

**December 2012**

**Georgia State FSA Office**

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# 2012 Dates and Deadlines

**Acreage Reporting Deadlines: NEW REPORTING DATES ARE IN EFFECT**

| | |
|---|---|
| Dec 15 | Onions (Planted 09/20 - 10/20) |
| Jan 15, 2013 | Acreage reporting deadline for: Apples, Barley, Blueberries, Canola, Oats, Peaches, Rye, Wheat and any other Fall or Winter-planted vegetables. Perennial forage or grass crops covered by NAP insurance should also be reported at this time. |

**Note: Crops with NAP Coverage:**
If the crop being reported has NAP coverage, the final date to timely report the acreage is 15 days PRIOR to the onset of harvest or grazing. It is important for producers to remember that crops with NAP coverage will usually have a NAP crop reporting date EARLIER than the regularly established reporting dates for crops without NAP coverage.

## Important COC Election Dates:

| | |
|---|---|
| Dec 3 | Last day to return voted ballots to the local FSA Office. |
| Jan 1, 2013 | Elected committee members and alternates take office. |

## Additional Program Deadlines

| | |
|---|---|
| Jan 31, 2013 | Final date to request a Marketing Assistance Loan or Loan Deficiency Payment on 2012 CY Peanuts and Wool. |
| Jan 31, 2013 | NAP Application Closing Date for Annually Planted Crops |
| Mar 31, 2013 | Final date to request a Marketing Assistance Loan or Loan Deficiency Payment on 2012 CY Barley, Canola, Honey, Oats, and Wheat. |
| May 31, 2013 | Final date to request a Marketing Assistance Loan or Loan Deficiency Payment on 2012 CY Corn, Grain Sorghum, Cotton and Soybeans. |
| June 7, 2013 | Final date to enroll in SURE for 2011 crop losses that occurred through September 30, 2011 |
| Now | Emergency Conservation Approved Applicants -- report completed practices to FSA |
| Now | Emergency Forest Restoration Program Applicants -- report completed practices to FSA |
| Now | Complete for 2012 form CCC-931, Average Adjusted Income Certification and Consent to Disclosure of Tax Information |

## Present Emergency Loan Application Deadlines in Georgia:

| | |
|---|---|
| Dec 20 | Designation S3245 in 2 counties due to frost and freezing temperatures |
| Mar 4, 2013 | Designation M4068 in 4 counties due to losses caused by Tropical Storm Debby |
| Mar 11, 2013 | Designation S3262 in 15 counties due to frosts and freezes |
| Mar 11, 2013 | Designation S3263 in 15 counties due to hail and high winds |
| Mar 12, 2013 | Designation S3265 in 13 counties due to drought |
| Mar 12, 2013 | Designation S3271 in 11 counties due to drought |
| Mar 12, 2013 | Designation S3272 in 140 counties due to drought |
| Mar 12, 2013 | Designation S3286 in 13 counties due to drought |
| Mar 18, 2013 | Designation S3292 in 5 counties due to drought |
| Apr 1, 2013 | Designation S3309 in 14 counties due to drought |
| Apr 3, 2013 | Designation S3321 in 5 counties due to losses caused by Tropical Storm Debby |
| Apr 22, 2013 | Designation S3352 in 12 counties due to drought |
| Apr 29, 2013 | Designation S3360 in 3 counties due to drought |
| May 20, 2013 | Designation S3397 in 6 counties due to drought |
| May 27, 2013 | Designation S3407 in 17 counties due to excessive rain |

**NOTE:** All producers are encouraged to contact their local FSA office for information specific to the Emergency Loan Program and to determine whether their counties are declared under a certain designation.

## Director's Message

When I first came to work in your FSA State Office in Athens on August 10, 2009, I began a new chapter in my life.

Much has happened in those 40 months; some good and some not so good. The good is I was able to work with some 316 plus fellow employees most of whom are doing their best to serve you, the agriculture producers of Georgia. To those, I say thank you.

The not so good is the FSA budget has continually been cut over and over again. Last year we had a 36% reduction in a portion of our budget. Three offices were consolidated with other offices and 21 employees left either through buyouts or retirement. Consequently, we now have to share-manage 14 offices. But even this 'not so good' has been accepted as a challenge by most employees and producers. Most of you have made the best of it and again, I thank each of you for it.

The State Committee and County Committees have been very cooperative as we have had to reduce staff and look for alternative ways to provide training for employees. Again, thank you.

