

**FSA**  
**HANDBOOK**

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**Coronavirus Food Assistance Program**

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**For State and County Offices**

**SHORT REFERENCE**

**1-CFAP**

UNITED STATES DEPARTMENT OF AGRICULTURE  
Farm Service Agency  
Washington, DC 20250



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Farm Service Agency  
Washington, DC 20250

**Coronavirus Food Assistance Program  
1-CFAP**

**Amendment 7**

**Approved by:** Deputy Administrator, Farm Programs



**Amendment Transmittal**

**A Reasons for Amendment**

Subparagraphs 2 A and 177 A have been amended to update policy in reference to imported livestock.

Paragraphs 15, 16, 17, and 20 have been amended to add policy reference.

Subparagraph 16 D has been amended to add policy for increase in limitation in reference to ownership share.

Subparagraphs 21 A, 22 B, 136 A, 137 A, and 151 A have been amended to remove “malting” from the text. All barley is now eligible for CFAP.

Subparagraphs 140 B and C have been amended to re-insert the conversion factors for barley silage and hay.

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**Part 1 Basic Information****1 Overview****A Handbook Purpose**

This handbook provides the following:

- State and County Offices with policy and procedures for administering CFAP
- specific eligibility and payment calculation provisions as applicable for designated commodities.

Provisions in this handbook **must not** be revised without prior approval from the National Office. Any requests or amendments must be sent to DAFP by e-mail to the PPB Mailbox according to 1-NAP (Rev. 2), paragraph 11. In the subject line, include State abbreviation, CFAP, and date. For example: NY/CFAP/06-01-2020.

The objective of CFAP is to provide direct payments to producers who have been impacted by COVID-19 resulting in:

- actual losses for agricultural producers where prices and market supply chains have been impacted
- lost demand and short-term oversupply for the 2020 marketing year.

**B Authority and Responsibility**

SND has the authority and responsibility for the programs prescribed in this handbook.

**C Sources of Authority**

Following are the sources of authority for CFAP:

- the Coronavirus Aid, Relief, and Economic Stability Act (CARES Act, Pub. L. 116-136)
- CCC Charter Act (15 U.S.C. 714c(b), (d), and (e)).
- 7 CFR Part 9.

## 1 Overview (Continued)

### D Related FSA Handbooks

Handbooks related to CFAP include:

- 9-AO for investigating program violations
- 1-APP for appeals
- 32-AS for records management
- 1-CM for signature requirements, power of attorney, deceased individuals and dissolved entities, maintaining the name and address file, assignments and producer disqualification and debarment
- 3-CM for farm, tract, and crop data
- 11-CM for maintaining customer record
- 2-CP for acreage reporting
- 6-CP for HELC and WC provisions
- 7-CP for finality rule and equitable relief
- 1-FI for processing payments initiated
- 61-FI for prompt payment and interest penalties
- 62-FI for reporting data to IRS
- 63-FI for Assignment and Joint Payment System
- 64-FI for establishing and reporting receipts and receivables on NRRS
- 2-INFO for handling requests for information (FOIA)
- 3-PL (Rev. 2) for web-based subsidiary files for 2009 and subsequent years
- 5-PL for payment eligibility, payment limitation and AGI.

# 1 Overview (Continued)

## E Delegations of Authority and Approvals

The authority to approve routine CFAP applications prepared according to this handbook may be redelegated, in writing according to 16-AO, by COC to CED, except forms and documents in which CED has a monetary interest.

Follow this table for delegated authority for approval of CFAP applications.

IF the producer is...	THEN the approval authority is...
a Federal or non-Federal, State or County Office employee	CED.
COC member	
DD	
SED	
STC member	
CED	COC.
any producer in a recording county	

**Notes:** Questionable cases may be referred to the next higher authority for determination.

Any employee serving as Acting CED is viewed as CED.

## F CFAP Websites

The following websites provide information used to administer CFAP.

Website Content	Website Address
CFAP Application	<a href="https://intranet.fsa.usda.gov/fsa/applications.asp">https://intranet.fsa.usda.gov/fsa/applications.asp</a>
CFAP Payment Rates	<a href="https://www.farmers.gov/CFAP">https://www.farmers.gov/CFAP</a>
FFAS Employee Forms/Publications Online Website	<a href="http://intranet.fsa.usda.gov/dam/ffasforms/forms.html">http://intranet.fsa.usda.gov/dam/ffasforms/forms.html</a>
Notices	<a href="http://www.fsa.usda.gov/notices">http://www.fsa.usda.gov/notices</a>
eAuthentication	<a href="https://www.eauth.usda.gov/mainPages/index.aspx">https://www.eauth.usda.gov/mainPages/index.aspx</a>
FSA Box	<a href="https://nrcs.account.box.com/login">https://nrcs.account.box.com/login</a>
CFAP Training Materials and Payment Calculator	<a href="https://inside.fsa.usda.gov/program-areas/dafp/dap/cfap/index">https://inside.fsa.usda.gov/program-areas/dafp/dap/cfap/index</a>

## 2 Administrative Provisions

### A Applicability and Administration [7 CFR 9.1]

- (a) This part specifies the eligibility requirements and payment calculations for the Coronavirus Food Assistance Program (CFAP). CFAP will provide payments with respect to commodities that have been significantly impacted by the effects of the COVID-19 outbreak. Payments will be made with respect to only
  - \*--commodities produced in the United States; commodities other than livestock that are imported into the United States may not be used to determine any payment made under this part. For livestock, “produced in the United States” means physically located in the United States:
    - (1) On January 15, 2020, and remaining in the United States until sold between January 15, 2020, and April 15, 2020; or
    - (2) On the applicable date selected for livestock in inventory between April 16, 2020, and May 14, 2020.--\*
- (b) The program is administered under the general supervision and direction of the Administrator, Farm Service Agency (FSA) with the assistance of the Agricultural Marketing Service (AMS).
- (c) The FSA State committee will take any action required by this part that an FSA county committee has not taken. The FSA State committee will also:
  - (1) Correct, or require an FSA county committee to correct, any action taken by such county FSA committee that is not in accordance with the regulations of this part; or
  - (2) Require an FSA county committee to withhold taking any action that is not in accordance with this part.
- (d) No provision or delegation to an FSA State or county committee will preclude the FSA Administrator, the Deputy Administrator, or a designee or other such person, from determining any question arising under the programs of this part, or from reversing or modifying any determination made by an FSA State or county committee.

## 2 Administrative Provisions (Continued)

### B Forms

Any document that collects data from a participant, regardless of whether the participants signature is required:

- is subject to the Privacy Act and information collection procedures
- requires approval or clearance by the following applicable office:
  - DAFP
  - FPAC
  - OMB.

Forms, worksheets, applications, and other documents other than those provided in this handbook or issued by the National Office are not authorized for CFAP and must not be used.

## 3 Responsibilities

### A STC Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 9, STC's must:

- direct the administration of CFAP
- ensure that State and County Offices follow CFAP provisions
- thoroughly document all actions taken in the STC minutes
- handle appeals according to 1-APP
- require reviews be conducted by DD to ensure that County Offices comply with CFAP provisions according to subparagraph 5 A

**Note:** STC may establish additional reviews to ensure CFAP is administered according to these provisions.

- take any oversight actions necessary to ensure that IPIA provisions are met to prevent County Offices from issuing any improper payments
- STC may approve or disapprove any CFAP application except those in which a STC member has a monetary interest
- comply with all CFAP provisions.

### 3 Responsibilities (Continued)

#### B SED Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 9, SED's will:

- ensure that County Offices follow CFAP provisions
- thoroughly document all actions taken in the STC minutes
- handle appeals according to 1-APP
- ensure that DD's or other designated employee(s) conduct reviews according to subparagraph 5 A

**Note:** SED may establish additional reviews to ensure CFAP is administered according to these provisions.

- ensure all County Offices publicize CFAP provisions
- immediately notify the National Office CFAP Program Manager of software problems, incomplete or incorrect procedures, specific problems, or findings
- take any oversight actions necessary to ensure that IPIA provisions are met to prevent County Offices from issuing any improper payments
- STC may approve or disapprove any CFAP application except forms or documents in which a STC member has a monetary interest
- comply with all CFAP provisions.

### 3 Responsibilities (Continued)

#### C DD Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 9, DD's will:

- ensure that COC's and County Offices follow CFAP provisions
  - \*--ensure the CED's review of the first 5 CFAP applications from each county are sufficiently thorough to confirm:
    - signatures are included
    - values on the AD-3114 are correct in the software based on producer's certification
    - eligibility requirements are understood
    - payments are proper
  - on the basis of the review documentation received, provide CED authority to enter COC (or delegated) actions in the software upon completion of the first 5 CFAP applications for any commodity (reviewed by the CED) from each county. If the initial documentation received contains evidence of misunderstood policy, provide clarification of that policy to the county employees until authorization to make payments is warranted.--\*
  - conduct reviews as determined by SED according to subparagraph 5 A.
- Note:** SED may establish additional reviews to ensure CFAP is administered according to these provisions.
- ensure all County Offices publicize CFAP provisions
  - \*--immediately notify the National Office CFAP Program Manager through their State FSA Office specialist responsible for CFAP of software problems, incomplete or incorrect--\* procedures, specific problems, or findings
  - take any oversight actions necessary to ensure that IPIA provisions are met to prevent County Offices from issuing any improper payments.

### 3 Responsibilities (Continued)

#### D COC Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 9, COC's will:

- fully comply with all CFAP provisions
- ensure that CED directs the County Office to follow all CFAP provisions
- review, approve, and disapprove CFAP applications, and document in the COC minutes

**Note:** COC may redelegate authority to the CED to review and approve routine CFAP applications. Redlegation of authority must be documented in the COC minutes. All adverse actions must go to the COC for review.

- submit CFAP applications and documentation for specialty crops to AMS for review when COC questions the reasonableness of the application
- handle appeals according to 1-APP
- thoroughly document all actions taken in the COC minutes
- ensure that the County Office publicizes CFAP provisions
- take any oversight actions necessary to ensure that IPIA provisions are met to prevent the County Office from issuing any improper payments.
- ensure that FSA assists persons by providing program information as it becomes available, using a variety of different methods

**Notes:** Because of the limits of FSA resources, publication of program information may or may not be by direct mail or on an individual basis. FSA meets its publication responsibilities by making broad program announcements in press releases, print and electronic media, Federal Register documents, radio and television announcements, and through posting program information in USDA Service Centers.

The reality of limited resources has increased the participant's responsibility for being aware of program provisions. FSA cannot be responsible for reaching out to every potential program participant with all program information. Participants must seek information on program details and not wait for FSA to individually contact them about program provisions. As resources permit, COC will ensure that program provisions are publicized and maintain a record of any and all publicity efforts, including postings in Service Centers.

The CFAP Fact Sheet:

- may be used to provide general program information
- is available at <https://www.fsa.usda.gov/news-room/fact-sheets/index>.



### 3 Responsibilities (Continued)

#### E CED Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 9, CED's will:

- fully comply with all CFAP provisions
- ensure that all County Office employees fully comply with all CFAP provisions
- **\*--review the first 5 CFAP applications and eligibility documentation for completeness--\*** and accuracy and send to DD to obtain authority to enter COC action in the software

**Note:** COC action must be entered in the software immediately upon receipt of authority from the DD.

- if so delegated, promptly review, approve routine CFAP applications, and document in the COC minutes

**Notes:** All adverse actions **must** go to the COC for review.

CED **may not** redelegate authority to review and approve routine CFAP applications to any other County Office employees.

- issue any adverse determination letter according to 1-APP
- ensure that all program eligibility requirements have been met by producers before issuing any payment to ensure that IPIA provisions are met
- handle appeals according to 1-APP
- thoroughly document all actions taken in the COC minutes
- immediately notify SED, through DD, of software problems, incomplete or incorrect procedures, specific problems, or findings
- take any oversight actions necessary to ensure that IPIA provisions are met to prevent County Offices from issuing any improper payments
- ensure that FSA assists persons by providing program information as it becomes available, in a variety of different methods.

**3 Responsibilities (Continued)**

**F PT Responsibilities**

Within the authorities and limitations in this handbook and 7 CFR Part 9, PT's will:

- fully comply with all CFAP provisions
- immediately notify the CED of software problems, incomplete or incorrect procedures, or specific problems
- ensure that all program eligibility requirements have been met by producers before issuing any payment to ensure that IPIA provisions are met.

### 3 Responsibilities (Continued)

#### G Producer Responsibilities

The producer is responsible for being aware of program provisions and accurately reporting all required information as applicable on AD-3114.

Producers who are approved for participation in CFAP are required to retain documentation in support of their application for 3 years after the date of approval.

Participants receiving CFAP payments or any other person who furnishes such information to USDA must permit authorized representatives of USDA or the GAO during regular business hours, to enter the agricultural operation and to inspect, examine, and to allow representatives to make copies of books, records or other items for the purpose of confirming the accuracy of the information provided by the participant.

Programs administered by DAFP require accurate information from producers. Producers must understand that failure to provide complete and accurate information and records could result in any or all of the following:

- an application for CFAP assistance being disapproved, COC adjusted, or approved but ineligible for payment
- the producer(s) being determined ineligible for FSA programs for the year or multiple years
- the producer(s) being liable under any civil or criminal fraud statute or any statute or provision of law.

## **4 Erroneous Information and Misrepresentation**

### **A Impact of Providing Erroneous Information and Misrepresentation**

In the event that any application for a CFAP payment resulted from erroneous information reported by the producer, the payment will be recalculated, and the producer must refund any excess payment to USDA. If the error was the producer's error, the refund must include interest to be calculated from the date of the disbursement to the producer.

If USDA determines that the producer's application misrepresented either the total amount or producer's share of the crop, head of livestock, or production, or if the CFAP payment would exceed the payment as calculated based on the correct amount of production and share, the application will be disapproved and the participant must refund to USDA all CFAP payments made to the producer with interest from the date of disbursement.

If any corrections to the ownership interest in the crop are made and would result in a lower CFAP payment, the producer must refund the difference with interest from date of disbursement.

Any required refunds must be resolved in accordance with debt settlement regulations in 7 CFR Part 3.

### **B Perjury**

In either applying for or participating in CFAP, or both, the producer is subject to laws against perjury and any penalties and prosecution resulting therefrom, with such laws including but not limited to 18 U.S.C. 1621. If the producer willfully makes and represents as true any verbal or written declaration, certification, statement, or verification that the producer knows or believes not to be true, in the course of either applying for or participating in CFAP, or both, then the producer is guilty of perjury and, except as otherwise provided by law, may be fined, imprisoned for not more than 5 years, or both, regardless of whether the producer makes such verbal or written declaration, certification, statement, or verification within or without the United States.

### **C Joint and Several Liability**

All persons and legal entities with a financial interest in an operation or in an application for payment determined to have been paid incorrectly are jointly and severally liable for any refund, including related charges, that is determined to be due CCC for any reason.

## 5 Internal Controls

### A DD Reviews

DD's or other employee(s) designated by SED will review 5 of the first 10 CFAP applications filed in a Service Center, assigned by the internal control's software, to verify the following:

- a signed AD-3114 was filed by the person or authorized representative of a legal entity that includes the producer's self-certification of eligible commodities
- supporting eligibility documents have been filed that include:
  - a signed CCC-902 (or CCC-901 if applicable) by the person or authorized representative of a legal entity. CCC-902 must be completed to provide name(s), address(es), TIN, and citizenship status has been provided for all persons and members, partners, or stockholders of a legal entity. Contributions of foreign persons must also be provided.
  - a signed CCC-941 and CCC-942 (if applicable) for persons, legal entities, and all members, partners, or stockholders of the legal entity, except general partnerships and joint ventures.
  - \*--AD-1026 is certified according to the agreement in AD-3114, Part A (items 7, 7A, 7B, and 8).--\*

### 6-14 (Reserved)



## Part 2 CFAP Policy and Procedures Provisions

### Section 1 CFAP General Program Policies and Provisions

#### **\*--15 Producer Eligibility [7 CFR Part 9 Subpart B §9.101]--\***

##### **A \* \* \* Producer**

A \* \* \* producer is a person or legal entity who shares in the risk of producing a crop or livestock and who is entitled to a share in the crop or livestock available for marketing or would have shared had the crop or livestock been produced and marketed.

The CFAP program is available to persons and legal entities who had a share in the eligible commodity:

- on January 15, 2020; and/or from April 16 through May 14, 2020, for all commodities other than dairy or eggs
- for the months of January, February, and March 2020 for dairy and eggs.

**\*--[7-CFR Part 9 Subpart A §9.3]** To be eligible for a CFAP payment, a person or legal--\* entity must be 1 of following:

- citizen of the United States
- resident alien (possessing a Resident Alien Card (I-551)
- partnership of citizens of the United States
- corporation, LLC, or other organizational structure organized under State law
- Indian Tribe or Tribal organization, as defined in section 4(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)
- foreign person or foreign entity who meets Foreign Person Rules as described in 5-PL.

**\*--15 Producer Eligibility [7 CFR Part 9 Subpart B §9.101] (Continued)--\***

**B Ineligible Producer**

The following persons or legal entities are **ineligible** for CFAP payments:

- Federal, State, and local governments, including public schools as defined in 5-PL
- persons or legal entities who did not have a reported ownership interest in any of the eligible commodities
- persons and legal entities that have been suspended or debarred or otherwise excluded from participating in Federal programs (1-CM, paragraph 823)
- persons and legal entities that do not meet payment limitation, payment eligibility, AGI and HELC/WC requirements for CFAP.



**16 Payment Limitation and Payment Eligibility Requirements****\*--A Payment Limitation [7 CFR Part 9 Subpart A §9.7(e)(1)]--\***

The total amount of CFAP payments that a person or legal entity (excluding general partnerships and joint ventures) may receive is \$250,000, except as provided in subparagraph B.

Payments to a program applicant that is a joint operation, including a general partnership or joint venture, cannot exceed \$250,000 per person or legal entity that comprise first level ownership of the general partnership or joint venture, unless the first level member is another joint operation.

**\*--B Optional Increase in Limitation for Corporations, LLC's, and LP's, Trusts, or Estates [7 CFR Part 9 Subpart A §9.7]--\***

For CFAP applicants that are a corporation, LLC, LP, trust, or estate, an authorized representative of the legal entity may seek an increase in the \$250,000 payment limitation based on the member's, stockholder's, partner's, beneficiary's, or heir's contribution of active personal labor or active personal management, or a combination thereof (as defined in 5-PL).

A contribution of at least 400 hours of active personal labor, active personal management, or a combination thereof must be provided by an individual person who is a member, stockholder, partner, beneficiary, or heir from any level of ownership in the organizational structure to qualify the legal entity for the optional increase in payment limitation.

**Note:** The sole-member of an embedded LLC or grantor of a revocable trust using an SSN may qualify the corporation, LLC, or LP for the optional increase in payment limitation.

The maximum limitation a corporation, LLC, LP, trust, or estate may receive is \$750,000.

The authorized representative of the legal entity must certify on form AD-3114, Part H the name(s) of the entity members providing at least 400 hours of active personal labor, active personal management, or a combination thereof.

**Notes:** For embedded members who are a sole-member LLC or grantor of a revocable trust using an SSN, record the individual person's name contributing at least 400 hours of active personal labor, active personal management, or a combination thereof.

Spousal provisions as found in 5-PL do not apply.

# 16 Payment Limitation and Payment Eligibility Requirements (Continued)

## \*--B Optional Increase in Limitation for Corporations, LLC's, and LP's, Trusts, or Estates [7 CFR Part 9 Subpart A §9.7]--\*

Revocable trusts using an SSN may seek an increase in payment limitation if the trust provides evidence, to COC's satisfaction, documenting there is more than 1 beneficiary of the trust, such as a husband and a wife. The evidence must document who the beneficiaries are. Evidence may include, but is not limited to, a copy of the executed trust agreement.

The following table provides qualifying requirements for the optional increase in payment limitation.

<b>IF...</b>	<b>THEN the corporation's, LLC's, or LP's payment limitation is...</b>
none of the members, stockholders, partners, beneficiaries, or heirs provide labor, management, or combination thereof	\$250,000.
1 person holding an ownership interest as a member, partner, stockholder, beneficiary, or heir in the organizational structure provides at least 400 hours of active personal labor or active personal management or combination thereof	\$250,000.
2 persons holding an ownership interest as a member, partner, stockholder, beneficiary, or heir in the organizational structure provides at least 400 hours of active personal labor or active personal management or combination thereof	\$500,000.
3 persons holding an ownership interest as a member, partner, stockholder, beneficiary, or heir in the organizational structure provides at least 400 hours of active personal labor or active personal management or combination thereof	\$750,000.

# 16 Payment Limitation and Payment Eligibility Requirements (Continued)

## C Examples

The following examples illustrate qualifying requirements for corporations, LLC's and LP's necessary to recognize the increased payment limitation to either \$500,000 or \$750,000.

**Example 1:** Payment limitation for a single member corporation.

Entity/Members	Share	Current Pay Limit	Labor/Management Contribution	Payment Limitation Increased	Effective Payment Limitation
ABC Corporation		\$250,000		-0-	\$250,000
Individual A	100%		0 - <400 hours		\$250,000

**Example 2:** Payment limitation for a 2-member corporation (only 1 member provides 400+ hours of labor/management).

Entity/Members	Share	Current Pay Limit	Labor/Management Contribution	Payment Limitation Increased	Effective Payment Limitation
ABC Corporation		\$250,000		\$0	\$250,000
Individual A	50%		+400 hours		\$250,000
Individual B	50%		(0)		\$250,000

**Example 3:** Payment limitation for a 3-member corporation (only 2 members provide 400+ hours of labor/management).

Entity/Members	Share	Current Pay Limit	Labor/Management Contribution	Payment Limitation Increased	Effective Payment Limitation
ABC Corporation		\$250,000		+\$250,000	\$500,000
Individual A	33.33%		+400 hours		\$250,000
Individual B	33.34%		+400 hours		\$250,000
Individual C	33.33%		0 hours		\$250,000

## 16 Payment Limitation and Payment Eligibility Requirements (Continued)

## C Examples (Continued)

**Example 4:** Payment limitation for a 2-member corporation with embedded entities as members.

Entity/Members	Share	Current Pay Limit	Labor/Management Contribution	Payment Limitation Increased	Effective Payment Limitation
AB Corporation		\$250,000		\$500,000	\$750,000
<b>Corporation A – 50%</b>					\$250,000
Corporation X	50%				
Joe 50%			+400 hours		\$250,000
John 50%			+400 hours		\$250,000
Corporation Y	50%				\$250,000
Bob 50%			-0-		\$250,000
Larry 50%			-0-		\$250,000
<b>Corporation B – 50%</b>	50%				\$250,000
Sam	50%		+400 hours		\$250,000
Pete	50%		-0-		\$250,000

**\*--Example 5:** Payment limitation for an estate with 3 heirs each contributing 400+ hours labor or management.

Entity/Members	Share	Current Pay Limit	Labor/Management Contribution	Payment Limitation Increased	Effective Payment Limitation
AB Estate		\$250,000		\$500,000	\$750,000
Heir No. 1	33.33%		+400 hours		\$250,000
Heir No. 2	33.33%		+400 hours		\$250,000
Heir No. 3	33.34%		+400 hours		\$250,000

--\*

## 16 Payment Limitation and Payment Eligibility Requirements (Continued)

### \*--D Attribution of Payments [7 CFR Part 9 Subpart A §9.7(e)(3)]

CFAP payments to persons and legal entities that do not qualify for the increased payment limitation will be limited according to the rules for attribution in 7 CFR 1400.105.--\*

CFAP payments made directly or indirectly to a person or legal entity will be combined and limited to the per person or legal entity.

\*--CFAP payments to corporations, LLC's, LP's, trusts and estates qualified for the increase payment limitation will be limited to the lesser of the increased limitation or the sum of the amount that each member, stockholder, heir, or beneficiary of the legal entity may receive, regardless of ownership share.

**Example:** ABC Corporation pay limit is increased to \$500,000 based on 2 members contributing labor or management. Member 1 (90 percent ownership share) maximum payment limitation is \$250,000. Member 2 (10 percent ownership share) maximum payment limitation is \$250,000. In this example, each eligible member may receive (directly or indirectly) is \$250,000. The sum of the payments the eligible members may receive is \$500,000 (\$250,000 + \$250,000), regardless of ownership share. Total payment to ABC Corporation would be \$500,000.

**Note:** Payments will be reduced to ABC Corporation if any member receives prior payments through another farming operation or is otherwise ineligible for CFAP benefits (such as AGI non-compliant).--\*

CFAP payments to a legal entity will be tracked through 4 levels of ownership and will be reduced for members, partners or stockholders holding an ownership interest below the 4<sup>th</sup> level.

Rules for “common attribution” (such as minor children) do not apply to CFAP payments.

### E Changes in Farming Operations to Add Spouses

Applicants seeking to add spouses to a farming operation for CFAP, resulting in an increase in the number of persons to which payment limitation applies, must be legitimate, documented, and effective for the year for which the commodity was produced for which CFAP benefits are being sought. For example, if the farming operation is requesting CFAP benefits for 2019 crop corn, the addition of a spouse must be effective for the 2019 program year and all contracts, applications, and eligibility forms must be corrected to reflect the change.

For legal entities, including general partnerships, the farming operation must provide the organizational documents to COC, and the documents must show evidence the spouse was legally added as a member, partner, or stockholder to the legal entity.

**16 Payment Limitation and Payment Eligibility Requirements (Continued)****E Changes in Farming Operations to Add Spouses (Continued)**

For informal joint ventures, the spouse must provide acceptable documentation to COC's satisfaction and prove the spouse made "at-risk" contributions, commensurate with their claimed share of the farming operation. Documentation may include, but is not limited to, signed loan notes and security agreements, and proof of payment for capital, land, or equipment contributions.

For farming operations seeking to qualify for the optional increase in payment limitation, COC must consider whether the spouse contributed at least 400 hours of active personal labor or active personal management.

**Example 1:** An applicant is seeking CFAP benefits for 2019 corn, requesting consideration to add a spouse (stockholder) to the corporate business structure and requesting the optional increase in payment limitation applicable to corporations. The addition of the stockholder must be documented to have occurred before June 1, 2019 (following FSA's rules for attribution in 7 CFR Part 1400). Additionally, COC must consider whether the added stockholder contributed at least 400 hours of labor or management for the increased payment limitation. In this situation, the farming operation must also correct its representations on all 2019 contracts, applications, acreage reports, and eligibility document to reflect the change in the farming operation within applicable program or activity policy.

