



“SCOOP”

ARKANSAS FARM SERVICE AGENCY - - STATE OFFICE

September 2008

2008 FARM BILL DEADLINES APPROACH

September 16, 2008 – 2008 CROP BUY-IN to the Risk Management Requirement

September 16, 2008, is the final date to BUY-IN in the Risk Management Purchase Requirement for all 2008 crops. Either multi-peril Federal Crop Insurance or Non-Insured Disaster Assistance (NAP) coverage is required on all crops in order to be eligible for benefits for the *Supplemental Revenue Assistance (SURE) Program, Tree Assistance Program (TAP), and the Emergency Assistance for Livestock, Honey Bees, and Farm-Raised Fish (EALHF)*. NAP is required on grazing losses to be eligible for the *Livestock Forage Disaster Program (LFP)*. BUY-IN is a special provision being offered for 2008 crops only because the sales closing date for all crops in Arkansas closed before the enactment of the new farm bill. A full article can be found in the July Special Edition SCOOP found

<http://www.fsa.usda.gov/FSA/stateoffapp?mystate=ar&area=home&subject=nele&topic=landing>.

September 30, 2008 – 2008 Direct and Counter-Cyclical Program (DCP) Program

September 30, 2008, is the final date to enroll a farm in the **2008 Direct and Counter-Cyclical Program (DCP) Program**. Statutory rules will NOT allow an extension of the deadline. A register CANNOT be used as FSA has done with other programs. **All farms must have an initiated contract by at least one producer or owner by close of business September 30, 2008.** Any remaining producer(s) signature or owner(s) signature who will share in the contract must have their signatures returned by close of business October 15, 2008. DCP Program provisions can be found in the July, and June Special Edition SCOOP found at

<http://www.fsa.usda.gov/FSA/stateoffapp?mystate=ar&area=home&subject=nele&topic=landing>

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**2009 Noninsured Crop Disaster Assistance Program (NAP)
Application Closing Dates**

December 1, 2008 is the 2009 NAP application closing date for: – *Apples, Peaches, Grapes, Aquaculture, Christmas Trees, Ginseng Root, Ornamental Nursery, Turf Grass Sod, Oats, Wheat, Barley, Rye, Apples, Asparagus, Blueberries, Caneberries(Blackberries & Raspberries), Figs, Grapes, Peaches, Pears, Honey, Alfalfa, Bahia, Bermuda Coastal, Bermuda Common, Bermuda Hybrid, Bluestem Old World, Fescue Red, Fescue Tall, Lovegrass, Mixed Forage Grasses, Native Interseeded Grasses, Orchard Grass, Ryegrass, Small Grain/Interseeded Grasses, and Sudangrass,* – Either multi-peril Federal Crop Insurance or Non-Insured Disaster Assistance (NAP) coverage is required on all crops in order to be eligible for benefits for the *Supplemental Revenue Assistance (SURE) Program, Tree Assistance Program (TAP), and the Emergency Assistance for Livestock, Honey Bees, and Farm-Raised Fish (EALHF).* NAP is required on grazing losses to be eligible for the *Livestock Forage Disaster Program (LFP).* The coverage is required on all crops grown in all counties. If RMA insurance is available producers must timely purchase RMA coverage, if RMA insurance is not available, then the producer must purchase NAP Coverage. A full article can be found in the July Special Edition SCOOP found at <http://www.fsa.usda.gov/FSA/stateoffapp?mystate=ar&area=home&subject=nele&topic=landing> .

**FSA DISASTER PROGRAMS
REQUIRE FEDERAL CROP INSURANCE COVERAGE
AND DEADLINES APPROACH**

With the enactments of the Food Conservation and Energy Act of 2008 (2008 Act), Pub L. 110-246, contains NEW emergency disaster programs for which producers will be required to purchase multi-peril Federal Crop Insurance on all crops grow, if available before the crops' sales closing date. ***The deadline to obtain Federal Crop Insurance Coverage is quickly approaching on some crops, and producers need to report immediately to their agent of choice to obtain coverage. FCIC Sales Closing Dates: Wheat and Oats – 09/30/2008, Peaches, Grapes, and Apples – 11/20/2008.*** More information on the new disaster programs and insurance requirements can be found in the July Special Edition SCOOP <http://www.fsa.usda.gov/FSA/stateoffapp?mystate=ar&area=home&subject=nele&topic=landing> .

NEW CROP ACREAGE REPORTING REQUIREMENT

To earn benefits under the *2008 Supplemental Revenue Assistance (SURE) Program, Tree Assistance Program (TAP), and the Emergency Assistance for Livestock, Honey Bees, and Farm-Raised Fish (EALHF)* ***producers are required to report all crops in all counties in which they have an interest, including crops on non-cropland.*** Acreage reports taken late for this purpose will not be subject to a late payment fee, and physical evidence in the field is not required. Producers reporting late for this purpose will be required to prove the existence of the crop and disposition of the crops. For example seed receipts and production tickets could be provided.

SCOOP July Special Edition

SEPTEMBER 2008 DEADLINES ANNOUNCED – IMPORTANT!!!

The enactment of the Food Conservation and Energy Act of 2008 (2008 Act), Pub L. 110-246 created five new Supplemental Agricultural Disaster Assistance Programs. To be eligible for benefits, four of these programs require producers to meet the Risk Management Purchase Requirement which requires producers to purchase and or buy-into the Federal Crop Insurance or Noninsured Disaster Assistance (NAP) Programs as described below. ***The deadlines are quickly approaching.***

Note: Producers who meet the requirements of a Socially Disadvantaged, Limited Resource, and or Beginning Farmers or Ranchers do NOT have to meet this Risk Management Purchase Requirement.

Disaster Programs	Federal Crop Insurance and NAP Requirements
Supplemental Revenue Assistance Payments (SURE) Program	The producer must have Federal Crop Insurance or NAP coverage on all crop acreage, in all counties, that is planted or intended to be planted for harvest. This includes but is not limited to crops for grain, hay, grazing, seed, aquaculture, sod, fresh market, processed market, juice market, and honey.
Livestock Forage Disaster Program (LFP)	For grazing land only
Livestock Indemnity Program (LIP)	None required
Tree Assistance Program (TAP)	The producer must have Federal Crop Insurance or NAP coverage on all crop acreage, in all counties, that is planted or intended to be planted for harvest. This includes but is not limited to crops for grain, hay, grazing, seed, aquaculture, sod, fresh market, processed market, juice market, and honey.
Emergency Assistance for Livestock, Honey Bees, and Farm-Raised Fish (EALHF)	The producer must have Federal Crop Insurance or NAP coverage on all crop acreage, in all counties, that is planted or intended to be planted for harvest. This includes but is not limited to crops for grain, hay, grazing, seed, aquaculture, sod, fresh market, processed market, juice market, and honey.

