



Myth Busters:

USDA Assistance for Dairy Herds Impacted by Avian Influenza (H5N1)

Just the Facts About the Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish Program

USDA's Farm Service Agency (FSA) expanded ELAP policy through the rule-making process; this expansion assists with financial losses resulting from reduced milk production when cows are removed from commercial milking in dairy herds with a confirmed positive H5N1 test. Positive tests must be confirmed through APHIS's National Veterinary Services Laboratories (NVSL).

✘ MYTH

FSA does not protect information related to my dairy operation.

✓ FACT

- Participation in ELAP is voluntary.
- Producer provided information reported to FSA for voluntary participation in ELAP may not be disclosed.



✘ MYTH

The ELAP application process is long and cumbersome.

✓ FACT

- The application process leverages producer certification, limiting the producer burden.
- Information required for a completed application includes the following:
 - Notice of loss indicating the date the loss is apparent (sample collection date);
 - Number of eligible adult dairy cows removed from production;
 - The month the cows were removed from production;
 - Producer's share in the milk production;
 - Proof of herd infection through a confirmed positive H5N1 test.

✘ MYTH

It takes too long for ELAP payments to process.

✓ FACT

- ELAP payments can be processed once a completed application has been approved and the USDA "All-Milk" price for the month of removal has posted.
- The USDA "All-Milk" price publishes on the final day of the subsequent calendar month.
- The "All-Milk" price is currently available to process payments for livestock removed from milk production for the months of March – May 2024. The July "All-Milk" price will publish at the end of August.

Scan the QR code for answers to frequently asked questions.



× MYTH

ELAP payments do not compensate for a dairy's actual loss of milk production.

✓ FACT

- To minimize the information a producer would need to track and report to FSA, ELAP assistance for milk loss due to H5N1 is calculated using estimated loss of milk production (21 days of no production, 7 days of 50% production) based on data reported to APHIS at the time of rule publication and the National Agriculture Statistic Service (NASS) monthly average production per cow.
- The standard payment calculation accounts for reduced milk production for a 28-day time period; however, for a cow to be eligible for assistance, they do not need to be removed from the commercial milking herd for the entire 28-day period.

× MYTH

ELAP milk loss payments do not adequately compensate for losses suffered.

✓ FACT

- Each eligible cow removed for at least one milking cycle is considered eligible for assistance under ELAP for milk losses due to H5N1.
- ELAP payments are determined on a per head payment rate based on the monthly all-milk price and national milk production published by the National Agricultural Statistics Service and 21 days of no production and 7 days of 50% production – (per head payment rate x number of eligible adult dairy cows x producer's share in milk production x 90%)
- ELAP is not subject to payment limitation – payments will not be capped.
- *Example: A dairy removed 50 lactating dairy cattle from production due to H5N1. The payment rate per head for April is \$367.55. ELAP assistance is calculated as follows: \$367.55 (payment rate per head) x 50 (number of eligible adult dairy cows) x 100% (producer's share in milk production) x 90% (ational payment rate) = \$16,539.75*

× MYTH

Cows have to be “out of production” for 28 days to be eligible.

✓ FACT

- Cows must be removed for at least one milking cycle to be considered out of production. If a producer milks twice a day and removes the cow from evening milking because of H5N1 then the cow is considered eligible.
- Livestock removed from the commercial milking herd due to H5N1 and later culled are also considered eligible for H5N1 assistance.

× MYTH

My dairy herd suffered a production loss before rule publication (ex. March, 2024) and it is too late to apply now.

✓ FACT

- Producers with a confirmed positive H5N1 test can claim eligible livestock removed from the milking herd 14 days prior to the sample collection date through 120 days after the sample collection date for the positive H5N1 test.
- *Example: Sample collection date of March 1, 2024, the 134-day period would begin on February 16, 2024, and conclude on June 29, 2024.*