

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

**Direct and Counter-Cyclical Program and
Average Crop Revenue Election for 2009
and Subsequent Crop Years
1-DCP (Revision 3)**

Amendment 6

Approved by: Deputy Administrator, Farm Programs



Amendment Transmittal

A Reasons for Amendment

Paragraph 332 has been amended to include instructions and an example of CCC-509 (10-01-09).

| Page Control Chart | | |
|---------------------------|--|----------------|
| TC | Text | Exhibit |
| | 6-1, 6-2 6-2.5 through 6-2.10 (add) | 1, pages 1, 2 |

Part 6 Annual Enrollment**Section 1 General Information****331 Annual Enrollment Period****A Enrollment Dates**

Enrollment in either DCP or ACRE is on an annual basis. The enrollment period for DCP for FY 2009 began December 23, 2008, and ends August 14, 2009. The 2009 ACRE Program enrollment begins April 27, 2009, and ends August 14, 2009.

ACRE Program enrollment occurs **after** election of ACRE. See paragraph 176 for ACRE.

B Farms With CRP-1

Farms with CRP-1's that expire, are voluntarily terminated, or early released after September 30, 2008, and before October 1, 2012, may enter into or expand CCC-509 to the extent:

- CAB's reduced under CRP-15 were released
- PFC acreage was reduced on CCC-505
- base acres were reduced on CCC-505.

Note: See subparagraph 67 C for adjustments to base acres and yields because of CRP-1 that expires, is voluntarily terminated, or is early released. See 3-CM for updating the farm maintenance system.

C Reconstitution of Enrolled Farms

Farms enrolled during the prescribed annual enrollment period are no longer considered to be enrolled following a farm reconstitution. Farms resulting from a reconstitution are not deemed to have CCC-509 and, therefore, may not earn benefits associated with DCP or the ACRE Program unless timely enrolled in DCP or the ACRE Program.

See paragraph 333 for enrollment of reconstituted farms.

Note: ACRE elections are irrevocable and continue to apply following reconstitutions.

332 Overview of CCC-509

A CCC-509

CCC-509 includes the following for each covered commodity and peanuts on the farm:

- base acres, direct payment acres, direct payment yields, and counter-cyclical payment yields, if applicable
- producer payment shares for direct and, if applicable, counter-cyclical
- advance direct and counter-cyclical payment selections, as applicable

Note: Although advance direct payments are available under an ACRE Program contract, there are no advance ACRE payments.

- signatures of the producer and CCC representative.

CCC-509 is available at <http://165.221.16.90/dam/ffasforms/currentforms.asp>.

*--The following provides which version of CCC-509 is acceptable for each contract year.

| IF the contract year is... | THEN the acceptable version of CCC-509 is... |
|----------------------------|---|
| 2008 | “06-20-08”. |
| 2009 | <ul style="list-style-type: none"> • “11-14-08” • “04-16-09”. |
| 2010 | “10-01-09”. |

--*

For ACRE Program contracts, CCC-509 will also reflect those potentially eligible for ACRE payments even though the producer may not have a share of base acres. See paragraphs 187, 209, and 397.

*--B CCC-509 Instructions

Complete CCC-509 according to the following.

| Item | Instruction |
|------|---|
| 1 | Enter the applicable program year. Note: This will be prefilled if generated in DCP/ACRE software. |
| 2 | Enter the State code for the farm serial number in item 4. Note: This will be prefilled if generated in DCP/ACRE software. |
| 3 | Enter the county code for the farm serial number in item 4. Note: This will be prefilled if generated in DCP/ACRE software. |
| 4 | Enter the applicable farm serial number. Note: This will be prefilled if generated in DCP/ACRE software. |

--*

332 Overview of CCC-509 (Continued)

*--B CCC-509 Instructions (Continued)

