss condition occurred.¹⁰ The livestock death must have been caused by the eligible loss condition, as determined by FSA, and must not be related to an eligible adverse weather event that would qualify for LIP.

G. Loss of Feed for Honeybees or Farm-Raised Fish

A producer may seek ELAP benefits for the loss of feed intended to be fed to honeybees or farm-raised fish.¹¹ The feed must have been damaged or destroyed by an eligible loss condition and must have been located in the county where the eligible loss condition occurred.

H. Loss of Honeybee Hive or Colony

A producer may seek ELAP benefits for the loss of honeybee hives or colonies in a county where an eligible loss condition occurs.¹² The honeybee hive or colony loss must be due to the eligible loss condition, as determined by FSA.

I. Death of Farm-Raised Bait or Game Fish

A producer may seek ELAP benefits for the death of farm-raised bait or game fish in a county where an eligible loss condition occurred.¹³ The death must be due to the eligible loss condition, as determined by FSA.

⁹ 7 C.F.R. § 760.203(e).

¹⁰ 7 C.F.R. § 760.203(f).

¹¹ 7 C.F.R. § 760.203(g).

¹² 7 C.F.R. § 760.203(h).

¹³ 7 C.F.R. § 760.203(i).

II. ELAP Eligibility

A. Producer Eligibility

Producer eligibility requirements for ELAP include both general requirements applicable to all types of ELAP assistance, and particular requirements for assistance for particular kinds of eligible losses.

1. *General Producer Eligibility Requirements*

To be eligible for ELAP payments, a livestock producer:

- (a) must be an individual or entity that is:¹⁴
 - (i) a citizen or resident lawful alien of the United States;
 - (ii) a partnership of citizens of the United States;
 - (iii) a corporation, limited liability corporation, or other farm organizational structure organized under state law;
 - (iv) a Native American tribe as defined in the Indian Self-Determination and Education Assistance Act;
 - (v) a Native American organization or entity chartered under the Indian Reorganization Act; or
 - (vi) any economic enterprise under the Indian Financing Act of 1974.
- (b) must be in compliance with general FSA restrictions against conversion of highly erodible land and wetlands, and must not otherwise be precluded from receiving USDA benefits;¹⁵
- (c) must not have had average adjusted gross nonfarm income over \$500,000 in the previous three years;¹⁶ and
- (d) must have obtained coverage for the relevant program year under crop insurance (for insurable crops) or the Noninsured Crop Disaster Assistance Program (NAP) (for non-insurable crops) for every crop on every farm in which the producer has an interest, except forage crops intended for grazing, UNLESS a waiver of this requirement applies.¹⁷

¹⁴ 7 C.F.R. § 760.103(b); Handbook 1-LDAP, page 5-30, para. 242.I (Nov. 2, 2009).

¹⁵ Handbook 1-LDAP, page 5-164, para. 282.E (Nov. 2, 2009).

¹⁶ 7 C.F.R. § 760.108(e). This income limitation applies for losses in years 2009-2011. To be eligible for ELAP for 2008 losses, a producer could not have had an average annual adjusted gross income over \$2.5 million in 2005-2007. 7 C.F.R. § 760.108(d).

¹⁷ 7 C.F.R. § 760.104(a)(2).

There is a general waiver of this requirement for all socially disadvantaged, limited resource, and beginning farmers and ranchers.¹⁸

2. *Additional Producer Eligibility Requirements for Specific Types of Losses*

a. Producer Eligibility Requirements for Livestock Feed Losses

To receive ELAP payments for livestock feed losses:¹⁹

- (1) The producer must have owned, cash-leased, purchased, entered into a contract to purchase, or been a contract grower of eligible livestock during the 60 days prior to the beginning of the eligible adverse weather or loss condition; and
- (2) The producer's eligible livestock must have been livestock that would normally have been grazing during the normal grazing period for the county.

b. Producer Eligibility Requirements for Grazing Losses

To receive ELAP payments for grazing losses:

- (1) The producer must have owned, cash-leased, purchased, entered into a contract to purchase, or been a contract grower of eligible livestock during the 60 days prior to the beginning of the eligible adverse weather or loss condition;²⁰
- (2) The producer's eligible livestock must have been livestock that would normally have been grazing during the normal grazing period for the county;²¹ and
- (3) The producer must have provided for the eligible livestock pasture or grazing land, including cash leased land, that is physically located in the county where the eligible adverse weather or loss condition occurred and is:
 - (a) native or improved pastureland with permanent vegetative cover; or

¹⁸ 7 C.F.R. § 760.107.

