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**IDAPA 34
TITLE 05
CHAPTER 01**

34.05.01 - RULES GOVERNING FARM PRODUCTS CENTRAL FILING SYSTEM

000. LEGAL AUTHORITY AND REFERENCES.

- 01. Public Law.** P.L. 99-198, Section 1324. (7-1-93)
- 02. CFR.** Title 9, C.F.R., Part 205 (1986). (7-1-93)
- 03. Sessions Laws.** Session Laws 1986, Chapter 338. (7-1-93)
- 04. Idaho Code.** Title 67, chapter 52, Idaho Code. (7-1-93)
- 05. USDA.** USDA certification of the Idaho Central Filing System, and all amendments thereto. The certification and amendments are available for inspection and copying in the office of the Secretary of State. Copies will be provided on request. (7-1-93)
- 06. Rules of the Secretary of State.** IDAPA 34.05.03, "Rules Governing Requests For Information -- Form UCC-4 -- Fees," Office of the Secretary of State. (7-1-93)

001. -- 003. (RESERVED).

004. DEFINITIONS AND ABBREVIATIONS.

Where terms used in this rule are not explicitly or completely defined herein, definitions and usage of terms from the references are applicable. (7-1-93)

- 01. EFS.** An effective financing statement relating to farm products. (7-1-93)
- 02. FP.** A farm product produced in the state of Idaho. (7-1-93)
- 03. SSN.** Social security account number of an individual debtor listed on EFS. (7-1-93)
- 04. TIN.** The IRS taxpayer identification number assigned to a business entity debtor other than an individual. (7-1-93)
- 05. Crop Year.** (7-1-93)
 - a.** For a plant or plant product, the calendar year in which it is harvested or to be harvested. (7-1-93)
 - b.** For mammals, the calendar year in which they are born or acquired. (7-1-93)
 - c.** For bees and worms, the calendar year in which they are alive in adult form. (7-1-93)
 - d.** For poultry and the products of mammals, poultry and bees (i.e. milk, eggs and honey), the calendar year in which they are sold or to be sold. (7-1-93)
 - e.** For fish and other aquaculture, the calendar year in which they are harvested or to be harvested. (7-1-93)
- 06. SP.** A secured party indicated on an EFS. (7-1-93)
- 07. ML.** Master list of EFS's compiled by the Secretary of State. (7-1-93)
- 08. PML.** A portion of the master list which covers EFS's relating to a particular FP or group of FP's. (7-1-93)

- 09. PML Grouping.** That related group of FP's which will appear on one PML. (7-1-93)
- 10. CS.** A cumulative supplement to a PML which contains all additions to, changes to, and deletions from the PML which have been filed since the most recent publication of the complete PML. (7-1-93)
- 11. Item on a ML or PML.** An entry on a ML or PML relating to one (1) EFS and one (1) debtor listed thereon; there will be a separate item for each debtor name on an EFS; items on a PML will be numbered sequentially. (7-1-93)
- 12. CM.** Commission merchant. (7-1-93)
- 13. SA.** Selling agent. (7-1-93)
- 14. SOS.** Secretary of State. (7-1-93)
- 15. Debtor.** For purposes of this rule, the term "debtor" shall mean any person subjecting a farm product to a security interest, whether or not such person is an actual debtor. (7-1-93)
- 16. USDA.** The United States Department of Agriculture. (7-1-93)
- 005. -- 010. (RESERVED).**
- 011. EFS REQUIREMENTS.**
- 01. Form.** An EFS must be filed on a form prescribed and approved by the SOS. The form shall be designated "UCC-1F." (7-1-93)
- 02. Debtor Name.** The debtor name or names must be entered completely and precisely. (7-1-93)
- a.** The names of individuals must be entered in order of last name (surname), first name, and middle initial or name, if any. (7-1-93)
- b.** Assumed business names and corporate names must be entered in full, without abbreviation. (7-1-93)
- 03. SSN/TIN.** The SSN or TIN for each debtor must be entered beside each debtor's name. If the debtor is a sole proprietorship which has adopted an assumed business name which is listed on the EFS, the SSN of the debtor should be entered beside the assumed business name; if both a husband and wife are liable on the debt, then both SSN's should be entered beside the assumed business name. (7-1-93)
- 04. Debtor Address.** The address of the debtor(s) must be entered. If there are multiple debtors and addresses, the respective debtors and addresses must be clearly tied together. (7-1-93)
- 05. SP.** The name and address of the SP must be entered. (7-1-93)
- 06. Assignee.** The name and address of the assignee, if any, must be entered. (7-1-93)
- 07. FP.** The three (3) digit product code for each FP subject to the security interest must be entered. A table of product codes appears on the back of the UCC-1F. Entry of the FP name following the FP code is permissible but not required. The SOS will consider and record only the FP code, and will not be responsible for discrepancies between the FP code and any FP name which may be entered by the filing party. (7-1-93)
- 08. County.** Within each FP so indicated, the two-digit county code for each county where the FP is growing, is to be grown, is located or is forseen to be located while in possession of the debtor. A table of county codes appears on the back of the UCC-1F. If a county which is not in the table must be entered, code "99" should be entered, and the county name entered on an attached page. (7-1-93)