2008 Federal Crop Insurance and NAP Requirements:

For 2008, the sales closing date for all crops in Arkansas has passed for both the Federal Crop Insurance and NAP Programs. However, because of the late passage of the Farm Bill in respect to the 2008 crop, a special waiver has been granted to allow farm producers the opportunity to pay a buy-in fee of \$100.00 per crop to meet insurance requirement. ***The deadline to pay the buy-in fee is September 16, 2008.*** *Note: Paying of the buy-in fee does NOT allow coverage in the Federal Crop Insurance or NAP programs.* The 2008 Buy-in fees shall be paid in your local FSA office for both Federal Crop Insurance and NAP crops. The maximum fees a producer will be required to pay is \$300.00 per county for Federal Crop Insurance crops and \$300.00 per county for NAP crops. A producer's maximum for all counties for Federal Crop Insurance is \$900.00 and for NAP is \$900. A \$100.00 credit is given toward the maximum fee for crops that were timely insured with Federal Crop Insurance and NAP. Producers will also be required to complete the applicable buy forms.

2009 Federal Crop Insurance and NAP Requirements:

For 2009, the sales closing date for Federal Crop Insurance and the application closing date for NAP has not passed for any crop in Arkansas; therefore, a buy-in option will NOT be available meaning, ***producers must purchase the Federal Crop Insurance Coverage and or NAP coverage before the Sales Closing or Application date. The first application closing date is September 1, 2008.*** Producers shall reference the attached chart for a list of crops and the closing dates. Producers must insure crops that are covered with Federal Crop Insurance at a level not less than 50 percent yield coverage at 55 percent of the insurable price at an agent of their choice. Producers shall obtain NAP coverage by completing an application and paying the applicable fees at their respective FSA offices. NAP covers the amount of loss greater than 50 percent of the expected production based on the approved yield and reported acreage.

The Five New Disaster Programs

Below is an overview of each of the five new disaster programs. FSA is working hard to work on the provisions enacted with the 2008 Act. We will continue to update you on information as it becomes available.

SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE (SURE) PROGRAM

Basic Provisions:

The Supplemental Agricultural Disaster Assistance (SURE) Program will be available to eligible producer on:

- Farms in disaster counties, including contiguous counties that have a Secretarial declaration for crop production losses and/or crop quality losses during the crop year.

- Any farm in which, during the calendar year, the total loss of production of the farm because of weather is greater than 50 percent of the normal production of the farm.

In general, “farm” means the sum of all crop acreage in all counties that is planted or intended to be planted for harvest by the eligible producer.

At a **minimum**, to be eligible for the SURE Program, the producer **must** have purchased or be enrolled in the following, for each:

- Insurable crop on the farm, a policy or plan of insurance under the Federal Crop Insurance Act
- Non insurable commodity on the farm, filed the required paperwork and paid the Assistance fee by the applicable State deadline, for the noninsured crop assistance Program.

Note: For 2008, producers who do **not** meet this requirement may have this provision waived if the producers pay a fee in an amount applicable to the noninsured crop disaster assistance program fee or catastrophic risk protection plan fee by no later than *September 16, 2008*.

Payments:

Payments will be issued to an eligible producer in an amount equal to 60 percent of the difference between the disaster assistance program guarantee and total farm revenue.

Disaster Assistance Program Guarantee:

The disaster assistance **program guarantee** shall be the sum obtained by adding the following, for each:

- **insurable crop** on the farm, 115 percent of the product obtained by multiplying the:
 - crop insurance price election for the crop
 - acres planted or prevented from being planted to the crop
 - percentage of the crop insurance yield elected by the producer by the higher of the adjusted APH or the counter-cyclical program payment yield.
- **non-insurable crop** on the farm, 120 percent of the product obtained by multiplying:
 - 100 percent of the NAP program established price for the crop
 - the acres planted or prevented from being planted to the crop
 - the higher of the adjusted NAP program yield guarantee or the counter-cyclical program payment yield.

Total Farm Revenue:

Total farm revenue for a farm shall be the sum obtained by adding the following:

- the estimated actual value of each crop produced on a farm by the product obtained by multiplying the:
 - actual crop acreage harvested
 - estimated actual yield
 - national average market price for the marketing year for each crop
- 15 percent of any direct payments issued
- the total amount of all counter-cyclical or average crop revenue payments

- the total amount of all marketing loan proceeds (including certificate gains)
- the total amount of all crop insurance or NAP indemnities
- the value of any other natural disaster assistance payments for the same loss.

LIVESTOCK FORAGE DISASTER PROGRAM (LFP)

Basic Provisions:

LFP will be available to eligible livestock producers who suffered grazing losses for eligible livestock because of:

- drought, on land that is either of the following:
 - native or improved pastureland with permanent vegetative cover
 - planted to a crop specifically for providing grazing
- fire, on rangeland managed by a Federal agency if the eligible livestock producer is prohibited from grazing the normal permitted livestock on the managed rangeland.

To be eligible for LFP, the producer **must** have purchased or obtained the following for the grazing land incurring the losses for which assistance is being requested:

- a policy or plan of insurance under the Federal Crop Insurance Act, including pilot programs such as the Pasture, Rangeland, Forage Program
- NAP coverage by filing the required paperwork, and paying the administrative fee by the applicable State filing deadline.

Note: An eligible livestock producer that suffered 2008 calendar year grazing losses on grazing land and did not meet this requirement may have this provision waived if the producer pays a fee in an amount applicable to the noninsured crop disaster assistance program fee or catastrophic risk protection plan fee by no later than **September 16, 2008**.

Payments:

An eligible livestock producer that suffers a grazing loss because of drought on owned or leased grazing land or pastureland that is physically located in a county that is rated by the U.S. Drought Monitor as having either of the following:

- a D2 (severe drought) intensity in any area of the county for at least 8 consecutive weeks during the normal grazing period for that county, will be eligible to receive a payment equal to 1 monthly payment
- at least a D3 (extreme drought) intensity in any area of the county
 - at any time during the normal grazing period for that county, will be eligible to receive a payment equal to 2 monthly payments
 - for at least 4 weeks during the normal grazing period for that county, or a D4 (exceptional drought) intensity in any area of the county during the normal grazing period for that county will be eligible to receive a payment equal to 3 monthly payments.

An eligible livestock producer that suffers grazing losses because of fire on rangeland that is managed by a Federal agency, and the Federal agency prohibits the eligible

livestock producer from grazing the normal permitted livestock on the managed rangeland, will receive a payment equal to 50 percent of the monthly feed cost for the total number of livestock covered by the Federal lease. The eligible livestock producer shall **not** receive payments on more than 180 calendar days per year.

LIVESTOCK INDEMNITY PROGRAM (LIP)

Basic Provisions:

LIP will be available to eligible livestock producers on farms that have incurred livestock death losses in excess of normal mortality because of adverse weather, as determined by the Secretary during the calendar year, including losses because of hurricanes, floods, blizzards, disease, wildfires, extreme heat, and extreme cold.

