

Foreign Investors Must Report Interests Held in U.S. Agricultural Land to the U.S. Department of Agriculture

Foreign investors who have significant interest or substantial control and acquire, dispose of, or hold an interest in U.S. agricultural land must report their holdings and transactions to the U.S. Department of Agriculture. Interests include land owned as well as land leased for ten years or more.

Who Must Report?

- Foreign individuals.
- Foreign organizations.
- Foreign governments.
- U.S. organizations - if a significant interest or substantial control is directly or indirectly held by foreign individuals, organizations, or governments.

What is Agricultural Land?

- Land exceeding 10 acres in the aggregate that has been used within the last 5 years for farming, ranching, forestry, or timber production.
- Land exceeding 10 acres in which 10 percent is stocked by trees of any size, including land that formerly had such tree cover and will be naturally or artificially regenerated.
- Landholding totaling 10 acres or less in the aggregate if producing annual gross receipts in excess of \$1,000 from the sale of farm, ranch, forestry, or timber production.

Where to Report?

- Report to the county office of the Farm Service Agency, USDA, in which the land is located. Complex filings may be reported directly to USDA in Washington D.C. Local FSA offices can provide details. Agents (such as attorneys) can report on behalf of foreign investors.

Failure to report could result in a fine of up to 25 percent of the property's fair market value. FSA offices can provide further information on reporting requirements.