

<http://www.MSCNews.net/news/index.cfm?nk=31508>

Foreign investors must file Agricultural Foreign Investment Disclosure Act

Brown County USDA Farm Service Agency (FSA) Executive Director Kim Walker, reminds foreign persons with an interest in agricultural lands in the United States that they are required to report their holdings and any transactions to the U.S. Secretary of Agriculture.

"Any foreign person who acquires, transfers or holds any interest, other than a security interest, in agricultural land in the United States is required by law to report the transaction no later than 90 days after the date of the transaction," said Walker.

Foreign investors must file Agricultural Foreign Investment Disclosure Act (AFIDA) reports with the FSA county office that maintains reports for the county where the land is located.

"Failure to file a report, filing a late report or filing an inaccurate report can result in a penalty with fines up to 25 percent of the fair market value of the agricultural land," said Walker.

For AFIDA purposes, agricultural land is defined as any land used for farming, ranching or timber production, if the tracts total 10 acres or more.

Disclosure reports are also required when there are changes in land use. For example, reports are required when land use changes from nonagricultural to agricultural or from agricultural to nonagricultural. Foreign investors must also file a report when there is a change in the status of ownership such as owner changes from foreign to non-foreign, from non-foreign to foreign or from foreign to foreign.

Data gained from these disclosures is used to prepare an annual report to the President and Congress concerning the effect of such holdings upon family farms and rural communities in the United States.

For more information regarding AFIDA and FSA programs, contact the Brown County FSA office at (785) 742-3161 or visit the USDA Web site at <http://www.usda.gov>.