Payments:

LIP payments to eligible livestock producers will be based on:

- 75 percent of a fair market value, as determined by the Secretary, for each specific livestock category
- individual producers' eligible losses.

Note: No State, county, or other trigger will be used to define an eligible LIP area.

TREE ASSISTANCE PROGRAM (TAP)

Basic Provisions:

TAP is reauthorized, subject to funds being appropriated, to provide assistance to orchardists and eligible nursery tree growers who produce nursery, ornamental, fruit, nut, or Christmas trees for commercial sale that lost trees because of a natural disaster as determined by the Secretary.

Reimbursement:

TAP will be provided to producers who lost trees in excess of 15 percent mortality (adjusted for normal mortality). Producers will be reimbursed for 70 percent of the cost of replanting trees and 50 percent of the cost of pruning, removal, and other costs incurred for salvaging trees.

EMERGENCY ASSISTANCE FOR LIVESTOCK, HONEY BEES, AND FARM-RAISED FISH (EALHF) Program

Basic Provisions

The EALHF Program will provide emergency relief to producers of livestock (including horses), honey bees, and farm-raised fish because of losses from adverse weather or other conditions, such as blizzards and wildfires, as determined by the Secretary.

Program Coverage

The EALHF Program is intended to cover disasters that are **not** adequately covered by any other disaster program.

2009 NAP Application Closing Dates & 2009 CAT Sales Closing Dates

Annual Crops

Crop	Intended Use	Application Closing Date
Aquaculture		09/01/08
Christmas Trees		09/01/08
Ginseng Root		09/01/08
Ornamental Nursery		09/01/08
Turfgrass Sod		09/01/08
Oats	GR	09/30/08
Wheat	GR	09/30/08
Apples	FH	11/20/08
Asparagus	FH	11/20/08
Blueberries	FH	11/20/08
Caneberries	FH	11/20/08
Figs	FH	11/20/08
Grapes	FH	11/20/08
Peaches	FH	11/20/08
Pears	FH	11/20/08
Honey		12/01/08
Broccoli	FH	01/01/09
Cabbage (S&F)	FH	01/01/09
Carrots	FH	01/01/09
Greens (S&F)	FH	01/01/09
Onions	FH	01/01/09
Pecans		01/01/09
Potatoes (S&F)	FH	01/01/09
Beans (S&F)	FH	02/28/09
Cantaloupes	FH	02/28/09
Corn	GR	02/28/09
Corn, Sweet	FH	02/28/09
Cotton		02/28/09
Cucumbers (S&F)	FH	02/28/09
Eggplant	FH	02/28/09
Grain Sorghum	GR	02/28/09
Lettuce	FH	02/28/09
Okra	FH	02/28/09
Peanuts		02/28/09
Peas (S&F)	FH	02/28/09
Peppers	FH	02/28/09
Pumpkins	FH	02/28/09

Grazing and Forage

Crop	Intended Use	Application Closing Date
Barley	GZ	09/30/08
Barley	GZ	09/30/08
Barley	FG	09/30/08
Barley	FG	09/30/08
Oats	GZ	09/30/08
Oats	GZ	09/30/08
Oats	FG	09/30/08
Oats	FG	09/30/08
Rye	GZ	09/30/08
Rye	FG	09/30/08
Wheat	GZ	09/30/08
Wheat	FG	09/30/08
Alfalfa	GZ	12/01/08
Alfalfa	FG	12/01/08
Bahia	GZ	12/01/08
Bahia	FG	12/01/08
Bermuda Coastal	GZ	12/01/08
Bermuda Coastal	FG	12/01/08
Bermuda Common	GZ	12/01/08
Bermuda Common	FG	12/01/08
Bermuda Hybrid	GZ	12/01/08
Bermuda Hybrid	FG	12/01/08
Bluestem Old World	GZ	12/01/08
Bluestem Old World	FG	12/01/08
Fescue Red	GZ	12/01/08
Fescue Red	FG	12/01/08
Fescue Tall	GZ	12/01/08
Fescue Tall	FG	12/01/08
Fescue Tall	SD	12/01/08
Lovegrass	GZ	12/01/08
Lovegrass	FG	12/01/08
Mixed Forage	GZ	12/01/08
Mixed Forage	FG	12/01/08
Native Interseeded	GZ	12/01/08
Native Interseeded	FG	12/01/08
Orchard Grass	GZ	12/01/08
Orchard Grass	FG	12/01/08

Rice	GR	02/28/09
Soybeans	GR	02/28/09
Squash (S&F)	FH	02/28/09
Strawberries	FH	02/28/09
Sugarcane	FH	02/28/09
Sunflowers		02/28/09
Sweet Potatoes	FH	02/28/09
Watermelons	FH	02/28/09
Tomatoes (S&F)	FH	03/15/09

S&F = Spring and Fall
Plantings

Rye, Annual	GZ	12/01/08
Rye, Annual Sm. Grain/Interseeded	FG	12/01/08
Sm. Grain/Interseeded	GZ	12/01/08
Sudangrass	FG	12/01/08
Sudangrass	GZ	12/01/08
Sudangrass	FG	12/01/08
Corn	FG	02/28/09
Millet	FG	02/28/09
Sorghum	FG	02/28/09

OTHER PROGRAM DEADLINES

Final date to request a reconstitution on a DCP farm	August 1, 2008
Final date to report spring-seeded crops except NAP Crops	August 15, 2008
Final Date for 2008 DCP Signup	September 30, 2008



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ARKANSAS FARM SERVICE AGENCY - - STATE OFFICE

July 2008

2008 Marketing Assistance Loan Rates

Food, Conservation and Energy Act of 2008 provides the national loan rates for eligible marketing assistance loan commodities. The 2008 crop year national loan rates are as follows:

2008 National Average Loan Rates

Commodity	Loan Rates per Unit
Wheat	\$2.75 per bushel
Corn	\$1.95 per bushel
Grain Sorghum	\$1.95 per bushel ----- **base county loan rate is converted to hundredweight
Barley	\$1.85 per bushel
Oats	\$1.33 per bushel
Upland Cotton	\$0.52 per pound
Extra Long Staple (ELS) Cotton	\$0.7977 per pound
Rice	\$6.50 per hundredweight
Soybeans	\$5.00 per bushel
Oilseeds (see below)	\$0.0930 per pound
Graded Wool	\$1.00 per pound
Non-Graded Wool	\$0.40 per pound
Mohair	\$4.20 per pound
Honey	\$0.60 per pound
Dry Peas	\$6.22 per hundredweight
Lentils	\$11.72 per hundredweight
Small Chickpeas	\$7.43 per hundredweight

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Small Chickpeas	\$7.43 per hundredweight