¹⁹ 7 C.F.R. § 760.205(a).

²⁰ 7 C.F.R. § 760.205(b)(1).

²¹ 7 C.F.R. § 760.205(b)(2).

- (b) planted to a crop specifically for the purpose of providing grazing for eligible livestock.²²

c. Producer Eligibility Requirements for Death Losses

To receive ELAP payments for livestock death losses, a producer must have:²³

- (a) had legal ownership of the livestock on the date of death; or
- (b) been a contract grower of swine or poultry whose income is dependent on the survival and weight gain of the livestock²⁴ and who had a written agreement with the livestock owner, control of the livestock on the date of death, and a risk of loss in the animal.

d. Producer Eligibility Requirements for Honeybee Losses

To receive ELAP payments for honeybee losses, a producer must have had an interest and risk in an eligible honeybee colony on the beginning date of the eligible loss condition.²⁵

e. Producer Eligibility Requirements for Loss of Feed for Farm-Raised Fish

To receive ELAP payments for loss of feed intended for farm-raised fish, a producer must have produced eligible farm-raised fish with the intent to harvest for commercial use.²⁶

B. Eligible Livestock

1. General Eligibility Requirements for Livestock, Honeybees, and Farm-Raised Fish

To be eligible for assistance under ELAP, any livestock, honeybees, or farm-raised fish that are the basis of a producer's loss claim must have been maintained for commercial use as part of a farming operation.²⁷ Animals produced or maintained for any other reasons are not eligible for ELAP

²² 7 C.F.R. § 760.205(b)(1), (3).

²³ 7 C.F.R. § 760.205(c).

²⁴ 7 C.F.R. § 760.204(e).

²⁵ 7 C.F.R. § 760.205(d).

²⁶ 7 C.F.R. § 760.205(e).

²⁷ 7 C.F.R. § 760.204(a)(4)-(5), (f)(2)-(3).

payments. Examples of purposes that would make the animal ineligible for ELAP payments include, but are not limited to, consumption by the owner, hunting, pets, pleasure, roping, or to show.²⁸ Wild, free-roaming livestock are also ineligible as a basis for ELAP assistance.²⁹

2. *Specific Livestock Eligibility Requirements for Particular Types of Losses*

a. Eligible Livestock for Livestock Feed and Grazing Losses

The types of livestock eligible for ELAP payments for livestock feed and grazing losses are: dairy and beef cattle weighing at least 500 pounds, beefalo and buffalo weighing at least 500 pounds, elk, alpaca, deer, emus, equine, goats, llama, poultry, reindeer, sheep, and swine.³⁰

The livestock must have normally been grazing the producer's eligible pasture or grazing land during the normal grazing period for the county.³¹ The livestock must not have been in a feedlot as a normal part of the producer's operation on the beginning date of the adverse weather or eligible loss condition.³²

The livestock must have belonged to the producer for the 60 days prior to the beginning of the adverse weather or eligible loss condition, whether owned, cash-leased, purchased, under contract for purchase, or under a contract production arrangement.³³

Types of livestock specifically excluded from eligibility for feed and grazing loss assistance are: yaks, ostriches, free-roaming deer and horses, and any cattle, buffalo, or beefalo weighing less than 500 pounds on the beginning date of the adverse weather or eligible loss condition.³⁴

²⁸ 7 C.F.R. § 760.204(c)(6).

²⁹ 7 C.F.R. § 760.204(c)(5).

³⁰ 7 C.F.R. § 760.204(a)(1), (b).

³¹ 7 C.F.R. § 760.204(a)(2).

³² 7 C.F.R. § 760.204(a)(6), (c)(1).

³³ 7 C.F.R. § 760.204(a)(3).

