

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

**Noninsured Crop Disaster Assistance
Program for 2015 and Subsequent Years
1-NAP (Revision 2)**

Amendment 17

Approved by: Deputy Administrator, Farm Programs



Amendment Transmittal

A Reasons for Amendment

Paragraph 50 has been amended to be consistent with 7 CFR Part 1437 and provide policy on the NAP growing history requirement to obtain buy-up coverage.

Subparagraph 51 A has been amended to match 7 CFR Part 1437.

Subparagraph 51 E has been amended to clarify that an inadequate supply of irrigation water at the beginning of the planting period for annual crops or beginning of the coverage period for perennial crops is an ineligible cause of loss.

Subparagraph 53 A has been amended to remove the bullet which stated, “crop acreage for which COC determined good farming practices are not being applied.” Failure to follow good farming practices is an ineligible cause of loss which is addressed in Subparagraph 51 E

Subparagraph 54 B has been amended to correct the maple sap coverage period that coverage ends the date the trees go into dormancy for 2020 and subsequent years.

Paragraph 106 has been amended to clarify when the COC is required to make a determination on a producer’s ability and intent to harvest, transport, and market approved yield.

Subparagraph 150 A has been amended to that beginning with crop year 2020, WFRP is exempt from the multiple benefit exclusion.

Subparagraph 152 A has been amended to add the 7 CFR Part 1437 and be consistent with the basic provisions.

Subparagraph 200 A has been amended for clarity.

Subparagraph 201 A has been amended to clarify the note.

Subparagraph 202 D has been amended for clarity

Amendment Transmittal (Continued)

A Reasons for Amendment (Continued)

Subparagraph 203 A has been amended to remove juice.

Subparagraph 275 A has been amended for clarity.

Subparagraph 278:

- A has been amended to be consistent with 7 CFR Part 1437
- E has been amended to remove an invalid link.

Subparagraph 300 A has been amended to update application closing date requirements.

Subparagraph 301 E has been amended to update language on when coverage will start if programmatic relief is approved by COC.

Subparagraph 376 C has been amended to correct the reference to subparagraph 51 E for ineligible causes of loss.

Subparagraph 377 C has been amended to update guidance on when coverage will be reduced for late planting.

Subparagraph 379:

- A has been amended to communicate the crop years that are applicable to Exhibit 40
- F has been amended to explain how to implement the manually determined de minimis native sod determinations for crop years 2019 and subsequent years.

Subparagraph 380 B has been amended to correct a misspelling from traps to taps.

Subparagraph 402 D and E have been updated to match policy throughout handbook and to update approved yield software capability.

Subparagraph 481 A has been amended to remove the Exhibit 40 reference.

Subparagraph 483 C has been amended to remove juice.

Subparagraph 575 A has been amended to remove the bullet for record of production.

Subparagraphs 575 B and 675 A have been amended to update policy on filing requirements for grazed forage for 2020 and subsequent years.

Subparagraph 675 D has been amended to clarify COC review and action on CCC-576, Part I.

Amendment Transmittal (Continued)

A Reasons for Amendment (Continued)

Subparagraph 700 H has been amended for clarity on prompt payment interest applicability on grazed forage losses using independent assessments.

Subparagraph 876 D has been amended to update the application closing date for tropical regions to December 31.

Subparagraph 904 O has been amended to clarify policy on applying the unharvested payment factor to ginseng (roots only).

Subparagraph 976:

- A has been amended to update eligible colonies
- D has been amended to update policy for reporting honey
- H has been amended to clarify policy for reporting honey
- I has been amended to include lack of a floral source as an ineligible cause of loss
- J has been amended to update policy for use of the honey unharvested payment factor.

Paragraph 978 has been added to provide eligibility information for hemp.

Exhibit 35 has been amended to update title and letter verbiage to reflect the new coverage period.

Exhibit 40 title has been amended to explain that it is applicable for crop years 2015 through 2018 because annually tilled determinations applicable to applicable native sod acreage for 2019 and subsequent crop years are maintained in the NCT.

Exhibit 64, instruction 8A has been added to include crop year on the CCC-576-1.

Exhibit 64, instruction 15 has been amended to clarify that determined acres should be entered and what steps to take if they differ more than 5 percent from reported acres.

Exhibit 64, example has been updated to use CCC-576-1 (3-23-20).

Amendment Transmittal (Continued)

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Part 2 Available Coverage

50 Coverage Options

A Overview

The Agriculture Improvement Act of 2018 re-authorized FSA to offer basic 50/55 and NAP buy-up coverage. Buy-up NAP coverage levels require payment of a premium in addition to the NAP service fee.

B Coverage Levels

[7 CFR 1437.5] Coverage levels.

(a) NAP coverage for prevented planting is provided for approved prevented planting of an eligible NAP covered crop due to an eligible cause of loss in the coverage period. Payment is based on the approved prevented planted acreage in excess of 35 percent of the total intended acres to be planted.

(b) Except as provided in paragraph (d) of this section, NAP coverage is equal to 50 percent of the yield or inventory value specified in paragraph (c) of this section at 55 percent of the average market price established by FSA.

