



DISASTER ASSISTANCE - DAIRY

ELAP - Highly Pathogenic Avian Influenza (H5N1)

Emergency Assistance for Livestock, Honeybees and Farm-Raised Fish Program

Frequently Asked Questions

Who is eligible to receive Emergency Assistance for Livestock Honeybees, and Farm-Raised Fish Program (ELAP) benefits due to H5N1 losses?

Producers who have risk in milk production from dairy cows, have suffered decreased production from the removal of adult dairy cattle from the milking herd due to the Highly Pathogenic Avian Influenza A (HPAI) H5N1 virus, and have received a positive test from USDA's Animal and Plant Health Inspection Service (APHIS) National Veterinary Services Laboratories (NVSL).

How will a producer's payment be calculated?

Producers will be compensated for 21 days of zero production of milk and another 7 days of 50% of production, based on the month of removal and the production of milk for that month according to USDA's National Agricultural Statistics Service (NASS) monthly production records at the All Milk price for that month.

How does a producer apply for ELAP H5N1 assistance?

Producers should contact their local USDA Farm Service Agency (FSA) office to complete a notice of loss form (CCC-939) and an application for payment form (CCC-939H5N1). To find your local FSA office, visit farmers.gov/service-center-locator.

What information does a producer need to provide FSA?

To apply, producers need to submit the following:

- Proof of herd infection through a confirmed positive H5N1 test (based on USDA's APHIS H5N1 case definition) on individual animal or bulk tank samples confirmed by APHIS' NVSL;
- A notice of loss indicating the date when the loss is apparent, which is the sample collection date for the positive H5N1 test; and
- An application for payment certifying the number of eligible adult dairy cows removed from production, the month the cows were removed from production, and the producer's share in the milk production.

The final date to file a notice of loss and application for payment for eligible losses is 30 days after the end of the prior calendar year, which is January 30.



A producer must also submit a positive H5N1 test from APHIS NVSL confirming infection in their dairy herd and agree to provide milk production records, if requested, to support the eligible number of adult dairy cows removed from production.

Can I get paid on cows that are taken out of production if I don't have a positive test?

A producer must have a positive test confirmed by APHIS NVSL to be eligible for ELAP H5N1 payments.

What if I did not test and I had to remove my animals back in March?

A producer must have a positive test confirmed by APHIS NVSL to confirm herd infection for the time period in which the loss occurred to be eligible for benefits.

How soon can I apply?

A producer can contact their local FSA office immediately to complete a notice of loss and application for payment to request ELAP H5N1 benefits.

What is the type of test that I need to be qualified?

Producers must receive a positive test result from APHIS NVSL.



Does a producer need to file a notice of loss each month they remove livestock from production?

No, once a producer files a notice of loss with a positive H5N1 test confirmed by APHIS NVSL, a producer's notice of loss can be used for losses up to 120 days from when the positive H5N1 test sample was collected. If losses are still occurring 120 days after the sample collection date, then a new notice of loss and a new positive H5N1 test is required.

More Information

USDA continues to work with the Food and Drug Administration, Centers for Disease Control and Prevention, and State veterinary and public health officials to investigate H5N1 among cattle. APHIS continues to provide confirmatory testing for samples from livestock as well as guidance for producers, veterinarians, and state animal health officials. Learn more at [APHIS' Highly Pathogenic Avian Influenza Detections in Livestock webpage](#).

This fact sheet is for informational purposes only; other restrictions may apply. For more information about ELAP, visit fsa.usda.gov/ELAP or contact your local FSA office. To find your local FSA office, visit farmers.gov.