

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

**Noninsured Crop Disaster Assistance
Program for 2001 and Subsequent Years
1-NAP (Revision 1)**

Amendment 38

Approved by: Acting Deputy Administrator, Farm Programs



Amendment Transmittal

A Reasons for Amendment

Paragraph 254 has been amended to clarify that apples and peaches will have a maximum of 5 years of data in the APH database.

Subparagraph 306 B has been amended to clarify that a minimum of 4 years of data is required in the APH database.

Changes to the compliance review will be included in a forthcoming 2-CP amendment creating changes to the NAP review policy. Paragraph 600 has been amended to:

- provide new compliance review requirements
- clarify the percentage difference determining what year the approved yield is corrected
- provide CCC-579.

Paragraph 838 has been amended to include:

- a revised example of the automated CCC-452
- instructions for obtaining 1 signature from the producer and CCC representative on multiple CCC-452's.

Page Control Chart		
TC	Text	Exhibit
	5-5, 5-6 5-121, 5-122 9-1 through 9-4 9-5 (add) 10-113, 10-114 10-114.5, 10-114.6 (add) 10-329 through 10-400	1, pages 3, 4

254 Approved Yields

A Background

The statute authorizing NAP (Pub. L. 104-127) stipulates that approved yields for producers shall be determined using APH of not less than 4 previous consecutive crop years and not *--more than 10 consecutive crop years with the exception of apples and peaches that is based on a maximum of 5 consecutive years.--*

Producers do **not** have the option of having an approved yield calculated based on a T-yield or records of production for previous crop years. The approved yield shall be calculated based on records if acceptable records for the crop are available. Once acreage and production are certified, they will remain in the producer's data base for approved yield purposes.

Approved yields are based on an average APH yield, which can include actual yields, replacement yields, assigned yield, zero credited yield, substitute yields, and T-yields divided *--by the number of yearly yields in the data base. At least 4 and up to 5 or 10 consecutive crop years, as applicable, of these types of yields must exist in the APH base period.

B Base Period

The base period for APH crops is a maximum of ten APH crop years, not calendar years,--* immediately preceding the crop year for which an approved yield is calculated.

For APH data base purposes, APH crop year does not include any year that the crop was any of the following:

- not planted
- prevented from being planted
- for any APH crop year after an initial approved yield is calculated, not reported as planted or prevented from being planted.

Exceptions: The base period for:

- *--apples and peaches is a maximum of the 5 most recent APH crop years--*
- crops with a lag year, such as AZ-CA citrus, macadamia nuts, sugarcane, and Texas citrus fruit, begins with the 1999 APH crop year for crop year 2001.

254 Approved Yields (Continued)

C Disaster Records

When processing approved yields, COC shall:

- review prior year disaster records
- consider all harvested and appraised production from planted acreage
- disregard any disaster year assigned production
- determine an actual yield of zero for any year in the base period for which the producer did not harvest planted acreage and an acceptable appraisal is not available
- disregard prior year prevented planted acreage.

306 Perennial Crops**A Crops Identified**

Perennial tree and vine crops include crops that are present at all seasons of the year, for which new growth occurs without manual reseeding on an annual basis. Perennial crops include, but are not limited to, the following:

- almonds
- apples
- blueberries
- citrus
- cranberries
- figs
- grapes
- macadamia nuts
- * * *
- pears
- plums
- prunes
- stonefruit (apricots, nectarines, and peaches)
- walnuts.

B Base Periods

The base period for each APH database is determined by consecutive APH crop years, not *--calendar years and consists of a minimum of 4 years and a maximum of:--*

- 5 consecutive APH crop years immediately preceding the current crop year for apples and peaches
- 10 consecutive APH crop years immediately preceding the current crop year (a lag year) for crops that meet the provisions of paragraph 308
- 10 consecutive APH crop years immediately preceding the current crop year for all perennial crops, except apples, peaches, and lag year crops.

Part 9 Compliance Reviews

600 NAP Compliance Reviews

A Overview

Compliance reviews for NAP are required to ensure the accuracy of the information provided by producers. Reviews will be required as determined by:

- the National Compliance Review list
 - subparagraph B.
- ***

These reviews consist of:

- approved yields which are based on certified production records
- acreage reports.