(c) Except as provided in paragraph (d) of this section, to be eligible for a NAP payment a producer must have suffered a yield or inventory value loss greater than 50 percent as the result of an eligible cause of loss in the coverage period as follows:

(1) For yield-based crops, a yield loss in excess of 50 percent of the approved yield;

(2) For value loss crops, a loss of value in excess of 50 percent of the total value of eligible inventory at the time of disaster;

***--(d) Subject to paragraph (e) of this section, producers eligible NAP crops, other than--* crops and grasses intended for grazing, may elect buy-up coverage at 100 percent of the average market price in amounts of 50 percent to 65 percent, in 5 percent increments, of:**

--(1) For yield-based crops, the approved yield; and--

50 Coverage Options (Continued)**B Coverage Levels (Continued)**

(2) For value loss crops, the lesser of the total value of eligible inventory at the time of disaster or the maximum dollar value for coverage sought.

--(e) A producer cannot obtain buy-up coverage for a crop if the producer has not successfully produced the crop in a previous year for which documentation exists and that documentation shows that the crop can be successfully grown by the producer in the county. Production of the crop is considered to be successful if the producer produced at least 50 percent of the county expected yield for the same county for which buy-up coverage is sought, unless the producer suffered a loss on the crop due to an eligible cause of loss in § 1437.10. If not already provided to FSA for any reason including NAP coverage or assistance, the producer must submit documentation showing successful growing of the crop in a previous year and, in the event a loss due to an eligible cause of loss was sustained, submit documentation of that loss satisfying the requirements of §1437.11.--

(f) The quantity or value of any eligible NAP crop will not be reduced for any quality consideration unless a zero value is established based on a total loss of quality, except as specified in §1437.105.

(g) For crop acreage intended to be grazed, to be eligible for a NAP payment, a producer must have suffered a loss of AUD in excess of 50 percent of expected AUD determined on the basis of acreage, carrying capacity, and grazing period.

50 Coverage Options (Continued)

--C Available Coverage Levels--

Before the 2014 Farm Bill, NAP provided only 1 level of coverage, equivalent to CAT level protection available under Federal Crop Insurance Act, Section 508(b), referred to by FSA as **basic 50/55 NAP coverage**. Under basic 50/55 NAP coverage:

- NAP payments for low yield are calculated based on the amount of loss that exceeds 50 percent of expected production at 55 percent of the average market price for the crop
- prevented planting is calculated **not** on a loss of expected yield, but based on acreage prevented from being planted based on total acreage intended to be planted in a crop year
- a NAP-prevented planting payment is issued based on the eligible approved prevented planted crop acreage in excess of 35 percent of total planted and prevented planted acreage times 55 percent of the average market price of the crop.

In addition to basic 50/55 NAP coverage, the 2014 Farm Bill authorized and the 2018 Farm Bill re-authorized additional levels of coverage (buy-up coverage) to all eligible NAP crops, other than crops grown for grazing. The 2014 Farm Bill and the 2018 Farm Bill specifically **exclude** crops and grasses intended for grazing from buy-up NAP coverage.

For other eligible NAP crops, producers may select buy-up coverage ranging from 50 to 65 percent of production, in 5 percent increments, and for 100 percent of the average market price. All buy-up coverage levels are at 100 percent of the average market price. If a producer elects buy-up coverage for a crop, prevented planting on that crop will be calculated using 100 percent of the average market price. Payment factors (for acres prevented from being planted, planted and **not** harvested, and planted and harvested) will be applied as they are applied for basic 50/55 NAP coverage.

50 Coverage Options (Continued)***--D Growing History Requirement**

A growing history requirement is applicable for:

- hemp for the 2020 crop year
- all other crops with an actual application for coverage filing date of March 2, 2020, or later, regardless of crop year.

For crops for which a growing history is required, a producer must have at least one year of history of successfully growing the crop in the county to elect buy-up coverage for the crop. Proof of acceptable crop production and planting history must be submitted prior to the application closing date and must be satisfactory to the COC or STC to show the crop was grown successfully in the county and documented in the minutes. Producers not meeting the history requirement are limited to basic 50/55 coverage for the crop.

Note: For the growing history requirement, the term “crop” is based on the crop code as defined in 2-CP. Different crop types will be considered the same crop if they have the same crop code.

Production of the crop is considered to be successful if the producer produced at least 50 percent of the county expected yield, unless the producer suffered a loss on the crop due to a cause of loss that would be considered an eligible disaster event under NAP and provides supporting documentation of that loss that is satisfactory to the COC or STC.--*

50 Coverage Options (Continued)

E Selecting Coverage Levels

Producers **must** select their coverage level at the time of application on CCC-471, by the application closing date.

Note: Producers may change coverage levels any time prior to the crop’s application closing date.

Coverage levels are selected by pay crop, pay type, and planting period (pay group) as shown in the following example.

Crop	Eligible Intended Use	Type Name	Pay Crop	Pay Type	Planting Period	Coverage Level
FIGS	FH	Adriatic	60	1	1	50/55
FIGS	FH	Black Mission	60	1	1	50/55
FIGS	FH	Brown Turkey	60	1	1	50/55
FIGS	FH	Calimyrna	60	2	1	65/100
FIGS	FH	Kadota	60	2	1	65/100

51 NAP Causes of Loss

A Causes of Loss

[7 CFR 1437.10] Causes of loss.

(a) To qualify for assistance, production losses or prevented planting must occur as a result of an eligible cause of loss during the coverage period. Not all causes of loss are eligible causes of loss for all crops or all commodities.

