

§ 1416.205 Payment calculation.

(a) Under this subpart, separate payment rates are established for eligible livestock owners and eligible livestock contract growers in accordance with paragraphs (b) and (c) of this section. LIP-II payments are calculated by multiplying the national payment rate for each livestock category, as determined in paragraphs (b) and (c) of this section, by the number of eligible livestock in each category, as provided in paragraphs (f), (g) and (h) of this section. Adjustments shall be applied in accordance with paragraphs (d) and (e) of this section and § 1416.206.

(b) The LIP-II national payment rate for eligible livestock owners is based on 30 percent of the average fair market value of the livestock.

(c) The LIP-II national payment rate for eligible livestock contract growers is based on 30 percent of the average income loss sustained by the contract grower with respect to the dead livestock.

(d) The payment calculated for eligible livestock owners shall be reduced by the amount the applicant received for the specific livestock under:

(1) Subpart E of Part 760 of this title, the Livestock Indemnity Program;

(2) Subpart G of Part 760 of this title, the Aquaculture Program; and

(3) Part 1437 of this chapter, the Non-insured Crop Disaster Assistance Program.

(e) The payment calculated for eligible livestock contract growers shall be reduced by the amount the applicant received for the specific livestock:

(1) Under the Livestock Indemnity Program under Subpart E of Part 760 of this title; and

(2) From the party who contracted with the producer to grow the livestock for the loss of income from the dead livestock.

(f) The categories of eligible livestock in any county provided in § 1416.2(d) that was not an eligible county according to 7 CFR 760.101 for eligible livestock contract growers are as follows:

- (1) Chickens, layers, roasters;
- (2) Chickens, broilers, pullets;
- (3) Chickens, chicks;
- (4) Turkeys, toms, fryers, roasters;
- (5) Turkeys, poults;

(6) Ducks;

(7) Ducks, ducklings;

(8) Geese, goose; and

(9) Geese, gosling.

(g) The categories of eligible livestock in any county provided in § 1416.2(d) that was not an eligible county according to 7 CFR 760.101 for eligible livestock owners are as follows:

- (1) Adult beef cows;
- (2) Adult beef bulls;
- (3) Non-adult beef cattle;
- (4) Adult buffalo or beefalo cows;
- (5) Adult buffalo or beefalo bulls;
- (6) Non-adult buffalo/beefalo;
- (7) Adult dairy cows;
- (8) Adult dairy bulls;
- (9) Non-adult dairy cattle;
- (10) Swine, sows, boars, barrows, gilts over 150 pounds;
- (11) Swine, sows, boars, barrows, gilts 50 to 150 pounds;
- (12) Swine, feeder pigs under 50 pounds;
- (13) Goats, bucks;
- (14) Goats, does;
- (15) Goats, kids;
- (16) Sheep, rams;
- (17) Sheep, ewes;
- (18) Sheep, lambs;
- (19) Deer;
- (20) Chickens, layers, roasters;
- (21) Chickens, broilers, pullets;
- (22) Chickens, chicks;
- (23) Turkeys, toms, fryers, roasters;
- (24) Turkeys, poults;
- (25) Ducks;
- (26) Ducks, ducklings;
- (27) Geese, goose;
- (28) Geese, gosling;
- (29) Catfish;
- (30) Crawfish; and
- (31) Equine.

(h) The categories of eligible livestock in any county provided in § 1416.2(d) that was an eligible county according to 7 CFR 760.101 for eligible livestock owners are as follows:

- (1) Catfish; and
- (2) Crawfish.

§ 1416.206 Availability of funds.

(a) In the event that the total amount of eligible claims submitted by eligible livestock owners under this subpart exceeds \$30 million, each payment to eligible livestock owner shall be reduced by a uniform national percentage, as determined by CCC.