B Additional Required Selections

Reviews that fall into 1 of the following categories are designated as required reviews:

- approved yield certified production where the approved yield is greater than 150 percent of the T-yield or adjusted T-yield, as applicable

Note: County Offices shall print the NAP Approved Yield Review Register according to paragraph 1112.

- *** inspections for a unit or crop when the COC, DD, or STC has reason to believe that the:
 - producer’s acreage or production report is inaccurate
 - production evidence submitted by the producer indicates that data is invalid or the reported production is unreasonable when compared to other units in the area.

600 NAP Compliance Reviews (Continued)

***--C Approved Yield Review Process**

Contact the producers and request the production evidence to support any certified production on CCC-452. Verify the production evidence certified by a producer for the most recent 3 APH crop years. If the approved yield does not have any production certified, then no review of production evidence is required. Acres must be reviewed.

Example: A 2007 approved yield is selected for review. The producer certified production for 2003, 2004, 2005, and 2006. Request the producer to provide the production evidence for 2004 through 2006.--*

The production evidence provided by the producers must then be verified by the facility where the production was sold or stored.

When contacting elevators, organizations, or other facilities to verify production evidence, the County Office shall provide:

- specific information, including producer's name and address, and crop or crops
- the reason and explanation for information requested.

Note: Producers authorized the release of the information on CCC-452.

The approved yield historical acres planted should be verified against the FSA-578 record. If planted acres were determined in an APH crop year, that acreage must be loaded in the APH database.

The approved yield must be manually recalculated if there are any changes to the actual production for any APH crop year. Calculate the percentage difference for an approved yield by dividing the current year approved yield by the approved yield determined to be correct.

The current year approved yield must be changed if the difference is more than 5 percent and *--cup procedures do not apply. If the change was 5 percent or less, make the correction for--* the following year.

Follow paragraph 39 to calculate tolerance and determine ineligibility, if applicable. An approved yield record will be considered a discrepancy if the approved yield change is greater than 5 percent.

600 NAP Compliance Reviews (Continued)

***--D Completing CCC-579**

For each producer or unit selected according to paragraph A, complete CCC-579.

The summary information in CCC-579, items 28-30 shall be recorded in the National Compliance Review database:

- only if the producer was on the National Compliance Review list
- according to a forthcoming 2-CP amendment.

Note: Until procedure is provided, maintain a pending folder containing all completed CCC-579's.--*

600 NAP Compliance Reviews (Continued)

*--E Example of CCC-579

The following is an example of CCC-579.

This form is available electronically.

CCC-579 (10-16-07)		U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation		1. County Office Name	2. Crop Year	
NAP APPROVED YIELD COMPLIANCE WORKSHEET				3. State Office Name		
4. Producer's Name	5. Producer's ID (Last 4 Digits)	6. Unit No.	7. Crop			
8. Crop Type	9. Intended Use	10. Practice	11. Planting Period			
				YES	NO	N/A
12. Are production records verifiable or reliable? If "NO", explain:						
13. Are acceptable production records verified with delivery and/or storage point? If "NO", explain:						
14. Is all production accounted for, including harvested and appraised? If "NO", explain:						
15. When the unit has both reported and determined production was the determined production used? If "NO", explain:						
16. When the unit has both reported and determined acreage was the determined acreage used? If "NO", explain:						
17. Does reported production compare with other producers' reported production in the area? If "NO", explain:						
18. Is approved yield less than 150% of the T-yield or adjusted T-yield, if applicable? If "NO", explain:						
FORAGE CROPS:						
19. Does the producer have documentation to support production report, including contemporaneous diary entries, measurement service, etc.? If "NO", explain:						
20. Is the acreage reported reasonable for the certified production? If "NO", explain:						
FARM STORED COMMODITY:						
21A. Was farm stored grain certified?						
21B. If Item 21A is "NO", was a measurement service requested? If "NO", explain:						
22. If the commodity was sold, do sales tickets support reported production? If "NO", explain:						

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838 Approved Yield Report Screen Flow

A Printer Selection Screen MHACYZ01

Use the options in this paragraph to print CCC-452. CCC-452 contains the information that is required according to Part 5.