09. Crop Year. If fewer than all crop years of a FP are covered by the EFS, the crop year(s) of the FP which is (are) covered must be entered. Only the last two (2) digits of the year are used. (7-1-93)

10. Amount. If less than all of a particular FP for the specified crop year(s) is covered by the EFS, the amount which is covered must be entered, along with the code for the appropriate unit of measurement. A table of unit codes appears on the back of the UCC-1F. If all of the particular FP for the specified crop year(s) is covered by the EFS, no amount information should be entered. (7-1-93)

11. Narrative. If less than all of a FP for the specified crop year(s) is covered, and if the coded information does not adequately identify that which is covered, such additional information as is necessary to identify the covered amount must be entered in narrative form on an attached supplement form prescribed and approved by the SOS. The supplement form shall be designated "UCC-2F." Each entry of additional collateral description on the UCC-2F must be tied to the item on the UCC-1F to which it relates by reference to the pre-numbered line of collateral information on the UCC-1F. The additional collateral description for each item must be limited to not more than a total of one hundred fifty (150) characters and spaces. (7-1-93)

12. Signatures. The signatures of the debtor(s) and SP must be affixed to the UCC-1F. All debtors whose names appear in the debtor block of the UCC-1F must sign. (7-1-93)

13. Legibility. All information other than the signatures must be typed or legibly printed. (7-1-93)

14. Attachments. All attached pages must be printed on only one (1) side and must not exceed eight and one half by eleven inches (8 1/2" x 11") in size. (7-1-93)

012. AMENDMENT, ASSIGNMENT, CONTINUATION AND TERMINATION OF EFS.

01. Form. An amendment, assignment or continuation of an EFS must be filed on a form prescribed and approved by the SOS. The form shall be designated "UCC-3F." A termination of an EFS may be filed on either the original UCC-1F termination block or on a UCC-3F. (7-1-93)

02. EFS Number. The document number assigned by the SOS to the EFS to which the action pertains must be entered. (7-1-93)

03. Parties. The requirements for identification and signatures of the parties are the same as for an EFS. (7-1-93)

04. Coded Information. Amendment of coded collateral information on the EFS will be done by entry of action codes "A" for addition of a new line of coded information and "D" for deletion of an existing line of coded information. Following the action code, the coded information for FP, county, crop year and amount will be entered in the same manner as on an EFS. Amendment of a particular line of coded information will be done by deleting the existing line, followed by adding a new line to reflect the information as amended. Such an amendment must refer by number to the pre-numbered line of collateral information on the UCC-1F. When necessary, the UCC-2F will be used in the same manner as described in Subsection 011.11, supra. A release of collateral will be deemed to be an amendment. (7-1-93)

05. Uncoded Information. Amendment of uncoded information on the EFS will be entered in the appropriate space on the UCC-3F. (7-1-93)

06. Assignment. Assignment of a security interest covered by an EFS will be done by entry of the assignee's name and address in the assignee space on the UCC-3F. (7-1-93)