**Example 2:** An applicant is seeking CFAP benefits for 2020 dairy and requesting consideration to recognize the farming operation as a husband and wife joint venture. COC must consider the couple's marital status for the time period CFAP benefits are requested and whether the spouse made at-risk contributions to the farming operation commensurate with the claimed share of the farming operation for the year for which CFAP benefits are being sought. If the farming operation participated in DMC and received program benefits, the DMC contract must also be revised to recognize the addition of the spouse to the farming operation within applicable program or activity policy.

The addition of a spouse to a farming operation must be documented on CCC-902, with COC determination documented on CCC-903, and will apply to all programs in which the farming operation participates.

**\*--17 AGI [7 CFR Part 9 Subpart A §9.7]--\***

**A AGI Requirements**

Rules for AGI as found in 5-PL apply to CFAP payments.

To be eligible for payment, a person or legal entity (including members, stockholders or partners of the legal entity) must have an average AGI for program year 2020 that does not exceed the \$900,000 limitation, unless, at least 75 percent of the person's or legal entity's average AGI is derived from farming, ranching or forestry operations. See 5-PL for defining income from farming, ranching or forestry operations.

The 3 base years used to compute the average AGI and Farm AGI are 2016, 2017, and 2018.

CCC-941 must be completed by all CFAP applicants.

Applicants exceeding the \$900,000 limitation may complete form CCC-942 and obtain a certification from a licensed CPA or attorney verifying that 75 percent of the AGI is derived from farming, ranching or forestry operations.

## 18 Other Eligibility Provisions

### A HELC/WC Compliance

Certification of conservation compliance (HELC/WC compliance), AD-1026, and provisions of 6-CP (Highly Erodible Land Conservation and Wetland Conservation Provisions) statutorily apply to CFAP. The producer applying for CFAP agrees to conservation compliance provisions on AD-3114, Part A; items 7, 7A, 7B, and 8.

CFAP applicants that have AD-1026 continuous certification with box 5B, agreeing to Part A, item 7A on AD-3114, do not have to file new AD-1026. CFAP applicants filing AD-1026 for the first time can certify AD-1026 with box 5B if they meet those provisions. These producers do not have to establish farm records for which their certification of compliance applies (see 6-CP, subparagraph 641 D). A producer's certification of box 5B for CFAP is a certification that the producer:

- does not participate in any USDA benefits subject to HELC and WC compliance except Federal Crop Insurance **or CFAP**
- only has interest in land devoted to agriculture that is exclusively used for perennial crops (excluding sugar cane), such as tree fruits, tree nuts, grapes, olives, native pasture, and perennial forage

**Note:** If the applicant produces alfalfa, the applicant must contact NRCS to determine whether such production qualifies as the production of a perennial crop.

- has not converted a wetland after **December 23, 1985**.

**Note:** The December 23, 1985, AD-3114 wetland **conversion** certification date is used as low risk assessment of conservation compliance violation to forego farm records establishment for producers that have perennial crops only. A wetland converted December 24, 1985, through November 28, 1990 (determination of CW) is not a conservation compliance violation (those acreages may incur a wetland planting violation but not a conversion violation).



**18 Other Eligibility Provisions (Continued)****A HELC/WC Compliance (Continued)**

\*--Livestock, nursery, and aquaculture applicants that do not have any interest in agricultural--\* land (such as cropland, pastureland, rangeland, or forestland) certify to compliance by checking box 5A of AD-1026 (discussed in AD-3114, Part A, item 7B), as they do with other USDA benefits subject to conservation compliance (farm records are not required; see 6-CP, subparagraph 641 D).

All other producers (discussed in AD-3114, Part A, item 7) that do not have continuous AD-1026 certification of compliance on file, must file a complete AD-1026 according to provisions in 6-CP (including certification of Part B HELC/WC compliance questions). 6-CP, subparagraph 641 D states these producers must establish farm records to which their certification of compliance applies before recording AD-1026 as “certified”. However, for CFAP, County Offices will record AD-1026 as “certified” when received. County Offices will keep these AD-1026’s in a “needs to establish farm records folder” if information is not readily available to establish them. The producers will be contacted to do so as workload and time allows. Certification of AD-1026, recorded in subsidiary is still required for the CFAP payment to process.

**B Controlled Substance**

State or Federal controlled substances convictions for planting, cultivating, growing, producing, harvesting, storing, trafficking, and possession apply to CFAP. See 1-CM, paragraph 871.

## 19 Eligibility Form Requirements

### A Payment Limitation, Payment Eligibility, and AGI Forms

The automated CCC-902 will be completed according to 5-PL and 3-PL (Rev.2) by **all** CFAP applicants to collect:

- names, addresses, taxpayer identification numbers for the person or legal entity (and its members)
- member information for legal entities (including joint operations)
- citizenship status for the person or legal entity (and its members)
- contributions of foreign persons.

**Notes:** The manual CCC-902I (Parts A and B), CCC-902E (Parts A, B, and C) and CCC-901 (if applicable) may be used to collect the required information for CFAP. Information collected on manual forms **must** be loaded in Business File according to 3-PL (Rev. 2).

Applicants who are foreign persons or foreign entities as defined in 5-PL must complete CCC-902 to collect contributions of the foreign persons.

CCC-903 will be used to document COC payment limitation, producer eligibility, and foreign person eligibility determinations.

CCC-941 will be used to collect the certification of AGI for the CFAP applicant.

CCC-942 will be used to collect farm AGI certifications from the CFAP applicant and CPA or attorney, as applicable.

### B HELC/WC Eligibility Forms

CFAP applicant and all affiliates will complete AD-1026 according to 6-CP.

**\*--20 Timeframe for Filing Eligibility Documents [7 CFR Part 9 Subpart A §9.4(b)]--\***

**A Deadline for Filing Eligibility Documents**

CFAP applicants **must** file all CFAP eligibility documents within 60 calendar days from the date of signing a CFAP application.

Failure to timely provide all eligibility forms may result in no payment or a reduced payment.

## 21 Eligible Commodities and Signup Period

### A Eligible Commodities

CFAP provides financial assistance to eligible producers with an ownership interest in the following eligible commodities that have been determined to have been impacted by the effects of the COVID-19 outbreak.

Commodity Category	Eligible Commodity
Dairy (See Part 4)	<ul style="list-style-type: none"> <li>Dairy (milk)</li> </ul>
Eggs (See Part 4)	<ul style="list-style-type: none"> <li>Liquid Eggs</li> <li>Frozen Eggs</li> </ul>
Non-Specialty Crops and Wool (See Part 5)	<ul style="list-style-type: none"> <li>Barley * * *</li> <li>Canola</li> <li>Corn</li> <li>Cotton – Upland</li> <li>Millet</li> <li>Oats</li> <li>Sorghum</li> <li>Soybeans</li> <li>Sunflowers</li> <li>Wheat – Durum</li> <li>Wheat – Hard Red Spring</li> <li>Wool (graded/clean and non-graded/greasy)</li> </ul>
Livestock (See Part 6)	<ul style="list-style-type: none"> <li>Feeder Cattle: Less than 600 Pounds</li> <li>Feeder Cattle: 600 Pounds or More</li> <li>Slaughter Cattle: Fed Cattle</li> <li>Slaughter Cattle: Mature Cattle</li> <li>All Other Cattle</li> <li>Pigs: Less than 120 Pounds</li> <li>Hogs: 120 Pounds or More</li> <li>Lambs and Yearlings (All Sheep Less Than 2 Years Old)</li> <li>All Other Sheep (All Sheep Greater Than 2 Years Old)</li> </ul>
Aquaculture (See Part 7.5)	<ul style="list-style-type: none"> <li>Crayfish</li> <li>Catfish sold for food fish</li> <li>Largemouth bass and carp sold live as food fish</li> <li>Hybrid striped bass sold for food fish</li> <li>Red drum sold for food fish</li> <li>Salmon sold for food fish</li> <li>Sturgeon sold for food fish</li> <li>Tilapia sold for food fish</li> <li>Trout sold for food fish</li> <li>Ornamentals/tropicals</li> <li>Recreational Sportfish</li> </ul>
Nursery (See Part 7.5)	<ul style="list-style-type: none"> <li>Nursery</li> <li>Floriculture (cut flowers or cut greenery)</li> </ul>

## 21 Eligible Commodities and Signup Period (Continued)

## A Eligible Commodities (Continued)

Commodity Category	Eligible Commodity		
Specialty Crops (See Part 8)	<ul style="list-style-type: none"> <li>Alfalfa Sprouts</li> <li>Almonds</li> <li>Aloe Leaves</li> <li>Anise</li> <li>Apples</li> <li>Artichokes</li> <li>Arugula (Greens)</li> <li>Asparagus</li> <li>Avocados</li> <li>Bananas</li> <li>Basil (Herb)</li> <li>Batatas</li> <li>Bean Sprouts</li> <li>Beans</li> <li>Beets</li> <li>Blueberries</li> <li>Bok Choy</li> <li>Broccoli</li> <li>Cabbage</li> <li>Caneberries – Blackberries</li> <li>Caneberries – Raspberries</li> <li>Cantaloupe</li> <li>Carambola (Star Fruit)</li> <li>Carrots</li> <li>Cauliflower</li> <li>Celeriac (Celery Root)</li> <li>Celery</li> <li>Cherimoya</li> <li>Chervil, French Pastry (Herb)</li> <li>Chives (Herb)</li> <li>Cilantro/Coriander (Herb)</li> <li>Citron</li> <li>Coconuts</li> <li>Collard Greens</li> <li>Cucumbers</li> <li>Curry Leaves</li> <li>Daikon (Radish)</li> <li>Dandelion Greens</li> <li>Dates</li> <li>Dill (Herb)</li> <li>Donaqua (Winter Melon)</li> <li>Dragon Fruit (Red Pitaya)</li> <li>Eggplant</li> <li>Endive (Greens)</li> <li>Escarole (Greens)</li> </ul>	<ul style="list-style-type: none"> <li>Filberts (Hazel Nuts)</li> <li>*--Frisee (Greens)--*</li> <li>Garlic</li> <li>Grapefruit</li> <li>Greens – Others Not Listed</li> <li>Greens – Spinach</li> <li>Guava</li> <li>Horseradish</li> <li>Kale (Greens)</li> <li>Kiwifruit</li> <li>Kohlrabi</li> <li>Kumquats</li> <li>Leeks</li> <li>Lemons</li> <li>Lettuce – Boston</li> <li>Lettuce – Green Leaf</li> <li>Lettuce – Iceberg</li> <li>Lettuce – Lolla Rosa</li> <li>Lettuce – Oak Leaf, Green</li> <li>Lettuce – Oak Leaf, Red</li> <li>Lettuce – Red Leaf</li> <li>Lettuce – Romaine</li> <li>Maple Sap</li> <li>Marjoram (Herb)</li> <li>*--Mesculin Mix Microgreens--* (all other)</li> <li>Mint (Herb)</li> <li>Mushrooms</li> <li>Mustard (Greens)</li> <li>Nectarines</li> <li>Okra</li> <li>Onions – Dry</li> <li>Onions – Green</li> <li>Oranges</li> <li>Oregano (Herb)</li> <li>Papayas</li> <li>Parsley, Other (Herb)</li> <li>Parsnips</li> <li>Passion Fruit</li> <li>Peaches</li> <li>Pears</li> <li>Peas, Green</li> <li>Pecans</li> <li>Peppermint (Herb)</li> </ul>	<ul style="list-style-type: none"> <li>Peppers – Bell</li> <li>Peppers – Other</li> <li>Persimmons</li> <li>Pineapples</li> <li>Pistachios</li> <li>Plantains</li> <li>Pomegranates</li> <li>Potatoes – Fresh, Other</li> <li>Potatoes – Fresh, Russets</li> <li>Potatoes – Processing</li> <li>Potatoes – Seed</li> <li>Pummelos</li> <li>Pumpkins</li> <li>Radicchio</li> <li>Rhubarb</li> <li>Rosemary (Herb)</li> <li>Rutabagas (Herb)</li> <li>Sage (Herb)</li> <li>Sapote</li> <li>Savory (Herb)</li> <li>Shallots</li> <li>Sorrel (Greens)</li> <li>Spearmint (Herb)</li> <li>Squash</li> <li>Strawberries</li> <li>Sugarcane (Table)</li> <li>Sweet Corn</li> <li>Sweet Potatoes</li> <li>Swiss Chard (Greens)</li> <li>Tangelos</li> <li>Tangerines</li> <li>Taro</li> <li>Thyme (Herb)</li> <li>Tomatoes</li> <li>Turmeric (Herb)</li> <li>Turnip Tops (Green)</li> <li>Turnips</li> <li>Upland/Winter Cress</li> <li>Walnuts</li> <li>Watercress</li> <li>Watermelon</li> <li>Yautia/Malanga (Dasheen)</li> <li>Yuca (Cassava)</li> </ul>



**21 Eligible Commodities and Signup Period (Continued)**

**B CFAP Signup Period**

Eligible producers who had an ownership share interest in 1 or more of the eligible CFAP commodities can file a CFAP application by submitting a completed AD-3114 to any USDA \*-Service Center from **May 26, 2020, through September 11, 2020**. The recording county will be responsible for acting on the AD-3114.

AD-3114's submitted or postmarked after September 11, 2020, will be disapproved. See--\* subparagraph 51 E.

## 22 CFAP Payments and Payment Rates

### A CFAP Payments

The CFAP payment is:

- available to eligible producers who had or still have an ownership interest in 1 or more of the eligible commodities
- **not** subject to sequestration
- not subject to offset.

The CFAP payment will be determined in 1, 2, and/or 3 payment parts, and a total payment will be calculated based on the combined parts. The total payment amount will be multiplied by a factor of 80 percent after applying payment limitation to determine the actual payment amount. FSA may issue a second payment if funds remain available.

Generally, the initial payment of 80 percent of the calculated total will be issued as a single payment for each producer nationwide; however, subsequent payments may be issued as more data is received from each producer. See paragraph 52 on revising AD-3114's.



## 22 CFAP Payments and Payment Rates (Continued)

## A CFAP Payments (Continued)

Payments will be determined according to the following table.

<b>Commodity Category</b>	<b>Part 1 (CARES Act Funds)</b>	<b>Part 2 (CCC Funds)</b>
Dairy (See Part 4)	For each eligible producer, a payment rate per pound of milk production including dumped milk for the months of January, February, and March 2020.	For each eligible producer, a payment rate per pound of milk production including dumped milk for the months of January, February, and March 2020, with an adjustment factor of 1.014.
*--Eggs (See Part 4)	For each eligible producer, a payment rate per pound of liquid and/or frozen egg production for the months of January, February, and March 2020.	For each eligible producer, a payment rate per pound of liquid and/or frozen egg production for the months of January, February, and March 2020.--*
Non-Specialty Crops and Wool (See Part 5)	For each eligible producer and commodity, eligible production will be based on the unsold production on hand on January 15, 2020, not to exceed 50 percent of the total 2019 production for that producer nationwide.	
	Fifty percent of production determined above will be paid using CARES Act funds.	Fifty percent of production determined above will be paid using CCC funds.
Livestock (See Part 6)	For each eligible producer, payment is calculated by multiplying the number of owned and unpriced livestock sold between January 15, 2020, and April 15, 2020, by the payment rate per head.  <b>Note:</b> Livestock must have been owned and unpriced as of January 15, 2020. Any offspring born and sold by April 15, 2020, from that same inventory are also eligible.	For each eligible producer, payment is calculated by multiplying the highest owned livestock inventory on a date selected by the producer between April 16, 2020, and May 14, 2020, by the payment rate per head.
***	***	

## 22 CFAP Payments and Payment Rates (Continued)

## A CFAP Payments (Continued)

Commodity Category	Part 1 (CARES Act Funds)	Part 2 (CCC Funds)
Specialty Crops (See Part 8)	<p>There are 2 potential subparts to the payment:</p> <ul style="list-style-type: none"> <li>for specific specialty crops, a payment for each eligible producer will be based on the volume of production * * * sold between January 15, 2020, and April 15, 2020</li> </ul> <p><b>*--Note:</b> Specialty crops that were under an agreed upon set price as of January 14, 2020, and were or will be paid at that price or higher do not qualify.--*</p> <ul style="list-style-type: none"> <li>a payment for each producer will be based on the volume of production shipped but not sold or for which no payment was received (unpaid) between January 15, 2020, and April 15, 2020.</li> </ul>	For each eligible producer, a payment will be based on the number of acres for which production was destroyed or not harvested due to lack of market from January 15, 2020, and April 15, 2020.

## 22 CFAP Payments and Payment Rates (Continued)

**B CFAP Payment Rates**

CFAP payment rates are determined by CCC.

The payment rates are available at <http://farmers.gov/CFAP>. Payments rates are established according to the following table.

<b>Commodity Category</b>	<b>Eligible Commodity</b>	<b>Unit of Measure</b>	<b>CARES Act Payment Rate</b>	<b>CCC Payment Rate</b>
Dairy	Dairy (Milk)	LBS	\$.0471	\$.0147
Eggs	Liquid Eggs	LBS	\$0.05	\$0.02
	Frozen Eggs	LBS	\$0.06	\$0.02
Non-Specialty Crops and Wool	Corn	BU	\$0.32	\$0.35
	Soybeans	BU	\$0.45	\$0.50
	HRS Wheat	BU	\$0.18	\$0.20
	Durum Wheat	BU	\$0.19	\$0.20
	Upland Cotton	LB	\$0.09	\$0.10
	Canola	LB	\$0.01	\$0.01
	Oats	BU	\$0.15	\$0.17
	* * * Barley	BU	\$0.34	\$0.37
	Millet	BU	\$0.31	\$0.34
	Sorghum	BU	\$0.30	\$0.32
	Sunflowers	LB	\$0.02	\$0.02
	Wool (Graded, Clean Basis)	LB	\$0.71	\$0.78
	Wool (Non-Graded, Greasy Basis)	LB	\$0.36	\$0.39
Livestock - Cattle	Feeder Cattle: Less Than 600 Pounds	HD	\$102.00	\$33.00
	Feeder Cattle: 600 Pounds or More	HD	\$139.00	\$33.00
	Slaughter Cattle: Fed Cattle	HD	\$214.00	\$33.00
	Slaughter Cattle: Mature Cattle	HD	\$92.00	\$33.00
	All Other Cattle	HD	\$102.00	\$33.00
Livestock - Swine	Pigs: Less Than 120 Pounds	HD	\$28.00	\$17.00
	Hogs: 120 Pounds or More	HD	\$18.00	\$17.00
Livestock - Sheep	Lambs and Yearlings (All Sheep Less Than 2 Years Old)	HD	\$33.00	\$7.00
	All Other Sheep (All Sheep Greater Than 2 Years Old)	HD	\$24.00	\$7.00

## 22 CFAP Payments and Payment Rates (Continued)

**B CFAP Payment Rates (Continued)**

Payments rates for aquaculture and nursery crops are established according to the following table.

<b>Aquaculture Species</b>	<b>CARES Act Payment Rate for Sales (\$/lb)</b>	<b>CARES Act Payment Rate for Inventory Delivered and Unpaid</b>	<b>CCC Payment Rate for Inventory Not Sold (\$/lb)</b>
Crayfish	\$0.65	N/A	*--\$0.05--*
*--Catfish for food fish	N/A	N/A	\$0.07
Largemouth Bass/Carp (live, as food fish)	\$0.51	N/A	\$0.39
Hybrid Striped Bass for food fish	N/A	N/A	\$0.25
Red Drum for food fish	N/A	N/A	\$0.24
Salmon for food fish	\$1.14	N/A	\$0.31
Sturgeon for food fish	N/A	N/A	\$0.29
Tilapia for food fish--*	N/A	N/A	\$0.16
Trout for food fish			\$0.11
Tropicals/Ornamentals	N/A	N/A	\$0.03 per piece
Sportfish/Gamefish	N/A	N/A	\$0.27
<b>Crop</b>	<b>CARES Act Payment Rate for Sales (\$/lb)</b>	<b>CARES Act Payment Rate for Inventory Delivered and Unpaid</b>	<b>CCC Payment Rate for Inventory Not Sold (\$/lb)</b>
Nursery/Floriculture	N/A	15.55%	13.45%

## 22 CFAP Payments and Payment Rates (Continued)

## B CFAP Payment Rates (Continued)

Payments rates for specialty crops are established according to the following table.

\*--

Specialty Crops	CARES Act Sales (\$/pound)	CARES Act Delivered that Spoiled or Unpaid (\$/pound)	CCC Not Delivered (Unharvested) (\$/acre)
Alfalfa Sprouts		\$8.14	\$5,465.63
Almonds	\$0.26	\$0.57	\$237.60
Aloe Leaves	\$0.06	\$0.19	\$2,848.00
Anise	\$0.88	\$0.81	\$96.00
Apples	\$0.05	\$0.22	\$1,500.00
Artichokes	\$0.88	\$0.69	\$1,690.00
Arugula		\$4.64	\$9,100.00
Asparagus		\$0.25	\$182.00
Avocados		\$0.14	\$153.60
Bananas	\$0.34	\$0.20	\$752.00
Basil	\$0.30	\$1.65	\$1,920.00
Batatas		\$0.32	\$1,307.40
Bean Sprouts		\$0.26	\$60.00
Beans	\$0.17	\$0.16	\$233.79
Beets		\$0.30	\$2,160.00
Blueberries	\$0.20	\$0.93	\$1,193.40
Bok Choy	\$0.22	\$0.23	\$700.00
Broccoli	\$0.62	\$0.49	\$1,563.00
Brussels Sprouts	\$0.26	\$0.34	\$1,260.00
Cabbage	\$0.04	\$0.07	\$367.30
Caneberries – Blackberries	\$1.72	\$2.11	\$2,615.80
Caneberries – Raspberries	\$0.44	\$1.69	\$4,455.00
Cantaloupe		\$0.14	\$718.20
Carambola (Star Fruit)		\$0.58	\$4,400.00
Carrots	\$0.02	\$0.11	\$1,251.40
Cauliflower	\$0.11	\$0.31	\$1,327.20
Celeriac-Celery Root		\$0.52	\$2,000.00
Celery		\$0.07	\$560.00

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## 22 CFAP Payments and Payment Rates (Continued)

## B CFAP Payment Rates (Continued)

Specialty Crops	CARES Act Sales (\$/pound)	CARES Act Delivered that Spoiled or Unpaid (\$/pound)	CCC Not Delivered (Unharvested) (\$/acre)
Cherimoya	\$1.83	\$0.98	\$1,922.80
Chervil, French Parsley	\$2.74	\$8.09	\$15,800.00
Chives		\$1.32	\$4,680.00
Cilantro/Coriander	\$0.19	\$0.23	\$860.00
Citron	\$0.32	\$0.26	\$1,780.00
Coconuts		\$0.25	\$450.00
Collard Greens	\$0.04	\$0.21	\$560.00
Cucumbers	\$0.18	\$0.17	\$444.90
Curry Leaves	\$2.40	\$5.25	\$927.00
Daikon (Radish)		\$0.19	\$368.00
*--Dandelion Greens--*	\$0.06	\$0.26	\$700.00
Dates		\$1.44	\$2,234.40
Dill		\$5.38	\$5,250.00
Donaqua (Winter Melon)	\$1.42	\$0.60	\$4,800.00
Dragon Fruit (Red Pitaya)		\$1.03	\$3,800.00
Eggplant	\$0.07	\$0.15	\$412.71
Endive	\$0.04	\$0.15	\$900.00
Escarole	\$0.11	\$0.18	\$1,200.00
Filberts (Hazel Nuts)	\$0.41	\$0.67	\$228.80
Frisee		\$0.69	\$4,200.00
Garlic	\$0.17	\$1.10	\$3,410.00
Grapefruit		\$0.11	\$496.76
Greens – Others Not Listed	\$0.08	\$0.16	\$420.00
Greens – Spinach	\$0.37	\$0.37	\$1,022.00
Guava	\$1.52	\$1.73	\$6,800.00
Horseradish		\$3.72	\$4,380.00

## 22 CFAP Payments and Payment Rates (Continued)

## B CFAP Payment Rates (Continued)

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Specialty Crops	CARES Act Sales (\$/pound)	CARES Act Delivered that Spoiled or Unpaid (\$/pound)	CCC Not Delivered (Unharvested) (\$/acre)
Kale		\$0.22	\$748.00
Kiwifruit		\$0.44	\$2,106.00
Kohlrabi		\$0.24	\$189.06
Kumquats	\$1.28	\$1.76	\$2,822.00
Leeks	\$0.14	\$0.18	\$480.00
Lemons	\$0.08	\$0.21	\$1,424.00
Lettuce – Boston	\$0.09	\$0.34	\$1,523.20
Lettuce – Green Leaf	\$0.44	\$0.60	\$2,611.20
Lettuce – Iceberg	\$0.20	\$0.15	\$1,128.00
Lettuce – Lolla Rossa		\$1.69	\$7,180.80
Lettuce – Oak Leaf, Green		\$1.69	\$7,180.80
Lettuce – Oak Leaf, Red		\$1.69	\$7,180.00
Lettuce – Red Leaf	\$0.42	\$0.60	\$2,611.20
Lettuce – Romaine	\$0.07	\$0.12	\$623.60
Maple Sap (For Maple Syrup)*	\$0.07	\$0.20	\$30.49
Marjoram	\$1.06	\$1.42	\$1,124.20
Mesculin Mix		\$0.79	\$2,560.00
Microgreens – All other		\$7.15	\$3,850.00
Mint		\$0.93	\$2,772.00
Mushrooms		\$0.58	\$33,110.00
Mustard – Greens		\$0.21	\$636.00
Nectarines		\$0.30	\$1,038.00
Okra	\$0.31	\$0.46	\$1,080.00
Onions – Dry	\$0.01	\$0.05	\$540.10
Onions – Green	\$0.51	\$0.70	\$4,158.00
Oranges		\$0.14	\$634.83
Oregano		\$1.22	\$784.08
Papaya		\$0.31	\$1,020.00
Parsley	\$0.19	\$0.23	\$400.00
Parsnips	\$0.06	\$0.40	\$1,600.00
Passion Fruit	\$0.89	\$3.21	\$17,640.00
Peaches		\$0.30	\$1,099.20
Pears	\$0.08	\$0.18	\$966.00
Peas – English/Garden, Snap, Sugar, Snow	\$0.10	\$0.36	\$275.10

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## 22 CFAP Payments and Payment Rates (Continued)

## B CFAP Payment Rates (Continued)

\*--

Specialty Crops	CARES Act Sales (\$/pound)	CARES Act Delivered that Spoiled or Unpaid (\$/pound)	CCC Not Delivered (Unharvested) (\$/acre)
Pecans	\$0.28	\$0.93	\$116.46
Peppermint	\$1.60	\$5.40	\$97.52
Peppers – Bell type	\$0.14	\$0.22	\$1,267.20
Peppers – Other	\$0.15	\$0.22	\$644.80
Persimmons		\$0.53	\$1,352.00
Pineapples		\$0.23	\$1,500.00
Pistachios	\$0.22	\$1.28	\$640.00
Plantains	\$0.18	\$0.15	\$549.00
Pomegranates		\$0.54	\$1,100.00
Potatoes – Other, Fresh	\$0.01	\$0.04	\$449.00
Potatoes – Russets, Fresh	\$0.07	\$0.09	\$898.00
Potatoes – Processing	\$0.02	\$0.03	\$449.00
Potatoes – Seed	\$0.02	\$0.04	\$449.00
Pummelos		\$0.21	\$400.00
Pumpkins	\$0.72	\$0.39	\$2,534.40
Radicchio		\$0.72	\$1,470.00
Rhubarb		\$0.76	\$296.85
Rosemary		\$2.60	\$8,994.36
Rutabagas	\$0.08	\$0.19	\$1,440.00
Sage	\$0.72	\$3.06	\$3,747.00
Sapote	\$0.56	\$0.92	\$900.00
Savory		\$0.62	\$1,440.00
Shallots	\$0.51	\$0.70	\$4,158.00
Sorrell		\$2.85	\$7,840.00
Spearmint	\$1.60	\$4.80	\$116.56
Spinach	\$0.37	\$0.37	\$1,022.00
Squash	\$0.72	\$0.39	\$2,534.40
Strawberries	\$0.84	\$0.72	\$7,042.00
Sugarcane – Table		\$0.14	\$2,094.00
Sweet Corn	\$0.09	\$0.13	\$483.60
Sweet Potatoes		\$0.18	\$871.60
Swiss Chard		\$0.25	\$750.00

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## 22 CFAP Payments and Payment Rates (Continued)

## B CFAP Payment Rates (Continued)

\*--

Specialty Crops	CARES Act Sales (\$/pound)	CARES Act Delivered that Spoiled or Unpaid (\$/pound)	CCC Not Delivered (Unharvested) (\$/acre)
Tangelos	\$0.05	\$0.22	\$561.60
Tangerines	\$0.05	\$0.25	\$1,531.10
Taro	\$0.12	\$0.29	\$577.80
Thyme		\$2.63	\$2,731.05
Tomatoes	\$0.64	\$0.38	\$6,122.90
Turmeric		\$1.05	\$8,860.00
Turnip Tops		\$0.19	\$560.00
Turnips		\$0.20	\$960.00
Upland/Winter Cress		\$2.18	\$1,182.50
Walnuts	\$0.26	\$0.34	\$250.60
Watercress		\$2.18	\$1,182.50
Watermelons	\$0.04	\$0.06	\$363.90
Yautia/Malanga	\$0.48	\$0.42	\$11,840.00
Yuca/Cassava		\$0.16	\$2,964.00

\*The rates for Maple Sap (Maple Syrup) are \$/gallon.--\*

## 23-34 (Reserved)



## Section 2 Eligibility Requirements

### 35 CFAP Eligibility

#### A General Eligibility for CFAP Commodities

Specific commodity eligibility policy can be found in:

- Part 4 for Dairy (Milk) and Eggs
- Part 5 for Non-Specialty Crops and Wool
- Part 6 for Livestock
- \* \* \*
- Part 7.5 for Aquaculture and Nursery/Floriculture
- Part 8 for Specialty Crops.