| Item | Instructions |
|------|---|
| 5A | Enter the County Office name and address of the farm serial number in item 4. Note: This will be prefilled if generated in DCP/ACRE software. |
| 5B | Enter the telephone number of the County Office identified in item 5A (optional). Note: This will be prefilled if generated in DCP/ACRE software. |
| 6 | Check (✓) the box adjacent to: <ul style="list-style-type: none"> • “DCP” if the farm serial number in item 4 is participating in DCP • “ACRE” if the farm serial number in item 4 is participating in the ACRE Program. An entry can not be made in both boxes. If the farm is participating in ACRE, an approved CCC-509 ACRE must be on file for either the current year or a previous year. Producer’s initials must be: <ul style="list-style-type: none"> • operator • any producer’s receiving a share of the direct ACRE payment |
| 7 | This item is only applicable to farms with 10.0 base acres or less. The farm operator or farm owners shall check (✓) the box adjacent to “YES” if the ownership interest of the farm is at least 50 percent held by a socially disadvantaged or limited resource farmer or rancher or group of farmers or ranchers. |
| 8 | Enter the commodity or peanuts that have base acres on the farm listed in item 4. Note: This will be prefilled if generated in DCP/ACRE software. |
| 9 | Enter the number of base acres of the commodity or peanuts listed in item 8. Note: This will be prefilled if generated in DCP/ACRE software. |
| 10 | Enter the number of direct payment acres of the commodity listed in item 8. For 2009 through 2011, this amount may be calculated by multiplying the number of base acres in item 9 times 83.3 percent. For 2012, this amount may be calculated by multiplying the number of base acres in item 9 times 85 percent. Note: This will be prefilled if generated in DCP/ACRE software. |
| 11A | Enter the direct payment yield for the crop in item 8. Note: This will be prefilled if generated in DCP/ACRE software. |
| 11B | Enter the counter-cyclical yield for the crop in item 8. Notes: This will be prefilled if generated in DCP/ACRE software. This yield is not applicable for ACRE payments. |

--*

332 Overview of CCC-509 (Continued)

*--B CCC-509 Instructions (Continued)

| Item | Instruction |
|------|--|
| 12A | Enter the name and address of the farm operator, owner, or other tenant for the farm identified in item 4. Note: This will be prefilled if generated in DCP/ACRE software. |
| 12B | Enter the telephone number for the producer in item 12A. Note: This will be prefilled if generated in DCP/ACRE software. |
| 13 | Enter the commodity or peanuts that have base acres on the farm listed in item 4. Note: This will be prefilled if generated in DCP/ACRE software. |
| 14 | Enter the percentage interest of direct, counter-cyclical, and direct ACRE payments that the producer in item 12A has in the covered commodity or peanuts listed in item 13. Note: This percentage is not applicable to ACRE payments. |
| 15A | The producer shall check (✓) any box to refuse: <ul style="list-style-type: none"> • all direct payments • all counter-cyclical payments • all ACRE payments. If no payments are refused, no entry is required. |
| 15B | The producer refusing the payment shall initial. If no payments are refused, no entry is required. |
| 15C | The producer refusing the payment shall enter the date the payment was refused. If no payments are refused, no entry is required. |
| 16A | If the producer in item 12A wishes to receive an advance direct payment for either DCP or ACRE, then the month and year shall be entered. |
| 16B | Check (✓) the box adjacent to: <ul style="list-style-type: none"> • “YES” if the producer in item 12A chooses to receive a partial counter-cyclical payment if available • “NO” if the producer in item 12A chooses not to receive a partial counter-cyclical payment if available. |
| 17A | The producer identified in 12A shall sign. |
| 17B | If the individual signing in item 17A is signing in a representative capacity for the participant, a title/relationship shall be listed. If the individual in item 17A is the signatory, then no entry is required. |
| 17C | Date the shareholder or person signing in a representative capacity signs CCC-509. |
| 18A | The CCC representative or delegated representative shall sign indicating approval of CCC-509. |
| 18B | Enter the date the CCC representative signs item 18A. |
| 19 | Enter any applicable remarks. |

--*

332 Overview of CCC-509 (Continued)

*--C Example of CCC-509

The following is an example of CCC-509.

This form is available electronically. (See Page 3 for Privacy Act Statement)

