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IDAPA 34
TITLE 05
CHAPTER 01

34.05.01 - RULES GOVERNING FARM PRODUCTS CENTRAL FILING SYSTEM

000. LEGAL AUTHORITY.
In accordance with Sections 67-903(9), 28-9-523(g), and 28-9-524, Idaho Code, the Secretary of State has authority to promulgate administrative rules in order to execute the duties of the Office of the Secretary of State. This authority includes rules to implement and maintain the USDA certified Idaho Central Filing System, in accordance with P.L. 99-198, Section 1324 of the Federal Food Security Act (1985) and Title 9, CFR Part 205 (2010). (4-7-11)

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 34.05.01, "Rules Governing Farm Products Central Filing System," IDAPA 34, Title 05, Chapter 01. (4-7-11)

02. Scope. These rules shall govern the requirements for the filing of Farm Products Financing Statements, for the filing of amendments to Farm Products Financing Statements, and for the compilation and distribution of a master list of Farm Products Financing Statements, and portions of the master list. (4-7-11)

002. WRITTEN INTERPRETATIONS.
In accordance with Section 67-5201(19)(b)(iv), Idaho Code, documents relating to the interpretation of these rules, or to the documentation of compliance with the rules of this chapter, are available for public inspection and copying at the Office of the Secretary of State. (4-7-11)

003. ADMINISTRATIVE APPEALS.
This chapter does not provide for appeal. (4-7-11)

004. INCORPORATION BY REFERENCE.
There are no documents that have been incorporated by reference into these rules. (4-7-11)

005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS.
The principal place of business for the Office of the Secretary of State is located at 700 W. Jefferson, Room E205, Boise, Idaho 83720-0080. The Commercial Division is located at 450 N. 4th Street, Boise, Idaho 83720-0080. Office hours are from 8 a.m. to 5 p.m., Monday through Friday, except for legal holidays. The mailing address for the office is P. O. Box 83720, Boise, Idaho 83720-0080. The telephone number for the office is (208) 334-2300. The telephone number for lien inquiries is (208) 334-3191. The facsimile number for the office is (208) 334-2847. The office's website address is http://www.sos.idaho.gov. (4-7-11)

006. PUBLIC RECORDS ACT COMPLIANCE.
The rules contained herein have been promulgated in accordance with the provisions of Title 67, Chapter 52, Idaho Code, and are public records. (4-7-11)

007. -- 009. (RESERVED)

010. DEFINITIONS.
The definitions set forth in Section 28-9-102, Idaho Code, apply with full force and effect to all provisions and sections of these rules. Where terms used in this rule are not explicitly or completely defined herein, definitions and usage of terms from the Legal Authority in Section 000 of these rules are applicable. (4-7-11)

01. 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. (4-7-11)

e. For fish and other aquaculture, the calendar year in which they are harvested or to be harvested. (7-1-93)

02. Farm Products Financing Statement. A financing statement covering farm products. (4-7-11)

03. Item on a Master List or Portion of a Master List. An entry on a master list or portion of a master list relating to one (1) Farm Products Financing Statement and one (1) debtor listed thereon. (4-7-11)

04. PML Grouping. That related group of farm products which will appear on one (1) PML. (4-7-11)

011. ABBREVIATIONS.

Where abbreviations used in these rules are not explicitly or completely defined herein, definitions and usage of abbreviations from the Legal Authority in Section 000 of these rules are applicable. (4-7-11)

01. 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. (4-7-11)

02. PML. A portion of the master list, which covers Farm Products Financing Statements relating to a particular farm product or group of farm products. (4-7-11)

03. SOS. Idaho Secretary of State. (4-7-11)

04. USDA. United States Department of Agriculture. (4-7-11)

012. -- 019. (RESERVED)

020. UNIQUE IDENTIFIER NUMBER (UIN).

01. UIN System. The Secretary of State's Office shall use a UIN system that has been approved and certified by the USDA for the Idaho Central Filing System in place of the former use of complete social security numbers as a means of debtor identification. (4-7-11)

