**Ag Security Interests: Lender and Landlord Perspectives**

**Panel Discussion – Topics**

Moderator: Tyler Buswell, Kirton McConkie

Panelists:

* Stephanie E. Kaiser, Puls Haney Kaiser PLLC
* Margaret Westbrook, K&L Gates
* Jessica Fyre, Ag Country Farm Credit Services

Topics of Discussion:

* UCC Article 9
  + Definitions –
    - “Agricultural liens” – U.C.C. § 9-102(5)
    - “Collateral” – U.C.C. § 9-102(12)
    - “Goods” – U.C.C. § 9-102(44)
    - “Farm Products” – U.C.C. § 9-102(34)
    - “Farming Operation” – U.C.C. § 9-102(35)
    - “Security Agreement” – U.C.C. § 9-102(73)
* Practical Solutions for Perfecting Security Interest in Farm Products
  + UCC-1 Filings
    - Where to file?
    - Debtor’s location?
    - Debtor’s name?
    - Financing statement requirements?
    - Description of collateral?
  + Food Security Act Notice – 7 U.S.C. § 1631
    - Central Filing State
    - Non-Central Filing State
  + Perfection of Statutory Agricultural Liens
    - Landlord Liens
    - Other Agricultural Liens
  + Assignment of Crop Insurance
* PACA and PASA
  + Perishable Agricultural Commodities Act (“PACA”) – 7 U.S.C. § 499a et seq.
  + Packers and Stockyards Act (“PASA”) – 7 U.S.C. § 499a et seq.
* Lending v. Leasing Considerations
  + Security Instrument
  + Priority
* Special Timber Considerations
  + Definition of “Farm Products” – U.C.C. § 9-102(34)
  + Recording on title