(b) An eligible cause of loss is:

(1) Damaging weather, including, but not limited to:

(i) Drought;

(ii) Hail;

(iii) Excessive moisture;

(iv) Freeze;

(v) Tornado;

(vi) Hurricane;

(vii) Excessive wind;

--(viii) Lightning;--

51 NAP Causes of Loss (Continued)

A Causes of Loss (Continued)

***--(ix) Insufficient chill hours, but only for specific crops and locations for which FSA--* has determined in advance of a coverage period, based on FSA's review of sufficient scientific evidence that a requisite amount of chill hours is required for the crop to produce and a lack of chill hours is adverse to the crop's production without any regard to any management. In this context, "without regard to any management" means if a crop's inability to produce due to lack of chill hours can be mitigated by any managerial practices, application of chemical, or other management intervention, the lack of chill hours will not be included as an eligible cause of loss for the crop, In cases where FSA makes the decision to include insufficient chill hours as a cause of loss by itself for a crop and location, the crop and location and subsequent crop year coverage period for which the decision will apply will be specified in a list maintained by FSA. If the crop and location is not on that list, then insufficient chill hours can only be an eligible cause of loss if the insufficient chill hours were related to a damaging weather event or an adverse natural occurrence included in paragraphs (b)(1) or (2) of this section; or**

--(x) Any combination of paragraphs (b)(1)(i) through (ix) of this section;--

(2) Adverse natural occurrence, including, but not limited to:

(i) Earthquake;

(ii) Flood; or

(iii) Volcanic eruption; or

51 NAP Causes of Loss (Continued)

A Causes of Loss (Continued)

(3) A condition related to an eligible cause of loss in paragraphs (b)(1) or (2) of this section (in this context, the related condition must result from the damaging weather or adverse natural occurrence; it is not eligible if it occurs on its own) including, but not limited to:

(i) Heat;

(ii) Insect infestation;

(iii) Disease;

(iv) Insufficient chill hours; * * *

***--(v) Wildfires; or**

(vi) Any combination thereof.--*

(c) The damaging weather, adverse natural occurrence, or related condition as specified in paragraph (b) of this section must occur in the coverage period before or during harvest and directly cause, accelerate, or exacerbate destruction or deterioration of the eligible crop as determined by the county committee.

(d) NAP coverage is provided against only eligible causes of loss. All specified causes of loss must be due to a naturally occurring event during the coverage period. All other causes of loss, including, but not limited to, the following, are not covered:

(1) Negligence, mismanagement, or wrongdoing by the NAP covered producer or anyone else;

(2) Failure to follow recognized good farming practices for the eligible crop;

(3) Water contained or released by any governmental, public, or private dam or reservoir project, if an easement exists on the acreage affected for the containment or release of the water;

51 NAP Causes of Loss (Continued)

A Causes of Loss (Continued)

- (4) Failure or breakdown of the irrigation equipment facilities, unless the failure or breakdown is due to an eligible cause of loss. If damage is due to an eligible cause of loss, the producer must make all reasonable efforts to restore the equipment or facilities to proper working order within a reasonable amount of time unless FSA determines it is not practical to do so. Cost will not be considered when determining whether it is practical to restore the equipment or facilities;**
- (5) Failure to carry out a good irrigation practice for the covered crop, if applicable;**
- (6) Any cause of loss that results in damage that is not evident or would not have been evident during the NAP coverage period. Even though FSA may not inspect the damaged crop until after the end of the NAP coverage period, only damage due to eligible causes that would have been evident during the NAP coverage period will be covered;**
- (7) Except for lack of chill hours as specified in paragraph (b)(1)(viii) of this section, normal variance of temperatures from average normal temperatures including, but not limited to, cyclic yield variations that occur for a crop that are not causes of loss included in paragraphs (b)(1) or (2) of this section;**
- (8) Any managerial decision to attempt to grow or produce a crop in an area that is not suited for successful commercial production of the eligible NAP crop as determined by FSA;**
- (9) Failure of the producer to reseed to the same crop during the same planting period in those areas and under such circumstances where it is customary to do so;**
- (10) Except for tree crops and perennials and as provided for in §1437.201, inadequate irrigation resources at time of planting;**

51 NAP Causes of Loss (Continued)

A Causes of Loss (Continued)

(11) Except as specified in §1437.303, a loss of inventory or yield of aquaculture (including ornamental fish), floriculture, or ornamental nursery stemming from drought or any failure to provide water, soil, or growing media to such crop for any reason;

(12) Any failure to provide a controlled environment or exercise good nursery practices when such controlled environment or practices are a condition of eligibility under this part;

(13) Except as provided for mollusks in §1437.303, any alleged or actual loss of inventory or missing non-containerized inventory resulting from a managerial decision not to seed or raise the eligible NAP crop in containers, net pens, or wire baskets, on ropes, or using similar devices;

(14) For crops grown using organic farming practices, failure to comply with organic standards;

(15) Contamination by application or drift of prohibited substances onto land on which crops are grown using organic farming practices; * * *

***--(16) Weeds; or**

(17) Failure to harvest or market the crop due to lack of a sufficient plan or resources.--*

(e) The lack of an eligible cause of loss during a coverage period is not a compliance matter or issue. NAP will not provide assistance for crops that do not suffer from an eligible cause of loss during a coverage period. The relief provisions of these regulations and of 7 CFR part 718 cannot be used to pay producers of crops that did not suffer from an eligible cause of loss during the coverage period.