A very good thing happened on December 29, 2011 when I married Ann Gambrel. On January 11, 2013 I am retiring so this will be my final FSA Newsletter column.

I want to give special recognition to the State Office staff. Farmers in Georgia have benefitted greatly from their exceptional leadership. Without them, I would have failed miserably. Ann and I will continue to live in Vienna, Dooly County and invite any of you who come our way to please stop and say hello.

## Sale of Land under CRP Contract

This is a reminder for Conservation Reserve Program (CRP) participants who sell land under CRP contract to get a successor-in-interest to the contract. Failure to get the buyer to assume a contract will result in the original owner having to refund all CRP rental payments, cost share payments, incentive payments received on the contract, plus interest and liquidated damages. One way to prevent this from happening is to have a sales contract prepared that requires the new owner to assume the CRP contract.

Local county FSA committees have no authority but to terminate a CRP contract when the CRP participant loses control of the land and there is no successor-in-interest to the contract. Please call or visit your local County FSA Office before you sell land that is currently in a CRP contract.

## Violations under CRP Contract Period

This is a reminder for Conservation Reserve Program (CRP) participants that land enrolled in the CRP program must follow the terms and conditions that were signed under the CRP-1 at the beginning of the contract period. Any violations such as harvesting trees, selling of land without county notification, enrolling into other Federal conservation programs, and so forth will result in termination of the CRP Contract and the owner having to refund all CRP rental payments, cost share payments, plus interest and liquidated damages.

If you have any issues with your CRP land, please call or visit your local FSA office first so that they are made aware of the situation and can act accordingly.

## *A Word of Caution*

*By David Forbes, Farm Service Agency State Office Program Specialist*

As a Program Specialist in the State Office I have had the opportunity to work with hundreds of producer appeals to the State Committee and beyond. One recurring issue that I have observed is that documents are signed in the course of doing business with this Agency that upon further review are inaccurate. This can and does lead to conflicts with the Farm Service Agency and refunds are required with financial penalties.

Following are some examples:

- A producer has a contract with the FSA under the Conservation Reserve Program (CRP). Pine trees are planted on these acres and in return FSA issues annual payments for the life of the contract and in addition, helps pay for the planting of the trees. If the contract has not expired, the trees may not be cut and all acreage reports must be accurate or there will be penalties.

- A producer reports that he controls a tract of land that has sufficient cropland to support 80 acres of base and enrolls the 80 acres of base into a commodity support program like DCP. In actuality, he controls only 65 acres of cropland. Do not enroll more acres of cropland than controlled to support acres of base.

- A producer claims eligible loss of a hay crop due to drought under a disaster assistance program. The crops reported to the FSA are a specific type of grass that reflects a higher yield history than other types of grass. Upon inspection of the fields, Persimmon trees, Locus Trees, Pine trees, heavy wed infestations, etc. are discovered rather than the type of grass on which a loss claim was filed. Please do not enroll crops into a disaster assistance program such as NAP or include them on your acreage report if they do not exist.

In summary, please ensure you understand any and all documents that you sign while doing business with the FSA. If it is a contract, it will have an appendix that explains the contract requirements and you need to read it. Please ensure acreage reports are accurate. Do not in good faith sign what is presented to you at the local office and assume it to be correct. It is your responsibility to ensure that documents requiring your signature are accurate. Once you sign any FSA documents we assume that you have read and understand the provisions and/or requirements of the program or contract.

If you should need assistance in understanding programs offered by the FSA you have several resources of information to draw from. First and foremost should be your local FSA office personnel and second, the internet, where you can find the entire library of FSA Handbooks, Notices, News Releases and Federal Regulations.

## *Another Successful Year*

Fiscal Year 2012 was another successful and busy year for FSA in terms of loans to Georgia farmers and ranchers. At the end of the 2012 fiscal year, the following loan amounts were obligated:

Direct Farm Operating - $43,532,933.00

Direct Farm Ownership - $6,853,330.00

Direct Emergency Loans - $1,380,820.00

Total Direct - $51,767,083.00 (536 loan obligations)

Guaranteed Farm Operating - $44,904,268.40

Guaranteed Farm Ownership - $16,581,463.92

Total Guaranteed Loans - $61,485,732.32 (185 loan obligations)

Eighty-three (83) percent of direct operating loan obligations went to beginning farmers and socially disadvantaged farmers (SDA). Eighty-five (85) percent of direct farm ownership loan obligations went to beginning farmers and SDAs.

