

Instructions

for completing

South Dakota

UCC 1 and/or EFS Forms

The UCC 1/EFS form may be used for filing a UCC 1 and /or EFS.

1. Type all information on the form. **Verify** all information for accuracy and correct spelling.

NOTE: The information as typed on this form will be keyed into the database exactly. Any error in the debtor's name, social security number, taxpayer ID number, type of organization, jurisdiction of organization, organizational ID number, or EFS codes will result in reporting errors.

2. SDCL **57A-9-502** requires the social security number for each individual debtor, the debtor's internal revenue service (IRS) employer identification number of each business, corporation, tradename, d/b/a etc., to be listed.
3. An additional fee will be charged to all standard forms containing an attachment.
4. Complete the debtor's **proper name** (first, middle initial, last), complete address and social security number. If the debtor is a partnership, corporation, tradename, d/b/a, etc., the IRS taxpayer ID number must also be listed. The debtor's **proper name** should be listed *exactly the same on all filings*. Use of D/B/A, F/K/A, or A/K/A is considered an additional debtor and must be listed as such for accurate searches.
5. Complete the secured party name and address.
6. Complete the assignee and address if applicable.
7. Describe the collateral and check the proceeds or products boxes if applicable. The collateral will be assigned one of the codes for computer entry. The code is for general informational purposes only.
8. If the record is to cover farm products and is to be filed as a EFS it is necessary to complete the Effective Financing Statement section of the form:

Read Carefully

- A. List the Farm Code and the name of the farm product from the farm product list. For example: 2001 – barley.

Do not insert more than one code in a given line. A separate line must be used for each entry.

- B. 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.
- C. 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.
- D. 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.
- E. Collateral may be further detailed by giving the location within the county (limit description to 40 characters for computer entry). If county location is left blank, record is for all of the product in the listed county.

* 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.

- F. Proceeds will be paid to both the debtor and the secured party unless the "secured party only" or "debtor only" boxes are checked.
9. Filing as a UCC 1 will perfect your security position. Filing as an EFS will include the EFS information on the central filing system's master list. Filing as both will do both.
 10. The signatures of both the debtor(s) and the secured party are required if the record is to be filed as an EFS.
 11. Submit only the original copy to the filing officer. Retain a copy for the lender and the debtor. The filing officer will process and return the original showing the filing data.

Debtor name: Enter only one Debtor name in item 3, an organization's name (3a) or an individual's name (3b). Enter Debtor's exact full legal name. Don't abbreviate.

Organization Debtor: "Organization" means an entity having a legal identity separate from its owner. A partnership is an organization; a sole proprietorship is not an organization, even if it does business under a trade name. If Debtor is a partnership, enter exact full legal name of partnership; you need not enter names of partners as additional Debtors. If Debtor is a registered organization (e.g., corporation, limited partnership, limited liability company), it is advisable to examine Debtor's current filed charter documents to determine Debtor's correct name, organization type, and jurisdiction of organization.

Individual Debtor: "Individual" means a natural person; this includes a sole proprietorship, whether or not operating under a trade name. Don't use prefixes (Mr., Mrs., Ms.). Use suffix box only for titles of lineage (Jr., Sr., III) and not for other suffixes or titles (e.g., M.D.). Use married woman's personal name (Mary Smith, not Mrs. John Smith). Enter individual Debtor's family name (surname) in Last Name box, first given name in First Name box, and all additional given names in Middle Name box.

For both organization and individual Debtors: Don't use Debtor's trade name, DBA, AKA, FKA, Division name, etc. in place of or combined with Debtor's legal name; you may add such other names as additional Debtors if you wish (but this is neither required nor recommended).

"Additional information for Organization Debtor(s)" is always required. Type of organization and jurisdiction of organization as well as Debtor's exact legal name can be determined from Debtor's current filed charter document. Organizational ID #, if any, is assigned by the agency where the charter document was filed; this is different from tax ID #; this should be entered preceded by the 2-character U.S. Postal identification of state of organization if one of the United States (e.g., CA12345, for a California corporation whose organizational ID # is 12345); if agency does not assign organizational ID #, check box in item 3g indicating "none."

Double check:

- ✓ Social Security Number and Taxpayer ID are listed for each debtor.
- ✓ The proper fee is submitted or the PAD account number is on the record.
- ✓ Both the debtor and secured party signatures are on the EFS filing.

Please use the following code numbers to complete the FARM PRODUCTS section of the form (If your product is not listed, please contact the Secretary of State's Office):

1001 buckwheat	2700 onions	3217 cantaloupe	5601 turkeys
1002 spring wheat	2800 mint	3301 apples	5602 ducks
1003 winter wheat	2901 popcorn	3302 plums	5603 geese
1005 straw	2902 sunflower seeds	3401 strawberries	5604 game birds
2001 barley	3000 soybeans	3402 raspberries	5605 ostrich
2002 rye (including triticale)	3001 field peas	3501 sod	5701 mink and pelts
2003 oats	3101 grass for seed	3502 nursery stock (trees & shrubs)	5702 rabbits
2004 sorghum grain	3102 alfalfa for seed	3503 flowers & potted plants	5703 fox and pelts
2005 flaxseed	3103 mustard	3600 mushrooms	5704 lynx, bobcat, pelts
2006 safflower	3201 green peas	5001 beef cattle/calves	5705 coyote & pelts
2007 field corn	3202 tomatoes	5002 buffalo	5750 dogs
2008 alfalfa	3203 lettuce	5003 bison	5751 cats
2009 clover	3204 cucumbers	5101 sheep & lambs	5752 gerbils
2010 millet	3205 broccoli	5102 wool	5801 bees / hives
2011 milo	3206 cauliflower	5103 goats	5802 honey
2012 durum	3207 lima beans	5104 llamas	5803 beeswax
2013 rape seed	3208 green beans	5200 hogs	5901 fish
2014 canola	3209 garbanzo beans	5301 dairy cattle	6001 deer
2015 cane	3210 carrots	5302 milk	6002 elk
2016 sudan	3211 turnips	5303 cream	6100 worms
2100 hay	3212 asparagus	5401 horses	6201 cattle semen
2200 ensilage	3213 spinach & collards	5402 mules	6202 horse semen
2300 potatoes	3214 pumpkin & squash	5501 chickens	
2400 sugar beets	3215 watermelon	5502 eggs	
2500 dry beans	3216 muskmelon		
2600 sweet corn			

Following is a list of County's and their county codes.

Aurora..... 10	Day22	Jackson..... 39	Perkins 53
Beadle 04	Deuel23	Jerauld 40	Potter 54
Bennett..... 11	Dewey.....24	Jones 41	Roberts..... 55
Bon Homme 12	Douglas25	Kingsbury 42	Sanborn..... 56
Brookings 06	Edmunds26	Lake 43	Shannon 65
Brown 03	Fall River27	Lawrence 09	Spink 57
Brule 13	Faulk.....28	Lincoln..... 44	Stanley 58
Buffalo 14	Grant.....29	Lyman 45	Sully..... 59
Butte 15	Gregory.....30	McCook..... 46	Todd 67
Campbell 16	Haakon31	McPherson..... 47	Tripp 60
Charles Mix 17	Hamlin32	Marshall 48	Turner..... 61
Clark..... 18	Hand33	Meade 49	Union 62
Clay 19	Hanson34	Mellette 50	Walworth 63
Codington..... 05	Harding35	Miner 51	Yankton 07
Corson..... 20	Hughes36	Minnehaha 01	Ziebach..... 64
Custer..... 21	Hutchinson.....37	Moody 52	
Davison 08	Hyde38	Pennington..... 02	