51 NAP Causes of Loss (Continued)

D Excess Moisture

COC will determine when excess moisture conditions are present and severe enough to be considered an eligible cause of loss. This determination requires a review of the individual circumstances surrounding the claimed loss. COC should consider variations in soil type, elevation, slope and other site-specific factors when comparing conditions between neighboring locations. At a minimum, excess moisture conditions must occur during the coverage period and must directly impact the covered crop or crop acreage. COC and/or STC will consider excess moisture claims on a case by case basis and not establish specific guideline for amount of rainfall or other weather conditions required for excess moisture to be approved as a cause of loss.

COC will review available documentation when approving or denying excess moisture as the cause of loss, including, but not limited to, items such as:

- information on rainfall amounts compared to averages for the same location and time period
- soil type and the associated properties of that soil type
- elevation
- other related environmental conditions (wind, cloud cover, temperature, etc.)
- the specific crop's moisture requirements and moisture tolerance
- the timing of the claimed excess moisture relative to the crop's production cycle and moisture needs
- any other available information which COC determines is applicable.

*--Notes: PRISM, found at <http://www.prism.oregonstate.edu/>, is a tool to determine rainfall received and average rainfall amounts for a specific area as well as temperature.

The NRCS web soil survey may be used to determine soil type, and can be found at <https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>.--*

51 NAP Causes of Loss (Continued)

E Ineligible Causes of Loss

Compensable losses **must** result from an eligible cause of loss occurring in the coverage period. Perils that occur outside the defined coverage period or perils that do **not** directly impact the NAP-covered crop, commodity, or acreage are **not** eligible causes of loss. All other circumstances, including but **not** limited to the following, are **not** eligible causes of loss:

- factors or circumstances that are **not** the direct result of an eligible cause of loss
- failure of a producer to reseed or replant to the same crop, if it is practical and customary to reseed or replant by the final planting date
- failure of a producer to follow good farming practices for the crop
- water contained or released by any governmental, public, or private dam or reservoir project, if an easement exists on the acreage affected for the containment or release of the water
- *--inadequate supply of irrigation water at the beginning of a planting period for annual crops or beginning of the coverage period for perennial crops--*
- failure or breakdown of irrigation equipment or facilities
- neglect or malfeasance of a producer
- quarantine that is imposed by a county, State, or Federal Government agency

53 Ineligible Crops

A Ineligible Crops for NAP Assistance

Crop acreage and products ineligible for NAP assistance include, but are **not** limited to:

- crop acreage for which individual crop insurance coverage, **excluding** pilot crop insurance, is available in the county

Notes: NAP may cover eligible losses caused by natural disaster that are **not** named as an insurable peril under a crop insurance policy.

If Area Risk Protection is available, the crop acreage is **not** eligible for NAP assistance.

See Exhibit 5 to determine crops covered by insurance using RMA web sites.

Crop acreage for which individual coverage is available **only** as a pilot product is eligible for NAP assistance; however, the multiple benefit exclusion applies.

- by-products resulting from processing or harvesting an eligible crop, such as peanut hay, oat straw, corn stover, wheat straw, etc.

* * *

- nonornamental nursery plants, such as strawberry plants, orange trees, etc., unless the plants can be considered a propagation seed crop under paragraph 907

53 Ineligible Crops (Continued)

A Ineligible Crops for NAP Assistance (Continued)

- home gardens or crops **not** being produced for commercial sale
- experimental crops
- volunteer stands, **except** native forage
- livestock and their by-products
- trees grown for lumber or paper products
- *--first year seeded biennial and perennial forage
- immature orchards
- crops that STC has determined cannot practicably or viably be grown commercially in the area
- replacement crop acreage planted after approved prevented planted or failed crop acreage, in the same crop year.--*

If crop insurance is available for a particular crop, type, and intended use in the county, then in **all** cases NAP **cannot** be offered within that county for any practice of that crop (irrigated, nonirrigated, summer fallow, and continuous crop), unless an exception in subparagraph B applies.

Example: Irrigated soybeans **not** following another crop (initial crop) are insurable in Garvin County. However, nonirrigated soybeans, and soybeans following another crop are **not** insurable in Garvin County. Therefore, NAP **cannot** be offered for nonirrigated soybeans or soybeans following another crop (double-crop) in Garvin County, because RMA has determined that nonirrigated soybeans and soybeans following another crop are **not** insurable practices.

*--**Note:** See subparagraph 51 E for ineligible causes of loss and paragraph 380 for--* maintaining ineligible crop acreage, honeybee colonies, and tree taps in SNAPP.

54 Coverage Period (Continued)

B Establishing NAP Coverage Period (Continued)

