

**Instructions to Complete
Trust Fund Agreement
Form P&SP-2200**

A Trust Fund Agreement may be used in lieu of a surety bond to meet the bonding requirements of the Packers and Stockyards Act, 1921, as amended and supplemented. If the principal chooses to pledge one or more savings accounts or one or more certificates of deposit to fulfill the requirement to obtain and file a bond under the Packers and Stockyards Act, the account(s) or certificate(s) of deposit **MUST** be pledged in the name of the principal and the trustee for the sole purpose of securing the principal's livestock operations.

A trust fund agreement requires complete and correct information to be submitted to the Packers and Stockyards Program on Form P&SP-2200. If any information is missing or incorrect, the Packers and Stockyards Program will return the trust fund agreement form to the principal or financial institution for completion or correction.

Operating without proper registration and bond may subject the principal to severe penalties under law, including a fine of not more than \$11,000 for each violation.

After completing the trust fund agreement form, the trustee must retain the original and must send a fully executed copy with original signatures to the appropriate regional office of the Packers and Stockyards Program as listed below. The states covered by each regional office are listed below its address.

Regional Offices of the Packers and Stockyards Program Grain Inspection, Packers and Stockyards Administration		
Eastern Regional Office Suite 230 75 Spring Street Atlanta, GA 30303-3308 Telephone: (404) 562-5840 FAX: (404) 562-5848 E-mail: PSPAAtlantaGA.GIPSA@usda.gov	Western Regional Office 3950 Lewiston St., Suite 200 Aurora, CO 80011-1556 Telephone: (303) 375-4240 FAX: (303) 371-4609 E-mail: PSPDenverCO.GIPSA@usda.gov	Midwestern Regional Office Room 317 210 Walnut Street Des Moines, IA 50309-2110 Telephone: (515) 323-2579 FAX: (515) 323-2590 E-mail: PSPDesMoinesIA.GIPSA@usda.gov
States Covered	States Covered	States Covered
AL, AR, CT, DC, DE, FL, GA, LA, MA, MD, ME, MS, NC, NH, NJ, NY, PA, RI, SC, TN, VA, VT, WV	AK, AZ, CA, CO, HI, ID, KS, MT, NM, NV, OK, OR, TX, UT, WA, WY	IA, IL, IN, KY, OH, MI, MO, MN, ND, NE, SD, WI

If you have any questions about the form or completing the form, please contact the appropriate regional office of the Packers and Stockyards Program listed above.

The Regional Office of the Packers and Stockyards Program will assign the trust fund agreement number.

The bank issuing the security pledged as collateral to this trust fund agreement should complete lines 1 through 7, sign line 8a, and complete 9 through 11, if applicable. This is not a requirement and in some instances, the Principal will complete these lines.

The Principal must sign line 8b.

The trustee, if different than the issuing bank, must sign line 8.

Line No.	Subject	Instruction
1	Principal Name, Address, and Phone No.	List the full name, address, and telephone number of the principal. The principal's name must match the name under which the principal is registered with the Packers and Stockyards Program. For example, John Doe might be registered as John Doe OR John Doe Livestock, Inc. OR John Doe d.b.a John Doe Livestock, Inc. OR John Doe and Sam Doe d.b.a Doe Livestock L.L.C., or John Doe and Sam Doe.

Line No.	Subject	Instruction
2	Trustee Name, Address, and Phone No.	<p>List the full name, address, and telephone number of the trustee. A trustee MUST ALWAYS be named for the trust fund agreement, and must be a financially responsible, disinterested person. If the bank issuing the collateral will not act as the trustee, the principal is responsible for finding a disinterested third party to act as trustee. The trustee cannot be anyone that is directly involved with the business of the principal.</p> <p>Some States require that a State agency or official be named as trustee.</p> <p>See separate Trustee and Contact Information package for descriptions of suitable trustees and State trustee contact information (available on the GIPSA web site along with the forms and instructions).</p>
3 a and b	Amount of Trust Fund Agreement	<p>Spell out the full dollar amount of the trust fund agreement. For example, if the full dollar amount of the trust fund agreement is \$10,000, list the amount as follows:</p> <p>Ten Thousand Dollars and No/100 \$10,000.00</p>
4	Condition Clauses	<p>Line 4 defines the conditions that are applicable for livestock operations. If condition 3 applies, enter the registrant(s) name(s) to be listed as clearee(s) under this bond in the space available in the definition for condition 3.</p> <p>Examples of each of the conditions are:</p> <p>Condition 1. The principal sells livestock for the account of others. Condition 2. The principal buys livestock for his/her own account or for the accounts of others. Condition 3. The principal is providing bond coverage for other registrant(s), as clearee(s), and therefore responsible for the obligations of the clearee(s). The registrant(s) name(s) to be listed as clearees under this bond should be inserted into the space available in condition 3. Condition 4. The principal is purchasing livestock for purposes of slaughter for his/her own account as a packer.</p>
4a	Conditions NOT Applicable to Principal's Operation	<p>Enter the condition clauses that are NOT applicable to the principal's livestock operations. Based on the principal's operation, enter one of the following combinations of conditions to exclude from the bond:</p> <ul style="list-style-type: none"> • Enter 2, 3 and 4 if the principal will be operating as a market agency selling on commission. • Enter 1, 3 and 4 if the principal will be operating as a dealer buying and selling for his or her own account or as a market agency buying on commission. • Enter 1 and 4 if the principal will be operating as a dealer and/or market agency buying on commission and a clearing agency responsible for the financial obligations of other registrants. • Enter 1, 2 and 4 if the principal is operating solely as a clearing agency responsible for the financial obligations of other registrants. • Enter 1, 2 and 3 if the principal is operating as a packer.
5	Interest or Dividends to be Paid to	Enter the name of the individual or entity to receive interest or dividends earned. The principal may name anyone; however, this line MUST be completed.
6	Name of Trustee	Enter the full name, city and state of the trustee, as shown in line 2.
7	Effective Date	Enter the effective date of the Trust Fund Agreement.

Line No.	Subject	Instruction
8	Signatures	<p>a. Trustee's Signature: The trustee or someone authorized to sign for the trustee must sign, where indicated.</p> <p>b. Principal's Signature: The principal, or someone authorized to sign for the principal (i.e. partner, owner, or officer), must sign the agreement.</p> <ul style="list-style-type: none"> • If an individual operation, the principal must sign the agreement. • If a partnership operation, one of the partners must sign the agreement. • If a corporation, limited liability corporation, limited liability partnership, or association, an owner, officer or duly authorized agent of the firm must sign the agreement.
<p>If the trustee named on the front of the trust fund agreement is a state official, the bottom portion of the trust fund agreement must also be completed.</p>		
9	Name of Bank or Other Depository	List the name and address of the bank or other institution where the principal has deposited the funds pledged to the trust fund agreement.
10	Account or Security / Securities Identification	List the account number(s) or the number(s) of the certificate(s) of deposit.
11	Depository by (Name and Title)	Name and title of the authorized officer of the bank or other institution, signing the form as depository.
12	Signature	An officer of the bank or other institution where the principal has deposited the funds pledged to the trust fund agreement must sign the form.