This is an example of Screen MHACYZ01.

```

2003 NAP                      County Name                MHACYZ01
Printer Selection Screen       Version:AA01  09/25/2003  12:12  Term W1
-----
                                Enter the ID of the printer to be used
                                or
                                leave blank to default to the session printer.

                                P2

                                NOTE:  The selected printer should contain
                                the appropriate paper/forms.

Enter=Continue  Cmd4=Previous Screen  Cmd7=End
    
```

B Options on Screen MHACYZ01

This table shows the options on Screen MHACYZ01 and each option's result.

Option	Result
Enter	CCC-452 will be printed.
Cmd4	Screen MHACYD01 will be displayed to allow changes.
Cmd7	Menu MHB000 will be displayed with no report generated.

838 Approved Yield Report Screen Flow (Continued)

C Example of CCC-452

The following is an example of CCC-452.

*..

CCC-452 (03-06-2002)	UNITED STATES DEPARTMENT OF AGRICULTURE Commodity Credit Corporation NAP ACTUAL PRODUCTION HISTORY AND APPROVED YIELD RECORD	Form Approved - OMB No. 0560-0175 CROP YEAR 2008 Prepared: 09-14-2007
A TULARE		
Unit 526		
PRODUCERS		
6937 OP BRIAN JONES		
Crop Type Planting FSA Prac	CUCUM ENG 01 N	Intended Use Unit of Measure FH TON
		Transitional Yield Adj Trans Yield
		125.00
		COC/STC minutes
		139.00
Crop Year	Eligible Disaster	Acres Planted
Actual Production	Record Type	Yield Type
Yield		Yield
2007	N	1.00
120.00		A
2006	N	5.00
650.00		A
2005	N	5.00
600.00		A
2004	N	2.00
300.00		A
2003	N	2.00
300.00		A
2002	N	2.00
300.00		A
		Total
		820.00
Record Type: 1-Sold/commercial storage 4-Appraisal		
2-On farm storage, measurement 5-Other (see remarks)		
3-Livestock feeding records		
Remarks		
<p>I hereby certify that the information included on this form includes a complete and accurate record of actual production history. The actual production history is accurately identified to the unit, crop, and crop years shown. I understand that the information on this form may be spot checked and failure to certify accurately may result in a loss of program benefits. Additionally, I direct the purchaser, warehouse operator, ginner, or any person who otherwise stores or purchases crop production identified on this form to disclose those storage or purchase records of the identified crop to USDA representatives for the purpose of verification of production. I understand that the payment yield may be different than the approved yield if the unit acreage increases or plant density changes.</p>		
APPROVED YIELD		136.67
Signature		Date
Producer		
COC Representative		
<p>The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the following information is the Agricultural Act of 1996, as amended, the Commodity Credit Corporation Charter Act, the regulations promulgated thereunder (7 CFR Part 1437), and the Internal Revenue Code (26 USC 6109). The information requested is necessary for CCC to consider and process a request for assistance under the Noninsured Crop Disaster Assistance Program and to assist in determining eligibility. Furnishing the requested information is voluntary; however, failure to furnish correct information will result in rejection of the request. This information may be provided to other agencies, IRS, Department of Justice, or other State and Federal Law enforcement agencies, and in response to a court magistrate or administrative tribunal. The provisions of criminal and civil fraud statutes, including 18 USC 286, 287, 371, 641, 651, 1001; 15 USC 714m; and 31 USC 3729, may be applicable to the information provided.</p> <p>According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0560-0175. The time required to complete this information collection is estimated to average 20 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</p> <p>The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (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 USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.</p>		
Page ____ of ____		

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838 Approved Yield Report Screen Flow (Continued)

***--D Producer and CCC Representative Signatures**

Starting with crop year 2008, “Page ___ of ___” will print at the bottom of the automated CCC-452. This will allow for 1 signature from the:

- producer
- COC representative.

