





The term “immediate family” shall mean parents, siblings, spouse or children whether by consanguinity or operation of law unless in the case of parents, siblings or non-dependent children the individual is an at-risk producer as defined below and owns or rents agricultural property not in association with any of the above officials, in which case this policy shall not apply.

An at-risk producer is defined as a farmer whose projected non-spousal farming income is greater than his/her non-farm income. In addition, the following type of cooperatives shall be exempt from the above restrictions regarding a conflict of interest due to the nature of these entities:

- Rural utility cooperatives or any other cooperative that requires membership by individuals by virtue of their geographic location within the service boundaries of that cooperative are exempt from the above policy.
- In the case of the Facility Borrower Program, traditional agricultural cooperatives that were formed primarily as marketing, processing, input supply and service cooperatives whose original purpose was to serve their members as users of the cooperative rather than for the operation, construction or ownership of renewable fuel production facilities and which only donate land for the facility, make other “passive” investments in the facility or have a service contract with the facility to provide raw materials or provide other services are exempt from the above policy.
- Cooperatives that do not operate a patronage program for the purposes of granting dividends, shares or other taxable benefits to members are exempt from the above policy.

The Missouri State Treasurer or his designee(s) shall be the sole party responsible for the interpretation of this policy and its application to Missouri Linked Deposit Program applications received. Financial institutions applying for a Missouri Linked Deposit Program loan shall continue to be responsible for verification of applicants’ compliance with this policy. Verification of compliance with the Conflict of Interest policy shall be required at the time of the initial application for a Missouri Linked Deposit Program loan and upon five-year anniversary dates of the original application.

It is anticipated that situations will arise from time to time where an applicant to the Missouri Linked Deposit Program qualifies for participation in the program under the strict letter of the law, yet the applicant’s participation would create an appearance of or the potential appearance of impropriety. It is neither feasible nor practical to fashion a rule or rules in advance for dealing with the wide range of such potential situations. Instead, in its initial review of an applicant’s eligibility for participation in the program, the lending institution must make its best efforts to determine whether such an appearance or potential appearance of impropriety exists and, in such cases, to give appropriate notice to and make appropriate inquiries of the Missouri State Treasurer’s office.