2008 Oilseed National Average Loan Rates

Oilseed Type	Loan Rates per pound
Sunflower (oil and non-oil types)	\$0.0930
Flaxseed	\$0.0930
Canola	\$0.0930
Rapeseed	\$0.0930
Safflower Seed	\$0.0930
Mustard Seed	\$0.0930
Crambe	\$0.0930
Sesame Seed	\$0.0930

2008 Direct and Counter-Cyclical Program (DCP) Signup Announced

Producers may now signup for the 2008 DCP Program through September 30, 2008. All required signatures must be on the CCC-509 Contract before it may be approved and earn payments. Failure to have all required signatures by September 30, 2008, will result in the farm being ineligible for direct or counter-cyclical payments for the year. Producers may enroll in any USDA Service Center, their administratively-assigned center, or electronically on the web. The electronic service is available at http://www.fsa.usda.gov/egov/edcp_default.htm. To access this service, producers must have an active USDA eAuthentication Level 2 account, which requires filling out an online registration form at <http://eauth.egov.usda.gov> followed by a visit to the local USDA Service Center for identity verification.

Requirements for Producers Participating in the 2008 DCP Program

To meet the requirements for participating in the 2008 DCP program, producers must:

- comply with Highly Erodible and Wetland Provisions
- devote acreage equal to the base acreage to an agricultural or conserving use
- Effectively control weeds and otherwise maintain base acres according to sound agricultural practices. All base acreage shall be protected from erosion, including providing sufficient cover. For a list of approved covers and practices, contact your local FSA office.
- Not plant perennial fruits and vegetables (FAV) or harvest annual fruits and vegetables or wild rice on base acres unless an allowable exception has been met. See FAV Chart in this newsletter.
- All cropland acres on a farm must be reported. File an acreage report (FSA-578) with respect to all cropland on the farm. Fall-seeded crops must be May 15, 2008, and Spring-seeded crops by August 15, 2008.
- notify FSA when there is a transfer of or change of interest of a producer

Supporting Documentation Required for Producers Participating In the 2008 DCP Program

Before payments may be issued for the 2008 DCP Program, the following supporting documentation must be on file:

1. CCC-502, Farm Operating Plan for Payment Eligibility Review
2. AD-1026, Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC)
3. CCC-526, Payment Eligibility Adjusted Gross Income Certification

Planting Flexibility

Any commodity may be planted on the following:

- Any land, including base acres, on a farm NOT enrolled in DCP
- Non-base acres of a farm enrolled in a DCP contract
- Base acres of a farm enrolled in a DCP contract, except for fruits, vegetables (FAV) and wild rice unless an FAV exception is met.

Designation of Shares on the DCP Contract

Producers need to ensure that shares designated on the DCP participation contract meet the division of payment rules. In general, the DCP payment shares need to mirror the actual shares for crops produced on base acres. The table below defines the general DCP share requirements. Specific situations and questions may be addressed to your local County Office. Failure to comply with the division of payment rules will result in a loss of program payments.

Eligible to Receive DCP Payment

Situation	Lessor (landowner)	Lessee (tenant)
Landowner cash leases entire farm to lessee	No, because the base acreage has been cash leased to another. Landowner has no risk in the crop	Yes, if all other eligibility requirements are met
Landowner leases grazing or haying rights or privileges on base acreage to another, but land itself is not leased	Yes, if all other eligibility requirements are met, because the land itself has not been leased, only the right to graze or hay	No, because the land has not been leased, only the right to graze or hay
Landowner cash leases base acreage and lessee grazes or hays the land	No, because the base acreage has been cash leased to another	Yes, if all other eligibility requirements are met, because the lessee has leased the land, not just grazing or haying rights. The fact that the lessee uses the land for grazing or haying is not relevant
Landowner share leases all base acres to lessee	Yes, if all other eligibility requirements are met. However, neither the lessor nor the lessee may receive 100 percent of the DCP payment	Yes, if all other eligibility requirements are met, however neither the lessor nor the lessee may receive 100 percent of the DCP payment
Landowner leases (cash or share leases) only nonbase acres to lessee.	Landowner may be eligible to receive DCP Payment depending on lease arrangements for base acres on the farm.	No, because the lessee leases only nonbase acres.

The Effects of Fruits and Vegetables (FAV's) and/or Wild Rice Planted on Base Acres for the Direct and Counter-Cyclical Program (DCP)

Producers should be aware that planting and harvesting fruits (including nuts) and vegetables (FAV's) and/or wild rice on base acres shall be a violation of the Direct and Counter-Cyclical Program (DCP) having costly penalties unless one of the allowable exceptions is met. Listed below is a summary of the allowable exceptions and the effects each has on the DCP Direct and Counter-Cyclical payments.

Exception Title	Allows for Planting and Harvesting of FAV's of Wild Rice on Base Acres without Penalty	Affect of Direct and Counter-Cyclical Payments if an Exception is Met
Double Cropping	<p>FAV's or wild rice are planted in a double cropping practice with a covered commodity or peanuts in cycle in an approved double cropping region</p> <p>Covered Commodities means a crop of wheat, oats, corn, grain sorghum, rice, upland cotton, barley, soybeans, canola, flaxseed, mustard seed, rapeseed, safflower, and sunflower seed.</p> <p>Approved Double Cropping Regions (Counties) in Arkansas are: Ashley, Benton, Clay, Crawford, Cross, Faulkner, Franklin, Independence, Jackson, Jefferson, Lee, Lincoln, Logan, Lonoke, Phillips, Pulaski, St. Francis, Sebastian, Woodruff and Yell.</p>	No reduction in payments
Farm History	The farm's history reflects the planting of any FAV's or wild rice in at least one of the years from 1991-1995 or 1998-2001. Acres must have been previously certified in the FSA office.	Acre-per-acre reduction for every acre of FAV's or wild rice planted on base acres.
Producer	The producer has an average planting of the specific FAV or wild rice from any farm for the years from 1991-1995 or 1998-2001. FSA will need to assist the producer in calculating the average planting. Acres must have been previously certified in the FSA office. The producer must elect either planting period 1991-1995 or 1998-2001.	Acre per acre reduction for every acre of FAV's or wild rice planted on base acres

2008 Reconstitution Rules on Farms with Base Acres of 10.0 Acres or Less

The 2008 “Act” prohibits direct payments, counter-cyclical payments, or average crop revenue election payments to a producer on a farm, if the sum of the base acres on the farm is 10 acres or less except if the farm is owned by either:

- a socially disadvantaged farmer or rancher
- A limited resource farmer or rancher.

The rules for reconstitution of farm’s with bases of 10.0 acres or less are as follows:

- Request may not be approved if received after the date of enactment of the 2008 “Act” (May 22, 2008), unless the producer has been previously notified by FSA before June 24, 2008.
- May be combined with another farm if 1 of the farm undergoes a change in land ownership. To qualify for this exception, the owners of each of the farms participating in the new combination must be identical and have identical shares in both farms.
- Requested by August 1, 2008.