IF the NAP coverage period is for...	THEN coverage begins the later of...	AND coverage ends the earlier of...
maple sap for the 2015 through 2019 crop years	<ul style="list-style-type: none"> • 30 calendar days after the application closing date • 30 calendar days after the date CCC-471 is filed <p style="text-align: center;">* * *</p>	<ul style="list-style-type: none"> • date maple tree sap harvest is complete • normal harvest date as determined by STC • date trees are abandoned.
biennial and perennial forage and biomass crops for the 2015 through 2019 crop years	<ul style="list-style-type: none"> • 30 calendar days after the application closing date • 30 calendar days after the date CCC-471 is filed • 1 calendar day after the final harvest date of the previous crop year <p>Notes: First year biennial and perennial seedings are not eligible for NAP coverage.</p> <p>After the first year, if seeding does not have an adequate stand that represents a majority of the seed planted, coverage will only be offered for either a mixed forage or native grass in subsequent years. Coverage will only be offered for the crop after the stand has developed and consists of a majority of the intended crop seeded. See paragraph 380 for maintaining ineligible crop acreage, honeybee colonies, and tree taps in SNAPP.</p> <p>Forage stands that have aged that no longer represent a majority of the intended crop seeded will have coverage offered as either mixed forage or native grass.</p> <p>For grazed forage designated as warm and cool seasons, the coverage period begins the later of 30 calendar days after the application closing date or the beginning of the designated grazing period established according to paragraph 277.</p>	<ul style="list-style-type: none"> • normal harvest date as determined by STC • date crop is abandoned or destroyed. <p>Note: For grazed forage designated as warm and cool seasons, the coverage period ends the earlier of the following:</p> <ul style="list-style-type: none"> • end of the designated grazing period established according to paragraph 277 • date crop is abandoned or destroyed.

54 Coverage Period (Continued)

B Establishing NAP Coverage Period (Continued)

*--Follow this table for 2020 and subsequent crop years.

IF the NAP coverage period is for...	THEN coverage begins the later of...	AND coverage ends the earlier of...
annual crops for the 2020 and subsequent crop years	<ul style="list-style-type: none"> • 1 calendar day after the date CCC-471 is filed • date the crop is planted, not to exceed the final planting date as determined by STC 	<ul style="list-style-type: none"> • date harvest is complete • normal harvest date for the planting period as determined by STC • abandonment of the crop • total destruction of the crop.
perennial crops, other than perennial crops intended for forage and biomass for the 2020 and subsequent crop years	<ul style="list-style-type: none"> • 1 calendar day after the application closing date • 1 calendar day after CCC-471 is filed 	<p>the earlier of the following:</p> <ul style="list-style-type: none"> • 10 months from the application closing date <p>Exceptions: There may be cases where the established insurance period for the crop as specified in the insurance crop policy exceeds a 9-month period. Only in those cases may the State allow the coverage period for the perennial crop to exceed a 9-month period to maintain consistency with crop insurance.</p> <p>STC may request DAFP approval of longer coverage periods for portions of States located in Hardiness Zone 9 or higher.</p> <ul style="list-style-type: none"> • date harvest is complete • normal harvest date as determined by STC • abandonment of the crop • total destruction of the crop.

--*

54 Coverage Period (Continued)

B Establishing NAP Coverage Period (Continued)

IF the NAP coverage period is for...	THEN coverage begins the later of...	AND coverage ends the earlier of...
value loss crops for the 2020 and subsequent crop years	<ul style="list-style-type: none"> • June 1 for ornamental nursery • October 1 for value loss crops other than ornamental nursery • 1 calendar day after the date CCC-471 is filed 	<ul style="list-style-type: none"> • May 31 for ornamental nursery • September 30 for value loss crops other than ornamental nursery • date crop, inventory, or product for which coverage was obtained is disposed of or destroyed • abandonment of the crop, inventory, or product or facility.
honey for the 2020 and subsequent crop years	<ul style="list-style-type: none"> • January 1 • 1 calendar day after the date CCC-471 is filed • date colonies are set in place for honey production 	<ul style="list-style-type: none"> • December 31 • date all colonies have had final harvest • date abandonment of colonies takes place, for abandoned colonies.
maple sap for the 2020 and subsequent crop years	<ul style="list-style-type: none"> • 1 calendar day after the application closing date • 1 calendar day after the date CCC-471 is filed <p style="text-align: center;">* * *</p>	<ul style="list-style-type: none"> • date maple tree sap harvest is complete • normal harvest date as determined by STC • date trees are abandoned •*-- date trees come out of dormancy.--*

54 Coverage Period (Continued)

B Establishing NAP Coverage Period (Continued)

*--

IF the NAP coverage period is for...	THEN coverage begins the later of...	AND coverage ends the earlier of...
biennial and perennial forage and biomass crops for the 2020 and subsequent crop years	<ul style="list-style-type: none"> • 1 calendar day after the application closing date • 1 calendar day after the date CCC-471 is filed • 1 calendar day following the final harvest date of the previous crop year <p>Notes: First year biennial and perennial seedings are not eligible for NAP coverage.</p> <p>After the first year, if seeding does not have an adequate stand that represents a majority of the seed planted, coverage will only be offered for either a mixed forage or native grass in subsequent years. Coverage will only be offered for the crop after the stand has developed and consists of a majority of the intended crop seeded. See paragraph 380 for maintaining ineligible crop acreage, honeybee colonies, and tree taps in SNAPP.</p> <p>Forage stands that have aged that no longer represent a majority of the intended crop seeded will have coverage offered as either mixed forage or native grass.</p> <p>For grazed forage designated as warm and cool seasons, the coverage period begins the later of 30 calendar days after the application closing date or the beginning of the designated grazing period established according to paragraph 277.</p>	<ul style="list-style-type: none"> • normal harvest date as determined by STC • date crop is abandoned or destroyed. <p>Note: For grazed forage designated as warm and cool seasons, the coverage period ends the earlier of the following:</p> <ul style="list-style-type: none"> • end of the designated grazing period established according to paragraph 277 • date crop is abandoned or destroyed.

Note: For prevented planted, coverage attaches the day after the final planting date for the crop for the last planting period.--*

105 Community Supported Agriculture**A Definition of Community Supported Agriculture**

Subscription Community Supported Agriculture Operation means a farmer-driven operation where the farmer owns or leases the farm, organizes the Community Supported Agriculture, produces the farm products, and recruits the customer members or subscribers.