| | | | |
|--|---------------|--|--------------------------|
| CCC-509 U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation DIRECT AND COUNTER-CYCLICAL PROGRAM (DCP) CONTRACT AND AVERAGE CROP REVENUE ELECTION (ACRE) CONTRACT | | 1. Program Year: 2010 | |
| | | 2. State Code 28 | 3. County Code 039 |
| | | 4. Farm Number 765 | |
| 5A. County FSA Office Name and Address (Including Zip Code) George County FSA 111 Ventura Ave., Suite A Lucedale, MS 39452 | | | |
| 5B. County Office Telephone/Fax Number(s) (Including Area Code): (601) 766-3862 | | | |
| <p>THIS CONTRACT TO PARTICIPATE is entered into between the Commodity Credit Corporation (CCC) and the undersigned producers on the farm identified above for the commodities identified in Item 8. This contract must be executed by all producers, with a share greater than zero, by June 1 of the contract period. The terms and conditions of the DCP and ACRE contract are contained in the CCC-509 Appendix (04-24-09), entitled "Appendix to Form CCC-509, Direct and Counter-Cyclical Program (DCP) Contract and Average Crop Revenue Election (ACRE) Program Contract", and the Regulations in 7 CFR Part 1412 and are subject to change. By signing this contract, the undersigned producers on the farm identified in Item 4 are participating in the DCP or ACRE Program subject to CCC approval. By signing this contract, producers: (1) acknowledge receipt of the CCC-509 Appendix; (2) agree to abide by the terms contained therein; (3) agree to comply with the regulations governing the applicable program and payment eligibility and limitation provisions; (4) acknowledge and agree that DCP and ACRE and benefits under DCP and ACRE are subject to changes based upon change to applicable statute; and (5) certify to the accuracy of the information set out on this form.</p> | | | |
| 6. This contract is for the following program (Check one and initial): <input checked="" type="checkbox"/> DCP <input type="checkbox"/> ACRE Producer's Initials: <u>IF</u> | | | |
| If ACRE is checked, you must also complete the ACRE Election form (CCC-509ACRE) only if this is the first year for ACRE participation. | | | |
| 7. At least 50 percent of the ownership interest of the farm is held by a socially disadvantaged or limited resource farmer or rancher <input type="checkbox"/> YES. (See CCC-509 Appendix for definitions and rules). Producer's Initials: _____ | | | |
| Items 8 through 16 specify the details for the commodity, base acres, direct payment acres, yields and payment share for the farm in Item 4. Item 11B does not apply to ACRE. Items 13 and 14 do not apply to ACRE payments | | | |
| 8. Commodity | 9. Base Acres | 10. Direct Payment Acres | 11. Payment Yield |
| | | | A. Direct |
| | | | B. Counter-Cyclical |
| | | | 8. Commodity |
| | | | 9. Base Acres |
| | | | 10. Direct Payment Acres |
| | | | 11. Payment Yield |
| | | | A. Direct |
| | | | B. Counter-Cyclical |
| UPCN | 20.4 | 17.0 | 971 |
| CORN | 25.3 | 21.1 | 86 |
| | | | |
| 12A. Owner or Producer's Name and Address (Including Zip Code) IMA Farmer State Wine RD Lucedale, MS 39452 | | 13. Commodity UPCN | 14. Payment Share 100 |
| | | 13. Commodity Corn | 14. Payment Share 100 |
| 12B. Telephone No. (Include Area Code): | | | |
| 15A. Refused Payment Information: <input type="checkbox"/> All Direct Payments are Refused <input type="checkbox"/> All Counter-Cyclical Payments are Refused <input type="checkbox"/> All ACRE Payments are Refused | | 15B. Producer's Initials 15C. Date Initialed (MM-DD-YYYY) | |
| 16. Advance Payment Sections (for all commodities): A. Advance Direct Payments <u>December 2009</u> (Month requested for receipt of Direct Payment.) B. Partial Counter-Cyclical Payment (Not applicable for ACRE): YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | | | |
| 17A. Producer's Signature (By) Ima Farmer | | 17B. Title/Relationship of the Individual Signing in the Representative Capacity 17C. Date (MM-DD-YYYY) 10/01/2009 | |
| FOR FSA USE ONLY | | | |
| 18A. Signature of CCC Representative /s/ Fred Chair | | 18B. Date (MM-DD-YYYY) 10/01/2009 | |
| 19. Remarks | | | |