Power of Attorney for the 2008 DCP Program

Producers and landowners (grantors) who previously executed a Power of Attorney (FSA-211) or other Power of Attorney, authoring an attorney-in-fact to act on their behalf for anything other *than “all current and future programs”*, will need to execute a new FSA-211 or other Power of Attorney.

Payment Eligibility and Limitations

In order to participate and request benefits in the USDA programs listed below, all producers must meet applicable “person”, “actively engaged in farming”, “cash-rent tenant”, “permitted entity”, “foreign person” and “average adjusted gross income” rules as outlined in the chart below. No program benefits subject to the limitation may be provided until all forms for the specific situation are provided and the necessary payment limitation and payment eligibility determinations are made. Currently, a farm operating plan is not required to be filed annually if the farming operation continues to be conducted as reflected on the farm operating plan and supporting documents on file in the County Office. However, producers are **required** to timely notify their local County FSA Office by filing a revised farm operating plan and supporting documentation as applicable when changes are made to the farming operation that will affect the original “person” or “actively engaged in farming” or average adjusted gross income determination. Changes may include, but are not limited to, changes in lease arrangements, additions or deletions of farms from the operation, changes in the structure of a farming operation such as member share changes, changes in contribution of inputs such as land, capital, equipment, active personal labor and management, increase in income that may affect the 3-year

average gross income, and acquisitions of farming interests not previously disclosed including farming interests of a spouse or minor child. Failure to report such changes could affect eligibility for payment. Entities earning payment, including corporations, trusts, limited partnerships and estates, are required to provide the names, addresses and ID numbers of the entity members. Spouses may be considered separate “persons” for payment limitation purposes if this determination is requested and the applicable requirements are met. A producer’s status as of **April 1** of each program year will be considered in making payment eligibility-payment limitation determinations. Actions taken after the status date shall not be used to increase the number of “persons” for the current year.

Applicable Payment Limitations Rules and Program Limits							
Program or Payment	Person	Actively Engaged in Farming	Cash-Rent Tenant	Permitted Entity	Foreign Person	Adjusted Gross Income	Payment Limitation Amount
Direct Payments	X	X	X	X	X	X	\$40,000*
Counter-Cyclical Payments	X	X	X	X	X	X	\$65,000 **
Market Assistance Loans					X		
Marketing Loan Gains & Loan & Deficiency Payments	X	X	X	X	X	X	\$75,000***
Conservation Reserve Program (CRP)	X	X	X	X	X	X	\$50,000
Non-Insured Disaster Assistance Program (NAP)	X						\$100,000
EQIP							\$450,000***

*separate \$40,000 limitation for covered commodities and separate \$40,000 limitation for peanuts

** separate \$65,000 limitation for covered commodities and separate \$65,000 limitation for peanuts

*** separate \$75,000 limitation for covered commodities and separate \$75,000 limitation for peanuts, honey, wool, and mohair

“Actively Engaged in Farming” Rule – an individual or entity must have:

- Significant “left-hand” contributions to the farming operation
 - Capital, land, equipment, or a combination
- Significant “right-hand” contributions to the farming
 - Active personal labor or active personal management or a combination
- A claimed share of the profits or losses from the farming operation that is commensurate with the contributions to the farming operation
- Contributions that are at risk

Cash Rent Tenant Rule applies to any producer that rents land from another producer for cash or a crop share guaranteed as the amount of the commodity to be paid in rent. The provision also applies to tenants who rent land for 0 dollars or who farm on the land in exchange for compensation other than cash, such as controlling weeds on land not owned or barter arrangements. Any cash-rent tenant shall be ineligible to receive payment unless the cash-rent tenant makes either of the following:

- A significant contribution of active personal labor to the farming operation
- A significant contribution of both active personal management and equipment to farming operation

Permitted Entities Rule – an individual or entity may not receive specified payments, either directly or indirectly, from more than 3 “permitted entities.”

Foreign Person Rule applies to individuals and entities.

- Foreign individual is someone who is not a citizen of the U. S. or a lawful alien possessing a valid Alien Registration Receipt Card. The individual must provide significant contribution of land, capital, and active personal labor.
- Foreign Entity is a corporation, trust, estate, or other similar organization, that has more than 10 percent of its beneficial interest held by individuals who are not citizens of the U. S. or lawful alien possessing a valid Alien Registration Receipt Card. Each foreign individual who is a stockholder or other type of member must provide significant active personal labor for the entity.

Spot Checks by FSA for Payment Eligibility

All CCC-501s (Members Information), CCC-502s (Farm Operating Plan for Payment Eligibility Review), and CCC-526s (Average Adjusted Gross Income Certification) are subject to spot check through our end-of-year review process. If selected for a spot check, producers will be asked to submit proof of their contribution to the operation such as seed, fertilizer and chemical bills, land lease agreements, land contracts or property tax payments, equipment lists, cancelled checks for paid labor or hired management, Federal and State income tax returns, financial statements, balance sheets, reports prepared for other government agencies, information prepared for private lender, and any other items the FSA County Committee determine are necessary. The producer is required to provide these items for the spot check so the FSA county committee can make a determination that the farming operation is actually being performed as was stated on the applicable CCC-501 or CCC-502 which was originally completed, and average adjusted gross income provisions are met as certified.

Average Adjusted Gross Income (AGI)

The Food, Conservation, and Energy Act of 2008 (Act), Pub. L. 110-234, will make changes to AGI for 2009, but for 2008 the provision of the Farm Security and Rural Investment Act of 2002 are still effective. Producers are ineligible for FSA program payments and benefits if their Average Adjusted Gross Income (AGI) is in excess of \$2.5 million, unless 75 percent of the AGI is from farming, ranching or forestry operations. The average AGI for the individual or entity is the average of AGI, or comparable measure, of the individual or entity over the 3 tax years immediately preceding the year for which benefits are requested. To comply with the AGI requirement, all individuals or entities, including embedded entities must have a completed CCC-526 before program benefits can be issued. Producers should check with the COF to see if a new CCC-526 form is required

Spring Seed Crop Certification Deadline Extended

The July 15, 2008, spring seeded crop certification deadline has been extended to August 15, 2008. Late fees will not be applied if acreage reports are file by August 15 and all other crop reporting requirements are met. However, for Noninsured Disaster Assistance Program (NAP) purposes, producers are required to file an acreage report on the earlier of the extended acreage reporting date or no later than 15 calendar days before the onset of harvest. Under no circumstances will the extended acreage reporting date impact or change the deadline for filing other NAP forms. The extension is being granted National wide because of the delay in announcing the provision of the 2008 Farm Bill and extreme weather conditions.