07. Continuation. Continuation of an EFS will be done by checking the continuation box on the UCC-3F. (7-1-93)

08. Termination. Termination of an EFS will be done either by the SP's signature on the termination signature line on the original of the UCC-1F or by checking the termination box on the UCC-3F. (7-1-93)

09. Obligation to Terminate. The secured party is required to file a termination of an EFS with the SOS within one (1) month from the date on which the secured party no longer has a claim to a security interest under the EFS. If the secured party fails to file the termination statement within one (1) month from the date on which there is no longer an outstanding secured obligation and no commitment to make advances, incur obligations or otherwise give value, he shall be liable to the debtor for one hundred dollars (\$100) in addition to any loss suffered by the debtor by the failure to file the termination statement. (7-1-93)

013. (RESERVED).

014. COLLATERAL INFORMATION CODES.

01. Use of Codes. The codes in Section 014 are used to describe FP collateral on the EFS and ancillary statements, on the ML maintained by the SOS, and on the PML's distributed to registered buyers, CM's and SA's. (7-1-93)

02. FP Codes. FP's covered by this rule shall be those certified by USDA. The FP's in the following table have been certified. FP's may be added by certification by USDA. Assignment of FP codes and PML groupings shall be done by the Secretary of State as a matter of internal management. The table of PML groupings, FP's, and their codes is as follows:

PML No.	PML Grouping	FP Code	FP Name
01	Wheat and Buckwheat	010	Wheat
		011	Buckwheat
02	Feed and Oil Grains	020	Barley
		021	Rye (including Triticale)
		022	Oats
		023	Sorghum Grain
		024	Flaxseed
		025	Safflower
		026	Rape (including Canola)
		027	Field Corn
		028	Millet
03	Hay	030	Hay
04	Ensilage	040	Ensilage
05	Potatoes	050	Potatoes
06	Sugar Beets	060	Sugar Beets

PML No.	PML Grouping	FP Code	FP Name
07	Dry Beans	070	Dry Beans
08	Dry Peas, Lentils and Garbanzos	080	Dry Peas
		081	Lentils
		082	Garbanzos (Chick Peas)
09	Sweet Corn	090	Sweet Corn
10	Onions and Garlic	100	Onions
		101	Onion Seed
		102	Garlic
11	Mint	110	Mint
12	Hops	120	Hops
13	Popcorn & Sunflower Seeds	130	Popcorn
		131	Sunflower Seeds
14	Soybeans	140	Soybeans
15	Rice	150	Rice
16	Seeds	160	Grass for Seed
		161	Alfalfa for Seed
		162	Other Hay Legumes for Seed
		163	Garden Vegetables and Flower Seeds
17	Vegetables & Melons	170	Green Peas
		171	Tomatoes
		172	Lettuce
		173	Cucumbers
		174	Broccoli
		175	Cauliflower

PML No.	PML Grouping	FP Code	FP Name
		176	Lima Beans
		177	Green Beans
		178	Melons
		179	Carrots
		180	Turnips
		181	Asparagus
		182	Spinach and Collards
		183	Pumpkins and Squash
		184	Radishes
		185	Peppers
19	Fruits	190	Apples
		191	Apricots
		192	Cherries
		193	Nectarines
		194	Peaches
		195	Pears
		196	Plums
20	Berries	200	Strawberries
		201	Raspberries
21	Nursery Products	210	Sod
		211	Nursery Stock (Trees and Shrubs)
		212	Christmas Trees
		213	Flowers and Potted Plants
22	Mushrooms	220	Mushrooms
23	Grapes	230	Grapes
50	Beef Animals	500	Beef Cattle and Calves
		501	Beefalo
		502	Bison