³⁴ 7 C.F.R. § 760.204(c)(2)-(5).

b. Eligible Livestock for Livestock Death Losses

The types of livestock eligible for ELAP payments for livestock death losses are: dairy cattle, beef cattle, beefalo, buffalo, elk, alpaca, deer, emus, equine, goats, llama, poultry, reindeer, sheep, and swine.³⁵

The livestock must have died as a direct result of an eligible loss condition.³⁶ The livestock death must have occurred:

- (1) on or after January 1, 2008, and before October 1, 2011;
- (2) no later than 60 calendar days from the ending date of the applicable eligible loss condition; and
- (3) in the calendar year for which benefits are being requested.

c. Eligible Honeybees

To be eligible for ELAP assistance, a honeybee colony must have been maintained for the purpose of producing honey or pollination for commercial use in a farming operation on the beginning date of the eligible loss condition.³⁷ The colony must have been physically located in the county where the eligible loss condition occurred on the date that it began.³⁸

d. Eligible Farm-Raised Fish for Feed Losses

To be eligible for ELAP assistance for feed losses, farm-raised fish must be an aquatic species propagated and reared in a controlled environment and harvested for commercial use as part of a farming operation.³⁹ The fish must have been physically located in the county where the eligible loss condition occurred on the beginning date of the eligible loss condition.

e. Eligible Farm-Raised Fish for Death Losses

To be eligible for ELAP assistance for death losses, farm-raised fish must be bait or game fish propagated and reared in a controlled environment and maintained for commercial use as part of a farming operation.⁴⁰ The fish

³⁵ 7 C.F.R. § 760.204(d).

³⁶ 7 C.F.R. § 760.204(f).

³⁷ 7 C.F.R. § 760.204(g)(1).

³⁸ 7 C.F.R. § 760.204(g)(2).

³⁹ 7 C.F.R. § 760.204(h)(1).

⁴⁰ 7 C.F.R. § 760.204(h)(2).

must have been physically located in the county where the eligible loss condition occurred on the beginning date of the eligible loss condition.

C. Adverse Weather and Other Eligible Loss Conditions

For a producer to be eligible for ELAP benefits, the eligible loss must have occurred as a direct result of eligible adverse weather or an eligible loss condition as determined by the FSA Deputy Administrator, such as blizzards, wildfire, volcanic eruption, flood, hurricanes, lightning, water shortages, excessive wind, earthquake, tornado, freeze, hail, tidal surge, disease, or insect infestation.⁴¹

III. ELAP Payments

A producer is not required to use the ELAP payment for any specific purpose.⁴²

A. ELAP Payment Limitations

1. Individual Payment Limitation

A person may not receive more than \$100,000 total in any one year under ELAP, the Livestock Indemnity Program, the Livestock Forage Disaster Program, and the Supplemental Revenue Assistance Payment Program.⁴³

In addition to the \$100,000 annual limit in combined benefits under these programs, a producer receiving assistance under ELAP may receive, through a combination of ELAP, any other federal disaster assistance program, and the salvage value of the commodity, no more than 95% of the value the commodity would have had if there had been no disaster loss.⁴⁴

2. Program Limitation of \$50 Million per Year

Unlike the other new disaster programs which are funded to the extent necessary to pay eligible claims, ELAP funding is limited to no more than \$50 million per year, regardless of the amount of eligible claims submitted.⁴⁵ In order to handle all claims from a given year equally, FSA will not make ELAP payments until the deadline for applications for that year has passed. If the

⁴¹ 7 C.F.R. §§ 760.201(b), 760.203(a).

⁴² Handbook 1-LDAP, page 5-1, para. 231.A. (Nov. 2, 2009).

⁴³ 7 C.F.R. § 760.108(a)(1), (b)(1).

⁴⁴ 7 C.F.R. § 760.108 (c)(1).

⁴⁵ 7 C.F.R. § 760.208.

amount of eligible applications for the year is more than the amount available to pay claims, FSA will reduce all of the eligible applications by the same percentage—a “national factor”—to reduce total payments to the amount of funding available.

B. Payment Calculations for Particular Types of Losses

1. *Payment Calculation for Livestock Feed Losses and Grazing Losses Not Due to Wildfire*

ELAP payment calculations for livestock feed and grazing losses are based on 60% of:

- (a) The producer’s actual cost for purchased forage or feed that was intended to be fed to the producer’s eligible livestock but was physically damaged or destroyed due to an eligible loss condition;⁴⁶
- (b) The producer’s actual cost for mechanically harvested forage or feed that was intended to be fed to the producer’s eligible livestock but was physically damaged or destroyed due to an eligible loss condition;⁴⁷
- (c) The producer’s actual cost of providing or transporting livestock feed to eligible livestock as necessary due to an eligible loss condition;⁴⁸
- (d) The producer’s actual cost for purchased feed, above normal amounts, needed to maintain eligible livestock during an eligible loss condition until additional feed becomes available;⁴⁹ or
- (e) For grazing losses not due to wildfire on non-federal land, the lesser of:
 - (i) The total feed cost, as determined by USDA based on a feed grain equivalent, for all of the producer’s eligible livestock for the number of days grazing was lost;⁵⁰ or

⁴⁶ 7 C.F.R. § 760.209(a)(1).