Shareholder Community Supported Agriculture Operation means a consumer-driven operation where the consumer organizes the Community Supported Agriculture, owns or leases the farm, and hires a farmer to produce the farm products.

B Eligible Community Supported Agriculture

Only subscription Community Supported Agriculture operations are eligible for NAP. The amount the producer receives from subscribers is **not** considered a guaranteed payment. A copy of the Community Supported Agriculture agreement or contract is **required** and **must** be provided for COC review.

Producer eligibility **must** be verified according to paragraph 100.

C Ineligible Community Supported Agriculture

Shareholder Community Supported Agriculture operations are ineligible for NAP because the shareholders do **not** have **both** a share of the risk in producing the crop and a valid claim of share ownership for marketing produce from the farm.

106 Ability and Intent to Harvest, Transport, and Market Approved Yield**A Overview**

*--[7 CFR 1437.8 (c)] Producers must provide acceptable evidence, as determined by FSA, of:

(c) The producer's ability and intent to harvest, transport, and market the approved yield or inventory of the crop or commodity.--*

B Verifying Eligibility

*--COC will ensure that each NAP participant with an approved notice of loss on file has the ability and intent to harvest, transport, and market the quantity of their individual approved yield or inventory. COC may consider a producer's history of harvesting, transporting, and marketing a crop. If a producer completes an approved yield as a new producer or increases acreage of the crop, then NAP participant filing for payment **must** be able to show the satisfaction of the COC that the NAP participant had the ability and intent to harvest,--* transport, and market their quantity of expected production or peak inventory.

COC's must:

- consult with agricultural experts to determine what is needed to harvest and transport a specific quantity of a crop or commodity
- be satisfied that a market exists for the quantity of the crop or commodity the producer intended to harvest
- *--record all determinations in the COC minutes, if:
 - the NAP applicant is a new producer
 - the producer's acreage for the crop year increases by more than 75 percent of their historical average acreage according to increased acreage provisions (see paragraph 479)
 - the COC determines a producer's history is not sufficient.--*

It is a NAP participant's obligation to show, to FSA's satisfaction that absent the claimed eligible loss condition the crop for which payment is sought would have been marketed commercially. COC's can and will require any evidence it deems necessary to ensure that payments are approved only for those meeting the requirements of this paragraph.

107-149 (Reserved)

Section 2 Miscellaneous Provisions

150 Multiple Benefit Exclusion

A Multiple Benefits

[7 CFR 1437.14] Multiple benefits.

(a) If a producer is eligible to receive payments under this part and benefits under any other program administered by the Secretary for the same crop loss, the producer must choose whether to receive the other program benefits or payments under this part, but will not be eligible for both. The limitation on multiple benefits prohibits a producer from being compensated more than once for the same loss.

(b) The limitation on multiple benefits specified in paragraph (a) of this section will not apply to:

(1) Emergency Loans made under subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961-1970),

(2) Livestock Forage Disaster Program (LFP) payments as specified in part 1416 of this chapter,

(3) Tree Assistance Program (TAP) payments as specified in part 1416 of this chapter, or

(4) Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish Program (ELAP) payments as specified in part 1416 of this chapter.

(c) The restriction on multiple benefits does not relieve the producer from the requirements of making a production and acreage report.

(d) If the other USDA program benefits are not available until after an application for benefits has been filed under this part, the producer may, to avoid this restriction on such other benefits, refund the total amount of the payment to the administrative County Office from which the payment was received.

150 Multiple Benefit Exclusion (Continued)

A Multiple Benefits (Continued)

Several insurance products are available under a pilot program. A producer may obtain NAP coverage for a crop for which individual CAT level or buy-up is available as a pilot product and obtain coverage under the pilot product. The producer **must** choose whether to receive the benefit under the pilot product or NAP.

* * *

Exceptions: RI-PRF Pilot Program Perennial Forage Insurance Plan is exempt from the multiple benefit exclusion.

* * *RI-API Apiculture Pilot and RI-AF Annual Forage Insurance Plans are exempt from the multiple benefit exclusion.

*--Beginning with crop year 2020, WFRP coverage is exempt from the multiple benefit exclusion.

Note: NAP payments may impact WFRP indemnities; therefore, NAP participants with WFRP coverage should discuss potential impacts with their crop insurance agent.--*

B Choosing NAP Benefits or Other Program Benefits

If benefits for any other program administered by the Secretary for the same crop loss do **not** become available until after the producer has received a NAP payment, the producer may refund the total amount of the NAP payment and receive the other benefit.

Example: Producer A has a crop loss on tomatoes and corn. NAP assistance is available and will pay Producer A \$3,500 for the tomato loss and \$4,200 for the corn loss. Producer A is also eligible for other USDA benefits of \$21,000. The other USDA benefits amount available is the total amount available for corn, tomato, and other crop losses. The other USDA benefit attributable to the:

- corn loss is \$7,000
- tomato loss is \$5,000.

If Producer A elects to obtain the other USDA benefits of \$21,000, NAP assistance **cannot** be paid. If Producer A elects to receive NAP assistance for corn and tomato crop losses (a total of \$7,700), the other USDA benefit amount **cannot** have any payable amount attributable to corn or tomatoes).

Note: The reduction amount is **not** the amount paid under the program elected.