PML No.	PML Grouping	FP Code	FP Name
51	Sheep, Wool	510	Sheep and Lambs Goats and Llamas
		511	Wool
		512	Goats
		513	Llamas
52	Hogs	520	Hogs
53	Dairy	530	Dairy Cattle
		531	Milk
54	Equines	540	Horses
		541	Mules
		542	Donkeys and Burros
55	Chickens and Eggs	550	Chickens
		551	Eggs
56	Other Fowl	560	Turkeys
		561	Ducks
		562	Geese
		563	Game Birds
57	Mink, Rabbits and Fox	570	Mink and Pelts
		571	Rabbits
		572	Fox and Pelts
58	Apiary Products	580	Bees
		581	Honey
		582	Bees Wax
59	Fish and Other Aquaculture	590	Fish and Other Aquaculture
60	Big Game Animals (Deer and Elk)	590	Big Game Animals (Deer and Elk)

PML No.	PML Grouping	FP Code	FP Name
61	Worms	610	Worms
62	Semen	620	Cattle Semen
		621	Horse Semen

(7-1-93)

03. County Codes. The table of county codes is as follows, Unless otherwise indicated, counties are in Idaho.

01	Ada	16	Cassia	31	Lewis	46	Garfield, Wa.
02	Adams	17	Clark	32	Lincoln	47	Pend Orielle, Wa.
03	Bannock	18	Clearwater	33	Madison	48	Spokane, Wa.
04	Bear Lake	19	Custer	34	Minidoka	49	Whitman, Wa.
05	Benewah	20	Elmore	35	Nez Perce	50	Malheur, Or.
06	Bingham	21	Franklin	36	Oneida	51	Elko, Nv.
07	Blaine	22	Fremont	37	Owyhee	52	Box Elder, Ut.
08	Boise	23	Gem	38	Payette	53	Cache, Ut.
09	Bonner	24	Gooding	39	Power	54	Rich, Ut.
10	Bonneville	25	Idaho	40	Shoshone	55	Lincoln, Wy.
11	Boundary	26	Jefferson	41	Teton	56	Teton, Wy
12	Butte	27	Jerome	42	Twin Falls	57	Beaverhead, Mt.
13	Camas	28	Kootenai	43	Valley	58	Lincoln, Mt
14	Canyon	29	Latah	44	Washington	59	Sanders, Mt.
15	Caribou	30	Lemhi	45	Asotin, Wa.	99	Not in Table

(7-1-93)

04. Crop Year. The crop year code is the last two digits of the calendar year. If no crop year code is entered, all crop years are deemed to be covered. (7-1-93)

05. Unit Codes. The table for codes for units used to indicate the amount of a FP covered is as follows:

A - acres	G - gallons	T - tons
B - bushels	H - head	V - hives
C - hundred weight	L - pounds	W - lugs
E - cases	N - bins	X - boxes
F - flats	S - sacks	Z - stubs

(7-1-93)

015. REGISTRATION OF BUYERS, CM'S AND SA'S -- SUBSCRIPTION TO PML'S.

01. Form. Registration of buyers, CM's and SA's must be on a form prescribed and approved by the SOS. The form shall be designated "UCC-5F." (7-1-93)

02. Right to Subscribe - Number. Registration entitles the registrant to subscribe for PML's. Each registrant will be assigned a permanent registration number by the SOS. (7-1-93)

03. Duration. Registration is effective for a period of one (1) year. Renewal of registration may be filed at any time after ninety (90) days prior to expiration of a current registration period. The registrant must indicate his registration number on the renewal registration form. (7-1-93)

04. Change of Name or Address. Notice of a registrant's change of name or address must be made in writing to the SOS. (7-1-93)

05. Initial Subscription. Subscriptions for PML's may be made at the time of registration or at any time during the period for which the registrant is registered; provided that no subscription for a PML will run beyond the calendar quarter in which the registration period expires. Subscriptions made at the time of registration will be made on the UCC-5F. (7-1-93)

06. Other Subscription. Subscriptions made other than at the time of registration must be made on a form prescribed and approved by the SOS. The form shall be designated "UCC-6F." The registrant must indicate his registration number on the subscription form. (7-1-93)

07. Period of Subscription. A subscription for any PML may be annual or by calendar quarter or quarters, which quarter or quarters may be at a specified time in the future. (7-1-93)

08. Initial Distribution. If a subscription starts at any time other than the start of a calendar quarter, the registrant will receive the most recent complete compilation of the PML, the most recent CS, and all distributions of PML's and CS's for the remainder of the calendar quarter. (7-1-93)