⁴⁷ 7 C.F.R. § 760.209(a)(2).

⁴⁸ 7 C.F.R. § 760.209(a)(3).

⁴⁹ 7 C.F.R. § 760.209(a)(4).

⁵⁰ 7 C.F.R. § 760.209(b)(1), (c)-(e).

- (ii) The total value of grazing lost for all of the producer's eligible livestock based on the normal carrying capacity of the producer's eligible grazing land, as determined by USDA.⁵¹

In no case will a producer receive ELAP payments for more than 90 days of feed losses or non-wildfire grazing losses in a single calendar year.⁵²

2. *Payment Calculation for Grazing Losses Due to Wildfire on Non-Federal Land*

For grazing losses due to wildfire on land not managed by the federal government, the ELAP payment will be calculated as follows:⁵³

- (a) Take the number of acres of pasture or grazing land affected by the fire;
- (b) Divide (a) by the normal carrying capacity for the affected land;
- (c) Multiply the result in (b) by the daily grazing value determined by FSA;
- (d) Multiply the result in (c) by the number of days grazing was lost due to the fire, up to a maximum of 180 days;
- (e) Multiply the result in (d) by 50%.

3. *Payment Calculations for Livestock Death Losses*

For livestock death losses eligible for ELAP, a livestock owner will be paid 75% of the fair market value, as determined by FSA, for each specific category of livestock.⁵⁴ This rate is to be based on the average fair market value for the applicable livestock computed from nationwide prices from the previous calendar year. The producer will be paid this amount for the number of eligible livestock that died as a result of the eligible loss condition, in excess of normal mortality rates determined by FSA.⁵⁵

⁵¹ 7 C.F.R. § 760.209(b)(2), (f).

⁵² 7 C.F.R. § 760.209(a), (b)(1).

⁵³ 7 C.F.R. § 760.209(g).

⁵⁴ 7 C.F.R. § 760.209(h)(3)(i).

⁵⁵ 7 C.F.R. § 760.209(h)(1)(ii), (2).

A contract grower will be paid 75% of the average income loss sustained with respect to the livestock that died as a result of the eligible loss condition, in excess of normal mortality rates determined by FSA.⁵⁶

4. *Payment Calculations for Honeybee Losses*

The ELAP payment calculation for honeybee feed losses will be based on 60% of the producer's actual cost for feed that was intended to be fed to an eligible honeybee colony but was damaged or destroyed due to an eligible loss condition.⁵⁷

The ELAP payment calculation for honeybee hive and/or colony losses will be based on 60% of the producer's actual replacement cost for a hive and/or colony that was damaged or destroyed due to an eligible loss condition.⁵⁸

5. *Payment Calculations for Farm-Raised Fish Losses*

The ELAP payment calculation for fish feed losses will be based on 60% of the producer's actual replacement cost for fish feed that was intended as feed for eligible farm-raised fish but was damaged or destroyed by an eligible loss condition.⁵⁹

The ELAP payment calculation for death losses of farm-raised bait or game fish will be based on 60% of the producer's actual replacement cost of the bait or game fish that died as a result of the eligible loss condition.⁶⁰

IV. Sign-Up Periods

To apply for ELAP payments, a livestock producer must file both a completed notice of loss and a completed application for payment by the sign-up dates set out below.⁶¹ FSA will deny payment to anyone who does not file by the deadlines.

⁵⁶ 7 C.F.R. § 760.209(h)(1)(ii), (3)(ii).

⁵⁷ 7 C.F.R. § 760.210(a).

⁵⁸ 7 C.F.R. § 760.210(b), (c).

⁵⁹ 7 C.F.R. § 760.211(a).

⁶⁰ 7 C.F.R. § 760.211(b).

⁶¹ 7 C.F.R. § 760.206(a).