Failed and Prevented Planting Deadline Extended

For 2008, the deadline to file failed credit and prevented planted acreage credit has been extended to August 15, 2008. Before approval the County Committee will still have to determine that the acreage meets the criteria for approval. The extension has been granted

nationwide due to the delay in announce the provision of the 2008 Farm Bill and extreme weather conditions.

Quality Signup Begins - 2005-2007 Crop Disaster Assistance Program (CDP)

FSA County Offices are now accepting applications for *quality and quantity* losses for the 2005-2007 CDP Program. A deadline has not been announced at the current time. Interest producers should apply in their local FSA office. Basic information concerning quality eligibility rules are as follows:

- Eligible years are 2005, 2006 and 2007
- Crop must have had a multi-peril Federal Crop Insurance policy with Risk Management Association (RMA) or be covered by Non-insured Disaster Assistance Program (NAP)
- losses must be from *eligible cause of loss*
- Adjusted Gross Income, payment limitation, multiple cropping, apply
- producer must *first file a quantity application*, but the quantity application does *not* have to calculate to a loss or payment
- Only *harvested* production is eligible
- Producer *must provide verifiable production evidence* of the quality loss
- COF must *keep a copy* of the production records.
- A *single* ticket, bale, bin, etc (production) can be eligible
- The ticket, bale, bin, etc (production) must have a **25% loss in both quality and price** in order to be eligible for quality payment
- Each ticket, bale, bin, etc. (production) will be allocated to one of *six levels*. Five levels can calculate a payment. The sixth level (*unaffected*) is for unaffected production that does not meet the 25% loss levels.
- Payments will be calculated:
 - using the *35% threshold* (just like quantity losses)
 - *42% of from the CDP crop table price* or a producer's Marketing Contract price if applicable
 - Factored again according to the *level* the production meets
 - Adjusted for the amount received for quantity.
- RMA and some *NAP* crops may have *already* been adjusted for quality but producers may provide production evidence to see if *additional* adjustments are applicable
- Most crops can be eligible. Examples of *non-eligible crops*: aquaculture, Christmas trees, nursery, honey, turf grass sod, and maple sap. A complete list is available in the County Office
- The combined quantity and quality payment cannot exceed 95 percent of the total value of the crop absent the disaster.

Program Deadlines

Final date to request a reconstitution on a DCP farm	August 1, 2008
Reporting spring-seeded crops and all cropland all crop except NAP Crops	August 15, 2008
2008 DCP Signup	September 30, 2008



“SCOOP”

SPECIAL EDITION

ARKANSAS FARM SERVICE AGENCY - - STATE OFFICE

June 2008

2008 Farm Bill Overview

The “Act”

The Food, Conservation, and Energy Act of 2008 (Act), Pub. L. 110-234, was enacted into law on May 22, 2008. The Act provides for the following:

- Continuing Direct and Counter Cyclical (DCP) for 2008 through 2012
- Authorizes an Average Crop Revenue Election (ACRE) program for 2009 through 2012

Federal regulations and program policies and procedures are currently being drafted and developed and will be finalized over the next several months. Continue to watch more articles in future SCOOP publications.

The U.S. Dept of Agriculture (USDA) prohibits discrimination in all its programs and activities on the bases of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Ave., SW, Washington, DC 20250-94101 or call (202) 720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.

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Comparison to the 2002 ACT

2007 Covered Commodities Eligible for DCP Under the 2002 Act	2008 Through 2012 Covered Commodities Eligible for DCP Under the Act
Barley	Barley
Corn	Corn
Grain Sorghum	Grain Sorghum
Oats	Oats
Other Oilseeds (Canola, Crambe, Flaxseed, Mustard Seed, Rapeseed, Safflower, Sesame Seed, or Sunflower Seed)	Other Oilseeds (Canola, Crambe, Flaxseed, Mustard Seed, Rapeseed, Safflower, Sesame Seed, or Sunflower Seed)
Peanuts	Peanuts
	Pulse Crops
Rice	Long Grain Rice
	Medium Grain Rice
Soybeans	Soybeans
Upland Cotton	Upland Cotton
Wheat	Wheat

Note: Although peanuts are **not** included in the statutory definition of covered commodities, they are treated as a covered commodity.

DCP Base Acres

Base Acres:

- in effect on September 30, 2007, will be in effect for 2008 DCP
- for long grain and medium grain rice will be recalculated.
 - **Note:** For 2008 and succeeding years, short grain and medium grain rice will be considered as medium grain rice.

For 2009, pulse crops will be added as a covered commodity. Pulse crops are defined as follows:

- chickpeas, large (Garbanzo bean, Kabuli)
- chickpeas, small (Garbanzo bean, Desi)
- dry peas
- lentils.

Base Acre Adjustments

The Act provides for adjustments in base acres in the following situations:

- CRP contract expires or is voluntarily terminated
- cropland is released from coverage under CRP by the Secretary
- pulse crop acreage is established similarly to the establishment of oilseed acreage under the 2002 Act
- additional eligible oilseed acreage is established, because of the Secretary designating
- additional oilseeds, similarly to the establishment of oilseed acreage under the 2002 Act
- if the sum of the base acres on the farm plus the following items exceed the DCP cropland on the farm, the base acres on the farm **must** be reduced unless the double-cropping exception applies:
 - acreage enrolled in CRP or WRP
 - any acreage enrolled in a Federal conservation program for which payments are made in exchange for **not** producing an agricultural commodity on the acreage
 - the addition of any pulse crop acreage
 - the addition of any additional oilseed acreage.

Payment Yields

Payment yields are required to be established for making direct and counter-cyclical payments for each farm for any designated oilseed or eligible pulse crop for which a payment yield was **not** established under the 2002 Act.

Payment Acres

Under the 2002 Act, payment acres were 85 percent of the applicable base acres. The Act provides for the following percentages to compute payment acres.

Year	Percentage of Base Acres Used to Calculate Direct Payments	Percentage of Base Acres Used to Calculate Counter-Cyclical Payments
2008	85%	85%
2009	83.3%	85%
2010	83.3%	85%
2011	83.3%	85%
2012	85%	85%

Prohibition on Payments

The Act prohibits direct payments, counter-cyclical payments, or average crop revenue election payments to a producer on a farm, if the sum of the base acres on the farm is 10 acres or less.

Exceptions: The following are 2 exceptions to the prohibition on payments:

- a socially disadvantaged farmer or rancher
- a limited resource farmer or rancher.

Reduction in Bases

The Act directed that crop acreage bases for covered commodities and peanuts be reduced for land that has been subdivided and developed for multiple residential units or other nonfarming uses if the size of the tracts and the density of the subdivision are such that the land is unlikely to return to the previous agricultural use.

Direct Payments

Direct payments will be issued for each of the 2008 through 2012 crop years of each of the covered commodities (other than pulse crops). Direct payment rates for the covered commodities receiving payments are as follows.