**36 Production, Sales, Inventory, and/or Acreage Reporting for CFAP Eligible Commodities**

**A Reporting Requirements**

The requirement to provide production, sales, inventory, and/or acreage certification on AD-3114 is based on each producer's nationwide ownership interest in the commodity, regardless of where the commodity was grown or is stored.

**Note:** Ownership interest does not mean interest as a landowner. In this context, ownership interest means as owners of the commodity with both control of and title to the commodity.

**B Documentation**

Producers must maintain documentation, as discussed in subparagraph 51 B, to support all certifications of production, sales, inventory, and or acreage.

**37 Payment Eligibility Requirements**

**A Payment Eligibility**

To be considered eligible for CFAP payment, in addition to submitting a completed AD-3114, persons or legal entities must have filed the following forms for the 2020 production year:

- AD-1026 according to 6-CP (See subparagraph 18 A for AD-1026)
- applicable CCC-902 according to 5-PL
- CCC-941 or CCC-942 for AGI certification according to 5-PL.

**Note:** 2016, 2017, and 2018 tax years are used to calculate AGI for 2020 CFAP. All required eligibility forms **must** be filed before an CFAP payment can be issued.

**38-49 (Reserved)**



**Part 3 Application Processing and Review for Approval****Section 1 Application Processing****50 Applying for CFAP****A Application Submission**

\*--Producers will submit one application for their entire operation nationwide. The application may include any or all commodities currently eligible and may be revised to add:

- existing commodities
- commodities determined eligible in the future.--\*

A producer may submit an application using any of the following methods:

- in person, when available
- by mail
- electronically by:
  - FAX
  - e-mail with a scanned or photocopy of signed AD-3114 attached
  - other authorized method (provided by supplemental notice or other guidance) online at **www.farmers.gov**.

**Note:** Submitting AD-3114 online requires an active Level 2 eAuthentication account. Individual producers can register for a Level 2 eAuthentication account at **www.eauth.usda.gov**. A fillable format of AD-3114 will also be available for applicants to sign and submit by one of the above methods. Online applications are currently **not** available.

**50 Applying for CFAP (Continued)****B Signing and Certifying AD-3114**

By signing AD-3114, Part I, the individual is:

- applying for a CFAP payment for the producer listed on Part B and if applicable, members listed in Part H of the AD-3114
- certifying all of the following:
  - information provided on AD-3114 is true and correct
  - all production/sales/inventory eligible for payment is subject to price risk
- agreeing to:
  - provide all information that is necessary to verify that the information provided on the AD-3114 is accurate
  - allow USDA representatives access to all documents and records, including those in the possession of a third-party such as a warehouse operator, processor or packer
  - comply with maximum payment limitation and adjusted gross income provisions applicable to the CFAP by the required forms
  - provide to USDA all information required for program participation within 60 days from the date the producer signs this application
  - comply with the provisions of the Food Security Act of 1985 that protect highly erodible land and wetlands
- acknowledging that:
  - providing false certification to FSA is cause for disapproval of AD-3114 and is punishable by imprisonment, fines, and other penalties
  - a CFAP payment will only be made with respect to a commodity produced in the United States and intended to be marketed for commercial production.



**50 Applying for CFAP (Continued)****C Signature Requirements**

A complete AD-3114, including the applicant's signature **must** be received no later than \*--September 11, 2020. STC or COC do not have authority to approve late-filed AD-3114.--\*

See 1-CM for signature requirements.

**D Recording Receipt of AD-3114's and Accessing CFAP Application**

Offices must make every effort to process the AD-3114 in the system and then have the producer sign the application. If the CFAP system is not available, a manual AD-3114 must be completed.

**Note:** COC's are not to approve any AD-3114 until **after** the AD-3114 has been loaded into the CFAP system.

If a producer submits a signed manual AD-3114 to the County Office, enter the application in the system. County Office will date stamp AD-3114 upon receipt of an AD-3114 signed in Part I by the producer.

If a producer submits an application to a County Office that is not the producer's recording County Office, the receiving County Office will date stamp the signed application and send a copy by e-mail or FAX to the recording County Office.

See Exhibit 20 for instructions on completing AD-3114.

**51     Reviewing and Acting on AD-3114's**

**A     Redelelegation of Authority for AD-3114's**

COC may redelegate authority to CED to approve routine AD-3114's; however, CED **cannot** further redelegate authority to a PT.

All adverse actions must go to the COC for review.

**Important:**     Approved AD-3114's are subject to prompt pay interest; therefore, every effort must be made to complete the payment process as soon as possible for approved AD-3114's.

## 51 Reviewing and Acting on AD-3114's (Continued)

**B Reviewing AD-3114's for Reasonableness**

Production, sales, inventories, and/or acreage, as applicable, will be a self-certification by the producer and is subject to spot check. COC's may request additional documentation from a CFAP applicant to support a producer's certification of eligible commodities. The following table provides a list of examples of supporting documentation.

**Note:** If a producer fails to submit additional documentation in response to a request to substantiate production, sales, and/or inventories, as applicable, of any eligible commodity on the application, COC will make the applicable COC adjustments on the application for the commodity(s) and/or disapprove the application, as applicable.

<b>Commodity</b>	<b>Source of Production Evidence</b>
Dairy	<ul style="list-style-type: none"> <li>• milk marketing statements for the months of January, February, and March 2020</li> <li>• records documenting milk that was dumped during January, February, and March 2020</li> <li>• other records determined acceptable by COC.</li> </ul>
*--Eggs	<ul style="list-style-type: none"> <li>• egg marketing statements during the months of January, February, and March 2020</li> <li>• contracts</li> <li>• sales receipts</li> <li>• other records determined acceptable by COC.--*</li> </ul>
Non-Specialty, Specialty, Value Loss Crops, and Wool	<ul style="list-style-type: none"> <li>• sales receipts</li> <li>• other sales documents indicating when a commodity was forward priced</li> <li>• ledgers of income</li> <li>• income statements of deposit slips</li> <li>• register tapes</li> <li>• invoices for custom harvesting</li> <li>• records to verify production costs</li> <li>• contemporaneous measurements</li> <li>• truck scale tickets</li> <li>• contemporaneous diaries – determined acceptable by COC</li> <li>• other records determined acceptable by COC.</li> </ul>

51      **Reviewing and Acting on AD-3114's (Continued)****B   Reviewing AD-3114's for Reasonableness (Continued)**

Commodity	Source of Production Evidence
Livestock	<ul style="list-style-type: none"> <li>• breeding records</li> <li>• feeding records</li> <li>• inventory records</li> <li>• rendering receipts</li> <li>• sales receipts</li> <li>• veterinary records</li> <li>• other records determined acceptable by COC.</li> </ul>

The COC is not responsible for determinations for specialty crops. For specialty crop applications, if COC has concerns or questions the reasonableness of the information provided by the producer, then the application and all documentation must be provided to AMS for review. At AMS contact Charles Stephens, Associate Deputy Administrator, Specialty Crops Program by e-mail to **charlesd.stephens@usda.gov** or telephone at 202-720-6394. When contacting by e-mail, include "CFAP Inquiry" and the name of the State and county in the "Subject" line.

## 51 Reviewing and Acting on AD-3114's (Continued)

### C Acting on AD-3114's

The recording county's COC, or CED if delegated, will act on all completed and signed AD-3114's submitted. No action by COC is applicable to Part G, Specialty Crop Information.

**Important:** Payments cannot be authorized until DD has approved the CED's review of the first 5 AD-3114's according to subparagraph 3 C.

### D Approving AD-3114

Before approving AD-3114's, COC or CED, if delegated must ensure that:

- all program eligibility requirements are met
- the person or legal entity applying for CFAP is determined to be an according to subparagraph 15 A
- signature requirements are met according to 1-CM, signed AD-3114 in Part I
- production, sales, and/or inventories as certified and as applicable, are reasonable
- AD-3114 was received or postmarked **by** the end of the signup period.

If all program eligibility requirements are met and COC or delegate has determined that the information on AD-3114 is reasonable and accurate, COC or delegate will approve AD-3114 and thoroughly document approval in the COC minutes.

**Notes:** Situations may occur when contract approval is not available in the software. Contract approval is also not allowed "on paper" during these times.

Completing eligibility forms (AD-1026, CCC-902, CCC-941, etc.) are not a condition of COC, or CED, approving AD-3114. However, these forms must be filed within 60 calendar days of the producer signing AD-3114. Failure to timely provide all eligibility forms may result in no payment or a reduced payment. County Offices must immediately update the Business File and Subsidiary record when the eligibility forms are filed.

\*--The revised AD-3114 must be used for applications initiated after June 26, 2020.

**Exception:** If a producer submits the original AD-3114 dated May 19, 2020, that application is acceptable.--\*

## 51 Reviewing and Acting on AD-3114's (Continued)

### E COC Adjusting or Disapproving AD-3114's

If it is determined that any of the information as certified on the AD-3114 is not reasonable or is questionable, evidence may be requested from the participant according to subparagraph A. If evidence provided by the participant differs from the information certified, COC's do have authority to make adjustments. See subparagraph 3 G on producer responsibilities.

The COC will disapprove AD-3114 if **any** of the following occur:

- program eligibility requirements are not met
- person or legal entity applying for CFAP is determined to not to be an eligible producer according to subparagraph 15 B
- information on AD-3114 or supporting documentation provided by the participant is not accurate or reasonable
- evidence that applicant did not have a reported ownership share interest in the eligible commodity
- signature requirements were not met according to 1-CM, signed AD-3114 in Part I

**Note:** If AD-3114 was completed but never signed by the producer or someone on behalf of the producer, take **no** action on AD-3114. It is not considered filed unless it is signed.

●\*--AD-3114 was submitted or postmarked **after** September 11, 2020.--\*

If COC disapproves AD-3114 for any reasons listed, or adjusts the AD-3114 for any reason, then the COC must take the following actions:

- adjust or disapprove AD-3114 as applicable
- notify the participant of the adjustment or disapproval
- provide participant applicable appeal rights according to 1-APP
- thoroughly document reasons for the adjustment of disapproval in COC minutes.

**52 Revised AD-3114's and Signature Requirements****A Revised AD-3114's**

AD-3114's can be revised after filing and after AD-3114 was approved and paid prior to the end of the signup period. The reasons for revision can vary. Some reasons may include:

- production, sales, or inventory reported was incorrect or entered in error
- additional production, sales, or inventory was not reported on original application.

For any revision to an approved and paid AD-3114, thoroughly document the reason for the revision in the COC minutes and provide the producer a copy of the revised AD-3114.

**B Revisions That Require New Producer Signatures and Approval**

Any revision to a previously approved and paid AD-3114 that would increase the calculated payment amount requires a new producer signature and new approval date entered.

**C Revisions That Do Not Require New Producer Signature**

A revision that adversely affects an application does not require a new producer signature. Notify the participant in writing of the revision, provide participant applicable appeal rights according to 1-APP, and thoroughly document reason for the revision in the COC minutes.

If a revision results in less payment acres, CED will issue a reduced payment letter along with a copy of the revised AD-3114.

Any revised AD-3114 must have a new approval entered.

**53-64 (Reserved)**





**Section 2 General Payment Provisions for CFAP****65 General Payment Provisions****A Introduction**

The CFAP payment process is an automated process that determines:

- whether the producer is eligible to receive payment
- the payment amount that can be sent to NPS for disbursement
- the overpayment amount that will be updated to the Pending Overpayment Report.

**B Frequency of Payment Processing**

CFAP payments are processed nightly for the following:

- applications for which an approval is updated in the software during the workday
- changes made to the application or eligibility flags that could affect the producer's payment or overpayment amount determination.

**C Obtaining FSA-325 for Deceased, Disappeared, or Incompetent Producers**

Follow 1-CM provisions for persons who have died, disappeared, or been declared incompetent.

**D Administrative Offset**

CFAP payments are **not** subject to administrative offset.

**65 General Payment Provisions (Continued)****E Assignments and Joint Payments**

A producer entitled to an CFAP payment may assign the payment according to 63-FI. CFAP payments and may be assigned, provided CCC-36 is submitted by the applicant or made to a joint payee, provided CCC-37 is submitted by the applicant before payment is made. County Offices will follow 63-FI to process assignments and joint payment authorizations.

**F Bankruptcy**

Bankruptcy status does **not** exclude a producer from requesting CFAP benefits.

**Important:** Contact the OGC Regional Attorney for guidance on issuing CFAP payments on all bankruptcy cases.

**G Payments Less Than \$1**

CFAP payment process will issue all payments.

**H Payment Due Date**

Follow the provisions of 61-FI for issuing interest payments.

**I Sequestering CFAP Payments**

CFAP payments are **not** subject to sequestration.

**65 General Payment Provisions (Continued)**

**J General Payment Policy**

See 9-CM, Part 2 for general payment policy for the following:

- eligible ID types and business types
- payment eligibility
- payment limitation and attribution of payments
- joint operations and entities
- general provisions for overpayments.

**66 Payment Limitation Provisions**

**A Payment Eligibility and Limitation Information for CFAP Payments**

CFAP has its own per person or legal entity payment limitation separate from other programs. The per person or legal entity payment limitation for CFAP is provided in subparagraphs 16 A and B and will be attributed through direct attribution.

As each payment is processed, the available payment limitation for the person or legal entity will be reduced until:

- all CFAP payments are issued for the person or legal entity
- the maximum payment limitation has been attributed to a person or legal entity.

**67 CFAP Subsidiary Eligibility**

**A Introduction**

The payment process reads the web-based eligibility system for the 2020 year to determine whether a producer or member of a joint operation is eligible to be paid. If the producer or member is ineligible to be paid, the payment will not be issued or will be reduced, and the producer or member will be listed on the Nonpayment Report with the applicable message.

**B Subsidiary Eligibility**

If a producer has multiple invalid subsidiary eligibility conditions, only the highest priority ineligible condition as provided in subparagraph C will be printed on the Nonpayment Report.

## 67 CFAP Subsidiary Eligibility (Continued)

**B Subsidiary Eligibility (Continued)**

The following table provides eligibility provisions that apply to CFAP payments.

Eligibility Determination/Certification	Value	Eligible for CFAP Payment	Exceptions
AD-1026	Certified	Yes	
	Not Filed	No	
	Good Faith Determination	Yes	
	COC Exemption	Yes	
	Awaiting Affiliate Certification	No	
	Affiliate Violation	No	
Conservation Compliance – Farm/Tract Eligibility	In Compliance	Yes	<u>1/</u> A partial compliance value of Yes” will result in an additional determination for the farm.
	Partial Compliance	Yes <u>1/</u>	
	In Violation	No	
	No Association	Yes	
	Past Violation	No	
	Reinstated	Yes	
AGI - \$900,000 Limitation  <b>Note:</b> See 5-PL for additional information about AGI determinations.	Not Filed	No	<u>2/</u> If an IRS determination has:  <ul style="list-style-type: none"> <li><b>not</b> been returned, then the payment process will use the producer certification value</li> <li>been returned, then the payment process will use the IRS returned value.</li> </ul> <u>3/</u> If the IRS value is <b>not</b> processed, then the payment process will use the producer certification value.
	Filed CCC-941	Yes <u>2/</u>	
	Exempt	Yes	
	Not Met - Producer	No	
	Not Processed	<u>3/</u>	
	Compliant - Producer	Yes	
	Compliant - Less than 3 years	Yes	
	Not Compliant	No	
	Failed Verification	No	

## 67 CFAP Subsidiary Eligibility (Continued)

**B Subsidiary Eligibility (Continued)**

<b>Eligibility Determination/Certification</b>	<b>Value</b>	<b>Eligible for CFAP Payment</b>	<b>Exceptions</b>
Adjusted Gross Income – 75% Farm AGI Rule	Yes	Yes	
	No	No	
Foreign Person Determination	Yes or Not Applicable	Yes	
	No or Pending	No	
Controlled Substance	No Violation	Yes	
	Growing	No	
	Trafficking	No	
	Possession	No	

**C Eligibility Conditions Priority**

If a person or legal entity has multiple invalid subsidiary eligibility conditions, only the highest priority ineligible condition will be printed on the Nonpayment Report and Pending Overpayment Reports. The following table provides the priority of conditions.

<b>Priority</b>	<b>Eligibility Provision</b>
1	Conservation Compliance
2	Controlled Substance
3	AD-1026

## 68 CFAP Payments

**A Supporting Files for Integrated Payment Processing**

The CFAP payment process is a web-based integrated process that uses a wide range of information and other program determinations and values to determine whether a payment should be issued, including the amount of gross payment, reductions, and the net payment amount. For payments to be calculated correctly, all supporting files must be updated correctly, including **all** of the following.

<b>Type of Information</b>	<b>How Information Is Used for Payment Processing</b>	<b>Source</b>
AD-3114 data	The information from AD-3114 is used to complete the Gross Payment Report for approved commodities which determines the CFAP Dairy *--and/or CFAP Eggs, CFAP-Non-Specialty--* Crops, CFAP Wool, CFAP-Livestock, CFAP-Specialty Crops, and/or CFAP Value Loss Crops gross payment amount for the producer.	Application System
Payment Eligibility Information	Used to determine whether the producer (individual, entity, and/or member of a general partnership or joint operation) is eligible for payment for which AD-3114 was filed.	Web-Based Eligibility System
General Name and Address Information	Used to determine the producer's business type, citizenship status, and general name and address information.	Business Partner/ SCIMS
Entity and Joint Operation Information	Used to determine the following for which AD-3114 was filed: <ul style="list-style-type: none"> <li>• entities</li> <li>• general partnerships</li> <li>• joint ventures.</li> </ul>	Business File
Available Payment Limitation	Used to determine payment limitation availability.	Payment Limitation System
Financial Related Information	<ul style="list-style-type: none"> <li>• Calculated payment information is provided to NPS.</li> <li>• Determined overpayment amount may be provided to NRRS.</li> </ul>	NPS or NRRS



## 68 CFAP Payments (Continued)

**B Prerequisites for Payment**

The following table details the actions that **must** be performed or verified as having been completed to properly issue payments. COC, CED, or designee will ensure that the actions are completed.

Step	Action
1	AD-3114 has been approved and the approval date has been recorded in the system.
2	AD-1026 is on file for the applicable year for those seeking payment and the eligibility information is recorded in the web-based eligibility system. See 6-CP and 3-PL (Rev. 2).
3	CCC-902 is on file and a determination made, as is applicable according to 5-PL for the applicable year for persons and legal entities.
4	CCC-941, and CCC-942 if applicable, is on file for the applicable year for persons and legal entities and the certification information is recorded in the web-based eligibility system. See 5-PL and 3-PL (Rev.2).
5	All other eligibility determinations have been updated according to the determinations made by COC for persons and legal entities. See 5-PL.
6	Joint operation and entity ownership structure information is updated in Business File for the applicable year. See 3-PL (Rev. 2).
7	Assignments and joint payees have been updated in NPS if CCC-36, CCC-37, or both were filed for CFAP. See 63-FI.
8	SF-3881 has been received and recorded in financial applications, or a hardship waiver is on file. See 1-FI.

## 69 CFAP Payment Reports

### A Displaying or Printing CFAP Payment Reports

CFAP Payment Reports are available to provide information about each payment or nonpayment. Most of the payment reports have information that is common between program areas. Information about these reports is in 9-CM. The CFAP Payment History Report – Detail has program-specific data so information for this report is in this handbook.

CFAP Payment Report information is available according to the following.

Report Name	Type of Data	Reference
Submitted Payments Report	Live	9-CM, paragraph 63
Submitted Overpayments Report	Live	9-CM, paragraph 64
Pending Overpayment Report	Live	9-CM, paragraph 65
<b>Note:</b> The Pending Overpayment Report is accessed through the Pending Overpayment Summary Report according to 9-CM, paragraph 64.5.		
Nonpayment/Reduction Report	Live	9-CM, paragraph 66
Insufficient Funds Report	Live	9-CM, paragraph 67
Payments Computed to Zero Report	Live	9-CM, paragraph 68
Payment History Report – Summary	Report Database	9-CM, paragraph 69
Payment History Report – Detail	Report Database	9-CM, paragraph 70

**Note:** See 9-CM for complete instructions on accessing the Common Payment Report System.

**70 Recording CFAP Payments**

**A Recording Payments**

Recording State and county for the producer is to complete the CFAP payment.

**Note:** The recording State and county for a producer is identified in the Subsidiary Eligibility System.

**71-84 (Reserved)**



**\*--Part 4 Dairy and Eggs****Section 1 Basic Information****85 Overview****A Introduction**

CFAP provides financial assistance to dairy and egg operations due to market decline of the all milk price and a five percent or greater price decline for frozen and liquid eggs in the 1<sup>st</sup> quarter of calendar year 2020 and compensation for marketing channel disruption due to the coronavirus pandemic. To compensate dairy and egg operations for losses, CFAP will use the eligible milk and frozen or liquid egg production for the months of January, February,--\* and March 2020, as the basis to determine payments.

**B General Information**

For dairy producers, payments using funding from the CARES Act will be determined by multiplying a producer's milk production for the first quarter of calendar year 2020 by 80 percent of the decline in national prices as determined by USDA during that quarter. Payments under the CCC Charter Act will be determined by multiplying a producer's milk production for the first quarter of calendar year 2020, by a factor of 1.014, in order to account for increased production in the second quarter of calendar year 2020, by 25 percent of the decline in national prices as determined by USDA during the first quarter of calendar year 2020.

\*--CFAP payments will be made to producers of liquid and frozen eggs. Payments using funding from the CARES Act will be determined by multiplying a producer's frozen and/or liquid egg production for the first quarter of calendar year 2020 by the payment rate listed for the appropriate egg type in the table in subparagraph 22 B. Payments under the CCC Charter Act will be determined by multiplying a producer's frozen and/or liquid egg production for the first quarter of calendar year 2020 by the appropriate egg type payment rate in the table in subparagraph 22 B.--\*

**86-95 (Reserved)**



## Section 2 General Program Policies and Provisions

### 96 CFAP Dairy and Egg Eligibility

#### A Eligible Dairy and Egg Operations

Eligible dairy operations who commercially market milk from bovine in the United States are eligible for CFAP.

\*--Eligible egg operations who commercially market frozen or liquid eggs from chickens in the United States are eligible for CFAP.

Egg operations with a risk in the egg sales, whether an owner of layers or a processor, may be eligible for CFAP payments. COC must determine who has risk.

Egg operations with a guarantee price on their eggs are not eligible for CFAP.--\*

#### B Eligible Milk and Egg Production

CFAP eligible milk production is:

- milk commercially marketed for the months of January, February, and March 2020
- dumped milk during the months of January, February, and March 2020.

**Note:** CFAP eligibility is not affected because of participation in Dairy Margin Coverage, Dairy Revenue Protection, Livestock Gross Margin, and other dairy revenue insurance programs.

CFAP eligible egg production is frozen and/or liquid eggs produced for the months of January, February, and March 2020.