09. Special Subscription. If the registrant subscribes for a PML for fewer than all counties or crop years, he must indicate the county codes of the desired counties and/or the desired crop years(s). If no county codes or crop years are indicated, the PML will cover all counties and crop years. (7-1-93)

10. Medium. For each PML for which there is a choice of media, the registrant must indicate "M" for microfiche or "P" for paper. A choice of media is available for PML's which cover all counties and crop years. (7-1-93)

11. Copy of Rules. At the time of registration, each registrant will be issued a copy of these rules. (7-1-93)

016. (RESERVED).

017. FORM AND DISTRIBUTION OF PML'S AND CS'S.

01. Content of List. Each PML includes data from all EFS's which cover a particular FP or one (1) or more of a group of related FP's (PML grouping). (7-1-93)

02. Alphabetical Organization. Within each PML, EFS data are organized alphabetically by surname of individual debtors and the first word other than an article of speech in the names of non-individual debtors or in assumed business names. Items in a PML are numbered sequentially. (7-1-93)

03. Content of Each Item. For each item, the PML includes current information reflecting any changes by amendment, continuation or assignment concerning: (7-1-93)

a. The address of the debtor; (7-1-93)

- b.** The document number of the EFS; (7-1-93)
 - c.** The date and time of filing of the EFS; (7-1-93)
 - d.** The SSN or TIN of the debtor; (7-1-93)
 - e.** The name and address of the secured party; (7-1-93)
 - f.** Each FP from the relevant PML grouping which is covered by the EFS; and (7-1-93)
 - g.** For each FP, all crop year, location information, amount information, and other identifying information indicated on the EFS. (7-1-93)
- 04. Cross-Index.** At the end of the PML, there is a cross-index organized in order of SSN and TIN, keyed to the item number in the PML. (7-1-93)
- 05. Medium.** For PML's covering all counties and crop years, there is a choice of media between microfiche and paper. PML's covering fewer than all counties or crop years are available only on paper. (7-1-93)
- 06. PML Publication Dates.** Each PML is published in complete form on the first regularly scheduled bi-weekly publication date in each calendar quarter. A PML may at other times be published in complete form at the discretion of the SOS when that appears to be more economical than to publish a CS. (7-1-93)
- 07. Supplementation.** At bi-weekly intervals following the publication of each PML, the SOS publishes a CS for each PML. The CS includes all additions, deletions and changes which have occurred since the publication of the last complete PML. Additions are in the same form and cross-indexed in the same way as items on the PML. Deletions and changes need only refer to the affected item in either the PML or the "addition" section of the CS, and state what action has been taken or what change has been made to that item. (7-1-93)
- 08. Cut-Off Date.** In order to be included on a PML or CS, an EFS must be received by the SOS not later than 8:00 a.m. on the business day prior to publication; i.e. an EFS received on Thursday will not be included on a PML published on Friday. (7-1-93)
- 09. Staggered Dates.** The SOS may stagger the publication dates of the various PML's and CS's at his discretion. (7-1-93)
- 10. Schedule.** At the beginning of each calendar quarter, the SOS distributes to each registrant with the quarterly PML's a schedule of proposed publication dates for that calendar quarter and for the next quarterly PML's. The SOS may, for good cause, deviate from the schedule, but every PML and CS will be clearly marked with the actual date of publication. In no case will there be more than eighteen (18) days between publications of PML's and associated CS's. (7-1-93)
- 018. GENERATION OF AD HOC INFORMATION REPORTS.**
- 01. Options.** Upon the request of any person, the SOS will provide a list organized or limited according to: (7-1-93)

 - a.** An individual FP or a PML grouping; (7-1-93)
 - b.** Alphabetical order by debtor name; (7-1-93)
 - c.** Numerical order by SSN and TIN; (7-1-93)
 - d.** County; or (7-1-93)
 - e.** Crop year. (7-1-93)

