

Instructions for EFS-1 Financing Statement

Please enter the required information. Read and follow all Instructions. Use of the correct name for the Debtor is crucial. Fill in the form very carefully; mistakes may have important legal consequences. If you have questions, consult your attorney. The filing office cannot give legal advice.

ITEM INSTRUCTIONS

Document Details: Filing an EFS will include the EFS information on the central filing system's master list.

Submitter Information: Enter name and mailing address for Submitter information.

- A, B & C. To assist filing offices that might wish to communicate with filer, filer may provide information in item B and item C. These items are optional.
- D. If you are using your Pre-Paid (PAD) Account Number enter the number here.

Debtor's name. Carefully review applicable statutory guidance about providing the debtor's name. Enter in Debtor name – either an organization's name or an individual's name. Enter Debtor's correct name. Do not abbreviate words that are not already abbreviated in the Debtor's name. If a portion of the Debtor's name consists of only an initial or an abbreviation rather than a full word, enter only the abbreviation or the initial. If the collateral is held in a trust and the Debtor name is the name of the trust, enter trust name in the Organization's Name box.

- South Dakota law requires the Social Security number(s) and/or Federal Tax ID number(s) for all debtors that are listed. (SDCL 57A-9-502).
- Organization Debtor Name. "Organization Name" means the name of an entity that is not a natural person. A sole proprietorship is not an organization, even if the individual proprietor does business under a trade name. If Debtor is a registered organization (e.g., corporation, limited partnership, limited liability company), it is advisable to examine Debtor's current filed public organic records to determine Debtor's correct name. Trade name is insufficient. If a corporate ending (e.g., corporation, limited partnership, limited liability company) is part of the Debtor's name, it must be included. Do not use words that are not part of the Debtor's name.
- Individual Debtor Name. "Individual Name" means the name of a natural person; this includes the name of an individual doing business as a sole proprietorship, whether or not operating under a trade name. The term includes the name of a decedent where collateral is being administered by a personal representative of the decedent. The term does not include the name of an entity, even if it contains, as part of the entity's name, the name of an individual. Prefixes (e.g., Mr., Mrs., Ms.) and titles (e.g., M.D.) are generally not part of an individual name. Indications of lineage (e.g., Jr., Sr., III) generally are not part of the individual's name, but may be entered in the Suffix box. Enter individual Debtor's surname (family name) in Individual's Surname box, first personal name in First Personal Name box, and all additional names in Additional Name(s)/Initial(s) box.
- For both organization and individual Debtors. Do not use Debtor's trade name, DBA, AKA, FKA, division name, etc. in place of or combined with Debtor's correct name; filer may add such other names as additional Debtors if desired (but this is neither required nor recommended).
- Enter a mailing address for the Debtor named.
- Additional Debtor's name can be entered on the EFS1 – Additional Information Form page.

Secured Party. Enter name and mailing address for Secured Party.

Proceeds Paid to: Proceeds will be paid to both the debtor and the secured party unless the "secured party only" or "debtor only" boxes are checked.

Product Code Details. If "year" and "quantity" are left blank, notice continues for every year the record is effective, and for all crop years during the effective period of the record.

- List the Product Code from the farm product list. For example: Barley (2001).
- Complete the year. The year for a crop grown in soil is the calendar year in which it is harvested or to be harvested. The year for animals is the calendar year in which they are born or acquired. The year for poultry or eggs is the calendar year in which they are to be sold. If "year" is left blank it covers all years.
- Complete the quantity with the number of bushels, head of livestock or other commonly used identifier. If "quantity" is left blank it covers all of the product.
- Complete the county code from the list. The county is the county where the farm product is produced or to be produced. In the case of stored grain or livestock, it is the county where the product is located.
- Collateral may be further detailed by giving the location within the county. If county location is left blank, record is for all of the product in the listed county.

Signatures: The signatures of both the debtor(s) and the secured party are required if the record is to be filed as an EFS.

Submit only the original copy to the filing officer.