02. Social Security Numbers and Tax Identification Numbers. With the use of UINs, as approved by the USDA, the SOS will no longer require or accept social security numbers or tax identification numbers, in total, on Farm Products Financing Statements. Only the last four (4) digits shall be required and used. The SOS will not provide social security numbers or tax identification numbers, in total, to any person or business entity, in any format, from Farm Products Financing Statements. (4-7-11)

021. -- 099. (RESERVED)

100. FARM PRODUCTS FINANCING STATEMENT REQUIREMENTS.

01. Form. A Farm Products Financing Statement must meet the requirements of Section 28-9-502, Idaho Code, and must be filed on SOS form "UCC-1F." (4-7-11)

02. Completion of Form. Form UCC-1F must be completed in accordance with instructions provided by the SOS. (4-7-11)

101. AMENDMENT, ASSIGNMENT, CONTINUATION, AND TERMINATION OF A FARM PRODUCTS FINANCING STATEMENT.

01. Form. An amendment, assignment, or continuation of a Farm Products Financing Statement must be filed on SOS form "UCC-3F." (4-7-11)

02. Completion of Form. Form UCC-3F must be completed in accordance with instructions provided by the SOS. (4-7-11)

03. Termination. Termination of a Farm Products Financing Statement will be done either by the secured party's signature on the termination signature line on the original of the UCC-1F or by checking the termination box on the UCC-3F. (4-7-11)

102. FARM PRODUCTS FINANCING STATEMENTS UNDER THE UNIFORM COMMERCIAL CODE.
Unless otherwise provided for in this chapter, Farm Products Financing Statements shall be governed by IDAPA 34.05.06, "Administrative Rules Governing Lien Filings Under the UCC," with the following exceptions: (4-7-11)

01. IDAPA 34.05.06.101.05 "File Number." Subsection 101.05 only applies in that a unique number shall be assigned. For Farm Products Financing Statements, the filing type shall be designated as "F" followed by a number that is assigned sequentially. The filing number bears no relation to the time of filing and is not an indicator of priority. (4-7-11)

02. IDAPA 34.05.06.108 "Acceptable Forms." Section 108 does not apply to Farm Products Financing Statements. (4-7-11)

03. IDAPA 34.05.06.111 "Filing Fees." Section 111 does not apply to Farm Products Financing Statements. (4-7-11)

04. IDAPA 34.05.06.115.01 "Individually Identified Documents." Subsection 115.01 does not apply to Farm Products Financing Statements. Copies of Farm Products Financing Statements shall be made available either from a computer terminal in the reception area in the filing office or through any medium otherwise accepted by the filing office. There is a charge of one dollar ($1) per page for copies of Farm Products Financing Statements pursuant to Section 28-9-523(k), Idaho Code. (4-7-11)

05. IDAPA 34.05.06.202.02 "Additional Debtor Identification." Subsection 202.02 does not apply to Farm Products Financing Statements. (4-7-11)

06. IDAPA 34.05.06.301.01 "Identification Numbers." Subsection 301.01 applies, however, each Farm Products Financing Statement is identified by its file number as described in Subsection 102.01 of these rules. (4-7-11)

07. IDAPA 34.05.06.301.05 "Status of Financing Statement." Subsection 301.05 does not apply to Farm Products Financing Statements. (4-7-11)

08. IDAPA 34.05.06.302.01 "Individual Name Fields." Subsection 302.01 applies, however, no indicator is used to distinguish the name as that of an individual. (4-7-11)

09. IDAPA 34.05.06.302.05 "No Assumed Business Names." Subsection 302.05 does not apply to Farm Products Financing Statements. However, if an assumed business name is used as the debtor name, the required information shall be as indicated in Subsection 020.02 of these rules. (4-7-11)