\*--If the eggs are sold/processed as liquid or frozen eggs and do not already have a guarantee payment to the producer, then they are eligible for CFAP. This includes eggs that are sold to be broken but are still in the shell, which includes nest eggs.--\*

#### C Dissolved Dairy Operations

Dairy operations that dissolve during the first 2 quarters of 2020 are eligible for CFAP for their applicable pounds of milk production. A dairy operation that dissolved during:

- January 1, 2020, through March 31, 2020 (1<sup>st</sup> quarter), are **only** eligible for the CARES Act, Part 1 funding, and **not** CCC, Part 2 funding
- April 1, 2020, through June 30, 2020 (2<sup>nd</sup> quarter), are eligible for the CARES Act, Part 1 payment and a prorated CCC, Part 2 payment according to the days the dairy operation produced milk.

## 96 CFAP Dairy and Egg Eligibility (Continued)

### D Joint Venture Dairy Operations

Dairy operations that operate as a joint venture without a TIN and applying for CFAP will require the members of the operation to apply as individuals for their applicable milk production determined by their ownership level. In working with joint venture dairy operations, County Offices will provide guidance and direction to ensure the AD-3114 is completed correctly.

## 97 Reporting Dairy and Egg Production

### A Requirement

Dairy operations will self-certify the eligible milk production for the months of January, February, and March 2020.

The following documents are recommended to assist producers in providing accurate information:

- milk marketing statements for the months of January, February, and March 2020
- records of dumped milk not listed on milk marketing statements for the months of January, February, and March 2020.

**Note:** These documents are not required at signup because the application is a self-certification.

Liquid and/or frozen egg producers will self-certify to their liquid/frozen egg production, as dollars per pounds, for the months of January, February, and March 2020.

If the producer sells his/her frozen and/or liquid eggs still in the shell, the following formula can be used to convert to pounds:

Number of pounds = Number of cases (30 dozen eggs in a case) X 48 pounds X .83.

If the producer reports his/her eggs in dozens instead of cases, use the following formula:

Number of pounds = Number of dozen eggs X 1.6 pounds X .83.

**Notes:** The standard weight for a case of 30 dozen eggs is 48 pounds. It is assumed that 83 percent of the shell egg is liquid egg.



## 97 Reporting Dairy and Egg Production (Continued)

### B AD-3114, Part C

Following is an example of AD-3114, Part C, Dairy/Egg Production Information.

Each dairy and/or egg operation must report the following eligible production in pounds:

- January 2020
- February 2020
- March 2020.

PART C – DAIRY/EGG PRODUCTION INFORMATION				COC USE ONLY		
6. Commodity/ Unit of Measure	7. January 2020 Production	8. February 2020 Production	9. March 2020 Production	10. COC Adjusted Jan 2020 Production	11. COC Adjusted Feb 2020 Production	12. COC Adjusted March 2020 Production

### C Processing AD-3114 for Dissolved Dairy Operations

CFAP software can process applications for dissolved dairy operations. County Offices will use the revised AD-3114 (8-14-20), which requires the date a dairy operation stopped producing milk for a dissolved dairy operation. The software will determine eligible payments for dissolutions occurring from:

- January 1, 2020, through March 31, 2020 (1<sup>st</sup> quarter), will be paid under the CARES Act (Part 1) and **not** CCC funding (Part 2)
- April 1, 2020, through June 30, 2020 (2<sup>nd</sup> quarter), will be paid under the CARES Act (Part 1) and pro-rated payment for CCC funding according to the number of days producing milk.

In the CFAP software, County Offices will enter the date the dairy operation stopped producing milk, which is the dissolution date.

**Note:** The system will not accept a date in the future before January 1, 2020. COC will have the capability to adjust the dairy operation dissolution date if necessary.

### 98-110 (Reserved)



**Section 3 Payments****\*--111 Dairy and Egg Payment Components--\*****A Payment Rates**

CFAP dairy payments are funded in two parts and by two sources:

- Part 1 (funded by CARES Act) will pay \$0.0471 per pound of the three-month milk production
- Part 2 (funded by CCC) will pay \$0.0147 per pound of the three-month milk production with an adjustment factor of 1.014.

\*--CFAP frozen egg payments are funded in two parts and by two sources:

- Part 1 (funded by CARES Act) will pay \$0.06 per pound of the three-month frozen egg production
- Part 2 (funded by CCC) will pay \$0.02 per pound of the three-month frozen egg production.

CFAP liquid egg payments are funded in two parts and by two sources:

- Part 1 (funded by CARES Act) will pay \$0.05 per pound of the three-month liquid production
- Part 2 (funded by CCC) will pay \$0.02 per pound of the three-month liquid egg production.--\*

**\*--111 Dairy and Egg Payment Components (Continued)****B CFAP Dairy and Egg Payment Calculation**

CFAP payments for eligible milk and/or liquid/frozen egg production will be the sum of results from the following two calculations:

<b>Eligible Commodity</b>	<b>Eligible Payment Part 1 (CARES Act Funds)</b>	<b>Eligible Payment Part 2 (CCC Funds)</b>
Dairy	For each eligible producer, payment is calculated by multiplying the pounds of milk production for the months of January, February, and March 2020, by \$0.0471.	For each eligible producer, payment is calculated by multiplying the pounds of milk production for the months of January, February, and March 2020, by \$0.0147.
Liquid/Frozen Eggs	For each eligible producer, a payment rate per pound of liquid and/or frozen egg production for the months of January, February, and March 2020.	For each eligible producer, a payment rate per pound of liquid and/or frozen egg production for the months of January, February, and March 2020.

--\*

**\*--111 Dairy and Egg Payment Components (Continued)--\*****C CFAP Dairy Application and Payment Examples****Example 1 – Easy Dairy LLC**

Easy Dairy LLC is a 100-cow family dairy farm and is interested in applying for CFAP. Easy Dairy LLC completes the AD-3114 online using the monthly production information from their marketing statements for January, February, and March 2020. In this example, Easy Dairy LLC did not dump any milk in the first 3 months of 2020. Once the monthly milk production is added to the AD-3114, and signed by the producer, the application is complete for CFAP.

Milk production is as follows:

- January - 160,000 pounds
- February - 170,000 pounds
- March - 180,000 pounds.

**Total - 510,000 eligible pounds**

The payment calculation is as follows:

- Part 1 – 510,000 lbs. x \$0.0471 = \$24,021
- Part 2 – 510,000 lbs. x 1.014 factor = 517,140 lbs. x \$0.0147 = \$7,601.96

**Easy Dairy LLC Total Payment - \$31,622.96**

**\*--111 Dairy and Egg Payment Components (Continued)--\*****C CFAP Dairy Application and Payment Examples (Continued)****Example 2 – McDonald Family Dairy Farm Joint Venture**

McDonald Family Dairy Farm Joint Venture is a 250-cow dairy operation, that operates without a TIN, with Old McDonald owning 90 percent and Sam McDonald owning 10 percent of the dairy operation.

For McDonald Family Dairy Farm Joint Venture to sign up for CFAP, Old McDonald and Sam McDonald must determine their eligible pounds of milk production for January, February, and March 2020, based on their ownership share and **individually** apply on separate AD-3114's.

McDonald Family Dairy Farm Joint Venture did not dump any milk in the first 3 months of 2020.

Milk production is as follows:

- January – 425,000 pounds
- February - 430,000 pounds
- March - 450,000 pounds.

**Total - 1,305,000 eligible pounds**

Eligible pounds are as follows:

- Old McDonald -  $1,305,000 \times 90 \text{ percent} = 1,174,500 \text{ lbs.}$
- Sam McDonald -  $1,305,000 \times 10 \text{ percent} = 130,500 \text{ lbs.}$

The payment calculation is as follows:

- Old McDonald's Payment Calculation:
  - Part 1 -  $1,174,500 \text{ lbs.} \times \$0.0147 = \$55,318.95$
  - Part 2 -  $1,174,500 \text{ lbs.} \times 1.014 = 1,190,943 \text{ lbs.} \times \$0.0147 = \$17,506.86.$

**Old McDonald's Total Payment - \$72,825.81**

- Sam McDonald's Payment Calculation:
  - Part 1 –  $130,500 \text{ lbs.} \times \$0.0471 = \$6,146.55$
  - Part 2 –  $130,500 \times 1.014 = 132,327 \text{ lbs.} \times \$0.0147 = \$1,945.21.$

**Sam McDonald's Total Payment - \$8,091.76**

**\*--111 Dairy and Egg Payment Components (Continued)--\*****C CFAP Dairy Application and Payment Examples (Continued)****Example 3 - Sky's the Limit Dairy**

Sky's the Limit Dairy is a large dairy operation with an annual milk production of approximately 100 million pounds.

Milk production is as follows:

- January - 8,150,000 pounds
- February - 8,250,000 pounds
- March - 8,300,000 pounds.

**Total - 24,700,000 pounds**

The payment calculation is as follows:

- Part 1 - 24,700,000 lbs. x \$0.0471 = \$1,163,370
- Part 2 - 24,700,000 lbs. x 1.014 x \$0.0147 = \$368,173.26.

**Sky's the Limit Total Payment - \$1,531,543.26**

**Note:** The \$250,000 payment limit applies, however Sky's the Limit Dairy may earn up to \$750,000 of limit if 3 persons holding an ownership interest in the organizational structure provides at least 400 hours of active personal labor, active personal management, or a combination thereof according to subparagraph 16 B.

**\*--111 Dairy and Egg Payment Components (Continued)****D CFAP Egg Application and Payment Examples****Example 1 – EZ Eggs LLC**

EZ Eggs LLC is a liquid egg operation with around 1 million layers and is interested in applying for CFAP. EZ Eggs LLC completes the AD-3114 online using monthly production information for January, February, and March 2020. Once the monthly egg production is added to the AD-3114, and signed by the producer, the application is complete for CFAP.

Egg production is as follows:

- January production for liquid eggs – 2,697,558 pounds
- February production for liquid eggs – 2,400,345 pounds
- March production for liquid eggs – 2,520,000 pounds.

**Total Egg Production- 7,617,903 eligible pounds**

The payment calculation is as follows:

- Part 1 for liquid eggs – 7,617,903 lbs. x \$0.05= \$380,895.15
- Part 2 for liquid eggs – 7,617,903 lbs. x \$0.02 = \$152,358.06.

**EZ Eggs LLC Total Payment - \$533,253.21**

**Note:** The \$250,000 payment limit applies, however EZ Eggs LLC may earn up to \$750,000 of limit if 3 persons holding an ownership interest in the organizational structure provides at least 400 hours of active personal labor, active personal management, or a combination thereof according to subparagraph 16 B.—\*

**112-124 (Reserved)**



**Part 5 Non-Specialty Crops and Wool****Section 1 Basic Information****125 Overview****A Purpose**

CFAP for non-specialty crops and wool will provide aid to agricultural producers impacted by the effects of the COVID-19 outbreak. Those producers must have suffered a 5-percent-or-greater income loss because of COVID-19 and face additional significant market costs for currently held inventories, whether caused by lower prices because of significant declines in demand, surplus production, or by disruptions to shipping patterns and the orderly marketing of commodities.

**B General Information**

For non-specialty crops and wool, a single national average payment rate per unit (bushel, pound, or cwt.) is determined by the Secretary for each eligible commodity based on the decline in futures price (or cash price, if futures price is unavailable) between the weeks of January 13-17, 2020, and April 6-9, 2020. If the decline is 5 percent or greater, a payment for that commodity is triggered and producers are paid based on inventory held on January 15, 2020. Eligible inventory for the purpose of non-specialty crops and wool is the lower of self-certified inventory, subject to price risk, that an eligible producer has vested ownership in as of January 15, 2020, or 50 percent of the eligible producer's 2019 production of that commodity.

CFAP payments for non-specialty crops and wool will be administered in 2 parts. The first part is \$9.5 billion in appropriated funding provided in the CARES Act (Pub. L. 116-136), which compensates producers for losses because of price declines that occurred between mid-January 2020 and mid-April 2020. The second part is \$6.5 billion from section 5 (b), (d), and (e) of the CCC Charter Act (15 U.S.C. 714c).

Part 1 (CARES Act appropriated funding) will provide a payment on 50 percent of January 15, 2020, eligible inventory, multiplied by a portion of the price decline. Part 2 (CCC funding) will provide a payment on 50 percent eligible inventory on January 15, 2020, multiplied by a portion of the same price decline used in the Part 1 calculation. The producer receives 1 payment combining both parts.

125 Overview (Continued)

\*--C Definitions [7 CFR 9.2]

Unpriced inventory means any production not subject to an agreed-upon price in the future through a forward contract, agreement, or similar binding.--\*

Wool means the fiber sheared from a live sheep and includes, unless noted otherwise, graded and nongraded wool. Graded wool is paid on a clean basis, and ungraded wool is paid on a greasy basis.

126-135 (Reserved)

**Section 2 General Program Policies and Provisions****136 Eligible Commodities****A Eligible Non-Specialty Crops**

The following non-specialty crops are eligible for CFAP:

- barley \* \* \*
- canola
- corn
- millet
- oats
- sorghum
- soybeans
- sunflowers
- upland cotton
- wheat, durum
- wheat, hard red spring.

**Note:** Other crops may be added by the Secretary.

**B Eligible Commodities**

Wool is also an eligible commodity. As noted in the definition, wool is divided in the following 2 categories and will have separate payment rates:

- clean
- greasy.

## 137 Eligible Commodities - Uses and Types

### A Intended Uses of Non-Specialty Crops

The following table provides intended uses for non-specialty crops eligible for CFAP.

Crop Name	Type Name		Intended Use
Barley * * *	All		FG, GR, SD
Canola	All		SD, GR, PR
Corn	<ul style="list-style-type: none"> <li>• Amylose</li> <li>• Blue</li> <li>• Grainless Forage</li> <li>• High Amylase</li> <li>• Popcorn</li> <li>• Red</li> </ul>	<ul style="list-style-type: none"> <li>• Strawberry Popcorn</li> <li>• Tropical</li> <li>• Waxy</li> <li>• White</li> <li>• Yellow</li> </ul>	FH, GR, PR, SD, SG
Millet	All		FG, GR, SD
Oats	All		FG, GR, SD
Sorghum	All		FG, GR, SD, SG
Sorghum, Forage	All		FG, PR, SD, SG
Sorghum, Dual Purpose	All		FG, GR, SD, SG
Soybeans	All		FG, FH, GR, SD, PR
Sunflowers	All		All
Upland Cotton			
Wheat, Durum	Hard Amber Durum, Winter Hard Amber Durum, Spring		FG, GR, SD
Wheat, Hard Red Spring	Hard Red Spring		FG, GR, SD

\* \* \*

**Notes:** Crops intended for grazing are **not** eligible for CFAP.

Commodities used on the farm, such as silage, are eligible for CFAP.

CFAP applications will only process and decisions will be made only for crops and intended uses listed in this subparagraph.

### B Classes of Eligible Wool

For the purposes of CFAP, eligible wool will be separated in the following 2 categories:

- graded wool, paid on a clean basis
- nongraded wool, paid on a greasy basis.

**138 Production Reporting****A Requirement**

Producers must report production for each eligible commodity.

The requirement to report production is based on each producer's nationwide ownership interest in the commodity, regardless of where the commodity was produced or where the commodity is stored.

Production values required to be reported are:

- 2019 Total Production
- 2019 Production Not Sold (as of January 15, 2020).

**Note:** A landowner who cash-leases their land is not considered to have an ownership interest in a commodity produced on the cash-leased land.

**B 2019 Total Production**

To request a CFAP payment, producers must certify their ownership interest in the total 2019 production for each eligible commodity from all farms nationwide.

**Example:** Joe Farmer has 2 farms, 1 farm located in Kosciusko County, Iowa, and 1 farm located in Grenada County, Mississippi. Mr. Farmer has 100 percent ownership interest in 4,000 bushels of soybeans grown in Iowa and 50 percent ownership interest in 5,000 bushels of soybeans grown in Mississippi. Mr. Farmer will report 6,500 bushels (100 percent of 4,000 + 50 percent of 5,000) as the "2019 Total Production" on AD-3114.

**C 2019 Production Not Sold (as of January 15, 2020)**

To request a CFAP payment, producers must certify their ownership interest in the 2019 production subject to price risk not sold as of January 15, 2020, for each eligible commodity from all farms nationwide.

Unpriced (or subject to price risk) means **not** subject to an agreed-upon price in the future through a forward contract, agreement, or similar binding document as of January 15, 2020.

The purpose of CFAP is to provide aid to producers who were affected by a price decline because of COVID-19. If a producer has a forward contract, agreement, or similar binding document that secures a price for a specific amount of an eligible commodity before January 15, 2020, that production is ineligible for CFAP.

## 138 Production Reporting (Continued)

**C 2019 Production Not Sold (as of January 15, 2020) (Continued)**

**Example:** Joe Farmer has 6,500 bushels in his bins on January 15, 2020. Mr. Farmer executed a forward price contract on 5,000 bushels on January 10, 2020, which locked in a specific price for the delivered quantity. Mr. Farmer will report 1,500 bushels of “2019 Production Not Sold (as of January 15, 2020)”.

**Note:** It is the producer’s responsibility to certify the production not sold as of January 15, 2020. County Offices are not required to review forward contracts, agreements, or other similar binding documents during the application process. Forward contracts, agreements, or other similar binding documents may be requested for verification.

**D AD-3114, Part D**

Following is an example of AD-3114, Part D, Non-Specialty Crop and Wool Information. Each producer must report their ownership interest in 2019:

- Total Production
- Production Not Sold (as of January 15, 2020).

PART D – NON-SPECIALTY CROP AND WOOL INFORMATION				COC USE ONLY	
13. Commodity	14. Unit of Measure	15. 2019 Total Production	16. 2019 Production Not Sold (as of Jan 15, 2020)	17. COC Adjusted 2019 Total Production	18. COC Adjusted 2019 Production Not Sold (as of Jan 15, 2020)

**Notes:** Ownership interest means the producer has title to the commodity.

For the purpose of CFAP **only**, any 2019 wool will include wool production from January 1, 2020, through April 15, 2020, as long as the sheep were owned by January 15, 2020.

\*--Upland cotton will be reported in pounds of lint.--\*

**138 Production Reporting (Continued)****E Interaction With FSA-578**

CFAP does not interact with FSA-578. COC's are not required to document or verify planted acreage \* \* \*.

\*--COC can examine FSA-578 and request evidence of production or sales if it has any reason to question ownership interest or quantity of the applicable commodity.--\*

In some instances, the producer may not have filed FSA-578. In these cases, approval of AD-3114 is still permitted if COC does not question the quantity produced. If COC needs additional documentation from these producers, COC may request:

\* \* \*

- \*--evidence of production or sale, and
- number of acres planted.--\*

\* \* \*

**F COC Adjustments**

COC may adjust the "2019 Total Production" or "2019 Production Not Sold":

- if the quantity is determined to be unreasonable or inaccurate
- to reflect the actual production based upon submitted production evidence.

**Note:** See 1-APP for notification requirements.

**138 Production Reporting (Continued)****\*--G Crop Not Harvested by Time of Application**

A 2019 crop not harvested at the time of application is not eligible for CFAP. The producer may amend the application before the end of the signup period if the crop is eventually harvested.

Production from failed acres or appraised production that is not harvested is **ineligible** for CFAP.

**H Upland Cotton Not Ginned**

Any upland cotton that has not been ginned at the time of application will not be entered as production on AD-3114. When cotton is ginned, that production may be added to:

- 2019 Total Production, and
- 2019 Production Not Sold (by Jan 15, 2020).

**Note:** To be considered as “2019 Production Not Sold (by Jan 15, 2020)”, this upland cotton must be subject to price risk components.

Upland cotton must be ginned by the end of the signup period in order to apply for CFAP.--\*



**139 Hybrid Seed or Popcorn****A Yield Certification**

A producer having hybrid seed or popcorn production may use for conversions:

- subparagraph B for hybrid seed
- subparagraph C for popcorn.

**B Hybrid Seed Methods**

A producer may use any of the following separate methods to certify production for any eligible commodity grown for hybrid seed. If more than 1 method is applicable, the producer may select the method to be used and that method will be used for all production on the farm. Choosing 1 method for some production and another method for other production is not allowed.

## 139 Hybrid Seed or Popcorn (Continued)

## B Hybrid Seed Methods (Continued)

IF...	AND...	THEN the producer may certify to the...
both commercial crop acreage and hybrid seed acreage is grown on the farm	both the commercial and the hybrid seed acres are irrigated or nonirrigated	yield per planted acre from the commercial acreage as the yield for the hybrid seed acreage.
the producer and company entered into an agreement to use a commercial equivalent yield to calculate payments under the seed contract based on harvested commercial production	the producer has evidence that the calculation was based on actual harvested yields  <b>Note:</b> Evidence may include the nomination form, election of field form, or other form showing actual harvested commercial production.	commercial equivalent production used for payment by the seed company, not to exceed 120 percent of the county average yield for the specific year the hybrid seed was grown, as determined by STC.
the entire county grows hybrid seed	neither of the previous 2 methods in this table apply	county average yield of an adjacent county for the specific year the hybrid seed was grown, as determined by STC.
neither of the previous 3 methods in this table apply		county average yield for the specific year the hybrid seed was grown, as determined by STC.

**Note:** In States where irrigated and nonirrigated yields exist for hybrid seed crops, commercial equivalents are limited to 120 percent of the applicable irrigated or nonirrigated county yield, as determined by STC. STC's may (**not** required) establish separate irrigated or nonirrigated county yields for hybrid seed acres for certification purposes **only**. If separate irrigated and nonirrigated yields are **not** established, the blended county average yield must be used.

## 139 Hybrid Seed or Popcorn (Continued)

**C Popcorn Yield Certification Conversion Policy**

A producer on a farm having popcorn may request to use a conversion factor of 29.7 to convert pounds to bushels for the specific years the crop was grown. This factor can only be used if a “commercial corn yield” from harvested acres is **not** available on the farm. If commercial corn was harvested on the farm, then the conversion factor must **not** be used, and the popcorn acres will be assigned the commercial corn yield associated with the farm. To convert popcorn yields (pounds) when an appropriate commercial corn yield is **not** available on the farm, divide the popcorn yield in pounds by 29.7 to obtain an equivalent commercial corn yield in bushels.

**Example:** A 5,000-pound popcorn yield divided by 29.7 would be equivalent to 168-bushel field corn yield, rounded to the nearest bushel.

<b>IF there is...</b>	<b>THEN...</b>
irrigated commercial corn on the farm	apply the same yield to the irrigated popcorn acres.
nonirrigated commercial corn on the farm	apply the same yield to the nonirrigated popcorn acres.
no commercial corn on the farm	use the factor to determine the popcorn yield, regardless if the popcorn is irrigated or nonirrigated.
irrigated commercial corn on the farm only and there is nonirrigated popcorn on the farm only	use the factor to determine the popcorn yield.
nonirrigated commercial corn on the farm only and there is irrigated popcorn on the farm only	use the factor to determine the popcorn yield.

**140 Silage and Hay Production****A Policy**

Silage or hay production (tonnage) that is a matter of record may be converted to bushels using conversion factors in this subparagraph.

**Note:** If RMA has converted silage to bushels, producers may certify and COC's may accept RMA production (bushels) as converted.

**B Silage Production**

Acceptable records of silage production **must** be converted from tons of silage to bushels of grain by multiplying the tonnage amount times the following conversion factors:

- \*--6.47 for barley--\*
- 7.94 for corn
- 19.6 for earlage or snaplage
- 3.114 cwt. for grain sorghum multiplied by 100 divided by 56 (use for all sorghum)
- 6.00 for millet
- 4.08 for oats
- 5.00 for soybeans
- 6.99 for wheat.

**Example:** Farmer A's corn was harvested as silage. All production is weighed at 739.5 tons of corn silage. The actual corn grain production for that year would be 5,872 bushels. (739.5 tons x 7.94 bu. per ton = 5,872 bushels)

**C Hay Production**

Acceptable records of hay production must be converted to bushels by multiplying the tonnage amount times the following conversion factors:

- \*--18.49 for barley--\*
- 22.69 for corn
- 8.89 cwt. for grain sorghum multiplied by 100 divided by 56 (use for all sorghum)
- 17.00 for millet
- 11.66 for oats
- 14.20 for soybeans
- 19.97 for wheat.

**Note:** If a commodity was harvested as grain and then the stalks were harvested for hay, that hay is ineligible for CFAP.

**D High Moisture Grain**

High moisture grain is eligible for CFAP; however, the producer must certify production to reflect the applicable moisture standard in 2-LP Grains and Oilseeds.

**141 Contracts to Purchase a Commodity****A Subject to Price Risk**

\*--Nonspecialty crops and wool, must be unpriced on January 15, 2020, to be eligible for--\* CFAP. There are many different types of contracts available to producers to market their crop with a “future” price component.

Any contract that has a potential for a futures loss or basis loss is considered to have price \*--risk and that commodity is subject to price risk. These can be viewed as unpriced. See the--\* table in subparagraph B.

**B Types of Contracts**

The following table details various types of purchase contracts with their relationship to price loss.

Marketing Contract Eligibility for CFAP	
Type of Contract in Existence before Jan. 15, 2020	Explanation
Contracts Eligible for CFAP	
Basis Contract	Producer locks in a basis leaving the future price to be set later.
Basis Fixed Contract	
No Price Established	Producer delivers commodity without *--setting a sales price (does not need to have ownership as of January 15, 2020.)--*
Delayed Price	
Deferred Price Contract	
Contracts Ineligible for CFAP	
Cash Contract	*--Contract provides that the--* producer receives a cash price for a commodity when sold.
Fixed Price Contract	
Forward Price Contract	*--Contract provides that the--* producer receives a cash price for a commodity based on a future delivery.
Cash Forward Contract	
Minimum Price Contract	*--Contract provides that the--* producer locks in the cash price and buys a call option to establish a minimum price. The net cash price will never be less than the original cash value minus the cost of the call option.
Option Contract	
Window Contract	
Hedge to Arrive	*--Contract provides that the--* producer locks in a futures price leaving the basis to be set later.
Futures Fixed Contract	
Futures Contract	

\*--**Note:** Positions taken on the Board of Trade (not selling an actual commodity) will not cause the commodity to be viewed as priced.--\*

**\*--141 Contracts to Purchase a Commodity (Continued)****C Pool-Marketed Cotton**

Upland cotton producers utilize a variety of marketing contracts and marketing channels designed to reduce price risk and improve their total return. A producer may choose to market upland cotton as an individual or in a marketing pool provided by a marketing cooperative or association or merchant. In each of these arrangements, the producer retains price risk in the market unless a fixed and final price has been established by the producer or their designated marketer.