Under the guaranteed program, forty-three (43) percent of operating loan obligations went to beginning farmers and SDAs. Forty-nine (49) percent of guaranteed ownership loan obligations went to beginning farmers and SDAs.

## ***Guaranteed Conservation Loan Program***

Farmers and ranchers are reminded that the Agency will guarantee Conservation Loans to producers who want to promote conservation on their land as well as conserve the country's natural resources. Many farmers and ranchers who need and want to implement conservation measures on their land do not have the "up-front" funds available to implement the practices. Producers who want to conserve natural resources and need a source of financing to implement conservation measures are encouraged to apply for credit through this program.

Producers can apply for Conservation Loans to improve or implement conservation practices on their land, as long as the practice is approved by the Natural Resources Conservation Service. Examples of conservation practices include the installation of conservation structures, establishment of forest cover, installation of water conservation measures, establishment or improvement of permanent pastures, implementation of manure management and the adaptation of other emerging or existing conservation practices, techniques, or technologies.

Funds are available for this particular loan type under the Agency's Guaranteed Loan Program. Guaranteed Conservation Loans up to $1,302,000 are available from lenders who participate in FSA's guaranteed loan program.

Features under this program include the following:

- Loans are permitted to larger than family-size operations
- There is NO test for other credit requirements
- Guarantees are 75 percent and loans can have up to a 30-year repayment term
- Financially strong applicants may qualify for a streamlined application process

For more information on the Conservation Loan program, contact the Georgia State FSA office at 706-546-2166, or visit the FSA website at www.fsa.usda.gov.

## ***Direct Loan Down Payment Program***

Down payment loan funds may be used to partially finance the purchase of a family farm by an eligible beginning farmer or socially disadvantaged farmer. Applicants must meet general direct loan eligibility requirements, Farm Ownership loan requirements, and be a beginning farmer or socially disadvantaged farmer. Additionally, for beginning farmers, the applicant must not own more than 30 percent of the median size farm in the county where the applicant resides or in the county where the largest portion of the farm is located.

Under this program the applicant is required to provide a minimum down payment of 5 percent of the purchase price of the farm. The down payment loan will not exceed 45 percent of the lesser of the purchase price, the appraised value of the farm to be acquired, or $500,000. Financing provided by FSA and all other creditors must not exceed 95 percent of the purchase price.

The interest rate will be the regular Farm Ownership rate minus 4 percent, but in no case less than 1.5 percent. Down payment loans will be scheduled for repayment in equal annual installments over a term not to exceed 20 years. FSA requires adequate security as with other Farm Ownership loans and requires a lien on the property being purchased.

For information on available loan types and loan amounts, contact your local FSA office or visit FSA's Web site, www.fsa.usda.gov.

## ***Farm Service Agency Cautions Producers on Clearing-Up Land***

FSA County Offices have been reporting they are discovering numerous producers who have been clearing up land to plant to crops without first discussing this activity with their local FSA or NRCS offices to insure they remain in compliance with the Sodbuster - Swampbuster provisions of the Food Security Act of 1985. It is important to note that even though the present Farm Bill has expired and Congress will begin working on new farm legislation in the next few weeks; the "conservation compliance" provisions of the long-existing Food Security Act passed back in 1985 still remain in effect.

FSA wants producers to know the main problem is that the discovery of the land clearing activities is coming too late in many of these cases to prevent these producers from losing their FSA program benefits. If the land is cleared-up BEFORE the person files form AD-1026 with FSA, and NRCS later determines the land in question is classified as "highly erodible" or "converted wetland", then the producer is in violation of the Food Security Act of 1985 and could be ineligible for FSA benefits until the land is restored.

This problem appears to be wide-spread with violations being reported throughout the state where land is being cleared up to go into crop production. Increasingly high commodity prices seem to be the main contributing factor for some producers deciding to clear up land adjacent to existing fields; while other producers are expanding their farm operations by converting existing grasslands to row crop production. Many producers are under the impression that FSA and NRCS do not consider certain crops or land uses such as blueberries and grass "an annual agricultural commodity" because they are not planted and tilled on an annual basis. However, this is NOT correct! In fact, there are some situations where the land might meet FSA and NRCS standards, but not those of the Corps of Engineers as they relate to the Clean Water Act.

