

**Title 2—DEPARTMENT OF
AGRICULTURE
Division 100—Missouri Agricultural and Small Business Development Authority
Chapter 11—Missouri Dairy Revitalization Programs**

PROPOSED RULE

2 CSR 100-11.010 Dairy Producer Margin Insurance Premium Assistance Program

PURPOSE: This rule describes eligibility and application procedures for the dairy producer margin insurance premium assistance program.

(1) Definitions. As used in this rule, the following shall mean:

(A) Missouri Agricultural and Small Business Development Authority (MASBDA) – the authority. The Missouri Agricultural and Small Business Development Authority was created by Chapter 348, RSMo;

(B) Eligible Dairy Producer- The authorized representative (must match name of representative on the United States Department of Agriculture (USDA) Margin Protection Program (MPP)-Dairy enrollment form) of a dairy operation located in Missouri who provides proof of fully paid participation in the federal Margin Protection Program for Dairy (MPP-Dairy);

(C) Federal Premium – Amount paid to the USDA for participation in the Margin Protection Program for Dairy (MPP-Dairy) on an annual basis;

(D) Margin Protection Program- The federal Margin Protection Program for Dairy (MPP-Dairy) contained in the federal Agricultural Act of 2014 (“The Farm Bill”);

(E) Margin Protection Premium Reimbursement Rate – Seventy percent (70%) of the federal premium payment, up to a maximum premium reimbursement rate of thirty-four (.34) cents per hundredweight of milk, as certified on the USDA MPP-Dairy enrollment form;

(F) Pounds of Production – Producer’s production history measured in pounds for the dairy operation, as certified on the USDA MPP-Dairy enrollment form; and

(G) USDA/FSA – United States Department of Agriculture Farm Service Agency is the federal agency that administers the Margin Protection Program for Dairy Producers (MPP-Dairy).

(2) Operation of the Program.

(A) Eligibility – Applicant must be a dairy producer in the state of Missouri who participates in the federal margin protection program for dairy.

(B) Application—Dairy producers who wish to be considered for the program shall apply with the Missouri Agricultural and Small Business Development Authority on a form or forms provided by the authority prior to January first of each year. The authority will determine, on an annual basis, what documents are required to be submitted with the application to determine eligibility.

(C) Allocation— Upon approval by the authority, the eligible applicant shall receive reimbursement of seventy percent (70%) of the paid annual premium up to a maximum premium reimbursement rate of thirty-four (.34) cents per hundredweight of milk. Funding is subject to cash availability and current appropriation authority. If eligible application amounts exceed cash availability and current appropriation authority, reimbursement payments will be disbursed on a pro rata basis.

(D) Repayment of premium benefits—The authority may revoke, in full or part, any reimbursement payments if—1) any representation made to the authority in connection with an application proves to have been false when made; or 2) the application violates any conditions established by the Authority.

(3) The Missouri Agricultural and Small Business Development Authority may charge an application fee in an amount to be determined on an annual basis to cover the costs associated with the implementation of the program.

AUTHORITY: Section 261.295, RSMo Supp 2015. Original rule filed March 31, 2016.

PUBLIC COST: This proposed rule will result in an aggregate public cost of \$2,820,000 to \$16,647,860.

PRIVATE COST: This proposed rule will result in an aggregate private cost of \$24,700.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Agricultural and Small Business Development Authority, PO Box 630, 1616 Missouri Boulevard, Jefferson City, Missouri, 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*