

**UNITED STATES DEPARTMENT OF AGRICULTURE**

Farm Service Agency  
Washington, DC 20250

<b>Coronavirus Food Assistance Program 1-CFAP</b>	<b>Amendment 13</b>
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**Approved by:** Acting Deputy Administrator, Farm Programs



**Amendment Transmittal**

**A Reasons for Amendment**

Subparagraphs 22 A, 22 C, 165 B, and paragraph 188 have been amended to correct policy on Part 3 payments for applicable livestock.

<b>Page Control Chart</b>		
<b>TC</b>	<b>Text</b>	<b>Exhibit</b>
	2-13, 2-14 2-23 6-1, 6-2 6-45, 6-46 6-51	



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.

**\*--C Late-Filed AD-3114**

If an AD-3114 is submitted after the September 11, 2020, CFAP application deadline, the application **must** be accompanied by a written explanation from the applicant explaining the reasons for the late filing.

**Note:** Applications filed by the date arranged for filing the application under an approved register are not considered late-filed.

The late-filed AD-3114 and written explanation will be presented to COC for review and action according to the following table.

IF AD-3114...	THEN COC...
is filed by October 9, 2020	<p>is delegated authority to approve or disapprove programmatic relief for the producer's application provided the AD-3114 was accompanied by the required producer written explanation for late-filing. If COC grants relief and approves the application, the FSA representative will sign and date AD-3114, for CARES, CCC, or both, as applicable, with the effective COC decision date.</p> <p><b>Notes:</b> COC is under no obligation to grant relief. However, if the producer filed the written explanation for late-filing, COC must determine if relief is warranted.</p> <p>A late-filed AD-3114 not accompanied by the required producer written explanation will be considered incomplete and will not be processed or acted on by FSA.</p>
is filed <b>with</b> the required producer written explanation after October 9, 2020, and on or before November 6, 2020	<p>will either disapprove the late-filed AD-3114 or make a recommendation for relief to STC. If COC recommends relief, STC is delegated authority to approve or disapprove programmatic relief for the producer's application provided the AD-3114 was accompanied by the required producer written explanation for late-filing. STC will review the participant's request and COC recommendation.</p> <p><b>Note:</b> COC is under no obligation to recommend relief.</p> <p>If STC:</p> <ul style="list-style-type: none"> <li>• grants relief, the State Office will advise COC to notify the applicant of the approval</li> </ul> <p style="margin-left: 40px;"><b>Note:</b> The FSA representative will sign and date AD-3114 for CARES, CCC, or both, as applicable with the effective DAFP decision date.</p> <ul style="list-style-type: none"> <li>• denies relief, the State Office will advise COC to disapprove the application and notify the participant in writing that relief has been disapproved. The letter must include appropriate appeal rights according to 1-APP.</li> </ul>

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**21 Eligible Commodities and Signup Period (Continued)****C Late-Filed AD-3114 (Continued)**

**Notes:** Generally, a participant's assertion of not being aware of an application deadline is not a valid reason for finding the applicant was prevented, by reasons beyond the applicant's control, from filing a timely application. Information on application deadline is available in the public domain or by contacting FSA.

If a producer submits an application after November 6, 2020, COC must disapprove the application and the producer will be notified using the letter in Exhibit 9.

**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)

## 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)



**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 are those that are determined to have 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 and continuing market disruptions from changes in U.S. meat consumption due to the pandemic. 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. Part 3 payments for \* \* \* cattle as authorized by the Consolidated Appropriations Act of 2021, are based on the highest owned inventory of eligible livestock between April 16, 2020, and May 14, 2020, multiplied by a national payment rate per head. This calculation is subject to availability of funds and will be factored, if needed. FSA is not reopening the CFAP 1 application period for Part 3. Only producers who previously applied for CFAP 1 are eligible to receive this additional assistance. Eligible producers do not need to submit a new CFAP 1 application or take any action to receive the additional payment.

**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 3 Payments

188 Livestock CFAP Payment Computations

A Payment Rates

CFAP payment rates are determined by the Secretary and Part 1 and Part 2 payments are paid using two separate funds (CARES Act and CCC); however, these payments will be paid in 1 amount. The Part 3 payments, as authorized by § 9.102 and the Consolidated Appropriations Act, 2021 are subject to availability of funds and will be factored, if needed.

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	Part 3 Payment Rate
Cattle	Feeder Cattle: Less Than 600 Pounds	Head	\$102.00	\$33.00	\$7.00
	Feeder Cattle: 600 Pounds or More	Head	\$139.00	\$33.00	\$25.50
	Slaughter Cattle: Fed Cattle	Head	\$214.00	\$33.00	\$63.00
	Slaughter Cattle: Mature Cattle	Head	\$92.00	\$33.00	\$14.75
	All Other Cattle	Head	\$102.00	\$33.00	\$17.25
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	Part 3 Payment For Cattle ***
<p>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.</p> <p><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.</p>	<p>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.</p>	<p>For each eligible producer, payment is calculated by multiplying the highest owned inventory between April 16, 2020, to May 14, 2020, by the payment rate per head.</p>

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 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:

Livestock	Unit of Measure	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
Hogs & Pigs: Pigs Less than 120 lbs	Head	500	\$ 28.00	\$ 14,000	25	\$ 17.00	\$ 425
Hogs & Pigs: Hogs 120 lbs or More	Head		\$ 18.00	\$ -	105	\$ 17.00	\$ 1,785
		<b>Total CARES Act</b>		<b>\$ 14,000</b>	<b>Total CCC Part 2</b>		<b>\$ 2,210</b>
<b>Total Estimated Gross CFAP Payment Before Any Reductions (PL, etc.)</b>							<b>\$ 16,210</b>

\* \* \*

189-199 (Reserved)