151 Unacceptable, Incorrect, or False Records and Certifications

A Reliance on Producer Records and Certifications

NAP assistance requires accurate information from producers. It is imperative that producers understand that a failure to provide complete and accurate information and records could result in any or all of the following:

- an application for NAP assistance being denied
- the producer or producers being determined ineligible for NAP assistance on all units and farms
- the producer or producers becoming liable under any civil or criminal fraud statute or any other statute or provision of law.

B Questionable Records or Certifications

See:

- paragraph 152 for variance on NAP acreage or production
- paragraph 153 for misrepresentation, scheme, or device.

152 Variance

A Acreage Variance

*--NAP regulations at 7 CFR 1437.7(j) **require** participants to accurately report acreage,--* including:

- prevented planting
- low-yield or disaster affected
- harvested and unharvested.

The tolerance provisions of 7 CFR Part 718 are **not** applicable to NAP. Under *--7 CFR Part 1437.2, DAFP has delegated authority to approve or disapprove relief based--* on the following policy of variance for NAP.

Acreage variance means the number of acres that the reported acreage may differ from the determined acreage for all crop types within a pay group without either of the following:

- total loss of benefits within the pay group
- overall accuracy of the acreage report being questioned.

Rule: Acreage variance is the larger of 1 acre or 5 percent of the reported acreage, **not** to exceed 50 acres. Acreage variances of 1.0 acres or less does **not** apply.

Note: For honey and maple sap, acreage is identified as the number of honeybee colonies or tree taps, as applicable. Acreage variance policy will apply using those identifiers.

B Acreage Variance Calculation

Acreage variance will be calculated using all crop types within the pay group. Use this--* table to calculate acreage variance.

Step	Calculation
1	Add total reported irrigated and nonirrigated crop acreage for the pay group together.
2	Multiply total reported crop acreage in step 1 by 5 percent. Enter the larger of 1.0 acre or the result of this calculation, but no more than 50.0 acres. This is the acreage variance information.
3	Subtract total determined acreage from the total reported acreage to arrive at the difference between reported and determined acreage (positive or negative difference).
4	If the result of step 3 is greater than step 2, the reported acres exceed the acreage variance limitation.

Example: Total reported acreage is 107 acres (step 1). 107×5 percent = 5.35 acres (step 2). The total determined acres are 101 acres. Subtract 101 determined acres from 107 reported to determine the difference of 6 acres (step 3). Because step 3 (6 acres) exceeds step 2 (5.35 acres), the difference reported and determined between the acres exceed the acreage variance limitation.

Part 4 Crops

Section 1 Crop Provisions

200 National Crop Definitions

A Introduction

A national crop definition was established, based on similar types or varieties of a crop that had an insignificant price difference, for the most predominant intended use for the crop.

The acreage and production of the crop group is summarized for service fees and loss calculation purposes.

To identify the crop definition for service fee and payment purposes, 3 variables are included *--in the national crop table for each downloaded crop. These variables are described in--* greater detail in the remainder of this paragraph.

Notes: If a crop, type, or practice is insurable in the county within a pay crop pay type grouping, the insurable crop, type, or practice will **not** be included in determining loss for that pay crop pay type.

*--Only crops in Exhibit 14 can be used for the applicable crop and the exhibit numbers are year specific.

See the applicable Exhibit 14 for the specific year for eligible crops:--*

- Exhibit 14 for 2015
- Exhibit 14.5 for 2016
- Exhibit 14.6 for 2017
- *--Exhibit 14.7 for 2018 and future years.--*

B Planting Period

For crops that have multiple plantings established according to paragraph 206, the planting period is used to identify these plantings as separate crops.

Example: Lettuce has 4 plantings during the crop year. A separate record is loaded in the NAP crop table for each planting, which will ensure that the production from the different plantings will **not** be grouped together.

Crops with the same planting period will be grouped together unless they have different pay crop and pay type codes.

Exception: For grazed forage, the planting period will be used to further define warm and cool season grasses as allowed in paragraph 801. A planting period number of:

- “01” will be designated for cool season grasses
- “02” will be designated for warm season grasses.

200 National Crop Definitions (Continued)

C Payment Crop Code

The payment crop code identifies the “crop” for the specified crop, crop type, and/or intended use. In most cases, the payment crop code is the same as the crop code in 2-CP with few exceptions.

Example: The crop code in 2-CP for 2 or more interseeded small grain mixed forage is “0296”. For NAP payment purposes, 2 or more interseeded small grain mixed forage will actually be paid as grass with a payment crop code of “0102”.

D Payment Type Code

The payment type code identifies how the types and intended uses for a specified crop will be grouped.

Example: Beans have a payment crop code of “0047”. However, the types of beans have a significant price difference, justifying that each type of bean be treated as a separate crop. The data on the NAP crop table is downloaded as follows.

Crop Type	Planting Number	Payment Crop Code	Payment Type Code
Baby Lima	01	0047	001
Butter	01	0047	002
Soldier	01	0047	003

In this example, each type of bean will be treated as a separate crop for service fee and payment purposes.

Note: For seed crops meeting the definition according to subparagraph 202 F, crops with an intended use of seed may have a different type code.

Crop Type	Planting Number	Payment Crop Code	Payment Type Code	Intended Use
Carrots	01	0120	001	Fresh
Carrots	01	0120	002	Seed

200 National Crop Definitions (Continued)**H Crops Not Listed in 2-CP**

When a crop, or specific type or variety, is requested by a producer for NAP and it is **not** listed in 2-CP, STC's will ensure that additions are handled according to procedure in 2-CP.

