

**For:** State and County Offices

**Notice of Loss Deadline Waiver**

**Approved by:** Acting Deputy Administrator, Farm Programs



**1 Overview**

**A Background**

ELAP provides emergency assistance to eligible producers of livestock, honeybees, and farm-raised fish that have losses because of disease, adverse weather, or other conditions, including losses because of blizzards and wildfires, as determined by the Secretary.

Eligible producers have been required to report losses because of an eligible adverse weather condition or loss event within 30 calendar days for livestock and farm-raised fish and 15 calendar days for honeybees from when the loss first became apparent.

**B Purpose**

This notice uses the authority provided DAFP to waive the 30-calendar-day (livestock and farm-raised fish) and 15-calendar-day (honeybees) timeframes to submit a notice of loss from the date the loss is apparent for the 2023 and subsequent program years. The new deadline for filing a notice of loss under ELAP will be the same as the final date to submit an application for payment, which is 30 calendar days following the program year of which the loss occurred.

**C Contact**

If there are questions about this notice:

- County Offices will contact the State Office
- State Offices will contact Seth Cross, ELAP Program Manager.

<b>Disposal Date</b>	<b>Distribution</b>
November 1, 2024	State Offices; State Offices relay to County Offices
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### 2 ELAP Updates

#### A Overview

ELAP policy and regulations require eligible producers to submit notices of loss within 30 calendar days for livestock and farm-raised fish and 15 calendar days for honeybee losses from when the loss first became apparent.

#### B Change of Notice of Loss Deadline

For 2023 and subsequent years, DAFP has waived the deadline requirements for filing notices of loss in 1-ELAP, subparagraph 6 A. Eligible producers are no longer required to file a notice of loss within 30 calendar days for livestock and farm-raised fish and 15 calendar days for honeybees from when the loss first became apparent. The notice of loss must be completed by the eligible producer no later than the program application deadline of January 30 following the program year in which the loss occurred.

#### C 2023 ELAP Notices of Loss Disapproved Based on Being Late Filed

County Offices should review all notices of loss previously disapproved because they were late filed and re-evaluate them based on the new policy and notice of loss eligibility requirements according to 1-ELAP, subparagraphs 102 B, 104 C, and 104 D.

#### D Acting on Notices of Loss

COC's must act on all completed and signed notices of loss according to 1-ELAP, subparagraphs 104 B, C, and D along with thoroughly documenting their determinations in the COC minutes. Any late-filed notice of loss requests previously denied and sent to DAFP for relief should be re-evaluated for approval and the relief request withdrawn if the policy outlined in this notice would result in an approved notice of loss determination.

### 3 Action

#### A State Office Action

State Offices must:

- ensure that County Offices are aware of the policy established in this notice
- assist County Offices with questions about this notice
- contact Seth Cross with any questions about this notice, according to subparagraph 1 C.

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### 3 Action (Continued)

#### B County Office Action

County Offices must:

- follow policy established in this notice until 1-ELAP is amended
- follow all other ELAP provisions according to 1-ELAP and 2-ELAP
- contact the State Office or DD with concerns about procedure in this notice or any questionable situations.