02. Internal Organization. When the request is for organization or limitation on the criteria specified in Subsections 018.01.a., 018.01.d., and 018.01.e., supra., the list will be organized alphabetically within each resulting group unless the request specifies otherwise. (7-1-93)

03. Additional Criteria. The request may specify additional criteria for further organization or limitation within the first grouping. (7-1-93)

019. REQUESTS FOR INFORMATION.

Requests for information on EFS's will comply with IDAPA 34.05.03, "Rules Governing Requests For Information - Form UCC-4 -- Fees," Office of the Secretary of State. (7-1-93)

020. VERBAL REQUESTS FOR INFORMATION.

Verbal requests for information on EFS's will comply with IDAPA 34.05.03, "Rules Governing Requests For Information -- Form UCC-4 -- Fees," Office of the Secretary of State. (7-1-93)

021. FEES.

01. EFS. EFS and changes thereto (UCC-1F, UCC-2F and UCC-3F). (7-1-93)

a. The fee for filing either a UCC-1F or a UCC-3F is ten dollars (\$10) if the form is typed or machine printed, and otherwise is fourteen dollars (\$14). (7-1-93)

b. For each page of information attached to a form, there is an additional fee of one dollar (\$1). The UCC-2F is not counted as a page of attached information. (7-1-93)

c. There is no charge for filing a complete termination of an EFS. (7-1-93)

d. The fee for filing an EFS or change thereto must be paid at the time of filing. (7-1-93)

02. Registration of Buyers, CM's and SA's. (7-1-93)

a. The fee for the annual registration of each buyer, CM or SA is thirty dollars (\$30). (7-1-93)

b. The registration fee must be paid at the time of registration. (7-1-93)

c. There is no fee for filing notice of a registrant's change of name or address. (7-1-93)

03. Subscription to PML's by Buyers, CM's and SA's. (7-1-93)

a. The fee for subscribing for each PML and its CS's by a registrant is determined by the size of the PML. For the purpose of computing the fee, each PML grouping is placed into a fee category based on the highest number of items on the PML during the prior calendar year. In December of each year the SOS will publish an index of the PML groupings in each fee category to be used for the new year. Those fee categories are as follow:

Category	No. of items on PML
X	More than 7500
A	2501 - 7500
B	1001 - 2500
C	101 - 1000
D	26 - 100
E	0 - 25

(7-1-93)

b. The fees in dollars for each fee category, by media, configuration, and period are as follows

Fee Category

Configuration of PML	Period	X	A	B	C	D	E
All Counties, Microfiche	Q	25	23	15	13	13	13
	A	100	90	60	50	50	50
All Counties, Paper	Q	330	261	95	45	18	13
	A	1320	1040	380	180	703	50
First county when fewer than all, Paper**	Q	158	148	123	113	110	110
	A	630	590	490	450	440	440
Each additional** county	Q	40	33	10	5	1	1
	A	160	130	40	20	2	2
Fewer than all crop years	Q	485	400	208	150	115	110
	A	1940	1600	830	600	460	440

* Q = cost per quarter

A = cost for an annual subscription.

** If a PML is to include fewer than all counties and fewer than all crop years, these schedules apply. (7-1-93)

c. The subscription fee must be paid at the time the subscription is made. If, due to a recent recategorization of a PML grouping, the fee submitted is insufficient, the SOS may bill the registrant for a balance owing of up to fifty percent (50%) of the subscription fee. (7-1-93)

04. Ad Hoc Lists. (7-1-93)

a. The fee for generating an ad hoc list as provided in Section 018, supra, is thirty-five dollars (\$35) per hour for programming and analysis and eighty-five dollars (\$85) per hour of computer time required to produce the list. In addition thereto, there is a fee of one dollar (\$1) per printed page of the list so generated. (7-1-93)

b. The fee for the generation of the list must be paid prior to or upon receipt of the list. (7-1-93)

05. Fees for Requests. The fees for requests for information on EFS's, both written and verbal, and for copies of EFS's reported on the certificate, are provided in IDAPA 34.05.03, "Rules Governing Requests For Information -- Form UCC-4 -- Fees," Office of the Secretary of State. (7-1-93)

022. -- 999. (RESERVED).

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