Cooperatives and other pool marketers manage their upland cotton marketing pools on behalf of their grower members. Pool marketers may report to their members the percentage (pounds) of the total volume of cotton from the 2019 upland cotton crop that is unpriced as of January 15, 2020, in each pool, regardless of the bale has been shipped, in transit, in storage, etc.--\*

## \*--141 Contracts to Purchase a Commodity (Continued)

**D Examples of a Forward Contract**

Following are 4 examples.

Example	Type of Contract	Execution Date (Date Price or Basis is Locked In)	Risk of Price Change	Count as 2019 Production Not Sold (as of Jan 15, 2020)
1	Forward	March 3, 2020	Yes	Yes
2	Forward	March 24, 2020	Yes	Yes
3	Basis	October 4, 2019	Yes	Yes
4	Forward	December 20, 2019	No	No

**Example 1:**

Example 1 is a contract where the price is agreed upon at a future date. Under this contract the price was locked in on March 3, 2020, therefore the producer had not set a price and was subject to a price risk as of January 15, 2020.

Priced Purchase Contract AND CONFIRMATION			
Purchased From: [REDACTED]		Contract Date: 03/03/2020	
		Customer Number: [REDACTED]	
		Contract Number: [REDACTED]	
		Reference Number:	
Commodity:	Corn	Weights:	DESTINATION
Quantity/Units:	10,000.00 Bu.	Grades:	DESTINATION
Price:	\$ 4.6000	Grade:	2
Basis:	\$ 0.0000 00/00 CBOT		
Divd	Delivered - Truck		
Shipment Period: Mar 03, 2020 - Mar 31, 2020			
Premium/Discount:			
Special Instructions / Remarks:			
DELIVERED TO [REDACTED]			
<p align="center"><b>TERMS AND CONDITIONS</b></p> <p>1. If no objection is made to the contract immediately the same shall be considered final and will signify your acceptance of all conditions herein.</p> <p>2. You are to notify us on the last day of contract shipping time if unable to get grain shipped within contract time so that we may exercise our rights in cancelling the trade, discounting the contract, extending the time of shipment or buying the grain for your account.</p> <p>3. Seller guarantees that no car loads or other shipping units of the commodity covered by this contract shall be adulterated or misbranded within the meaning of the Federal Food, Drug and Cosmetic Act.</p> <p>4. Seller agrees that the commodity sold hereunder shall be delivered free and clear of all claims, liens, encumbrances and penalties. Seller represents that said commodity is now free and clear.</p> <p>5. Acceptance of any delivery by buyer after breach of this contract by seller shall not waive any rights or remedies accruing to buyer as a result of such breach.</p>			
Accepted _____ (Seller)		Signed: [REDACTED]	
By: _____		Date: [REDACTED]	
Date: _____		Date: [REDACTED]	
PLEASE SIGN DUPLICATE AND RETURN			

--\*

## \*--141 Contracts to Purchase a Commodity (Continued)

## D Examples of a Forward Contract (Continued)

## Example 2:

Example 2 is a contract where the price is agreed upon at a future date. Under this contract the price was locked in on March 24, 2020, therefore the producer had not set a price and was subject to a price risk as of January 15, 2020.

PURCHASE CONTRACT CONFIRMATION - FP			
Buyer		Contract No. : Contract Date : Reference : Buyer's Trader : Seller's Contact : Contact Phone No. : Contact FAX No. :	
Seller			
USA			
Commodity & Grade : S #1 Yellow Soybeans			
Net Quantity : 5.00 Truck (Approximately: 4,500.00 BU)			
Price/Pricing Method/BU	BU	Price	
	4,500.00	9.0000	
Shipment Period : Mar/Apr 20		START: 3/24/2020 END: 4/3/2020	
Delivery Mode	Weights To Apply	Grades To Apply	Delivery Location/Freight Basis Point
Truck	Destination	Destination	
Discount Schedule Notes:			
Quality discounts in effect at time of delivery to apply.			
Trade Rules To Govern: National Grain & Feed Association Trade and Arbitration Rules			
Payment Terms: Net 0 days			
<p>IMPORTANT: This Purchase Contract Confirmation confirms the terms and conditions of the purchase contract (the "Contract") between the Seller and Buyer made on the date set forth above. The Seller hereby sells and agrees to deliver, and the Buyer hereby purchases, in the amounts and on the terms and conditions set forth above and on page 2 (which may be the reverse side hereof). Buyer requests written acknowledgement of receipt of this Purchase Contract Confirmation (upon receipt, please immediately sign and return one copy by mail, facsimile, or other electronic means the parties have agreed to use for confirmation of contracts). It is the Seller's duty to immediately notify Buyer of any objections or disagreements with the stated terms or conditions. Otherwise, all of the terms and conditions are binding upon both parties. The undersigned represents and warrants that he/she has been duly authorized to execute this confirmation and bind the Seller to the terms stated in this Purchase Contract Confirmation. Seller acknowledges that contracting for the sale and delivery of an agricultural commodity involves risks and this transaction is an ordinary buyer-seller relationship. The contractual risks may include future payments by Seller to maintain the Contract, a lower sales price, and other risks not specified.</p>			
Buyer:		Seller's Representative:	
By Buyer's Representative:		Name:	

--\*



## \*--141 Contracts to Purchase a Commodity (Continued)

**D Examples of a Forward Contract (Continued)****Example 3:**

Example 3 is a basis contract. In a basis contract, the basis is the difference between the local cash price of a commodity and the price of a specific future contract of the same commodity at any given point in time. By establishing a basis contract, the producer has not set a price. Under this contract the basis was locked in on October 4, 2019 and was subject to a price risk as of January 15, 2020.

PURCHASE CONTRACT CONFIRMATION - HA					
<b>Buyer</b> [Redacted] USA Phone: [Redacted] FAX: [Redacted]		PRINTED Contract No. : [Redacted] Contract Date : 10/4/2019 Reference : Buyer's Trader : [Redacted] Seller's Contact : [Redacted] Contact Phone No. : Contact FAX No. :			
<b>Seller</b> [Redacted] USA					
Commodity & Grade : S #1 Yellow Soybeans Net Quantity : 10,000.00 BU					
Price/Pricing Method/BU 10,000.00		Futures Reference Price 9.6250	Basis Option Month -0.4400 Nov/20 CBOT	Price 9.1850	
Shipment Period : Oct/Nov 20		START: 10/1/2020      END: 11/30/2020			
Delivery Mode Truck	Weights To Apply Destination	Grades To Apply Destination	Delivery Location/Freight Basis Point [Redacted]		
<b>Discount Schedule Notes:</b> Quality discounts in effect at time of delivery to apply.					
<b>Trade Rules To Govern:</b> National Grain & Feed Association Trade and Arbitration Rules					
<b>Payment Terms:</b> Net 0 days					
IMPORTANT: This Purchase Contract Confirmation confirms the terms and conditions of the purchase contract (the "Contract") between the Seller and Buyer made on the date set forth above. The Seller hereby sells and agrees to deliver, and the Buyer hereby purchases, in the amounts and on the terms and conditions set forth above and on page 2 (which may be the reverse side hereof). Buyer requests written acknowledgement of receipt of this Purchase Contract Confirmation (upon receipt, please immediately sign and return one copy by mail, facsimile, or other electronic means the parties have agreed to use for confirmation of contracts). It is the Seller's duty to immediately notify Buyer of any objections or disagreements with the stated terms or conditions. Otherwise, all of the terms and conditions are binding upon both parties. The undersigned represents and warrants that he/she has been duly authorized to execute this confirmation and bind the Seller to the terms stated in this Purchase Contract Confirmation. Seller acknowledges that contracting for the sale and delivery of an agricultural commodity involves risks and this transaction is an ordinary buyer-seller relationship. The contractual risks may include future payments by Seller to maintain the Contract, a lower sales price, and other risks not specified.					
<b>Buyer:</b> [Redacted]		<b>Seller's Representative:</b> _____			
<b>By Buyer's Representative:</b> _____		<b>Name:</b> _____			

--\*

## \*--141 Contracts to Purchase a Commodity (Continued)

**D Examples of a Forward Contract (Continued)****Example 4:**

Example 4 is a contract where the price is agreed upon at a future date. Under this contract the price was locked in on December 20, 2019, therefore the producer had set a price and was not subject to a price risk as of January 15, 2020.

Priced Purchase Contract AND CONFIRMATION			
Purchased From: [REDACTED]		Contract Date: 12/20/2019	
		Customer Number: [REDACTED]	
		Contract Number: [REDACTED]	
		Reference Number: [REDACTED]	
Commodity:	Corn	Weights:	DESTINATION
Quantity/Units:	5,000.00 Bu.	Grades:	DESTINATION
Price:	\$ 4.8000	Grade:	2
Basis:	\$ 0.0000 00/00 CBOT		
Divd	Delivered - Truck		
Shipment Period: Jun 01, 2020 - Jul 31, 2020			
Premium/Discount:			
<b>Special Instructions / Remarks:</b>			
DELIVERED TO [REDACTED]			
<p align="center"><b>TERMS AND CONDITIONS</b></p> <p>1. If no objection is made to the contract immediately the same shall be considered final and will signify your acceptance of all conditions herein.</p> <p>2. You are to notify us on the last day of contract shipping time if unable to get grain shipped within contract time so that we may exercise our rights in cancelling the trade, discounting the contract, extending the time of shipment or buying the grain for your account.</p> <p>3. Seller guarantees that no car loads or other shipping units of the commodity covered by this contract shall be adulterated or misbranded within the meaning of the Federal Food, Drug and Cosmetic Act.</p> <p>4. Seller agrees that the commodity sold hereunder shall be delivered free and clear of all claims, liens, encumbrances and penalties. Seller represents that said commodity is now free and clear.</p> <p>5. Acceptance of any delivery by buyer after breach of this contract by seller shall not waive any rights or remedies accruing to buyer as a result of such breach.</p>			
Accepted	[REDACTED]	(Seller)	[REDACTED]
By:	[REDACTED]	Signed:	[REDACTED]
Date:	12-24-19	Date:	Monday, December 23, 2019
PLEASE SIGN DUPLICATE AND RETURN			

**Reminder:** There is no requirement for a producer to furnish a contract prior to approving an application. These examples are provided for reference only.--\*

142-150 (Reserved)

### Section 3 Payments

## 151 Non-Specialty Crops and Wool CFAP Payment Components

### A Payment Rates

CFAP payment rates are determined by the Secretary. There is 1 payment rate nationwide per commodity and it applies to both CARES Act and CCC funding. CFAP payments are paid from 2 separate funds (CARES Act and CCC); however, the payment will be issued as 1 amount.

Payment rates for non-specialty crops and wool are listed in this table.

Commodity	Unit of Measure	CARES Act Payment Rate	CCC Payment Rate
Barley * * *	bushel	\$0.34	\$0.37
Canola	pound	\$0.01	\$0.01
Corn	bushel	\$0.32	\$0.35
Millet	bushel	\$0.31	\$0.34
Oats	bushel	\$0.15	\$0.17
Sorghum	bushel	\$0.30	\$0.32
Soybeans	bushel	\$0.45	\$0.50
Sunflowers	pound	\$0.02	\$0.02
Upland Cotton	pound	\$0.09	\$0.10
Wheat, Durum	bushel	\$0.19	\$0.20
Wheat, Hard Red Spring	bushel	\$0.18	\$0.20
Wool (graded, clean basis)	pound	\$0.71	\$0.78
Wool (non-graded, greasy basis)	pound	\$0.36	\$0.39

### B Production Certification Requirement

Subparagraph 138 A informed County Offices that the following 2 production values are required to be provided to compute a CFAP payment:

- 2019 Total Production
- 2019 Production Not Sold (as of January 15, 2020).

**Note:** The “2019 Production Not Sold (as of January 15, 2020)” only includes production that is subject to price risk. See subparagraph 138 C to clarify “subject to price risk”.

## 152 Non-Specialty Crops and Wool CFAP Payment Calculations

### A Computation

Payments for non-specialty crops and wool are computed by using the “2019 Production Not Sold (as of January 15, 2020)” (AD-3114, item 16) not to exceed 50 percent of the “2019 Total Production” (AD-3114, item 15).

Once the “2019 Production Not Sold (as of January 15, 2019)” not to exceed 50 percent of the “2019 Total Production” is determined, then 50 percent of that amount will be paid with CARES Act funds. The remaining 50 percent will be paid using CCC funds.

**Notes:** If COC adjusts the “2019 Total Production” or “2019 Production Not Sold (as of January 15, 2020)”, then the adjusted amounts will be used in the payment computation.

This computation results in the net payment for a producer and does not account for any reductions for eligibility or payment limitation.

### B Example

Joe Farmer has 2 farms, 1 farm located in Kosciusko County, Iowa, and 1 farm located in Grenada County, Mississippi. Mr. Farmer has 100 percent ownership interest in 4,000 bushels of soybeans grown in Iowa and 50 percent ownership interest in 5,000 bushels of soybeans grown in Mississippi. Mr. Farmer will report 6,500 bushels (100 percent of 4,000 + 50 percent of 5,000) as the “2019 Total Production” on AD-3114.

Joe Farmer has 6,500 bushels in his bins on January 15, 2020. Mr. Farmer executed a forward price contract on 5,000 bushels on January 10, 2020, which locked in a specific price for the delivered quantity. Mr. Farmer will report 1,500 bushels of “2019 Production Not Sold (as of January 15, 2020)”.

AD-3114 would be completed by Joe Farmer as follows.

13. Commodity	14. Unit of Measure	15. 2019 Total Production	16. 2019 Production Not Sold (as of Jan 15, 2020)
Soybeans	Bushel	6500.00	1500.00

**Note:** COC approves AD-3114 and does not make any adjustments.

**152 Non-Specialty Crops and Wool CFAP Payment Calculations (Continued)****B Example (Continued)**

The payment computation is as follows.

<b>Information</b>		<b>Instruction</b>	<b>Calculation</b>	<b>Result</b>
2019 Production Not Sold (as of Jan 15, 2020)		Production subject to price risk (AD-3114, item 16)		1,500 bushels
	Not to exceed	50% of the 2019 Total Production (AD-3114, item 15) multiplied by 50%	6,500 bushels multiplied by 50%	3,250 bushels
Eligible production				1,500 bushels
Eligible production for each fund			1,500 bushels multiplied by 50%	750 bushels <u>1/</u>
Eligible production for each fund multiplied by the applicable fund's payment rate		CARES Act funds	750 bushels multiplied by \$0.45 (soybean CARES Act rate)	\$337.50
		CCC funds	750 bushels multiplied by \$0.50 (soybean CCC rate)	\$375
Gross Payment				\$712.50

1/ 750 bushels of the 1,500 bushels will be paid using CARES Act funds. The remaining 750 bushels of the 1,500 bushels will be paid using CCC funds.

**153-164 (Reserved)**



**Part 6 Livestock****Section 1 Basic Information****165 Overview****A Purpose**

CFAP provides eligible livestock producers financial assistance intended to help offset market price declines and increased marketing costs resulting from the COVID-19 pandemic. Producers of eligible livestock commodities must have suffered a 5 percent-or-greater price loss due to COVID-19 and face additional significant marketing costs for current inventories that are eligible for compensation

\*--Price declines, specifically in cattle, hogs and pigs, and sheep that occurred between--\* mid-January 2020, and mid-April 2020.

**B General Information**

Livestock that realized a 5-percent-or-greater market price decline between the average for the week of January 13-17, 2020 relative to the average for the week of April 6-10, 2020, have been determined eligible for CFAP. National payment rates have been determined based on those price declines. For eligible livestock, Part 1 payments using CARES Act funds are based on actual sales of owned inventory as of January 15, 2020, between January 15, 2020, and April 15, 2020, multiplied by a national payment rate. Part 2, payments using CCC funds are based on the highest inventory between April 16, 2020, and May 14, 2020, multiplied by a national payment rate per head reflective of that same price decline.

**C Definitions [7 CFR 9.2]**

All other cattle mean commercially raised or maintained bovine animals not meeting the definition of another category of cattle in this rule excluding beefalo, bison, and animals used for dairy production or intended for dairy production.

\*--All other sheep mean sheep 2 years of age or older.--\*

Cattle means commercially raised or maintained bovine animals, excluding beefalo, bison, and animals used for dairy production or intended for dairy production.

## 165 Overview (Continued)

**C Definitions [7 CFR 9.2] (Continued)**

Cattle raised or maintained for breeding purposes means animals commercially raised or maintained for use as either a sire or dam for the production of livestock offspring or lactation.

Commodity means an agricultural commodity produced in the United States and intended to be marketed for commercial production that has been designated as eligible for payments under CFAP.

Feeder cattle 600 pounds or more means cattle weighing more than 600 pounds but less than slaughter cattle-fed cattle as defined.

Feeder cattle less than 600 pounds means cattle weighing less than 600 pounds.

Hogs means any swine 120 pounds or more.

Lambs and yearlings mean all sheep less than 2 years old.

Pigs means any swine weighing less than 120 pounds.

Producer means a person or legal entity who shares in the risk of producing a crop or livestock and who is entitled to a share in the crop or livestock available for marketing or would have shared had the crop or livestock been produced and marketed. A contract grower who does not own the livestock, will be considered a producer if the contract allows the grower to have risk in the livestock.

\*-Slaughter cattle-fed cattle means cattle with a weight of 1,200 pounds or more that are intended for slaughter.--\*

Slaughter cattle-mature cattle means culled cattle raised or maintained for breeding purposes, but which were removed from inventory and are intended for slaughter.

Unpriced \* \* \* means **not** subject to an agreed-upon price in the future through a forward contract, agreement, or similar binding document as of January 15, 2020.

**166-175 (Reserved)**



**Section 2 General Program Policies and Provisions****176 Producer Eligibility****A Eligible Livestock Producers**

An eligible producer is a person or legal entity who shares in the risk of producing a crop or livestock and who is entitled to a share in the crop or livestock available for marketing or would have shared had the crop or livestock been produced and marketed. A contract grower who does not own the livestock, will be considered a producer if the contract allows the grower to have risk in the livestock.

Livestock owners and contract growers who are at risk **and** have a share of the livestock available for marketing or would have a share had the livestock been marketed are eligible livestock producers.

**B Livestock Producers and Insurance Coverage**

An eligible livestock producer who purchased livestock insurance coverage that offers protection against market price declines as a risk management option for their operation, is eligible for CFAP, considering all other eligibility requirements have been met.

## 177 Livestock Eligibility

**A General Livestock Eligibility**

Eligible livestock, as listed in subparagraph B, are:

- livestock owned and unpriced on January 15, 2020, and sold between January 15, 2020, and April 15, 2020
- offspring born from the January 15, 2020 owned inventory **and** sold between January 15, 2020, and April 15, 2020
- owned livestock in inventory between April 16, 2020, and May 14, 2020
- livestock that are no longer used for dairy production and entered the beef cattle market, if all other eligibility requirements are met.

**All** livestock sold between January 15, 2020, and April 15, 2020, **must be unpriced** as of January 15, 2020. Unpriced means **not** subject to an agreed-upon price in the future through a forward contract, agreement, or similar binding document as of January 15, 2020. Livestock is considered unpriced until livestock is priced in the cash market. Positions that producers take on the futures market for risk protection on their livestock will not cause a producer to be determined ineligible for CFAP.

\*--CFAP payments will be made with respect to only commodities produced in the United States; commodities other than livestock that are imported into the United States may not be used to determine any payment. For livestock, “produced in the United States” means physically located in the United States:

- on January 15, 2020, and remaining in the United States until sold between January 15, 2020, and April 15, 2020; or
- on the applicable date selected for livestock in inventory between April 16, 2020, and May 14, 2020.--\*

Ineligible livestock are:

- livestock used for dairy production or intended for dairy production
- \*--livestock purchased after January 15, 2020, and sold by April 15, 2020--\*
- livestock subject to an agreed-upon price in the future through a forward contract, agreement, or similar binding document as of January 15, 2020
- all other livestock not listed in subparagraph B.

**177 Livestock Eligibility (Continued)****B Eligible Livestock**

The following livestock are eligible for CFAP.

<b>Livestock Category</b>	<b>Eligible Livestock</b>
Cattle	Feeder Cattle: Less Than 600 Pounds
	Feeder Cattle: 600 Pounds or More
	Slaughter Cattle: Fed Cattle
	Slaughter Cattle: Mature Cattle
	All Other Cattle
Hogs & Pigs	Pigs: Less Than 120 Pounds
	Hogs: 120 Pounds or More
Lambs & Yearlings	Lambs and Yearlings (All Sheep Less Than 2 Years Old)
Sheep	All Other Sheep (All Sheep Greater Than 2 Years Old)

**178 Sales and Inventory Reporting Requirements for Livestock****A Producer Reporting Requirements**

The information required from producers to apply for CFAP will be a **self-certification** by the producer or authorized representative. Livestock producers must self-certify the following sales and inventory information, as applicable, for the CFAP application:

- owned unpriced inventory as of January 15, 2020, and any offspring from that inventory, that were sold between January 15, 2020 and April 15, 2020, and/or
- highest owned inventory on a date selected by the eligible producer between April 16, 2020, and May 14, 2020.

**Note:** For livestock operations that have multiple owners, each individual producer or entity must ensure that the self-certification only represents their individual share of eligible livestock. The AD-3114 does not include a data entry for a share percentage.

**Example:** DJB Cattle Co. (DJB) and River Cattle Co. (River) own livestock together. DJB has 50 percent ownership and River has 50 percent ownership of 75 cows and 6 bulls. DJB and River will each have a separate CFAP application. DJB and River agree how the number of animals will be reported to represent each of their livestock interest on each CFAP application, since 75 cows and 6 bulls equal 81 animals for “All Other Cattle” for Part 2 CCC payment calculation. DJB agrees to certify their highest owned inventory for CCC Part 2 of “All Other Cattle” is 40 head and River agrees to certify their highest owned inventory for CCC Part 2 of “All Other Cattle” is 41 head.

**178 Sales and Inventory Reporting Requirements for Livestock (Continued)****A Producer Reporting Requirements (Continued)**

If a producer has a forward contract, agreement, or similar binding document that secures a price for the eligible livestock as of January 15, 2020, the livestock sales between January 15, 2020, and April 15, 2020, are ineligible for CFAP.

**Note:** It is the producer's responsibility to self-certify **only** the livestock sold between January 15, 2020, and April 15, 2020, that are owned and **unpriced as of January 15, 2020**, and the highest **owned** inventory on a date between April 16, 2020, and May 14, 2020. County Offices are not required to review forward contracts, agreements, or other similar binding documents during the application process. COC's have the authority to request copies of these agreements for verification and any other documentation to verify reasonableness. See subparagraph 51 B.

**\*--Exception:** COVID-19 caused processing plant closures and other disruptions to shipping patterns and the orderly marketing of commodities. Eligible owned livestock on January 15, 2020, that were slaughtered from January 15, 2020, through April 15, 2020, **and** were priced and/or intended to be priced and sold between the respective dates but because of COVID-19 conditions out of the producer's control prevented the actual pricing or sales transaction, these livestock sent to slaughter during that timeframe would be considered sales for CFAP and are eligible to be included in AD-3114, item 21. This provision should only apply to very specific and special circumstances and should be documented and reviewed by COC. The producer must ensure that they certify to the correct livestock category, the number of head that were slaughtered meeting these special provisions of slaughtered and intended to be sold under normal market conditions, and if requested by COC, provide documentation to support the exception. This provision is for commercially produced and marketed livestock and not for livestock slaughtered for personal use and consumption.--\*

**178 Sales and Inventory Reporting Requirements for Livestock (Continued)****B AD-3114, Part E**

AD-3114, Part E, is the designated section for data entry for livestock information. The following is an example of AD-3114, Part E.

<b>PART E – LIVESTOCK INFORMATION</b>				<b>COC USE ONLY</b>	
19. Livestock	20. Unit of Measure	21. Jan 15, 2020 - April 15, 2020 Sales of Owned Inventory as of Jan 15, 2020 & Any Offspring From Owned Inventory	22. Inventory (Highest Between April 16, 2020 - May 14, 2020)	23. COC Adjusted Jan 15, 2020 - April 15, 2020 Sales of Owned Inventory as of Jan 15, 2020 & Any Offspring From Owned Inventory	24. COC Adjusted Inventory

**C COC Adjustments on AD-3114**

COC's have the authority to adjust the "Jan. 15, 2020 – April 15, 2020 Sales of Owned Inventory as of Jan. 15, 2020 & Any Offspring From Owned Inventory" in item 23 and/or "Adjusted Inventory" in item 14 on AD-3114:

- if the quantity is determined to be unreasonable or inaccurate
- to reflect the actual sales and/or inventory based upon submitted documentation.

**Note:** See subparagraph 51 E on COC adjustments.

**179-187 (Reserved)**



## Section 3 Payments

## 188 Livestock CFAP Payment Computations

## A Payment Rates

CFAP payment rates are determined by the Secretary and paid using two separate funds (CARES Act and CCC); however, the payment will be paid in one amount.

Payment rates for eligible livestock are listed in the following table.

Livestock	Eligible Livestock	Unit of Measure	CARES Act Part 1 Payment Rate	CCC Part 2 Payment Rate
Cattle	Feeder Cattle: Less Than 600 Pounds	Head	\$102.00	\$33.00
	Feeder Cattle: 600 Pounds or More	Head	\$139.00	\$33.00
	Slaughter Cattle: Fed Cattle	Head	\$214.00	\$33.00
	Slaughter Cattle: Mature Cattle	Head	\$92.00	\$33.00
	All Other Cattle	Head	\$102.00	\$33.00
Hogs & Pigs	Pigs: Less Than 120 Pounds	Head	\$28.00	\$17.00
	Hogs: 120 Pounds or More	Head	\$18.00	\$17.00
Lambs & Yearlings	*--Lambs and Yearlings (All Sheep--* Less Than 2 Years Old)	Head	\$33.00	\$7.00
*--Sheep	All Other Sheep (All Sheep Greater Than 2 Years Old)	Head	\$24.00	\$7.00--*

## B Livestock Payment Calculation

CFAP payment for eligible livestock will be the sum of the results of the following two calculations:

Part 1 (CARES Act Funds) Payment	Part 2 (CCC Funds) Payment
For each eligible producer, payment is calculated by multiplying the number of owned and unpriced livestock sold between January 15, 2020, and April 15, 2020, by the payment rate per head.  <b>Note:</b> Livestock must have been owned by the producer and unpriced as of January 15, 2020. Any offspring born and sold by April 15, 2020, from that same inventory are eligible.	For each eligible producer, payment is calculated by multiplying the highest owned livestock inventory on a date selected by the producer between April 16, 2020, and May 4, 2020, by the payment rate per head.