A. Deadline for 2008 Losses

To apply for ELAP payments for losses that occurred in 2008, a producer must file a notice of loss and an application for payment, together with all required supporting documentation, with the FSA county office no later than **December 10, 2009**.⁶²

B. Deadlines for Losses from January 1 through September 10, 2009

To apply for ELAP payments for losses that occurred between January 1, 2009, and September 10, 2009, a producer must file a notice of loss with the FSA county office no later than **December 10, 2009**.⁶³ The producer must then also file an application for payment together with all required supporting documentation with the FSA county office no later than **January 30, 2010**.⁶⁴

C. Deadlines for Losses Occurring on or after September 11, 2009

For losses that occur on or after September 11, 2009, a producer must file a notice of loss with the FSA county office by the **earlier** of the following dates:⁶⁵

- (1) 30 calendar days after the loss became apparent to the producer; or
- (2) 30 calendar days after the end of the calendar year in which the loss occurred.

An application for payment and all required supporting documentation must also be filed no later than 30 calendar days after the end of the calendar year in which the loss occurred.⁶⁶

V. Required Documentation to Support an ELAP Application

As stated above, to obtain ELAP benefits a producer must file both a notice of loss and an application for payment by the deadlines set out above. The producer will also be required to submit additional documentation to complete the application.

As a general requirement for all types of ELAP benefits, FSA will want the producer to submit a report of acreage.⁶⁷ If the producer is a contract grower, FSA will want the

⁶² 7 C.F.R. § 760.207(a)(1), (b)(2).

⁶³ 7 C.F.R. § 760.207(a)(1).

⁶⁴ 7 C.F.R. § 760.207(b)(1).

⁶⁵ 7 C.F.R. § 760.207(a)(2).

⁶⁶ 7 C.F.R. § 760.207(b)(1).

producer to submit a copy of the growout contract.⁶⁸ FSA also reserves the right to ask for any other supporting documentation that it considers necessary to determine the producer's eligibility.⁶⁹

A. Documentation Required for Purchased Feed Losses and Costs of Additional Feed Needs

To support an ELAP application for losses of purchased feed and/or for the costs of feed purchases above normal needs for livestock, honeybees, or farm-raised fish, a producer must submit verifiable documentation of the following, as applicable:⁷⁰

- (1) Purchased feed intended to be fed to livestock, honeybees, or farm-raised fish; or
- (2) Feed purchased above normal quantities to sustain livestock, honeybees, or farm-raised fish for a short period of time due to an eligible loss condition until additional feed becomes available.

FSA will generally want original feed receipts showing the date of purchase; the seller's name, address, and phone number; the type, quantity, and cost of feed purchased; and the signature of the seller if the seller is unlicensed.⁷¹

B. Documentation Required for Loss of Harvested Feed

To support an ELAP application for loss of harvested feed intended for livestock, honeybees, or farm-raised fish due to an eligible loss condition, FSA will want documentation including, but not limited to, weigh tickets, truck scale tickets, custom harvest records clearly identifying the amount of feed produced from the identified acreage, and the producer's contemporaneous notes verifying that the crop was stored with the intent to feed it to livestock, honeybees, or farm-raised fish.⁷²

C. Documentation Required for Honeybee or Farm-Raised Fish Losses

To support an ELAP application for honeybee hive or colony losses and farm-raised fish losses, FSA will want documentation of the producer's inventory when the

⁶⁷ 7 C.F.R. § 760.206(a)(3).

⁶⁸ 7 C.F.R. § 760.206(a)(4).

⁶⁹ 7 C.F.R. § 760.206(a)(5).

⁷⁰ 7 C.F.R. § 760.206(b)(1).

⁷¹ 7 C.F.R. § 760.206(b)(1).

⁷² 7 C.F.R. § 760.206(b)(2).

eligible loss condition began and when it ended.⁷³ Such documentation may include, but is not limited to, any combination of: acreage reports; loan records; private insurance documents; property tax records; sales and purchase receipts; state colony registration documents; and chattel inspections.

For the loss of honeybee colonies or hives due to colony collapse disorder, the producer must provide documentation to support that cause of loss.⁷⁴ Acceptable documentation may include a certification by a registered entomologist, Extension specialist, or land grant university.

D. Documentation Required for Livestock Death Losses

To support an ELAP application for livestock death loss, a producer must provide documentation of: the quantity and kind of livestock that died, the current physical location of livestock in inventory; and the physical location of claimed livestock at the time of death.⁷⁵ The types of documentation that will be expected for ELAP death loss claims, and the acceptable alternatives, are comparable to the documentation requirements for LIP, which are set out in some detail in the LIP materials.

⁷³ 7 C.F.R. § 760.206(c).

⁷⁴ 7 C.F.R. § 760.206(d).

⁷⁵ 7 C.F.R. § 760.206(e).