Therefore, **anytime** a person is planning on clearing-up **any** land, they should come by their local FSA office and file form AD-1026 indicating what they intend to do and where they intend to clear up the land, **BEFORE beginning work**. NRCS will then work with the producer and make a farm visit and provide an "official" determination on whether the land is "highly erodible" or considered a "wetland-type" soil.

REMEMBER – Check First, To Be Sure!

## ***REVISED 2013 Crop Acreage Reporting Dates for FSA and Crop Insurance are in Effect***

Beginning last July (2012), a big change was made for many of the Crop Acreage Reporting Dates (CARD) for many of the crops planted here in Georgia, in particular, vegetables. As stated in previous newsletters, the revision in reporting dates was the result of a combined effort of both FSA and the Risk Management Agency (RMA – crop insurance) to make acreage reporting easier for producers by standardizing the acreage reporting deadline for crops for both FSA and crop insurance purposes.

As a result, a few more deadline dates were established that were applicable to specific fruit and vegetable crops to meet the RMA statutory deadlines. The newly established deadline dates for the specific fruit and vegetable crops mentioned below will apply to these crops regardless of whether the producer has them covered under a crop insurance plan or not. These particular crops (apples, blueberries, peaches, cabbage, onions, pecans, fresh market sweet corn, fresh and market tomatoes) now have a specific FSA reporting deadline date and must be reported by the newly established reporting deadline whether the crop is covered by crop insurance or not.

**REVISED Crop Reporting Dates for Georgia – Effective July 1, 2012**

January 2 --- Honey (producers with NAP coverage)

January 15 --- Apples, Blueberries, Peaches, Barley, Canola, Oats, Rye, Wheat, and any other Fall-Seeded Small Grains, Grass and Forage Crops – **IF covered by NAP**

March 15 --- Cabbage (Planted between 10/1-2/20), Onions (Planted 10/21-2/1), and Pecans

May 15 --- Flue-cured Tobacco, Fresh Market Sweet Corn (Planted between 8/26-5/15), Fresh Market Tomatoes (Planted between 8/16-4/5)

July 15 --- Cabbage (Planted 2/21-5/31), Corn, Cotton, Grain Sorghum, Peanuts, Soybeans, and all other crops

August 15 --- Cabbage (Planted between 6/1-7/15), Fresh Market Tomatoes (Planted between 7/1-8/15)

September 15 --- Fresh Market Sweet Corn (Planted between 7/15-8/25)

October 15 --- Cabbage (Planted between 7/16-9/30)

November 15 --- Apiculture and Pasture, Range, Forage (PRF) – All other forage/grass producers are encouraged to report their Forage and Grazing Crops for 2013 by this date as well.

December 15 --- Onions (Planted between 9/20-10/20)

The BIG changes in the Acreage Reporting Dates are:

(1) Winter-seeded small grains were moved forward from March 1, to January 15

(2) Tobacco was moved back from May 1, to May 15

(3) Specific dates were implemented for FSA compliance purposes for numerous fruit and vegetable crops, depending on the planting date

Producers are advised to contact their local FSA offices for more information on the revised crop acreage reporting deadlines and to obtain a copy of the new reporting deadlines.

## *FSA Signature Policy*

Using the correct signature when doing business with FSA can save time and prevent a delay in program benefits. The following are FSA signature guidelines:

- Spouses may sign documents on behalf of each other for FSA and CCC programs in which either has an interest, unless written notification denying a spouse this authority has been provided to the county office.
- Spouses shall not sign on behalf of each other as an authorized signatory for partnerships, joint ventures, corporations, or other similar entities.

For additional clarification on proper signatures contact your local FSA office.

## *Changing Banks*

Almost all Farm Service Agency payments are made electronically using direct deposit.

To keep the system running smoothly, it is critical to keep the county office staff up to date on changes you make in your financial institutions.

If you have changed accounts or institutions that might affect the direct deposit of your FSA payments, contact the FSA county office so we can update our files to insure continued uninterrupted service.

## ***2012 Census of Agriculture - Producers Responses Highly Encouraged***

Beginning this month, the USDA's National Agricultural Statistics Service will be focused on encouraging all farmers and ranchers to respond to the 2012 Census of Agriculture. All of us at USDA can be a part of this important process and we hope that you will help.

The Census of Agriculture is conducted only once every five years across our country's farmland and agricultural communities. USDA, those involved in agriculture, and many others use the results of the Census to make important policy and business decisions that impact people across our nation.