10. IDAPA 34.05.06.303.01 "Single Field." Subsection 303.01 applies, however, no indicator is used to distinguish the name as that of an organization. (4-7-11)

11. IDAPA 34.05.06.303.03 "No Assumed Business Name." Subsection 303.03 does not apply to Farm Products Financing Statements. However, if an assumed business name is used as the debtor name, the required information shall be as indicated in Subsection 020.02 of these rules. (4-7-11)

12. IDAPA 34.05.06.306.02 "Status of Debtor." Subsection 306.02 does not apply to Farm Products Financing Statements. (4-7-11)

13. IDAPA 34.05.06.306.03 "Status of Financing Statement." Subsection 306.03 does not apply to Farm Products Financing Statements. (4-7-11)

14. IDAPA 34.05.06.310 "Termination." Section 310 does not apply to Farm Products Financing Statements. (4-7-11)

15. IDAPA 34.05.06.312 "Procedure Upon Lapse." Section 312 only applies to Farm Products Financing Statements in that a Farm Products Financing Statement lapses on its lapse date. Upon lapse of a Farm Products Financing Statement, the information management system shall cause the Farm Products Financing Statement to no longer be made available to the searcher. (4-7-11)

16. IDAPA 34.05.06.407 "Data Entry of Names - Designated Fields." Section 407 applies to Farm Products Financing Statements, however, the filer is not required to designate whether a name is an individual or an organization. (4-7-11)

17. IDAPA 34.05.06.408 "Data Entry of Names - No Designated Fields." Section 408 does not apply to Farm Products Financing Statements. (4-7-11)

18. IDAPA 34.05.06.410.02 "Name and Address of Each Debtor." Subsection 410.02 applies to Farm Products Financing Statements, however, each debtor name is removed from the searchable index upon lapse or termination. (4-7-11)

19. IDAPA 34.05.06.411.03 "Amendment Financing Statement Lapses." Subsection 411.03 applies to Farm Products Financing Statements, however, each debtor name is removed from the searchable index upon lapse or termination. (4-7-11)

20. IDAPA 34.05.06.413 through IDAPA 34.05.06.504. Sections 413 through 504 do not apply to Farm Products Financing Statements. (4-7-11)

103. -- 199. (RESERVED)

200. COLLATERAL INFORMATION CODES.
Codes are used to describe farm product collateral on the Farm Products Financing Statements and amendments, on the master list maintained by the SOS, and on the PMLs distributed to registered buyers, commission merchants, and selling agents. Assignment of farm product codes and PML Groupings, county codes, and farm product unit codes shall be done by the SOS. The SOS will provide a list of the established codes upon request. (3-29-12)

01. PML Groupings and Farm Product Codes. The table of PML Groupings, farm products, 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

PML No.	PML Grouping	FP Code	FP Name
		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
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

PML No.	PML Grouping	FP Code	FP Name
16	Seeds	160	Grass for Seed
		161	Alfalfa for Seed
		162	Other Hay Legumes for Seed
		163	Garden Vegetables and Flower Seeds
		164	Seed Potatoes
		165	Row Crops for Seed
17	Vegetables & Melons	170	Green Peas
		171	Tomatoes
		172	Lettuce
		173	Cucumbers
		174	Broccoli
		175	Cauliflower
		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
		186	Herbs
19	Fruits	190	Apples
		191	Apricots
		192	Cherries
		193	Nectarines
		194	Peaches
		195	Pears
		196	Plums

PML No.	PML Grouping	FP Code	FP Name
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
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

PML No.	PML Grouping	FP Code	FP Name
		561	Ducks
		562	Geese
		563	Game Birds
		564	Ostriches, Emus, and Rheas
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)	600	Big Game Animals (Deer and Elk)
61	Worms	610	Worms
62	Semen	620	Cattle Semen
		621	Horse Semen

(3-29-12)

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

00	All Idaho Counties						
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

(3-24-16)

03. **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

(3-29-12)