--*

332 Overview of CCC-509 (Continued)

*--C Example of CCC-509 (Continued)

| | | | | |
|---|---------------------|--|----------------------------------|------------------------------------|
| CCC-509 (10-01-09) | | | Page 2 of 3 | |
| 1. Program Year 2010 | 2. State Code 28 | 3. County Code 039 | 4. Farm Number 765 | |
| CONTINUATION OF OWNER'S OR PRODUCER'S CROP INFORMATION (From Page 1) | | | | |
| 12A. Owner or Producer's Name and Address (Including Zip Code) GAJE Owner 123 Pine St. Luicedale, MS 39452 | 13. Commodity | 14. Payment Share | 13. Commodity | 14. Payment Share |
| | UPCN | 0 | | |
| | Corn | 0 | | |
| 12B. Telephone No. (Include Area Code): | | | | |
| 15A. Refused Payment Information: <input type="checkbox"/> All Direct Payments are Refused <input type="checkbox"/> All Counter-Cyclical Payments are Refused <input type="checkbox"/> All ACRE Payments are Refused | | | 15B. Producer's Initials | |
| | | | 15C. Date Initialed (MM-DD-YYYY) | |
| 16. Advance Payment Sections (for all commodities): A. Advance Direct Payments _____ (Month requested for receipt of Direct Payment). B. Partial Counter-Cyclical Payment (Not applicable for ACRE): YES <input type="checkbox"/> NO <input type="checkbox"/> | | | | |
| 17A. Producer's Signature (By) | | 17B. Title/Relationship of the Individual Signing in the Representative Capacity | | 17C. Date (MM-DD-YYYY) 10/01/09 |
| 12A. Owner or Producer's Name and Address (Including Zip Code) | 13. Commodity | 14. Payment Share | 13. Commodity | 14. Payment Share |
| | | | | |
| | | | | |
| 12B. Telephone No. (Include Area Code): | | | | |
| 15A. Refused Payment Information: <input type="checkbox"/> All Direct Payments are Refused <input type="checkbox"/> All Counter-Cyclical Payments are Refused <input type="checkbox"/> All ACRE Payments are Refused | | | 15B. Producer's Initials | |
| | | | 15C. Date Initialed (MM-DD-YYYY) | |
| 16. Advance Payment Sections (for all commodities): A. Advance Direct Payments _____ (Month requested for receipt of Direct Payment). B. Partial Counter-Cyclical Payment (Not applicable for ACRE): YES <input type="checkbox"/> NO <input type="checkbox"/> | | | | |
| 17A. Producer's Signature (By) | | 17B. Title/Relationship of the Individual Signing in the Representative Capacity | | 17C. Date (MM-DD-YYYY) |
| 12A. Owner or Producer's Name and Address (Including Zip Code) | 13. Commodity | 14. Payment Share | 13. Commodity | 14. Payment Share |
| | | | | |
| | | | | |
| 12B. Telephone No. (Include Area Code): | | | | |
| 15A. Refused Payment Information: <input type="checkbox"/> All Direct Payments are Refused <input type="checkbox"/> All Counter-Cyclical Payments are Refused <input type="checkbox"/> All ACRE Payments are Refused | | | 15B. Producer's Initials | |
| | | | 15C. Date Initialed (MM-DD-YYYY) | |
| 16. Advance Payment Sections (for all commodities): A. Advance Direct Payments _____ (Month requested for receipt of Direct Payment). B. Partial Counter-Cyclical Payment (Not applicable for ACRE): YES <input type="checkbox"/> NO <input type="checkbox"/> | | | | |
| 17A. Producer's Signature (By) | | 17B. Title/Relationship of the Individual Signing in the Representative Capacity | | 17C. Date (MM-DD-YYYY) |

--*

332 Overview of CCC-509 (Continued)

*--C Example of CCC-509 (Continued)

CCC-509 (10-01-09)

Page 3 of 3

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 1412, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246). The information will be used to by CCC to assist in determining DCP or ACRE program eligibility, to determine the correct producers on the DCP or ACRE contract, and to consider and approve the contract to enter into the DCP or ACRE program. The information collected on this form may be disclosed to other Federal, State, 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/FSA-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 entry into the DCP or ACRE program.*

This information collection is exempted from the Paperwork Reduction Act, as it is required for administration of the Food, Conservation, and Energy Act of 2008 (See Pub. L. 110-246, Title I, Subtitle F – Administration).

The provisions of criminal and civil fraud, privacy and other statutes may be applicable to the information provided.
RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of Discrimination, write to USDA, Director, Office of Adjudication and Compliance, 1400 Independence Avenue, SW., Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 845-6136 (Spanish) or (800) 877-8339 (TDD) or (866) 377-8642 (Federal-relay). USDA is an equal opportunity provider and employer.

