

**UNITED STATES DEPARTMENT OF AGRICULTURE**

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.

<b>Page Control Chart</b>		
<b>TC</b>	<b>Text</b>	<b>Exhibit</b>
1, 2	1-3 through 1-6 2-1 through 2-4 2-6.5, 2-6.6 2-7, 2-8 2-11, 2-12 2-17, 2-18 5-21, 5-22 5-29, 5-30 5-51, 5-52 6-21, 6-22	



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**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.

<b>IF the producer is...</b>	<b>THEN the approval authority is...</b>
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.

<b>Website Content</b>	<b>Website Address</b>
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 participant's 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.



## 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)

### \*--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).



**\*--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)	<table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top;"> <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> </ul> </td> <td style="vertical-align: top;"> <ul style="list-style-type: none"> <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> </td> </tr> </table>	<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> </ul>	<ul style="list-style-type: none"> <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>
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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>		

## 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>. Payment 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%

**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.

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.



**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.

<b>Commodity</b>	<b>Unit of Measure</b>	<b>CARES Act Payment Rate</b>	<b>CCC Payment Rate</b>
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.

**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.