201. REGISTRATION OF BUYERS, COMMISSION MERCHANTS, AND SELLING AGENTS -- SUBSCRIPTION TO A PML.

01. **Form**. Registration of buyers, commission merchants, and selling agents must be on SOS form "UCC-5F." (4-7-11)

02. **Right to Subscribe - Number**. Registration entitles the registrant to subscribe for PMLs. 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 PMLs 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 must be made on the UCC-5F. (4-7-11)

06. **Other Subscription**. Subscriptions made other than at the time of registration must be made on SOS form "UCC-6F."The registrant must indicate his registration number on the subscription form. (4-7-11)

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, and all distributions of PMLs for the remainder of the calendar quarter. (4-7-11)

09. **Special Subscription**. If the registrant subscribes for a PML for fewer than all counties or crop

years, the registrant must indicate the county codes of the desired counties or the desired crop years, or both. If no county codes or crop years are indicated, the PML will cover all counties and crop years. (4-7-11)

10. **Copy of Rules**. At the time of registration, each registrant will be provided with a copy of these rules. (4-7-11)

202. -- 299. **(RESERVED)**

300. FORM AND DISTRIBUTION OF A PML AND CS.

01. **Content of List**. Each PML includes data from all Farm Products Financing Statements which cover a particular PML Grouping. (4-7-11)

02. **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)

03. **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)

04. **Cut-Off**. In order to be included on a PML or CS, a Farm Products Financing Statement must be received by the SOS at least one (1) business day prior to publication. (4-7-11)

05. **Schedule**. At the beginning of each calendar quarter, the SOS distributes to each registrant a schedule of proposed publication dates for that calendar quarter. 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 PMLs and associated CSs. (4-7-11)

301. 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 farm product or a PML Grouping; (4-7-11)

b. Alphabetical order by debtor name; (7-1-93)

c. By order of UIN; (4-7-11)

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 Paragraphs 301.01.a., 301.01.d., and 301.01.e., of these rules, the list will be organized alphabetically within each resulting group unless the request specifies otherwise. (4-7-11)

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

302. REQUESTS FOR INFORMATION.
Requests for information on Farm Products Financing Statements will comply with IDAPA 34.05.03, "Rules Governing Requests For Information -- Form UCC-4 -- Fees." (4-7-11)

303. FEES.

01. Farm Products Financing Statement. Farm Products Financing Statement and changes thereto (UCC-1F, UCC-2F and UCC-3F). (4-7-11)

a. The fee for filing either a UCC-1F or a UCC-3F is provided in IDAPA 34.05.06, "Administrative Rules Governing Lien Filings Under the UCC - Farm Product Liens," Section 606. (4-7-11)

b. There is no charge for filing a complete termination of a Farm Products Financing Statement. (4-7-11)

02. Registration of Buyers, Commission Merchants, and Selling Agents. (4-7-11)

a. The fee for the annual registration of each buyer, commission merchant, or selling agent is thirty dollars ($30). (4-7-11)

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 PMLs by Buyers, Commission Merchants, and Selling Agents. (4-7-11)

a. The fee for subscribing to one (1) PML for one (1) year is:

Internet Download (DL)	CD-ROM (CD)	Paper
$30	$40	$200

(3-24-16)

b. New subscriptions purchased at any time after the beginning of a registration period will be prorated to the current or next fiscal quarter, such that the end of the new subscription coincides with the end of the customer's registration period. (3-24-16)

c. The subscription fee must be paid at the time the subscription is made. (4-7-11)

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

a. The fee for generating an ad hoc list as provided in Section 301 of these rules, 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. (4-7-11)

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 for Information. The fees for requests for information on Farm Products Financing Statements, both written and verbal, and for copies of Farm Products Financing Statements reported on the certificate, are provided in IDAPA 34.05.03, "Rules Governing Requests For Information -- Form UCC-4 -- Fees." (4-7-11)

304. -- 999. (RESERVED)

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