While the Census is particularly vital for folks in rural America, it's important to remember that well-informed policy decisions have a positive impact for all of us. Even for families in our biggest cities, a strong rural America means an abundant food supply, cleaner water, extraordinary outdoor recreation, and more. That's why it couldn't be more important to make sure that all of our nation's farmers and farmland are accurately accounted for.

NASS will mail the Census of Agriculture in mid December with a return deadline of February 4, 2013. Producers are reminded that they can easily and securely respond online after they receive their census form at www.agcensus.usda.gov. For questions or help completing the census form, please contact NASS at (888) 424-7828.

## ***FSA County Committee Elections – Ballots Deadline December 3!***

County Committee election ballots were mailed to eligible voters on November 5. **Ballots must be returned to the FSA county office or postmarked by December 3, 2012.** All producers are encouraged to participate. If your local administrative area (LAA) is conducting an election, and you do not receive a ballot contact your local county FSA office.

The election of responsible agricultural producers to FSA county committees is important to ALL farmers and ranchers with large or small operations. It is crucial that every eligible producer take part in this election because county committees are a direct link between the farm community and the U.S. Department of Agriculture.

Committee members are a critical component of the day-to-day operations of FSA. They help deliver FSA farm programs at the local level. Farmers who serve on committees help decide the kind of programs their counties will offer. They work to make FSA agricultural programs serve the needs of local producers.

More information on the elections is available at the county office or online at:

**http://www.fsa.usda.gov/FSA/webapp?area=newsroom&subject=landing&topic=cce**

**November 5, 2012:** Ballots mailed to eligible voters.

**December 3, 2012:** Last day to return voted ballots to the local FSA Office.

**January 1, 2013:** Elected committee members and alternates take office.

## ***Hispanic and Women Farmer and Rancher Claims Period***

USDA has announced that Hispanic and women farmers and ranchers who allege discrimination by the USDA in past decades can file claims between Sept. 24, 2012 and March 25, 2013.

The process offers a voluntary alternative to litigation for each Hispanic or female farmer and rancher who can prove that USDA denied their applications for loan or loan servicing assistance for discriminatory reasons for certain time periods between 1981 and 2000.

As announced in February 2011, the voluntary claims process will make available at least $1.33

billion for cash awards and tax relief payments, plus up to $160 million in farm debt relief, to eligible Hispanic and women farmers and ranchers. There are no filing fees to participate in the program.

The Department will continue reaching out to potential Hispanic and female claimants, around the country to get the word out to individuals who may be eligible for this program so they have the opportunity to participate.

Call center representatives can be reached at 1-888-508-4429. Claimants must register for a claims package (by calling the number or visiting the website) and the claims package will be mailed to claimants. All those interested in learning more or receiving information about the claims process and claims packages are encouraged to attend meetings in your communities about the claims process and contact the website or claims telephone number.

**Website**: www.farmerclaims.gov

**Phone**: 1-888-508-4429

**Claims Period: Sept. 24, 2012 - March 25, 2013.**

Independent legal services companies will administer the claims process and adjudicate the claims. Although there are no filing fees to participate and a lawyer is not required to participate in the claims process, persons seeking legal advice may contact a lawyer or other legal services provider.

To read Secretary Tom Vilsack's entire news release click on the following link:

http://www.usda.gov/wps/portal/usda/usdahome?contentid=2012/09/0309.xml&contentidonly=true

## ***FSA Near You! -- Burke County***

Burke County farmer, Carl Perry, has worked in farming most of his life. In his early farming years, he worked for local farmers, but always desired to farm on his own. Thanks to the help of local farmers, the Edenfields, Mr. Perry and his brother were given the opportunity to start their own farming operation in 1990. The brothers farmed together until 2001, when the two decided to pursue their own farming interests. Since then, Mr. Perry's operation has grown to around 3000 acres, part of which he now owns. He is a multi-county producer, growing cotton, peanuts, corn, wheat, soybeans and oats and has had an interest in livestock, as well.

2012 has proved to be a good farming year for Mr. Perry. When asked about his peanut production, he humbly replied that he has had a good year- one of his best, and he did not hesitate to give credit to God. Mr. Perry, referring to his peanut crop said, "God is a better farmer than me." He went on to explain that some of his non-irrigated peanuts did much better than some of his irrigated peanuts this year. He said that God sent the rain when the peanuts needed it.

Mr. Perry has served on the Burke County FSA committee for the past 2 years. He appreciates all that FSA has to offer a farmer like himself and he is especially grateful for his local FSA office in Burke County.