--*

332 Overview of CCC-509 (Continued)

D CCC-509 Appendix

CCC-509 Appendix contains the terms and conditions of CCC-509. By signing CCC-509, participants:

- acknowledge receiving CCC-509 Appendix
- agree to abide by the terms of CCC-509 Appendix.

CCC-509 Appendix is available from the FFAS Employees Forms/Publications Online Website at <http://165.221.16.90/dam/ffasforms/currentforms.asp>.

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 (HELIC) and Wetland Conservation (WC) Certification | | 6, 7, 352, 429, Ex. 4 |
| AD-1153 | Application for Long-Term Contracted Assistance Through the _____ Program | | 427 |
| CCC-505 | Voluntary Permanent Direct and Counter-Cyclical Program (DCP) Base Acres Reduction | 66 | Text, Ex. 19 |
| CCC-509 (04-16-09) | Direct and Counter-Cyclical Program (DCP) Contract and Average Crop Revenue Election (ACRE) Contract | | Text, Ex. 2, |
| CCC-509 (10-01-09) | Direct and Counter-Cyclical Program (DCP) Contract and Average Crop Revenue Election (ACRE) Contract | 332 | Text, Ex. 2, |
| CCC-509ACRE | Average Crop Revenue Election (ACRE) Program Irrevocable Election | | Text, Ex. 14 |
| CCC-509 Appendix (04-24-09) | Appendix to Form CCC-509, Direct and Counter-Cyclical Program (DCP) Contract and Average Crop Revenue Election (ACRE) Contract | | 11, 332, 395, 426 |
| CCC-509B ACRE Worksheet | 2009-ACRE CCC-509B Worksheet | | 10 |
| CCC-510 | DCP or ACRE Program Cash Rent Certification Statement | Ex. 14 | 352, 394, 402 |
| CCC-517 | Tract Redistribution Form | | 334 |
| CCC-527 | Request for Action for Subsidiary/Payment Limitation | | 10 |
| CCC-528 | Designation of Payment Acres for Planted and Considered Planted (P&CP) Crops of Covered Commodities and Peanuts for the Average Crop Revenue Election (ACRE) Program | 187 | |
| CCC-529 | Program Adjustment to Payment Limitation Because of Participation in ACRE Program | 10 | |
| CCC-576 | Notice of Loss and Application for Payment Noninsured Crop Disaster Assistance Program | | 78 |
| CCC-749 | Request to Participate in the 20__ Planting Transferability Pilot Project | 80 | 76, 79, 81, 82, 333 |

Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

Forms (Continued)

| Number | Title | Display Reference | Reference |
|----------------------|--|-------------------|----------------------|
| CCC-770 DCP | Direct and Counter-Cyclical Program Contract Checklist | Ex. 17 | 353 |
| CCC-770 Eligibility | Eligibility Checklist | | Ex. 17 |
| CCC-902 Continuation | Continuation Sheet for Leased or Owned Land | | 6, 7, 352, Ex. 4 |
| CCC-902E | Farm Operating Plan for Entity 2009 and Subsequent Program Years | | 6, 7, 352, Ex. 4 |
| CCC-902I | Farm Operating Plan for Individual 2009 and Subsequent Program Years | | 6, 7, 352, Ex. 4 |
| CCC-903 | Worksheet for Payment Eligibility and Payment Limitation Determinations | | 352 |
| CCC-920 | Grassland Reserve Program Contract | | 66, 427 |
| CCC-926 | Average Adjusted Gross Income (AGI) Statement | | 6, 7, 352, Ex. 4 |
| CRP-1 | Conservation Reserve Program Contract | | Text, Ex. 2 |
| CRP-2 | Conservation Reserve Program Worksheet | | 427 |
| CRP-2C | Conservation Reserve Program Worksheet (For Continuous Signup) | | 427 |
| CRP-15 | Agreement for Reduction of Bases, Allotments and Quotas | | 67, 331, 425 |
| FCI-19 | Crop Insurance Acreage Report | | 478 |
| FSA-156-EZ | Abbreviated 156 Farm Record and Tract Listing | | 82, 426, 427, Ex. 19 |
| FSA-325 | Application for Payment of Amounts Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent | | 400 |
| FSA-578 | Report of Acreage | | Text, Ex. 2, 17 |
| FSA-658 | Record of Production and Yield | | 187 |
| FSA-910 | Wetland Reserve Program Projected DCP Base Reduction Worksheet | Ex. 19 | 426 |