## 188 Livestock CFAP Payment Computations (Continued)

**C CFAP Livestock Application and Payment Examples****Example 1 – Cow Calf Operation**

\*--Producer DJB Cattle Co had the following owned and unpriced livestock in inventory on--\*  
January 15, 2020:

- 500 bred cows
- 15 herd bulls
- 50 replacement heifers.

Between January 15, 2020, and April 15, 2020, DJB certified that he sold the following livestock:

- 10 cull cows
- 7 baby calves born after January 15, 2020.

\*--DJB certified that the highest owned inventory on a day between April 16, 2020, and--\*  
May 14, 2020, was the following:

- 480 cow/calf pairs
- 18 herd bulls
- 75 replacement heifers.

The AD-3114, Part E, would be completed as follows.

PART E – LIVESTOCK INFORMATION				COC USE ONLY	
19. Livestock	20. Unit of Measure	21. Jan 15, 2020 - April 15, 2020 Sales of Owned Inventory as of Jan 15, 2020 & Any Offspring From Owned Inventory	22. Inventory (Highest Between April 16, 2020 - May 14, 2020)	23. COC Adjusted Jan 15, 2020 - April 15, 2020 Sales of Owned Inventory as of Jan 15, 2020 & Any Offspring From Owned Inventory	24. COC Adjusted Inventory
Feeder Cattle: Less than 600 Pounds	Head	7	480	480 calves	
Slaughter Cattle: Mature Cattle	Head	10			
All Other Cattle	Head		573	480 cows + 18 bulls + 75 heifers = 573	



## 188 Livestock CFAP Payment Computations (Continued)

## C CFAP Livestock Application and Payment Examples (Continued)

## Example 1 – Cow Calf Operation (Continued)

If all eligibility requirements are met, the estimated gross CFAP payment calculation, before reductions, if applicable, would be the following.

		Part 1 (CARES Act) Payment			Part 2 (CCC) Payment		
		Sales Jan 15 - April 15	Payment Rate	Calculated Pmt	Highest Inventory April 16 - May 14	Payment Rate	Calculated Pmt
Livestock	Unit of Measure						
Feeder Cattle: Less Than 600 Pounds	Head	7	\$102.00	\$ 714	480	\$ 33.00	\$ 15,840
Slaughter Cattle: Mature Cattle	Head	10	\$ 92.00	\$ 920		\$ 33.00	\$ -
All Other Cattle	Head		\$102.00	\$ -	573	\$ 33.00	\$ 18,909
		Total CARES Act Part 1 Payment		\$ 1,634	Total CCC Part 2 Payment		\$ 34,749
Total Estimated Gross CFAP Payment Before Any Reductions (PL, etc.)							\$ 36,383

## 188 Livestock CFAP Payment Computations (Continued)

## C CFAP Livestock Application and Payment Examples (Continued)

## Example 2 – Cattle Feeder Operation

\*--Producer 5R Feeders had 7500 feeder calves over 600 pounds owned and unpriced--\* in inventory on January 15, 2020.

Between January 15 and April 15, 2020, 5R certified that they sold 3500 fat steers at slaughter weight (over 1400 pounds).

\*--5R certified that their highest owned inventory on a date between April 16, 2020, and May 14, 2020, was the following:

- 150 fat steers at slaughter weight (over 1400 pounds)
- 5000 feeder calves over 600 pounds.

The AD-3114, Part E, would be completed as follows.

PART E – LIVESTOCK INFORMATION				COC USE ONLY	
19. Livestock	20. Unit of Measure	21. Jan 15, 2020 - April 15, 2020 Sales of Owned Inventory as of Jan 15, 2020 & Any Offspring From Owned Inventory	22. Inventory (Highest Between April 16, 2020 - May 14, 2020)	23. COC Adjusted Jan 15, 2020 - April 15, 2020 Sales of Owned Inventory as of Jan 15, 2020 & Any Offspring From Owned Inventory	24. COC Adjusted Inventory
Slaughter Cattle: Fed Cattle	Head	3500	150		
Feeder Cattle: 600 Lbs or More	Head		5000		

If all eligibility requirements are met, the estimated gross CFAP payment calculation, before reductions, if applicable, would be the following.

		Part 1 (CARES Act) Payment			Part 2 (CCC) Payment		
		Sales Jan 15 - April 15	Payment Rate	Calculated Pmt	Highest Inventory April 16 - May 14	Payment Rate	Calculated Pmt
Livestock	Unit of Measure						
Feeder Cattle: 600 Pounds or More	Head		\$139.00	\$ -	5000	\$ 33.00	\$ 165,000
Slaughter Cattle: Fed Cattle	Head	3500	\$214.00	\$ 749,000	150	\$ 33.00	\$ 4,950
		Total CARES Act Part 1 Payment		\$ 749,000	Total CCC Part 2 Payment		\$ 169,950
Total Estimated <b>Gross</b> CFAP Payment Before Any Reductions (PL, etc.)							<b>\$ 918,950</b>

**Note:** If 5R Feeders was owned by one individual, the CFAP payment would be reduced to \$250,000. See paragraph 16.

**188 Livestock CFAP Payment Computations (Continued)**

**C CFAP Livestock Application and Payment Examples (Continued)**

**Example 3 – Short Term Cattle Grazing Operation**

Producer Farr Cattle (Farr) purchased 750 lightweight feeder calves (less than 600 pounds) on February 1, 2020 to graze on wheat pasture. Farr sold the feeder calves (more than 600 pounds) on April 1, 2020. Farr's AD-3114 would be disapproved by the COC for the following reasons:

- Farr had livestock sales on April 1, 2020 but did not own the livestock on January 15, 2020; therefore, Farr did not have livestock eligible for the Part 1 payment
- Farr did not have any livestock in inventory from April 16, 2020 and May 14, 2020 therefore Farr did not have livestock that are eligible for Part 2 payment.

## 188 Livestock CFAP Payment Computations (Continued)

**C CFAP Livestock Application and Payment Examples (Continued)****Example 4 – Farrow to Wean Hog Operation**

\*--Producer Cooper Floyd had the following owned and unpriced livestock in inventory on--\*  
January 15, 2020:

- 75 bred sows
- 5 boars.

Between January 15, 2020, and April 15, 2020, Floyd sold 500 weaned pigs.

\*--Floyd certified that his highest owned inventory on a date between April 16, 2020, and--\*  
May 14, 2020, was the following:

- 100 sows
- 5 boars
- 25 gilts (less than 120 lbs.).

The AD-3114, Part E, would be completed as follows.

PART E – LIVESTOCK INFORMATION				COC USE ONLY	
19. Livestock	20. Unit of Measure	21. Jan 15, 2020 - April 15, 2020 Sales of Owned Inventory as of Jan 15, 2020 & Any Offspring From Owned Inventory	22. Inventory (Highest Between April 16, 2020 - May 14, 2020)	23. COC Adjusted Jan 15, 2020 - April 15, 2020 Sales of Owned Inventory as of Jan 15, 2020 & Any Offspring From Owned Inventory	24. COC Adjusted Inventory
Pigs: Less Than 120 lbs	Head	500	25		
Hogs: 120 lbs or More	Head		105		

**Note:** Floyd's 500 weaned pigs that he sold between January 15, 2020, and April 15, 2020,  
\*--are eligible for Part 1 because they are offspring from the sows in owned inventory--\*  
on January 15, 2020.

**188 Livestock CFAP Payment Computations (Continued)**

**C CFAP Livestock Application and Payment Examples (Continued)**

**Example 4 – Farrow to Wean Hog Operation (Continued)**

If all eligibility requirements are met, the estimated gross CFAP payment calculation, before reductions, if applicable, would be the following:

		Part 1 (CARES Act) Payment			Part 2 (CCC) Payment		
		Sales Jan 15 - April 15	Payment Rate	Calculated Pmt	Highest Inventory April 16 - May 14	Payment Rate	Calculated Pmt
Livestock	Unit of Measure	500	\$ 28.00	\$ 14,000	25	\$ 17.00	\$ 425
Hogs & Pigs: Pigs Less than 120 lbs	Head		\$ 18.00	\$ -	105	\$ 17.00	\$ 1,785
		Total CARES Act		\$ 14,000	Total CCC Part 2		\$ 2,210
Total Estimated Gross CFAP Payment Before Any Reductions (PL, etc.)							\$ 16,210

**189-199 (Reserved)**



**Part 7 (Withdrawn--Amend. 6)**

**Section 1 (Withdrawn--Amend. 6)**

**200, 201 (Withdrawn--Amend. 6)**

**202-204 (Reserved)**





**\*--Part 7.5 Aquaculture and Nursery/Floriculture****Section 1 Basic Information****205 Overview****A Background**

Eligible aquaculture and nursery/floriculture commodities are identified in NOFA; CFAP. CFAP provides eligible aquaculture and nursery/floriculture producers financial assistance intended to help offset market price declines and increased marketing costs resulting from the COVID-19 pandemic.

For eligible aquaculture species (excluding crayfish), they must have suffered a 5 percent-or-greater price loss due to COVID-19 between January 15, 2020, and April 15, 2020, or inventory of the aquaculture species (excluding crawfish) that was not sold but was market size and available to be marketed between January 15, 2020, and April 15, 2020.

For eligible crayfish producers, they must have suffered a 5 percent-or-greater price loss due to COVID-19 between January 15, 2020, and April 15, 2020, or inventory that was not sold as of April 15, 2020, due to lack of market and will not be sold in calendar year 2020.

For eligible nursery/floriculture commodities inventory that was shipped but subsequently spoiled or is unpaid due to loss of marketing channels between January 15, 2020, and April 15, 2020 or inventory that did not leave the farm between January 15, 2020, and April 15, 2020, due to a complete loss of marketing channel.

**B General Information**

Aquaculture commodities are unique because they require continued feeding and care, and they continue to grow and may ultimately exceed the size range that is preferred by buyers. In addition, many aquaculture producers cannot begin raising new commodities while still maintaining the commodities intended to be sold prior to April 15, 2020. For eligible aquaculture species (including crayfish) that realized a 5 percent-or-greater market price decline between January 15, 2020, and April 15, 2020, the payment will be calculated using CARES Act funding. Additionally, for eligible aquaculture species (excluding crayfish) the inventory that was market ready between January 15, 2020, and April 15, 2020, but was not sold, payments calculated will use CCC funding. Crayfish inventory that was not sold as of April 15, 2020, will use CCC funding.--\*

\*--205 Overview

**B General Information (Continued)**

For nursery/floriculture commodities, there is no traditional market mechanism able to capture the price of thousands of different varieties of commodities of nursery crops and cut flowers; therefore, payments will be based on a percentage of the producer's wholesale value of inventory. For those commodities that were delivered but were unpaid, the portion of the payment calculated will be paid with CARES Act funding. Additionally, for the inventory that will never be sold, payments calculated will be paid with CCC funding.

**C AD-3114, Part F**

Following is an example of AD-3114, Part F, Aquaculture & Nursery/Floriculture Information.

PART F – AQUACULTURE & NURSERY/FLORICULTURE INFORMATION					COC USE ONLY			
25 Commodity	26A Volume of Inventory Sold (Jan 15, 2020 – April 15, 2020)	26B Value of Inventory Shipped that Spoiled or Went Unpaid (as of April 15, 2020)	27A Volume of Available Inventory (see instructions)	27B Value of Inventory Not Sold (as of April, 15, 2020)	28A COC Adjusted Volume of Inventory Sold (Jan 15, 2020 – April 15, 2020)	28B COC Adjusted Value of Inventory Shipped that Spoiled or Went Unpaid (as of April 15, 2020)	29A COC Adjusted Volume of Available Inventory (See Instructions)	29B COC Adjusted Value of Inventory Not Sold (as of April 15, 2020)

--\*

206 (Reserved)

**Section 2 General Program Policies and Provisions****207 Aquaculture****A Eligible Species**

\*--Eligible aquaculture must be grown and harvested in controlled environments, including raceways, ponds, tanks, and recirculating systems. Wild caught aquaculture commodities are not eligible for CFAP. The eligible aquaculture species are:

- Crayfish
- Catfish sold for food fish
- Largemouth Bass, sold live as food fish
- Carp, sold live as food fish
- Hybrid Striped Bass sold for food fish
- Red Drum sold for food fish
- Salmon sold for food fish
- Sturgeon sold for food fish
- Tilapia sold for food fish
- Trout sold for food fish
- Ornamentals/Tropicals, which are propagated expressly for the pet trade
- Recreational Sportfish, which are propagated expressly for recreational purposes in a controlled environment.--\*

## 207 Aquaculture (Continued)

**B Eligible Categories**

Payments will be the sum of:

- 5 percent national price decline: species that suffered a 5 percent-or-greater price loss between January 15, 2020, and April 15, 2020, due to loss of marketing channel due to COVID-19 (using CARES Act funds) for all aquaculture commodities (including crayfish)
- inventory of the aquaculture species (excluding crawfish) that was not sold but was market size and available to be marketed between January 15, 2020, and April 15, 2020, (using CCC funds) for all aquaculture commodities (excluding crayfish)
- inventory that was not sold as of April 15, 2020, due to lack of market and will not be sold in calendar year 2020 (using CCC funds) for crayfish only.

**C Sold Inventory that Suffered Price Decline**

Producers must certify their ownership interest in the inventory sold between January 15, 2020, and April 15, 2020. Payment rates were determined based on the price decline of the specified time period. Eligible species and payment rates (CARES Act) are in the following table.

Commodity	Payment Rate/lb
Crayfish	\$0.65
Largemouth Bass	\$0.51
Carp	\$0.51
Salmon	\$1.14

**Example:** Squidward Starfish is a salmon producer who was able to sell much of their inventory but at a reduced price to The Crab Shack LLC March 3, 2020, to April 10, 2020. The total sales for the time period was 42,490 pounds of fresh salmon. Mr. Starfish will certify to 42,490 on AD-3114, item 26A, Volume of Inventory Sold.

Ineligible inventory includes:

- inventory that is normally culled in advance of shipping or upon delivery
- inventory that was under an agreed upon set price before January 15, 2020, and were or will be paid at that price or higher, do not qualify for assistance, even if the crop was sold between January 15, 2020, and April 15, 2020
- all other species not listed.

## 207 Aquaculture (Continued)

**D Market Size Inventory That Was Not Sold**

Producers must certify their ownership interest in the highest inventory of market ready fish on a date selected by the producer between January 15, 2020, and April 15, 2020. Eligible species and payment rates (CCC Funds) are in the following table.

Commodity	Payment Rate/lb.
*--Catfish for food fish	\$0.07
Largemouth Bass for food fish	\$0.39
Carp for food fish	\$0.39
Hybrid Striped Bass for food fish	\$0.25
Red Drum for food fish	\$0.24
Salmon for food fish	\$0.31
Sturgeon for food fish	\$0.29
Tilapia for food fish--*	\$0.16
Trout for food fish	\$0.11
Ornamentals/Tropicals	\$0.03 per piece
Sportfish/gamefish	\$0.27

**Example:** Up Creek LLC has 100 percent ownership interest of 6 tilapia production ponds, two of the ponds were full of market ready inventory totaling 8,000 pounds. They also have 50 percent ownership with Down Creek Farm of 8 more production ponds, of which 4 contain market ready tilapia inventory totaling 13,000 pounds. Each entity will have a separate application. Up Creek LLC will certify to 14,500 pounds of market ready inventory on AD-3114 item 27A, "Volume of Available Inventory."

Step	Calculation
Determine inventory owned	$8,000 + (13,000 / 2) = 14,500$

Ineligible inventory includes:

- inventory that was not market ready \* \* \*
- inventory that is normally culled in advance of shipping or upon delivery \* \* \*
- \*--fingerling catfish.--\*

## 207 Aquaculture (Continued)

**E Inventory That Was Not Shipped (Delivered) or Remained Unharvested**

\*--For propagated crayfish in a controlled environment that was not sold as of April 15, 2020, due to lack of market and will not be sold in calendar year 2020, the payment rate is \$0.05 per pound.--\*

**Example:** Fresh Pond Farm LLC had 100 percent interest in 3,500 CWT of crayfish that were ready for harvest February 28, 2020. All inventory was ready to be shipped and sold to the contracted buyer. The buyer was unwilling to accept delivery of the product; therefore, they remained on the farm and will be harvested next year. Fresh Pond Farm LLC will certify to 350,000 pounds of “Volume of Inventory Not Sold” on AD-3114, item 28A.

Step	Calculation
Convert inventory from pounds to CWT	$3,500 \times 100 = 350,000$

\*--**Note:** Crayfish that are harvested from the wild and not maintained in a controlled environment are not eligible for CFAP.--\*

**F COC Adjustments**

COC may adjust the “Volume of Inventory Sold” or “Volume Available Inventory”:

- if the quantity is determined to be unreasonable or inaccurate
- to reflect the actual inventory based upon submitted evidence.

**G Payment Calculation**

Payments for eligible aquaculture commodities will be computed as follows:

- Sales: volume (pounds) sold (AD-3114, item 26A) multiplied by the payment rate in subparagraph C
- Unsold: volume of inventory available (pounds or pieces) (AD-3114, item 27A) multiplied by the payment rate in subparagraph D
- Unharvested: volume of crayfish inventory (pounds) (AD-3114, item 27A) multiplied by a payment rate in subparagraph E.

## \*--207 Aquaculture (Continued)

**H Application Examples**

**Example 1, price decline:** Squidward Starfish is a salmon producer who was able to sell much of their inventory but at a reduced price to The Crab Shack LLC March 3, 2020, to April 10, 2020. The total sales for the time period was 42,490 pounds of fresh salmon. Mr. Starfish will certify to 42,490 on AD-3114, item 26A, "Volume of Inventory Sold."

PART F – AQUACULTURE & NURSERY/FLORICULTURE INFORMATION					COC USE ONLY			
25 Commodity	26A Volume of Inventory Sold (Jan 15, 2020 – April 15, 2020)	26B Value of Inventory Shipped that Spoiled or Went Unpaid (as of April 15, 2020)	27A Volume of Available Inventory (see instructions)	27B Value of Inventory Not Sold (as of April, 15, 2020)	28A COC Adjusted Volume of Inventory Sold (Jan 15, 2020 – April 15, 2020)	28B COC Adjusted Value of Inventory Shipped that Spoiled or Went Unpaid (as of April 15, 2020)	29A COC Adjusted Volume of Available Inventory (See Instructions)	29B COC Adjusted Value of Inventory Not Sold (as of April 15, 2020)
	42,490							

**Example 2: market ready:** Up Creek LLC has 100 percent ownership interest of 6 tilapia production ponds, two of the ponds were full of market ready inventory totaling 8,000 pounds. They also have 50 percent ownership with Down Creek Farm of 8 more production ponds, of which 4 contain market ready tilapia inventory totaling 13,000 pounds. Each entity will have a separate application. Up Creek LLC will certify to 14,500 pounds of market ready inventory on AD-3114, item 27A, "Volume of Available Inventory."

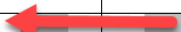
PART F – AQUACULTURE & NURSERY/FLORICULTURE INFORMATION					COC USE ONLY			
25 Commodity	26A Volume of Inventory Sold (Jan 15, 2020 – April 15, 2020)	26B Value of Inventory Shipped that Spoiled or Went Unpaid (as of April 15, 2020)	27A Volume of Available Inventory (see instructions)	27B Value of Inventory Not Sold (as of April, 15, 2020)	28A COC Adjusted Volume of Inventory Sold (Jan 15, 2020 – April 15, 2020)	28B COC Adjusted Value of Inventory Shipped that Spoiled or Went Unpaid (as of April 15, 2020)	29A COC Adjusted Volume of Available Inventory (See Instructions)	29B COC Adjusted Value of Inventory Not Sold (as of April 15, 2020)
			14,500					

--\*

## 207 Aquaculture (Continued)

**H Application Examples (Continued)**

**Example 3, Crayfish not sold as of April 15:** Fresh Pond Farm LLC had 100 percent interest in 3,500 CWT of crayfish that were ready for harvest February 28, 2020. All inventory was ready to be shipped and sold to the contracted buyer. The buyer was unwilling to accept delivery of the product; therefore, they remained on the farm and will not be harvested in 2020. Fresh Pond Farm LLC will certify to 35,000 pounds of “Volume of Inventory Not Sold” on AD-3114, item 27A.

PART F – AQUACULTURE & NURSERY/FLORICULTURE INFORMATION					COC USE ONLY			
25 Commodity	26A Volume of Inventory Sold (Jan 15, 2020 – April 15, 2020)	26B Value of Inventory Shipped that Spoiled or Went Unpaid (as of April 15, 2020)	27A Volume of Available Inventory (see instructions)	27B Value of Inventory Not Sold (as of April, 15, 2020)	28A COC Adjusted Volume of Inventory Sold (Jan 15, 2020 – April 15, 2020)	28B COC Adjusted Value of Inventory Shipped that Spoiled or Went Unpaid (as of April 15, 2020)	29A COC Adjusted Volume of Available Inventory (See Instructions)	29B COC Adjusted Value of Inventory Not Sold (as of April 15, 2020)
			35,000					

## 208 Nursery and Floriculture

**A Definitions**

Nursery - decorative or nondecorative plants grown in a container or controlled environment for commercial sale.

Floriculture - cut flowers and cut greenery from annual and perennial flowering plants grown in a container or controlled environment for commercial sale.

**B Eligible Categories**

Producers of nursery and floriculture commodities are eligible for the following categories:

- delivered and unpaid: nursery or floriculture commodities that were shipped but subsequently spoiled or unpaid due to loss of marketing channels between January 15, 2020, and April 15, 2020, due to COVID-19 (using CARES Act funds)
- not delivered: nursery or floriculture commodities that had shipments that did not leave  
\*--the farm between January 15, 2020, and April 15, 2020, because of a complete loss of marketing channel that did not leave the farm by April 15, 2020, and that will not be sold because of lack of markets (using CCC funds).--\*



**\*--208 Nursery and Floriculture (Continued)****C Inventory That Was Shipped (Delivered) but Subsequently Spoiled or Unpaid**

Producers must certify their ownership interest in the wholesale value of commodities that were shipped (delivered) between January 15, 2020, and April 15, 2020, for which no payment was received or will be received.

Shipped (delivered) inventory that is donated for which no payment was received or will be received is eligible.

**Example:** Flora Farmer had 100 percent interest in 10 boxes of peonies with a wholesale value of \$1,500 delivered to a wedding venue on the 1st and 15th of each month from January 15, 2020, through April 15, 2020. Although there was a contract with an agreed-upon price, there was no price guarantee. The venue paid for the shipments received during January and February 2020, but beginning with the March 2020 shipments, the venue had zero events, the flowers spoiled, and Ms. Farmer was not paid and will certify to \$6,000 as the “Value of inventory Shipped but Not Sold and Unpaid” on AD-3114, item 26B.

<b>Month</b>	<b>Shipment</b>
January 15	Received compensation
February 1	Received compensation
February 15	Received compensation
March 1	\$1,500 unpaid/spoiled
March 15	\$1,500 unpaid/spoiled
April 1	\$1,500 unpaid/spoiled
April 15	\$1,500 unpaid/spoiled
<b>Total</b>	\$1,500 x 4 spoiled shipments = \$6,000

Inventory that may be sold after April 15, 2020, is not eligible.--\*

## 208 Nursery and Floriculture (Continued)

**D Inventory That Was Never Sold and Subsequently Destroyed**

For commodities that had shipments that did not leave the farm, were donated, or mature nursery or floriculture commodities that were destroyed (not delivered) due to the COVID-19 pandemic, the wholesale value of inventories not shipped as of April 15, 2020, are eligible.

The requirement to report inventory is based on each producer's nationwide ownership interest in the crop, regardless of where the crop was produced or where the it is stored.

\* \* \*

**Example:** The Nursery LLC has two operations, one located in Windham County, CT and one located in Norfolk County, MA. The Nursery LLC had 100 percent ownership of 400 Easter lilies valued at \$4,800 grown in CT, 300 were sold and 100 were disposed of (valued at \$1,200) due to a lack of market because of COVID-19. The Nursery LLC had 50 percent ownership of 250 tulips with a wholesale value of at \$2,500 in MA, 50 were sold and 200 were disposed of (valued at \$2,000) due to a lack of market because of COVID-19. The Nursery LLC will report an inventory value \$2,200. (100 percent of \$1,200 + 50 percent of \$2,000) as the inventory that was never sold on AD-3114, item 27B.

Step	Calculation
Determine value of inventory owned in CT	$\$1,200 \times 100\% = \$1,200$
Determine value of inventory owned in MA	$\$2,000 \times 50\% = \$1,000$
Determine total value of inventory never sold	$\$1,200 + \$1,000 = \$2,200$

Ineligible nursery or floriculture commodities are:

- inventory or in storage that may be sold after April 15, 2020
- inventory that is normally culled in advance of shipping or upon delivery are not eligible
- inventory sold at a discount price.

**\*--208 Nursery and Floriculture (Continued)****E Reporting Value**

The information required from producers to apply will be self-certification by the producer or authorized representative. Producers must self-certify the to the wholesale value of inventory that represents their individual share of eligible nursery or floriculture commodities.

For inventory that was shipped but subsequently spoiled or unpaid, the wholesale value of the products associated to that shipment/delivery that occurred between January 15, 2020, and April 15, 2020, will be reported.

For inventory that was never sold the wholesale value of those commodities as of April 15, 2020, will be reported.

**F COC Adjustments**

COC's are not required to document or verify inventory values, however COC's request evidence of inventories or sales if it has any reason to question ownership interest or quantity.

If COC needs additional documentation from these producers, COC may request:

- evidence of inventory or sale, and
- evidence of wholesale prices

COC may adjust the "Value of Inventory Shipped that Spoiled or Went Unpaid" or "Value of Inventory Not Sold"

- if the quantity is determined to unreasonable or inaccurate
- to reflect the actual wholesale value rather than retail value.

**G Payment Factors**

Payment factors are determined by the Secretary. Payment factors are paid from 2 sperate funds (CARES Act and CCC). The payment rates are as follows:

- for inventory that was shipped but subsequently spoiled or unpaid - 15.55 percent (CARES Act)
- for inventory that was never sold - 13.45 percent (CCC).--\*

## \*--208 Nursery and Floriculture (Continued)

**H Payment Calculation**

The payment calculation is the certified wholesale value of inventory multiplied by the payment rate. Payments for nursery and floriculture commodities will be the sum of:

- for nursery and floriculture inventory that was shipped but subsequently spoiled or is unpaid due to loss of marketing channels between January 15, 2020, and April 15, 2020, the wholesale value of the inventory that was shipped that spoiled or is unpaid, multiplied by 15.55 percent; and
- for nursery and floriculture inventory that did not leave the farm between January 15, 2020, and April 15, 2020, due to a complete loss of marketing channel, the wholesale value of the inventory ready for sale that did not leave the farm by April 15, 2020, and that will not be sold due to lack of markets, multiplied by 13.45 percent.

