



(Month xx, 20xx)

(Claimant Name)  
(Entity Name)  
(Address)  
(City), (State) (Zip)

<b>CERTIFIED MAIL NO.</b> XX XXXX XXXX XXXX XXXX XXXX <b><i>Return Receipt Requested</i></b>
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Dear (Claimant Name):

We have received information that you may not have been paid for livestock sold to (**Dealer Name and Address**). Section 318 of the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. §§ 181-229) (hereafter referred to as the Act), provides all livestock purchased by a dealer in cash sales, and all inventories of, or receivables or proceeds from, such livestock shall be held by such dealer in trust for the benefit of all unpaid cash sellers of such livestock until full payment has been received by such unpaid cash sellers. Section 318(d) provides a cash sale means a sale in which the seller does not expressly extend credit to the buyer.

A cash basis livestock seller must act promptly to protect their rights under the Act's trust provision. The law requires that written notice of an interest in the trust be given to both the dealer and the Agricultural Marketing Service, Fair Trade Practices Program, Packers and Stockyards Division (PSD). If written notice is not given to the dealer and to PSD within the time limits specified in the Act, the unpaid cash seller of livestock could lose their claim in the trust that (**Dealer Name**) is required to maintain.

Notice is required within 30 days after payment is due in the event that no payment instrument has been received, or within 15 business days after the payment instrument issued to the livestock seller has been dishonored. Please note that written notice must be given within 30 days after payment is due if no payment instrument has been received, and that the 15 business day filing period only applies if the payment instrument was received before the 30-day limit for providing notification had elapsed and the payment instrument was promptly presented to the bank for payment. While written notice may be made by fax, text, hand delivery, email, regular mail, certified mail - return receipt requested, etc., it is recommended that you used the method that will meet the time limits above and will also provide a record of receipt.

We are enclosing a sample trust claim notice, which you may use in mailing your notice to (**Dealer Name**) and to this PSD Regional Office to perfect your interest in the trust. Your claim amount should be for the full purchase amount the dealer agreed to pay and may include interest from the date following delivery and any costs incurred in seeking your right to payment.

Prompt action is recommended to protect your trust interest. Section 308 of the Act provides a basis for a private action to be brought by any U.S. District Court of competent jurisdiction by any person injured by a violation of the Act. This provision is in addition to existing common law or any other statutory remedies and does not abridge or alter these remedies.

A copy of the Packers and Stockyards Act and Regulations is available on the internet at <https://www.ams.usda.gov/rules-regulations/packers-and-stockyards-act>.

If you have any questions, please contact this office at (XXX) XXX-XXXX.

Sincerely,

Financial Unit Supervisor  
Packers and Stockyards Division  
Fair Trade Practices Program

Enclosure