Crop	2008 Through 2012 Payment Rate
Barley	\$0.24/bu
Corn	\$0.28/bu
Grain Sorghum	\$0.35/bu
Oats	\$0.024/bu
Other Oilseeds	\$0.80/cwt
Peanuts	\$36/ton
Rice, Long Grain Rice	\$2.35/cwt
Rice, Medium Grain Rice	\$2.35/cwt
Soybeans	\$0.44/bu
Upland Cotton	\$0.0667/lb
Wheat	\$0.52/bu

Note: Although peanuts are **not** included in the statutory definition of covered commodities, they are treated as a covered commodity.

Advance Payments for Direct Payments

Advance direct payments will be available for producer election for 2008 through 2011 crop years. The advance direct payment percentage is 22 percent. For 2008, advance payments will be made as soon as practical after the producer makes an election.

Payment Limitations for Direct Payments

The payment limitation amounts for direct payments received, directly or indirectly, by a person or legal entity for crop years 2008 through 2012 are as follows.

Crop	Payment Limitation
Any covered commodity (except peanuts)	\$40,000
Peanuts	\$40,000

Payment limitation amounts will be adjusted for participation in ACRE in years 2009 through 2012. The timing of the advance direct payment for the 2009 through 2011 crop years are similar to advance direct payments under the 2002 Act.

Counter-Cyclical Payments

Counter-cyclical payments will be:

- issued for each of the 2008 through 2012 crop years of each covered commodities if the effective price for the covered commodity is less than the target price for the covered commodity
- made after October 1 or as soon as practical after the end of the marketing year for the covered commodity.

If it is estimated that a counter-cyclical payment for a covered commodity will be issued, producers on a farm, for crop years 2008 through 2010, will be able to request partial advances for those counter-cyclical payments. The advance counter-cyclical payment may be requested at any time, but not later than 60 calendar days before the end of the marketing year for that covered commodity. The advance counter-cyclical payment will not exceed 40 percent of the projected counter-cyclical payment for the covered commodity for the crop year. The advance counter-cyclical payment will be made after completion of 180 calendar days of the marketing year for the covered commodity. The final counter-cyclical payment will be made beginning October 1, or as soon as practicable thereafter, after the end of the applicable marketing year for the covered commodity. The payment limitation amounts for counter-cyclical payments received, directly or indirectly, by a person or legal entity for crop years 2008 through 2012 are as follows.

Counter-Cyclical - Payment Limitation

Crop	Payment Limitation
Any covered commodity (except peanuts)	\$65,000
Peanuts	\$65,000

Payment limitation amounts will be adjusted for participation in the ACRE Program in years 2009 through 2012.

Target Prices

Crop	2008	2009	2010 Through 2012
Barley	\$2.24/bu	\$2.24/bu	\$2.63/bu
Chickpeas, Large (Garbanzo bean, Kabuli)		\$12.81/cwt	\$12.81/cwt
Chickpeas, Small (Garbanzo bean, Desi)		\$10.36/cwt	\$10.36/cwt
Corn	\$2.63/bu	\$2.63/bu	\$2.63/bu
Dry Peas		\$8.32/cwt	\$8.32/cwt
Grain Sorghum	\$2.57/bu	\$2.57/bu	\$2.63/bu
Lentils		\$12.81/cwt	\$12.81/cwt
Oats	\$1.44/bu	\$1.44/bu	\$1.79/bu
Other Oilseeds	\$10.10/cwt	\$10.10/cwt	\$12.68/cwt
Peanuts	\$495/ton	\$495/ton	\$495/ton
Rice, Long Grain	\$10.50/cw	\$10.50/cwt	\$10.50/cwt
Rice, Medium Grain	\$10.50/cw	\$10.50/cwt	\$10.50/cwt
Soybeans	\$5.80/bu	\$5.80/bu	\$6.00/bu
Upland Cotton	\$0.7125/lb	\$0.7125/lb	\$0.7125/lb
Wheat	\$3.92/bu	\$3.92/bu	\$4.17/bu

ACRE Program

The Act authorizes ACRE Program payments. In crop years 2009 through 2012, producers who make an irrevocable election to receive ACRE Program payments will:

- **not** receive counter-cyclical payments on the farm
- be subject to a 20 percent reduction in direct payments for all covered commodities
- be subject to a 30 percent reduction in marketing assistance loan rates for all covered commodities.

Note: The ACRE Program is **not** available until 2009. More information will be provided in future.

Payment Limitation and Eligibility Provisions

The Act makes changes to the provisions for payment eligibility, payment limitation, and adjusted gross income (AGI). Under the Act, the actively engaged in farming requirements remain applicable, the 3-entity rule is eliminated; payments are limited through direct attribution to the individual and entity, instead of by “person” as previously defined; and the AGI limitation is changed. The majority of these changes will be implemented for the 2009 and subsequent program years. For 2008 programs, the current rules for payment eligibility, payment limitation, and AGI remain applicable.

Payment Eligibility/Limitation Requirements	2008	2009 and Later Years
Actively engaged in farming.	X	X
AGI	X	X
Cash rent tenant rule.	X	X
Denying program benefits for scheme or device.	X	X
Family member rule.	X	X
Foreign person rule.	X	X
Husband/wife rules.	X	X
Minor child rule.	X	X
Payment limitation control by direct attribution.		X
Permitted entity rules.	X	
“Person” for payment limitation control.	X	
Preventing payments to deceased individuals		X
Review of estates open more than 2 years	X	X
Substantive change rule.	X	X

Attribution Rule

Under attribution, the payment limitation is applied by crediting individuals and entities with both the amount of payments they receive directly and also the amount they are considered to have received indirectly by holding an interest in an entity receiving payment.

Average AGI for 2009

Average AGI limitations for 2009 payment eligibility apply to both individuals and entities. For commodity and price support programs, if the individual or entity has:

- nonfarm AGI greater than \$500,000, the individual or entity is **not** eligible for DCP or price support benefits
- farm AGI greater than \$750,000, the individual or entity is **not** eligible for direct payments under DCP.

For conservation programs, if the individual or entity has:

Average AGI for 2009 continued:

- total AGI greater than \$1 million, the individual or entity is **not** eligible unless 66.66 percent is derived from farming, ranching, and forestry operations, as defined
- nonfarm AGI greater than \$1 million, the individual or entity is **not** eligible for conservation program benefits.

The definition of average AGI, derived from farming, ranching, and forestry operations, is being expanded to include income and benefits from:

- the production of all types of livestock and products produced or derived from livestock
- the production of farm-based renewable energy
- the processing, packing, storing, shedding, and transporting of farm, ranch, and forestry commodities, including renewable energy
- any activity related to farming, ranching, or forestry, as determined by the Secretary.