**I Application Examples**

**Example 1:** Flora Farmer had 100 percent interest in 10 boxes of peonies with a wholesale value of \$1,500 delivered to a wedding venue on the 1st and 15th of each month from January 15, 2020, through April 15, 2020. Although there was a contract with an agreed-upon price, there was no price guarantee. The venue paid for the shipments received during January and February 2020, but beginning with the March 2020 shipments, the venue had zero events, the flowers spoiled, and Ms. Farmer was not paid and will certify to \$4,500 as the Value of Inventory Shipped but Not Sold and Unpaid on AD-3114, item 26B.

The AD-3114 will be completed as follows:

PART F – AQUACULTURE & NURSERY/FLORICULTURE INFORMATION					COC USE ONLY			
25 Commodity	26A Volume of Inventory Sold (Jan 15, 2020 – April 15, 2020)	26B Value of Inventory Shipped that Spoiled or Went Unpaid (as of April 15, 2020)	27A Volume of Available Inventory (see instructions)	27B Value of Inventory Not Sold (as of April, 15, 2020)	28A COC Adjusted Volume of Inventory Sold (Jan 15, 2020 – April 15, 2020)	28B COC Adjusted Value of Inventory Shipped that Spoiled or Went Unpaid (as of April 15, 2020)	29A COC Adjusted Volume of Available Inventory (See instructions)	29B COC Adjusted Value of Inventory Not Sold (as of April 15, 2020)
Cut Flowers		4,500						

--\*

## \*--208 Nursery and Floriculture (Continued)

**I Application Examples (Continued)**

**Example 2:** The Nursery LLC has two operations, one located in Windham County, CT and one located in Norfolk County, MA. The Nursery LLC had 100 percent ownership of 400 Easter lilies valued at \$4,800 grown in CT, 300 were sold and 100 were disposed of (valued at \$1,200) due to a lack of market because of COVID-19. The Nursery LLC had 50 percent ownership of 250 tulips with a wholesale value of at \$2,500 in MA, 50 were sold and 200 were disposed of (valued at \$2,000) due to a lack of market because of COVID-19. The Nursery LLC will report an inventory value \$2,200. (100 percent of \$1,200 + 50 percent of \$2,000) as the inventory that was never sold in AD-3114, item 27B.

PART F – AQUACULTURE & NURSERY/FLORICULTURE INFORMATION					COC USE ONLY			
25 Commodity	26A Volume of Inventory Sold (Jan 15, 2020 – April 15, 2020)	26B Value of Inventory Shipped that Spoiled or Went Unpaid (as of April 15, 2020)	27A Volume of Available Inventory (see instructions)	27B Value of Inventory Not Sold (as of April, 15, 2020)	28A COC Adjusted Volume of Inventory Sold (Jan 15, 2020 – April 15, 2020)	28B COC Adjusted Value of Inventory Shipped that Spoiled or Went Unpaid (as of April 15, 2020)	29A COC Adjusted Volume of Available Inventory (See Instructions)	29B COC Adjusted Value of Inventory Not Sold (as of April 15, 2020)
Nursery				2,200				

209, 210 (Reserved)



**Part 8 Specialty Crops****Section 1 Basic Information****211 Overview****A Purpose**

Producers of specialty crops are eligible for CFAP payments for the following categories:

- Sales: Crops that suffered a national 5-percent-or-greater price loss between mid-January and mid-April as a result of the COVID-19 pandemic (using CARES Act funds)
- \*--Delivered and unpaid: Crops that were shipped but subsequently spoiled or unpaid--\* due to loss of marketing channel (using CARES Act funds)
- Not delivered: Crops that had shipments that did not leave the farm or mature crops that remained unharvested (using CCC funds).

**B General Information**

\*--Eligible specialty crops are those that experienced immediate losses, a price decline, spoiled, were unpaid, or were unharvested due to market conditions between January 15, 2020, and April 15, 2020.--\*

For producers of eligible specialty crops that incurred a 5-percent-or-greater reduction in a national sales price between the average for the week of January 13-17, 2020, and the average for the week of April 6-10, 2020, payments will be based on the producer's volume \*--of production sold during that timeframe multiplied by 80 percent of the given crop's--\* mid-January to mid-April price change.

Producers of specialty crops that were shipped from the farm by April 15, 2020, but \*--subsequently spoiled or were unpaid due to loss of marketing channels, are eligible for a--\* payment equal to 30 percent of the crop's national sales value.

\*--Producers with specialty crop shipments that did not leave the farm, were donated, or mature crops that remained unharvested between January 15, 2020, and April 15, 2020, and have not been and will not be sold, are eligible for a payment equal to 5.875 percent of the crop's national value.

**Note:** Specialty crops in inventory or in storage facilities that may be sold after April 15, 2020, are not eligible.--\*

\* \* \*

**212-220 (Reserved)**





## Section 2 General Program Policies and Provisions

### 221 Eligible Crops

#### A General Specialty Crop Eligibility

Only the designated specialty crops and uses listed in the table in subparagraph B are eligible for CFAP. Additional specialty crops may be added in the future as USDA continues to evaluate available data due to the impact of COVID-19.

#### B Eligible Specialty Crop Types and Uses

The following table provides the eligible types and intended uses of eligible specialty crops.

\*--

Crop Name	Crop Code	Type	Intended Use
Alfalfa Sprouts			
Almonds	0028		
Aloe Leaves	9032		
Anise	5000	Fennel/Anise	SD
Apples	0054	All	FH, JU, PR
Artichokes	0458		FH, PR
Arugula	4000	Arugula	FH, PR
Asparagus	0104		FH, PR
Avocados	0106		FH, PR
Bananas	0173	All	FH, PR
Basil	5000	Basil	FH, PR
Batatas			
Bean Sprouts			
Beans	0047	All FAV	FH, PR
Beets	0642	All	FH, PR
Blackberries	6000	All blackberry types	FH, PR
Blueberries	0108	All	FH, PR
Bok Choy (Greens)	4000	Shanghi Bok Choy	FH, PR
Broccoli	0110		FH, PR
Brussels Sprouts	0112		FH, PR
Cabbage	0116	All	FH, PR
Cantaloupe	0759		FH
Carambola (Star Fruit)	0999		FH
Carrots	0120	All	FH, PR
Cauliflower	0124		FH, PR
Celeriac (Celery Root)	0509		FH, PR
Celery	0126		FH, PR
Cherimoya	0845		FH
Chervil, French Parsley	5000	Chervil	FH, PR
Chives	5000	Chives	FH, PR

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## 221 Eligible Crops (Continued)

## B Eligible Specialty Crop Types and Uses (Continued)

\*--

Crop Name	Crop Code	Type	Intended Use
Cilantro	5000	Cilantro/Coriander	FH, PR
Citron	0025		FH, PR
Coconuts	0175		FH
Collard Greens	4000	Collards	FH, PR
Cucumbers	0132	All	FH, PR
Curry Leaves			
Daikon	0148	Daikon	FH
Dandelion Greens	4000	Dandelions	FH, PR
Dates	0496		FH, PR
Dill	5000	Dill	FH, PR
Donagua (Winter Melon)			
Dragon Fruit (Red Pitaya)	0380		FH, PR
Eggplant	0318	All	FH, PR
Endive (Greens)	4000	Curly	FH, PR
Escarole (Greens)	4000	Escarole	FH, PR
Filberts (Hazelnut)	0376		
Frisee (Greens)	4000	Frizee/Belgian	FH, PR
Garlic	0423	All	FH, PR
Grapefruit	0030	All	FH, JU, PR
Greens (Others Not Listed)	4000	All types of greens not listed separately	FH, PR
Guava	0498		FH, PR
Horseradish	0090		FH, PR
Kale Greens	4000	<ul style="list-style-type: none"> <li>• Common</li> <li>• Flowering</li> </ul>	FH, PR
Kiwifruit	0463		FH, PR
Kohlrabi	0374		FH
Kumquats	0473		FH, PR
Leeks	0377		FH
Lemons	0035		FH, PR
Lettuce, Boston	0140	Boston	FH
Lettuce, green leaf	0140	Leaf/Green	FH
Lettuce, iceberg	0140	Crisphead	FH
Lettuce, Lolla Rossa	0140	Leaf/Lolla Rossa	FH
Lettuce, oak leaf - green	0140	Leaf/Oak-Green	FH
Lettuce, oak leaf - red	0140	Leaf/Oak -Red	FH
Lettuce, red leaf	0140	Leaf/Red	FH
Lettuce, romaine	0140	Romaine	FH

--\*

## 221 Eligible Crops (Continued)

## B Eligible Specialty Crop Types and Uses (Continued)

Crop Name	Crop Code	Type	Intended Use
Maple Sap	0100	Syrup Only	PR
Marjoram	5000	Marjoram	FH, PR
*--Mesculin Mix--*			
Microgreens (All Other)			
Mint	5000	All	FH, PR
Mushrooms	0403	All	FH, PR
Mustard greens	4000	All mustard green types	FH, PR
Nectarines	0250	All	FH, PR
Okra	0286		FH, PR
Onions, dry	0142	All other than Green	FH, PR
Onions green	0142	Green	FH, PR
Oranges	0023	All	FH, JU, PR
Oregano	5000	Oregano	FH, PR
Papaya	0181	All	FH, PR
Parsley, other	5000	Parsley	FH, PR
Parsnips	0338		FH, PR
Passion Fruit	0502		FH
Peaches	0034	All	FH, PR
Pears	0144	All	FH, JU, PR
Peas, Green	0067	<ul style="list-style-type: none"> <li>English/Garden</li> <li>Snap</li> <li>Sugar</li> <li>Snow</li> </ul>	FH, PR
Pecans	0146	All	
Peppermint	5000	Peppermint	FH, PR
Peppers, bell type	0083	Green bell	FH, PR
Peppers, other	0083	All except green bell	FH, PR
Persimmons	0465		FH, PR
Pineapples	0185	All	
Pistachios	0470		
Plantains	0186		FH, PR
Pomegranates	0467		FH, JU, PR
Potatoes, fresh – other	0084	All varieties except Russets	FH
Potatoes, fresh – Russets	0084	All Russet varieties	FH
Potatoes, processing	0084	All	PR
Potatoes, seed	0084	All	SD
Pummelos	0906		FH, PR
Pumpkins	0147	<ul style="list-style-type: none"> <li>All</li> </ul>	FH, PR

## 221 Eligible Crops (Continued)

## B Eligible Specialty Crop Types and Uses (Continued)

\*--

Crop Name	Crop Code	Type	Intended Use
Radicchio	0511	<ul style="list-style-type: none"> <li>Common</li> <li>Witloof</li> </ul>	FH
Raspberries (Caneberries)	6000	<ul style="list-style-type: none"> <li>Black</li> <li>Red</li> </ul>	
Rhubarb	0335		FH, PR
Rosemary	5000	Rosemary	FH, PR
Rutabagas	0339		FH, PR
Sage	5000	Sage	FH, PR
Sapote	0998	Mamey	FH, PR
Savory	5000	Savory	FH, PR
Shallots	0533		FH
Sorrell	4000	Sorrell	FH, PR
Spearmint	5000	Native/Scotch	FH, PR
Spinach (Greens)	4000	<ul style="list-style-type: none"> <li>Chinese</li> <li>Leaf</li> <li>Vine</li> <li>Water</li> </ul>	FH, PR
Squash	0155	All	FH, PR
Strawberries	0154		FH, PR
Sugarcane, table	0038		FH
Sweet corn	0041	<ul style="list-style-type: none"> <li>Bicolor</li> <li>White</li> <li>Yellow/ golden early</li> <li>Yellow/ golden late</li> </ul>	FH, PR
Sweet potatoes	0156	All	FH, PR
Swiss Chard	4000	<ul style="list-style-type: none"> <li>Green Swiss chard</li> <li>Red Swiss chard</li> </ul>	FH, PR
Tangelos	0024	All	FH, JU, PR
Tangerines	0048	All	FH, JU, PR
Taro	0535	All	FH, PR
Thyme	5000	Thyme	FH, PR
Tomatoes	0087	All	FH, PR
Turmeric	5000	Turmeric	FH, PR
Turnip Tops Greens	4000	Turnip	FH, PR
Turnips	0160	Hybrid/Open Pollinated	FH, PR

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## 221 Eligible Crops (Continued)

## B Eligible Specialty Crop Types and Uses (Continued)

Crop Name	Crop Code	Type	Intended Use
Upland/Winter Cress			
Walnuts	0029	All	
Watercress	0613		FH, PR
Watermelons	0757	All	FH, PR
Yautia/Malanga (Open Dasheen)	0177		FH
*--Yuca (Cassava)--*	0174	All	FH

**Note:** Crop name is identified on the application and may specify only 1 type; however, all types and uses identified in the above table are eligible. For example: Red Raspberries are a type (RED) within crop code 6000 (Caneberries). Although the drop down on the application may reflect Raspberry (6000)/RED, both black (BLK) and red (RED) types as specified in the above table are eligible for CFAP.



## 222 Production and Acreage Certification

**A Requirement**

Producers of specialty crops must certify the following for FSA to compute a CFAP payment:

- For crops that suffered a 5-percent-or-greater national price loss between mid-January and mid-April, the total volume of production \* \* \* that was sold between January 15, 2020, and April 15, 2020
- \*--For crops that were shipped (delivered) but subsequently spoiled or were unpaid due to loss of marketing channel, the total volume of production that is harvested and shipped but not sold (spoiled or unpaid) between January 15, 2020, and April 15, 2020
- For crops that had shipments that did not leave the farm, were donated, or mature crops that remained unharvested (not delivered), the total number of acres left in the field, donated directly from the farm, or harvested but not shipped between January 15, 2020, and April 15, 2020.

Specialty crops in inventory or in storage facilities that may be sold after April 15, 2020, are not eligible.--\*

The requirement to report production and/or acreage is based on each producer's nationwide ownership interest in the crop, regardless of where the crop was produced or where the crop is stored.

**Notes:** Ownership interest does not mean as the interest of a landowner. In this context, ownership interest means as the owner of the crop, who has both control of the commodity and title to the commodity.

\*--Production that is normally culled in advance of shipping or upon delivery is not eligible production for CFAP.--\*

**B AD-3114, Part G**

Following is an example of AD-3114, Part G, Specialty Crop Information.

<b>PART G - SPECIALTY CROP INFORMATION (COC DETERMINATION NOT REQUIRED)</b>					<b>AMS USE ONLY</b>		
30. Crop	31. Unit of Measure	32. Volume of Production Sold (Jan 15, 2020 - April 15, 2020)	33. Volume of Production Shipped but Not Sold and Unpaid (Jan 15, 2020 - April 15, 2020)	34. Acres with Production Not Shipped or Sold (Jan 15, 2020 - April 15, 2020)	35. AMS Adjusted Volume of Production Sold (Jan 15, 2020 - April 15, 2020)	36. AMS Adjusted Volume of Production Shipped but Not Sold and Unpaid (Jan 15, 2020 - April 15, 2020)	37. AMS Adjusted Acres with Production Not Shipped or Sold (Jan 15, 2020 - April 15, 2020)

## 222 Production and Acreage Certification (Continued)

**C Sold Crops that Suffered a 5-Percent-or-Greater Price Loss**

Producers must certify their ownership interest in the volume of production \* \* \* that was sold between January 15, 2020, and April 15, 2020, of each eligible commodity nationwide.

\*--Specialty crops that were under an agreed upon set price before January 15, 2020, and were or will be paid at that price or higher, do not qualify for assistance, even if the crop was sold between January 15, 2020, and April 15, 2020.--\*

**Example:** Jane Farmer has 2 greenhouses, 1 located in Kosciusko County, Iowa, and one in Grenada County, Mississippi. Ms. Farmer has 100 percent ownership interest in 3,000 pounds of cucumbers grown in Iowa and 50 percent ownership interest in 5,000 pounds of cucumbers grown in Mississippi that were sold to a supermarket chain. Ms. Farmer will certify to 5,500 (100 percent of 3,000 + 50 percent of 5,000) pounds as the Volume of Production Sold on AD-3114, item 32.

\*--Sold production includes production sold for any use.

**Example:** Joe Farmer sold 20,000 lbs. of lemons intended for fresh market to a processor for juice. The sold lemons are eligible for AD-3114, item 32.

**Note:** Because the lemons were sold, they are not eligible for AD-3114, item 34.

**D Crops that Were Shipped (Delivered) but Subsequently Spoiled or Unpaid--\***

Producers must certify their ownership interest in the volume of production that was shipped (delivered) between January 15, 2020, and April 15, 2020, for which no payment was received or will be received for each eligible commodity nationwide.

\*--Shipped (delivered) production that is donated for which no payment was received or will be received is eligible.--\*

**Example:** Jane Farmer had 100 percent interest in 50 pounds of tomatoes delivered to a local restaurant on the 1<sup>st</sup> and 15<sup>th</sup> of each month from January 15, 2020, through April 15, 2020. Although there was a contract with an agreed-upon price, there was no price guarantee. The restaurant paid for the shipments received during January and February 2020, but beginning with the March 2020, shipments, the restaurant had limited customers, the tomatoes spoiled, and Ms. Farmer was not \*--paid. Ms. Farmer will certify to 200 pounds as the Volume of Production--\* Shipped but Not Sold and Unpaid on AD-3114, item 33.



**222 Production and Acreage Certification (Continued)****E Crops that Were Not Shipped (Delivered) or Remained Unharvested**

Producers must certify their ownership interest in the number of acres associated to production that did not leave the farm or the number of acres of mature crops that remained unharvested between January 15, 2020, and April 15, 2020, for each eligible commodity nationwide.

\*--Acres of harvested production that are:

- subsequently donated to prevent the production from rotting or spoiling on the farm are eligible
- sold into a market other than the intended market are considered sold and must meet the criteria included in subparagraph 222 C to be eligible.--\*

**Example:** Jane Farmer had 100 percent interest in 3 acres of carrots that were ready for harvest February 28, 2020. All acreage was harvested, and one-third of the production was shipped and sold to the contracted buyer. The buyer was unwilling to accept delivery of the remaining harvested carrots; therefore, they remained on the farm and were unable to be marketed to any other buyer before they spoiled. Ms. Farmer will certify to 2 acres (3 acres less 1/3 of production sold) as the Acres with Production Not Shipped or Sold on AD-3114, item 34.

**F AMS Adjustments**

AMS may adjust the “Volume of Production Sold”, “Volume of Production Shipped but Not Sold and Unpaid”, or “Acres with Production Not Shipped or Sold”:

- if the quantity is determined to be unreasonable or inaccurate
- to reflect the actual production and acres based upon submitted evidence.

**223-234 (Reserved)**



## Section 3 Payments

## 235 Specialty Crop Payment Components

## A Payment Rates

CFAP payment rates are determined by the Secretary. There is one payment rate nationwide per crop and for each of the 3 categories (sales, delivered and unpaid, and not delivered). CFAP payments are paid using two separate funds (CARES Act and CCC); however, the payment will be paid in 1 amount.

Payment rates for specialty crops are listed in this table.

\*--

Specialty Crops	CARES Act Sales (\$/pound)	CARES Act Delivered that Spoiled or Unpaid (\$/pound)	CCC Not Delivered (Unharvested) (\$/acre)
Alfalfa Sprouts		\$8.14	\$5,465.63
Almonds	\$0.26	\$0.57	\$237.60
Aloe Leaves	\$0.06	\$0.19	\$2,848.00
Anise	\$0.88	\$0.81	\$96.00
Apples	\$0.05	\$0.22	\$1,500.00
Artichokes	\$0.88	\$0.69	\$1,690.00
Arugula		\$4.64	\$9,100.00
Asparagus		\$0.25	\$182.00
Avocados		\$0.14	\$153.60
Bananas	\$0.34	\$0.20	\$752.00
Basil	\$0.30	\$1.65	\$1,920.00
Batatas		\$0.32	\$1,307.40
Bean Sprouts		\$0.26	\$60.00
Beans	\$0.17	\$0.16	\$233.79
Beets		\$0.30	\$2,160.00
Blueberries	\$0.20	\$0.93	\$1,193.40
Bok Choy	\$0.22	\$0.23	\$700.00
Broccoli	\$0.62	\$0.49	\$1,563.00
Brussels Sprouts	\$0.26	\$0.34	\$1,260.00
Cabbage	\$0.04	\$0.07	\$367.30
Caneberries - Blackberries	\$1.72	\$2.11	\$2,615.80
Caneberries - Raspberries	\$0.44	\$1.69	\$4,455.00
Cantaloupe		\$0.14	\$718.20
Carambola (Star Fruit)		\$0.58	\$4,400.00
Carrots	\$0.02	\$0.11	\$1,251.40
Cauliflower	\$0.11	\$0.31	\$1,327.20

--\*

## 235 Specialty Crop Payment Components (Continued)

## A Payment Rates (Continued)

Specialty Crop	CARES Act Sales (\$/pound)	CARES Act Delivered that Spoiled or Unpaid (\$/pound)	CCC Not Delivered (Unharvested) (\$/acre)
Celeriac-Celery Root		\$0.52	\$2,000.00
Celery		\$0.07	\$560.00
Cherimoya	\$1.83	\$0.98	\$1,922.80
Chervil, French Parsley	\$2.74	\$8.09	\$15,800.00
Chives		\$1.32	\$4,680.00
Cilantro/Coriander	\$0.19	\$0.23	\$860.00
Citron	\$0.32	\$0.26	\$1,780.00
Coconuts		\$0.25	\$450.00
Collard Greens	\$0.04	\$0.21	\$560.00
Cucumbers	\$0.18	\$0.17	\$444.90
Curry Leaves	\$2.40	\$5.25	\$927.00
Daikon (Radish)		\$0.19	\$368.00
*--Dandelion Greens--*	\$0.06	\$.26	\$700.00
Dates		\$1.44	\$2,234.40
Dill		\$5.38	\$5,250.00
Donaqua (Winter Melon)	\$1.42	\$0.60	\$4,800.00
Dragon Fruit (Red Pitaya)		\$1.03	\$3,800.00
Eggplant	\$0.07	\$0.15	\$412.71
Endive	\$0.04	\$0.15	\$900.00
Escarole	\$0.11	\$0.18	\$1,200.00
Filberts (Hazel Nuts)	\$0.41	\$0.67	\$228.80
Frisee		\$0.69	\$4,200.00
Garlic	\$0.17	\$1.10	\$3,410.00
Grapefruit		\$0.11	\$496.76
Greens - Others Not Listed	\$0.08	\$0.16	\$420.00
Greens - Spinach	\$0.37	\$0.37	\$1,022.00
Guava	\$1.52	\$1.73	\$6,800.00
Horseradish		\$3.72	\$4,380.00
Kale		\$0.22	\$748.00
Kiwifruit		\$0.44	\$2,106.00
Kohlrabi		\$0.24	\$189.06
Kumquats	\$1.28	\$1.76	\$2,822.00

## 235 Specialty Crop Payment Components (Continued)

## A Payment Rates (Continued)

\*--

Specialty Crop	CARES Act Sales (\$/pound)	CARES Act Delivered that Spoiled or Unpaid (\$/pound)	CCC Not Delivered (Unharvested) (\$/acre)
Leeks	\$0.14	\$0.18	\$480.00
Lemons	\$0.08	\$0.21	\$1,424.00
Lettuce - Boston	\$0.09	\$0.34	\$1,523.20
Lettuce - Green Leaf	\$0.44	\$0.60	\$2,611.20
Lettuce - Iceberg	\$0.20	\$0.15	\$1,128.00
Lettuce – Lolla Rossa		\$1.69	\$7,180.80
Lettuce – Oak Leaf, Green		\$1.69	\$7,180.80
Lettuce – Oak Leaf, Red		\$1.69	\$7,180.00
Lettuce – Red Leaf	\$0.42	\$0.60	\$2,611.20
Lettuce - Romaine	\$0.07	\$0.12	\$623.60
Maple Sap (For Maple Syrup)*	\$0.07	\$0.20	\$30.49
Marjoram	\$1.06	\$1.42	\$1,124.20
Mesculin Mix		\$0.79	\$2,560.00
Microgreens – All other		\$7.15	\$3,850.00
Mint		\$0.93	\$2,772.00
Mushrooms		\$0.58	\$33,110.00
Mustard – Greens		\$0.21	\$636.00
Nectarines		\$0.30	\$1,038.00
Okra	\$0.31	\$0.46	\$1,080.00
Onions – Dry	\$0.01	\$0.05	\$540.10
Onions - Green	\$0.51	\$0.70	\$4,158.00
Oranges		\$0.14	\$634.83
Oregano		\$1.22	\$784.08
Papaya		\$0.31	\$1,020.00
Parsley	\$0.19	\$0.23	\$400.00
Parsnips	\$0.06	\$0.40	\$1,600.00
Passion Fruit	\$0.89	\$3.21	\$17,640.00
Peaches		\$0.30	\$1,099.20
Pears	\$0.08	\$0.18	\$966.00
Peas – English/Garden, Snap, Sugar, Snow	\$0.10	\$0.36	\$275.10

--\*

## 235 Specialty Crop Payment Components (Continued)

## A Payment Rates (Continued)

\*--

Specialty Crop	CARES Act Sales (\$/pound)	CARES Act Delivered that Spoiled or Unpaid (\$/pound)	CCC Not Delivered (Unharvested) (\$/acre)
Pecans	\$0.28	\$0.93	\$116.46
Peppermint	\$1.60	\$5.40	\$97.52
Peppers - Bell type	\$0.14	\$0.22	\$1,267.20
Peppers - Other	\$0.15	\$0.22	\$644.80
Persimmons		\$0.53	\$1,352.00
Pineapples		\$0.23	\$1,500.00
Pistachios	\$0.22	\$1.28	\$640.00
Plantains	\$0.18	\$0.15	\$549.00
Pomegranates		\$0.54	\$1,100.00
Potatoes – Other, Fresh	\$0.01	\$0.04	\$449.00
Potatoes – Russets, Fresh	\$0.07	\$0.09	\$898.00
Potatoes – Processing	\$0.02	\$0.03	\$449.00
Potatoes – Seed	\$0.02	\$0.04	\$449.00
Pummelos		\$0.21	\$400.00
Pumpkins	\$0.72	\$0.39	\$2,534.40
Radicchio		\$0.72	\$1,470.00
Rhubarb		\$0.76	\$296.85
Rosemary		\$2.60	\$8,994.36
Rutabagas	\$0.08	\$0.19	\$1,440.00
Sage	\$0.72	\$3.06	\$3,747.00
Sapote	\$0.56	\$0.92	\$900.00
Savory		\$0.62	\$1,440.00
Shallots	\$0.51	\$0.70	\$4,158.00
Sorrell		\$2.85	\$7,840.00
Spearmint	\$1.60	\$4.80	\$116.56
Spinach	\$0.37	\$0.37	\$1,022.00
Squash	\$0.72	\$0.39	\$2,534.40
Strawberries	\$0.84	\$0.72	\$7,042.00
Sugarcane – Table		\$0.14	\$2,094.00
Sweet Corn	\$0.09	\$0.13	\$483.60
Sweet Potatoes		\$0.18	\$871.60
Swiss Chard		\$0.25	\$750.00

## 235 Specialty Crop Payment Components (Continued)

## A Payment Rates (Continued)

Specialty Crop	CARES Act Sales (\$/pound)	CARES Act Delivered that Spoiled or Unpaid (\$/pound)	CCC Not Delivered (Unharvested) (\$/acre)
Tangelos	\$0.05	\$0.22	\$561.60
Tangerines	\$0.05	\$0.25	\$1,531.10
Taro	\$0.12	\$0.29	\$577.80
Thyme		\$2.63	\$2,731.05
Tomatoes	\$0.64	\$0.38	\$6,122.90
Turmeric		\$1.05	\$8,860.00
Turnip Tops		\$0.19	\$560.00
Turnips		\$0.20	\$960.00
Upland/Winter Cress		\$2.18	\$1,182.50
Walnuts	\$0.26	\$0.34	\$250.60
Watercress		\$2.18	\$1,182.50
Watermelons	\$0.04	\$0.06	\$363.90
Yautia/Malanga	\$0.48	\$0.42	\$11,840.00
Yuca/Cassava		\$0.16	\$2,964.00

\*-- \*The rates for Maple Sap (Maple Syrup) are \$/gallon.--\*

## 235 Specialty Crop Payment Components (Continued)

### B Payment Calculation

Payments for eligible specialty crops will be computed as follows:

- Sales: Quantity (volume) sold (AD-3114, item 32) multiplied by the “Sales” payment rate in subparagraph A
- Delivered or Unpaid: Quantity (volume) shipped but subsequently spoiled or was unpaid (AD-3114, item 33) multiplied by the “Delivered that Spoiled or Unpaid” payment rate in subparagraph A
- Not Delivered: Acres unharvested or with production not sold including donations (AD-3114, item 34) multiplied by the “Not Delivered (Unharvested) payment rate in subparagraph A.