County Office shall:

- print all CCC-452’s filed on the current date
- have the producer review the information on each CCC-452
- staple the package together
- enter the individual page number and the total pages on each page of the package
- have the producer sign page 1 of the package
- sign as COC representative and date page 1 of the package.--*

E Redlegation of Authority

COC may redelegate, in writing, to CED and program technicians, the authority to complete and sign automated CCC-452’s and CCC-452 Manuals.

1112 Approved Yield Review Register

A Overview

*--NAP approved yields are subject to annual reviews. These reviews include only required spot checks as determined by subparagraph 600 A.

B Report Option

The option to print the NAP Approved Yield Review Register is on NAP Reports--* Menu MHACR0 as option 12.

C Register Example

The following is an example of the approved yield spot check register.

CALIFORNIA			USDA-FSA			Prepared: 12-06-2005					
A TULARE			2005 NAP			10:33 AM					
Report ID: MHACYR-R001			Approved Yield Review Register			Page: 1					
Unit Req Number	Crop Abrv	Crop Type	Int Use	Prac	Plnt Pd	Unit Req Number	Crop Abrv	Crop Type	Int Use	Prac	Plnt Pd
*	526	WHEAT	HRW	GR	N 01						
	526	PEARS	BLT	FH	N 01						
End of Report											
* Required Review - Approved Yield exceeds 150 percent of County Average											

***--D Required Reviews**

Because of the change in the compliance review selection process, not all units on the approved Yield Review Register will be reviewed. Only the records with an asterisk (*) in the "Req" column shall be reviewed. These reviews shall be in addition to the reviews determined according to the National Compliance Review list.--*

1113-1150 (Reserved)

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

Forms (Continued)

Number	Title	Display Reference	Reference
CCC-576B	2001 Noninsured Crop Disaster Assistance Program Payment Calculation Worksheet (Value Loss Crops)	1281	Text
	2002 and Future Years Noninsured Crop Disaster Assistance Program Manual Payment Calculation Worksheet (Value Loss Crops)	1284	
CCC-576C	2001 Noninsured Crop Disaster Assistance Program Payment Calculation Worksheet (Grazing Crops)	1282	156, 1276, 1279, 1283, 1314, 1315, 1413
CCC-576E	NAP Estimated Calculated Payment Report		881, 1016, 1315, 1400, 1413, 1414
CCC-577	Transfer of NAP Coverage	Ex. 9	24.5
CCC-579	NAP Approved Yield Compliance Worksheet	600	
CCC-770 NAP Eligibility	Eligibility Checklist		1311
CCC-770 NAP	Noninsured Crop Disaster Assistance Program Payment Checklist	11	1311
FSA-325	Application for Payments of Amounts Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent		1276
FSA-570	Waiver of Eligibility for Emergency Assistance		32
FSA-578	Report of Acreage		Text, Ex. 42
FSA-1001	Notice of Peanut Poundage Quota		Ex. 18

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

Abbreviations Not Listed in 1-CM

The following abbreviations are not listed in 1-CM.

Approved Abbreviation	Term	Reference
APH	actual production history	Text, Ex. 2, 25, 45
AUD	animal-unit-day	Text, Ex. 2
CAT	catastrophic risk protection	427, Ex. 2
CIH	Crop Insurance Handbook	1, 426
CPB	Common Provisions Branch, PECD	1315
CRS	common receivable system	Part 10, Section 4; 1406
CVS	Compliance Validation System	751.5
DAB	Disaster Assistance Branch	10, 170
EFT	electronic fund transfer	1323, 1351, 1353, 1406, 1425
GRP	Group Risk Protection	172, 505
MPCI	Multiple Peril Crop Insurance	426
NAPB	Noninsured Assistance Program Branch, PECD	10, 170, 189, 195, 884, Ex. 17
NCT	national crop table	Text
PP	prevented planted	1110
PPH	producer payment history	Text
PRD	production reporting date	Text, Ex. 2
SUD	Sudan	1283.5
SWI	Switch	1283.5
T-yield	transitional yield	107, 152, Part 5, 322, 323, 327, 600, Ex. 2, 17