Compliance

To be eligible to receive payments mentioned in this notice, producers who enroll in DCP

Must:

- comply with applicable conservation requirements under the Food Security Act of 1985, Title XII, subtitle B (16 U.S.C. 3811 et seq.)
- comply with applicable wetland protection requirements under the Food Security Act of 1985, Title XII, subtitle C (16 U.S.C. 3821 et seq.)
- comply with the planting flexibility requirements
- use the land on the farm, in a quantity equal to the attributable base acres for the farm and any base acres for peanuts, for an agriculture or conserving use and **not** for a nonagricultural commercial, industrial, or residential use
- effectively control noxious weeds and otherwise maintain the land according to sound agricultural practices if the land is **not** cultivated
- file an annual acreage report
- file a production report if participating in the ACRE Program.

2008 Crop Year Marketing Assistance Loans and LDP's Authorized

The Food, Conservation, and Energy Act of 2008 (2008 Act) was enacted into law May 22, 2008. The 2008 Act authorizes 2008 crop marketing assistance loans (MAL's) and LDP's on wheat, oats, corn, grain sorghum, honey, rice, soybeans, graded and non-graded wool, mohair, barley, canola, crambe, dry peas, flaxseed, lentils, mustard seed, rapeseed, safflower, sesame seed, small chickpeas, and sunflower seed.

County Offices were authorized to accept MAL and LDP requests for all commodities except cotton and peanuts, beginning June 5, 2008. General MAL and LDP policies applicable to the 2007 crops will be in effect for the 2008 crop year. These policies include:

2008 Crop Year Marketing Assistance Loans and LDP's Authorized continued:

- MAL and LDP eligibility to producers who have complied with annual program requirements, including reporting all cropland acreage for applicable crops
- beneficial interest in the eligible commodity for which a loan or LDP is requested, including risk of producing the commodity
- a combined \$75,000 payment limitation for marketing loan gains and LDP's for all eligible commodities, with a separate combined \$75,000 payment limitation for:
 - graded and non-graded wool
 - honey
 - mohair
 - peanuts
 - unshorn pelts
- recourse loan availability for high moisture corn and grain sorghum
- GRAZE-OUT payments instead of LDP's for eligible producers who elect to use acreage planted to barley, oats, triticale, or wheat for grazing by livestock, and who agree to forego any other harvesting of the commodity on this acreage during the crop year

For more information about 2008 crop year marketing assistance loans and LDP's, contact your local FSA office.



“SCOOP”

ARKANSAS FARM SERVICE AGENCY - - STATE OFFICE

June 2008

Acreage Reporting Deadline for Fall-Seeded Crops is July 15, 2008

July 15, 2008, is the deadline to report spring-seeded crops to your local FSA Office. A late payment fee will be charged for reports filed after July 15, 2008. It is unknown at this time if an acreage report will be required to obtain any potential USDA benefits for the 2008 crop year. However, in the previous Farm Bill acreage reports were required for most programs before payments could be issued.

Failed and Prevented Planted Acreage

Failed Acreage Provisions – Producers should report failed crop acres to their local FSA Office when the crop is failed due to disaster-related conditions such as but not limited to the recent flooding. To be timely filed, acreage reports for failed acreage shall be filed *before the crop is destroyed*. County Committee review and action is required to receive history credit in accordance with applicable rules and regulations__

Prevented Planted Provisions – Producers should report prevented planted acreage to their local FSA Office when the crop acreage is not planted due to disaster-related conditions. To be considered timely filed, prevented planted acres shall be reported no later than *15 calendar days after the final planting date* established by Federal Crop Insurance. County Committee review and action are required to receive history credit in accordance with applicable rules and regulations.

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County Committee *may not* approve acreage that:

- Was not planted because of a *management decision*
- Was used for *conservation purposes*, including any that was intended to be left idle
- Had a *previous or subsequent crop* planted that does not meet the double-cropping provisions
- Does not meet *other* applicable rules.

Below are the final planting dates for Arkansas and the deadlines for filing prevented planted credit.

Unless noted the date is applicable to all counties in Arkansas:

Crop	Federal Crop Insurance Final Planting Date	Deadline to File Prevented Planted
Corn	May 10	May 25
Upland Cotton	May 20 Clay, Craighead, Crittenden, Cross, Greene, Jackson, Lawrence, Mississippi, Poinsett, St Francis, White, and Woodruff Counties	June 4
Upland Cotton	May 25 Arkansas, Ashley, Bradley, Chicot, Clark, Dallas, Desha, Drew, Jefferson, Lafayette, Lee, Lincoln, Little River, Lonoke, Miller, Monroe, Phillips, Prairie, and Pulaski Counties	June 9
Peanuts	May 25	June 9
Rice	May 31	June 15
Grain Sorghum	June 10	June 25
Soybeans	June 15	June 30
Wheat, Oats,	November 30	December 15

2005-2007 Crop Disaster Assistance Program

FSA County Offices are continuing to accept applications for the 2005, 2006, and 2007 Crop Disaster Assistance Program (CDP) for quantity losses. It is still unknown when FSA will start quality loss applications, but producers should continue to watch for the additional information. For both quantity and quality losses, eligible producers must have obtained Federal Crop Insurance coverage or coverage under the Noninsured crop Disaster Assistance Program (NAP) for the year of loss.

LCP and LIP

- Sign-up for LCP & LIP will end close of business (COB) JULY 18, 2008

**Noninsured Crop Disaster Assistance Program (NAP)
Acreage Reporting Deadlines Announced**

2008 NAP Acreage Reporting Deadline	
Crop	Date
Beans (all varieties, spring planted), corn (for grain and sweet corn), cotton, cantaloupes, cucumbers, eggplant, grain sorghum, okra, onions, peanuts, peas (all varieties, spring planted), peppers, pumpkins, rice, squash, watermelons, soybeans, sugarcane, sunflowers, and sweet potatoes.	July 15, 2008

Report Noninsured Crop Disaster Assistance Program (NAP) Acreage and Losses Timely

Acreage and shares of NAP covered crops must be timely reported to the local FSA Office. Measurement services are available if needed. If a natural disaster strikes your covered crop, you must timely notify your local FSA office by completing a Notice of Loss within 15 calendar days from the date of:

- the natural disaster occurrence
- the final planting, if your planting was prevented by a natural disaster
- the date damage to the crop or loss of production becomes apparent to you
- the normal harvest date.

CRP PERMITTED USE FOR CRITICAL FEEDING

- On May 27, 2008, Agriculture Secretary Ed Schafer announced that USDA has authorized certain acreage enrolled under the Conservation Reserve Program (CRP) to be available for hay and forage after the primary nesting season ends for grass-nesting birds.
- Eligible farmers and ranchers will be able to plan for harvest of forage **after the end of the primary nesting season this summer**.
- Signup for interested CRP participants will begin June 2, 2008, at local Farm Service Agency (FSA) offices.
- This modification for critical feed use is only for 2008.
- All forage use must be completed no later than Nov. 10, 2008.