**Note:** The “Not Delivered” payment rate is based on a national crop yield multiplied a per pound payment rate.

If AMS adjusts the amounts certified in items 32 through 34 of AD-3114 (recorded in items 35 through 37, respectively, of AD-3114), the adjusted amounts will be used in the payment computation.

**Notes:** AMS does not have sufficient information to adjust the amounts until or unless records are provided; therefore, payments will be made based on producer certification subject to spot check.

If the County Office has significant concerns about the amounts to which a producer certified on the AD-3114, reach out to the applicable State Office program specialist who may contact Charles D. Stephens, Associate Deputy Administrator, Specialty Crops Program, by e-mail to [charlesd.stephens@usda.gov](mailto:charlesd.stephens@usda.gov) or by telephone at 202-720-6394. If contacting by e-mail, include “CFAP Inquiry” and the State and county name in the “Subject” line. Include Jenae Prescott by e-mail to [jenae.prescott@usda.gov](mailto:jenae.prescott@usda.gov) and Tona Huggins by e-mail to [tona.huggins@usda.gov](mailto:tona.huggins@usda.gov) in all communications.



## Reports, Forms, Abbreviations, and Delegations of Authority

### Reports

None.

### Forms

This table lists all forms referenced in this handbook.

Number	Title	Display Reference	Reference
AD-1026	Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification (Includes Form AD-1026 Appendix)		Text
AD-3114	Coronavirus Food Assistance Program (CFAP) Application	Ex. 20	Text
CCC-36	Assignment of Payment		65, 68
CCC-37	Joint Payment Authorization		65, 68
CCC-901	Members Information		5, 19
CCC-902	Farm Operating Plan for Payment Eligibility 2009 and Subsequent Program Years		5, 16, 19, 37, 51, 68
CC-902I	Farm Operating Plan for an Individual		19
CCC-902E	Farm Operating Plan for an Entity		19
CCC-903	Worksheet For Payment Eligibility and Payment Limitation Determinations		19
CCC-941	Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information - Agricultural Act of 2014		5, 17, 19, 37, 51, 67, 68
CCC-942	Certification of Income From Farming, Ranching, and Forestry Operations		5, 17, 19, 37, 68
FSA-325	Application for Payment of Amounts Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent		65
FSA-578	Report of Acreage		138
SF-3881	ACH Vender/Miscellaneous Payment Enrollment Form		68

## Reports, Forms, Abbreviations, and Delegations of Authority (Continued)

### Abbreviations Not Listed in 1-CM

This table lists all abbreviations not listed in 1-CM.

Approved Abbreviations	Term	Reference
CARES Act	Coronavirus Aid, Relief, and Economic Stability Act	Text
CFAP	Coronavirus Food Assistance Program	Text
IPIA	Improper Payments Information Act	3
LP	limited partnership	16
NOFA	Notification of Funding Availability	205

### Redelegations of Authority

This table lists the redelegations of authority in this handbook.

Redelegation	Reference
In routine cases, COC may redelegate, in writing, to CED the authority to review and approve AD-3114.	1, 51
The redelegation <b>must</b> define what COC considers routine.	

**Definitions of Terms Used in This Handbook****All Other Cattle**

All other cattle mean commercially raised or maintained bovine animals not meeting the definition of another category of cattle in this rule excluding beefalo, bison, and animals used for dairy production or intended for dairy production.

**\*--All Other Sheep**

All other sheep mean sheep 2 years of age or older.--\*

**Cattle**

Cattle means commercially raised or maintained bovine animals, excluding beefalo, bison, and animals used for dairy production or intended for dairy production.

**Cattle Raised or Maintained for Breeding Purposes**

Cattle raised or maintained for breeding purposes means animals commercially raised or maintained for use as either a sire or dam for the production of livestock offspring or lactation.

**Commodity**

Commodity means an agricultural commodity produced in the United States and intended to be marketed for commercial production that has been designated as eligible for payments under CFAP.

**\*--Controlled Environment**

Controlled environment means an environment, with respect to crops for which a controlled environment is expected to be provided, including but not limited to ornamental nursery, aquaculture (including ornamental fish), and floriculture, an environment in which everything that can practicably be controlled with structures, facilities, growing media (including but not limited to water, soil, or nutrients) by the producer, that is in fact controlled by the producer, as determined by industry standards.--\*

**Definitions of Terms Used in This Handbook (Continued)**

**Feeder Cattle 600 Pounds or More**

Feeder cattle 600 pounds or more means cattle weighing more than 600 pounds but less than slaughter cattle-fed cattle as defined.

**Feeder Cattle Less Than 600 Pounds**

Feeder cattle less than 600 pounds means cattle weighing less than 600 pounds.

**\*--Floriculture**

Floriculture means cut flowers and cut greenery from annual and perennial flowering plants grown in a container or controlled environment for commercial sale.--\*

**Hogs**

Hogs means any swine 120 pounds or more.

**Lambs and Yearlings**

Lambs and yearlings mean all sheep less than 2 years old.

**\*--Nursery**

Nursery means decorative or nondecorative plants grown in a container or controlled environment for commercial sale.--\*

**Pigs**

Pigs means any swine weighing less than 120 pounds.

**Producer**

Producer means a person or legal entity who shares in the risk of producing a crop or livestock and who is entitled to a share in the crop or livestock available for marketing or would have shared had the crop or livestock been produced and marketed. A contract grower who does not own the livestock, will be considered a producer if the contract allows the grower to have risk in the livestock.

**Definitions of Terms Used in This Handbook (Continued)****Slaughter Cattle-Fed Cattle**

Slaughter cattle-fed cattle means cattle with a weight of 1,200 pounds or more that are intended for slaughter.

**Slaughter Cattle-Mature Cattle**

Slaughter cattle-mature cattle means culled cattle raised or maintained for breeding purposes, but which were removed from inventory and are intended for slaughter.

**Subject to Price Risk**

Subject to price risk means any production, sales, or inventory not subject to an agreed-upon price through a forward contract, agreement, or similar binding document.

**Unpriced**

Unpriced means not subject to an agreed-upon price in the future through a forward contract, agreement, or similar binding document as of January 15, 2020.

**Wool**

Wool means the fiber sheared from a live sheep and includes, unless noted otherwise, graded and nongraded wool. Graded wool is paid on a clean basis, and ungraded wool is paid on a greasy basis.



**AD-3114, Coronavirus Food Assistance Program (CFAP) Application**

**A Completing AD-3114**

The following table provides instructions for completing a manual AD-3114.

**Note:** For FSA County Offices, enter the data for all AD-3114's received in the County Office in the CFAP application system to print the completed AD-3114 (CFAP application) for the applicant.

<b>Item</b>	<b>Instructions</b>
<b>For COC Use Only</b>	
1	Enter the producer's recording State.
2	Enter the applicable program year.
3	Enter the producer's recording county.
4	Enter application number
	<b>Note:</b> This number is assigned by the automated system.
<b>Part A – Producer Agreement</b>	
For Informational Purposes	
Applicants who are an individual person must complete automated CCC-902 or manual CCC-902, Parts A and B, and provide name, address, taxpayer identification number, and citizenship status. An individual who is not a U.S. resident or lawful alien must also report contributions of labor, capital and land contributions to the farming operation.	
Applicants who are a legal entity, including General Partnership or Joint Venture, must complete automated CCC-902 or manual CCC-901 and provide the name, address and taxpayer identification number for the legal entity and all members, partners or stockholders with an ownership interest. If any member, partner or stockholder is not a U.S. resident or lawful alien, CCC-902 must be completed to report contributions of labor to the legal entity.	
<b>Part B Producer Information</b>	
5	Enter the producer's name, address, including the ZIP code, and telephone number, including area code.
<b>*--Part C – Dairy/Egg Production Information</b>	
6	Displays the commodity and unit of measure for dairy, frozen egg, or liquid egg production as pounds (LBS).
7	Enter the total January 2020 production, including dumped milk for dairy, in pounds (LBS).
8	Enter the total February 2020 production, including dumped milk for dairy, in pounds (LBS).
9	Enter the total March 2020 production, including dumped milk for dairy, in pounds--* (LBS).

AD-3114, Coronavirus Food Assistance Program (CFAP) Application (Continued)

A Completing AD-3114 (Continued)

Item	Instructions
<b>*--Part C – Dairy/Egg Production Information (Continued)--*</b>	
10	COC may enter the adjusted January 2020 production, if applicable.  <b>Note:</b> An entry is only required when COC determines the January 2020 production is different than what is certified to by the producer in item 7.
11	COC may enter the adjusted February 2020 production, if applicable.  <b>Note:</b> An entry is only required when COC determines the February 2020 production is different than what is certified to by the producer in item 8.
12	COC may enter the adjusted March 2020 production, if applicable.  <b>Note:</b> An entry is only required when COC determines the March 2020 production is different than what is certified to by the producer in item 9.
A	Enter the last date milk was produced for those producers applying that are no longer producing milk.  <b>Note:</b> If you cease producing milk before July 1, 2020, you are required to notify the FSA County office of the date you stopped producing milk.
B	COC may enter the adjusted last date milk was produced, if applicable.  <b>Note:</b> An entry is only required when COC determines the last date milk was produced is different than what is certified to by the producer in item A.
<b>Part D – Non-Specialty Crop and Wool Information</b>	
13	Enter the eligible non-specialty crop
14	Enter the applicable unit of measure for the crop entered in item 13.
15	Enter the 2019 total production from all farms for the crop entered in item 13.
16	Enter the 2019 production from all farms not sold of non-specialty crops to be eligible to submit loss claim as of January 15, 2020.
17	COC may enter the adjusted 2019 total production, if applicable.  <b>Note:</b> An entry is only required when COC determines the 2019 total production is different than what is certified to by the producer in item 15.
18	COC may enter the adjusted 2019 production not sold, if applicable.  <b>Note:</b> An entry is only required when COC determines the 2019 production not sold is different than what is certified to by the producer in item 16.



AD-3114, Coronavirus Food Assistance Program (CFAP) Application (Continued)

A Completing AD-3114 (Continued)

Item	Instructions
<b>Part E – Livestock Information</b>	
19	<p>Enter the name of the eligible livestock.</p> <p>Eligible livestock categories are:</p> <p><b>Feeder Cattle: &lt; 600 lbs.</b> (cattle weighing less than 600 pounds)</p> <p><b>Feeder Cattle: &gt; 600 lbs.</b> (cattle weighing 600 pounds or more but less than "Slaughter Cattle: Fed Cattle")</p> <p><b>Slaughter Cattle: Fed Cattle</b> (cattle weighing 1,200 pounds or more and are intended for slaughter)</p> <p><b>Slaughter Cattle: Mature Cattle</b> (culled cattle raised or maintained for breeding purposes, but which were removed from inventory and are intended for slaughter)</p> <p><b>All Other Cattle</b> (commercially raised or maintained bovine animals not meeting the definition of another category of cattle, excluding beefalo, bison, and animals used for dairy production or intended for dairy production)</p> <p><b>Pigs: &lt; 120 lbs.</b> (any swine weighing less than 120 pounds)</p> <p><b>Hogs: &gt; 120 lbs.</b> (any swine 120 pounds or more)</p> <p><b>Lambs &amp; Yearlings: Less Than 2 Years Old</b> (all sheep less than 2 years old)</p> <p><b>*--All Other Sheep: Greater Than 2 Years Old</b> (all sheep greater than 2 years old)--*</p>
20	Enter the applicable unit of measure for the livestock entered in item 19.
21	<p>Enter the total sales (number of head sold) between January 15, 2020, and April 15, 2020, of owned unpriced inventory as of Jan 15, 2020, for the livestock entered in item 19, if applicable.</p> <p><b>Note:</b> Offspring from owned inventory as of January 15, 2020, that were sold between January 15, 2020, and April 15, 2020, are eligible.</p>
22	Enter the highest owned inventory on a date selected by the producer between April 16, 2020, and May 14, 2020, for the livestock entered in item 19, if applicable.
23	<p>COC will enter the total sales (number of head sold) between January 15, 2020, and April 15, 2020, of owned unpriced inventory as of Jan 15, 2020, for the livestock entered in item 19, if applicable.</p> <p><b>Note:</b> An entry is only required when COC determines the total sales is different than what is certified to by the producer in item 21.</p>

AD-3114, Coronavirus Food Assistance Program (CFAP) Application (Continued)

A Completing AD-3114 (Continued)

Item	Instructions
<b>Part E – Livestock Information (Continued)</b>	
24	COC will enter the adjusted owned inventory, if applicable.  <b>Note:</b> An entry is only required when COC determines the inventory is different than what is certified to by the producer in item 22.
<b>Part F – Value Loss Information</b>	
25	Enter the eligible value loss commodity.
26	Enter the total value of sales from all farms between January 15, 2020, and April 15, 2020, for the value loss commodity entered in item 25.
27	Enter the total value of marketable inventory from all farms as of April 15, 2020, for the value loss commodity entered in item 25.
28	COC may enter the adjusted value of sales between January 15, 2020, and April 15, 2020, if applicable.  <b>Note:</b> An entry is only required when COC determines the total value of sales is different than what is certified to by the producer in item 26.
29	COC may enter the adjusted value of inventory as of April 15, 2020, if applicable.  <b>Note:</b> An entry is only required when COC determines the value of inventory is different than what is certified to by the producer in item 27.
<b>Part G – Specialty Crop Information (COC Determination Not Required)</b>	
30	Enter the eligible specialty crop.
31	Enter the unit of measure for the crop in item 30.
32	*--Enter the total volume of production shipped that spoiled or went unpaid between--* January 15, 2020, and April 15, 2020, for the crop in item 30.
33	Enter the total volume of production shipped but not sold between January 15, 2020, and April 15, 2020, for the crop in item 30.
34	Enter the total number of per unit of output basis left in the field or harvested but not shipped between January 15, 2020, and April 15, 2020, for the crop in item 30
35	Leave blank. AMS will enter an adjusted number if application is selected for audit.  <b>Note:</b> No action required by producer.
36	Leave blank. AMS will enter an adjusted number if application is selected for audit.  <b>Note:</b> No action required by producer.
37	Leave blank. AMS will enter an adjusted number if application is selected for audit.  <b>Note:</b> No action required by producer.

AD-3114, Coronavirus Food Assistance Program (CFAP) Application (Continued)

A Completing AD-3114 (Continued)

Item	Instructions
<b>Part H – Increased Payment Limitation for Corporations, Limited Liability Companies and Limited Partnerships</b>	
38 A-C	Enter the member/partner or stockholder name(s) who provide 400 hours or more of active personal labor or active personal management, or combination thereof, to the farming operation identified in Part A, item 5.  <b>Note:</b> Entry only required to be completed by Corporations, LLC's and LP's.
<b>Part I – Producer Certification</b>	
39A	Producer applying for CFAP benefits must sign.
39B	Enter title and/or relationship to the individual when signing in a representative capacity.  <b>Note:</b> If the producer signing is not signing representative capacity, this field should be left blank.
39C	Enter the date the AD-3114 is signed in item 39A.
<b>Part J – COC Determination</b>	
40	Displays the Payment Parts – CARES and CCC.
41	COC or their representative's signature.  <b>Note:</b> COC must complete for both payment parts in item 40.
42	Date COC or their representative signs the AD-3114.
43	Check (✓) either "Approved" or "Disapproved" for both payment parts in item 40.  <b>Important:</b> AD-3114 will be approved or disapproved as certified by the producer after applicable COC adjustment fields are completed.

## AD-3114, Coronavirus Food Assistance Program (CFAP) Application (Continued)

## B Example of AD-3114

The following is an example of AD-3114.

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<b>AD-3114</b> <b>U.S. DEPARTMENT OF AGRICULTURE</b> (08-14-20)				Form Approved - OMB No. 0560-0295 OMB Expiration Date: 11/30/2020	
<b>CORONAVIRUS FOOD ASSISTANCE PROGRAM (CFAP) APPLICATION</b>				1. Recording State	2. Program Year
				3. Recording County	4. Application Number
<small>NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 9, the CARES Act (Pub. L. 116-136), and 15 U.S.C. 714b and 714c. The information will be used to determine eligibility for program benefits. The information collected on this form may be disclosed to other Federal, State, and Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/PSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for program benefits. Payments may be made under the program to which the form applies only to the extent permitted by applicable authorities.</small>					
<small>Public Burden Statement (Paperwork Reduction Act) Public reporting burden for this collection is estimated to average 60 minutes per response, including reviewing instructions, gathering and maintaining the data needed, completing (providing the information), and reviewing the collection of information. You are not required to respond to the collection, or USDA may not conduct or sponsor a collection of information unless it displays a valid OMB control number. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</small>					
<b>PART A – PRODUCER AGREEMENT</b>					
The Department of Agriculture (USDA) will make payments under the CFAP to producers who meet the requirements of the program. The following information is needed in order for USDA to make a determination that the applicant is eligible to receive a CFAP payment. By submitting this application, and upon approval by USDA, the applicant agrees:					
1. To comply with regulations set forth in 7 CFR Part 9 and any Notice of Funds Availability published by USDA. Copies of these documents may be found at <a href="http://www.regulations.gov/docket?D=FA-2020-0004">www.regulations.gov/docket?D=FA-2020-0004</a> .					
2. That a CFAP payment will only be made with respect to a commodity produced in the United States and intended to be marketed for commercial production;					
3. Nonspecialty crop and wool inventory and livestock sales between January 15, 2020 and April 15, 2020, must be unpriced as of January 15, 2020. Specialty crops that were sold between January 15, 2020, and April 15, 2020 under an agreed upon set price before January 15, 2020, do not qualify for assistance.					
4. To provide to USDA all information that is necessary to verify that the information provided on this form is accurate and to allow USDA representative access to all documents and records of the producer, including those in the possession of a third-party such as a warehouse operator, processor or packer;					
5. To comply with maximum payment limitation and adjusted gross income provisions applicable to the CFAP by completing forms: <ul style="list-style-type: none"> <li>• CCC-802, Farm Operating Plan for Payment Eligibility (NOTE: Only Parts A and B of the form are required).</li> <li>• CCC-801, Member Information for Legal Entities, if applicable</li> <li>• CCC-841, Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information</li> <li>• CCC-842, Certification of Income From Farming, Ranching and Forestry Operations, optional</li> </ul>					
6. To provide to USDA all information required for program participation within 60 days from the date the applicant signs this application. Failure of an individual, entity, or member of an entity to timely submit all information required may result in no payment or a reduced payment.					
7. To comply with the provisions of the Food Security Act of 1985 that protect highly erodible land and wetlands. All applicants must complete and submit all portions of form AD-1026, Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification unless:					
7A. i. The applicant does not participate in USDA benefits subject to HELC and WC compliance except Federal Crop Insurance or CFAP; and ii. The applicant only has an interest in land devoted to the production of agricultural commodities that are perennial crops, excluding sugar cane, such as tree fruits, tree nuts, grapes, olives, native pasture and perennial forage. If the applicant produces alfalfa, the applicant must contact the Natural Resources Conservation Service to determine if such production qualifies as the production of a perennial crop; and iii. The applicant has not converted a wetland after December 23, 1985; or					
7B. i. The applicant does not own or rent land devoted to an agricultural activity including cropland, rangeland, pastureland or forestland; ii. The applicant is a producer of livestock, nursery crops, honey or similar commodity that is not produced from tillage of land					
8. If the applicant meets either the conditions in section 7A (certification with box 5 B on AD-1026) or 7B (certification with box 5 A on AD-1026), the applicant is only required to complete Parts A and D of form AD-1026.					
<b>PART B – PRODUCER INFORMATION</b>					
5. Producer's Name, Address(City, State and Zip Code) and Phone Number (Include Area Code)					
<b>PART C – DAIRY/EGG PRODUCTION INFORMATION</b>					
6. Commodity/ Unit of Measure	7. January 2020 Production	8. February 2020 Production	9. March 2020 Production	10. COC Adjusted Jan 2020 Production	11. COC Adjusted Feb 2020 Production
A. If you are no longer producing milk, what is the last date milk was produced? (MM/DD/YYYY): ____				<b>COC USE ONLY</b>	
				B. COC Adjusted Last Date Milk was Produced	
<b>PART D – NON-SPECIALTY CROP AND WOOL INFORMATION</b>				<b>COC USE ONLY</b>	
13. Commodity	14. Unit of Measure	15. 2019 Total Production	16. 2019 Production Not Sold (as of Jan 15, 2020)	17. COC Adjusted 2019 Total Production	18. COC Adjusted 2019 Production Not Sold (as of Jan 15, 2020)

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AD-3114, Coronavirus Food Assistance Program (CFAP) Application (Continued)

B Example of AD-3114 (Continued)

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PART E - LIVESTOCK INFORMATION					COC USE ONLY		
19. Livestock	20. Unit of Measure	21. Sales (Between Jan 15, 2020 – April 15, 2020) of Inventory Owned as of Jan 15, 2020	22. Inventory (Highest Between April 16, 2020 - May 14, 2020)	23. COC Adjusted Sales (Between Jan 15, 2020 - April 15, 2020) of Inventory Owned as of Jan. 15, 2020	24. COC Adjusted Inventory (Highest Between April 16, 2020 - May 14, 2020)		
PART F - AQUACULTURE & NURSERY/FLORICULTURE INFORMATION				COC USE ONLY			
25 Commodity	26A Volume of Inventory Sold (Jan 15, 2020 – April 15, 2020)	26B Value of Inventory Shipped that Spoiled or Went Unpaid (as of April 15, 2020)	27A Volume of Available Inventory (see instructions)	27B Value of Inventory Not Sold (as of April 15, 2020)	28A COC Adjusted Volume of Inventory Sold (Jan 15, 2020 – April 15, 2020)	28B COC Adjusted Value of Inventory Shipped that Spoiled or Went Unpaid (as of April 15, 2020)	
PART G - SPECIALTY CROP INFORMATION (COC DETERMINATION NOT REQUIRED)					AMS USE ONLY		
30. Crop	31. Unit of Measure	32. Volume of Production Sold (Jan 15, 2020 - April 15, 2020)	33. Volume of Production Shipped that Spoiled or Went Unpaid (Jan 15, 2020 – April 15, 2020)	34. Acres with Production Not Shipped or Sold (Jan 15, 2020 – April 15, 2020)	35. AMS Adjusted Volume of Production Sold (Jan 15, 2020 - April 15, 2020)	36. AMS Adjusted Volume of Production Shipped that Spoiled or Went Unpaid (Jan 15, 2020 - April 15, 2020)	
PART H - INCREASED PAYMENT LIMITATION FOR CORPORATIONS, LIMITED LIABILITY COMPANIES AND LIMITED PARTNERSHIPS							
38. Applicants who are Corporations, Limited Liability Companies, and Limited Partnerships may seek an increase in the per-person payment limitation from \$250,000 to either \$500,000, if such entity has two members, partners, or stockholders who each provided at least 400 hours or more of personal labor or active personal management, or combination thereof, to the farming operation as defined in 7 CFR Part 1400, or a maximum of \$750,000 if such entity has three members, partners, or stockholders who each provided at least 400 hours or more of personal labor or active personal management, or combination thereof, to the farming operation as defined in 7 CFR Part 1400. Identify the names of members, partners, or stockholders who provided at least 400 hours of active personal labor or active personal management, or combination thereof, to the farming operation identified in Part B Item 5:							
A.		B.			C.		
PART I - PRODUCER CERTIFICATION							
I hereby sign and acknowledge under penalty of perjury in accordance with 28 U.S.C. § 1746 and 18 U.S.C. § 1621 that the foregoing is true and correct.							
39A. Signature (By)				39B. Title/Relationship of the Individual Signing in the Representative Capacity		39C. Date (MM/DD/YYYY)	
PART J - COC DETERMINATION							
40. Payment Part	41. COC or Designee Signature			42. Date (MM/DD/YYYY)	43. Determination		
CARES					<input type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED		
CCC					<input type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED		

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