I Deadline to Change Crop Definition

The national crop definition identifies the pay groupings for accepting CCC-471. Service fees are collected according to pay crop, pay type, and planting period as identified according to subparagraph A.

To ensure that service fees are applied uniformly across the country, the crop definition is based on a national review of crop data. Because changes to the crop definition **must** be completed before the release of CCC-471 software, any requests for changes in the crop definition **must** be submitted to PPB with supporting documentation. For crop data to be reviewed and approved before CCC-471 software is released, all requests along with supporting data **must** be received at the National Office by 120 calendar days before the application closing date for the crop.

Notes: Because the crop definition is established nationwide, States **must** include **not only** data for their State, but any other data available nationwide from commodity associations and other credible sources.

To change the crop definition after software has been released would have an adverse impact on service fees collected.

Because the application closing date from the previous year's NCT is used for the continuous coverage letter, County Offices **must** be aware that any changes to the crop definition could have an impact on service fees collected.

201 Types or Varieties of Crops

A Definition of Type or Variety of a Crop

Type or variety of a crop means a scientifically recognized subspecies of a crop having a particular characteristic or set of characteristics. Examples are in this table.

Crop	Types or Varieties
Watermelons	Seedless, striped.
Beans	Pinto, pole, shelli, small red.
Peppers	Jalapeño, pimiento, red chili.
Potatoes	White, red.
Cherries	Sweet, tart.
Squash	Zucchini, acorn, summer.
Lettuce	Romaine, leaf.

Notes: * * * A producer **cannot** change, by design or market, the type or variety of a crop.

See 2-CP for crop name, codes, abbreviations, etc.

Do **not** use “other”, “regular”, or other generic references as a type or variety for NAP purposes.

B Differentiating Crops by Type or Variety

Crops will be grouped according to subparagraph 200 A.

Producers **must** provide acreage and production data for each type or variety of crop produced and without regard to grouping as 1 crop.

Example: A producer has zucchini and acorn squash. The producer reports the acreage and production of each type of squash, without regard to the types being grouped as 1 crop, for example, squash.

202 Handling Crops Produced for Different Intended Uses (Continued)

D Determining Unit Loss for Crops With Different Intended Uses

The unit loss of a crop with different intended uses, as applicable, **must** be determined before the crop can be considered to have suffered a qualifying loss. This is accomplished by comparing the expected value of all intended uses of the crop to the actual or estimated value of all intended uses of the crop.

If producers do **not** have buy-up coverage with the HMP option, follow this table to determine whether a crop with multiple intended uses with different units of expression suffered a qualifying unit loss.

Notes: Before using this table, particularly in all cases where fresh and processed intended uses are involved, ensure that quality losses were properly addressed according to paragraphs 209 and 610. Loss is calculated by crop, type, intended use, and practice within grouping on the unit.

--Units having different intended uses with the same unit of measure (fresh and-- processed sweet cherries are each expressed in pounds per acre) **must** suffer a qualifying loss of total expected production to be eligible for payment consideration. If this loss requirement is **not** met for such a unit, do **not** use this table.

Step	Action
1	Multiply the total acreage of each specific intended use of the crop in the unit times the approved yield and average market price of the intended use.
2	Multiply the total acreage of each specific intended use of the crop in the unit times the disaster or estimated unit yield and average market price of the intended use.
3	Add the total values determined in step 1 for all intended uses of the crop in the unit.
4	Add the total values determined in step 2 for all intended uses of the crop in the unit.
5	Divide the result of step 4 by the result of step 3.
6	Subtract the result of step 5 from 1.000. This is the unit percent loss for the crop.

If quality loss adjustments are made according to paragraphs 209 and 610, after a crop with various intended uses is determined to have met unit value loss requirements described in the table in this subparagraph, a NAP low yield payment may be calculated. Use CCC-576A to calculate the total acreage of each intended use of the crop and without regard to other intended uses of the crop.

For producers with buy-up coverage and an approved HMP option, unit loss will be determined based on HMP, if all requirements are met.

202 Handling Crops Produced for Different Intended Uses (Continued)

E APH and Intended Use

Except for multiple marketed crops specified in paragraph 276, APH's are kept separately for each intended use of the crop reported by the producer.

See paragraph 483 for multiple market crops and paragraph 482 for organic crops.

F Seed Intended Uses Qualifying as a Separate Crop

In the case of an eligible crop intended for use as commercial seed, the seed intended use will be a separate crop if all the following apply:

- the specific crop acreage is planted, or is intended to be planted with an intent of producing commercial seed
- the specific crop acreage planted or intended to be planted to a seed intended use **cannot** produce other commercial intended uses of production
- the specific crop acreage planted or intended to be planted with an intended use of seed **must** have a growing period uniquely conducive to the production of commercial seed and **not** conducive to the production of any other intended use

Note: The unique growing period (or physiological event occurring during such period) necessary for the production of commercial seed, such as vernalization in a biennial crop such as carrots or onions, **must** render the possibility of production of any other intended use of the crop acreage improbable.

- STC recommends and DAFP approves the specific seed crop intended use as a separate and distinct crop.

Commercial seed intended uses **not** meeting the above criteria will be an intended use and a single crop together with all other intended uses of the crop type or variety.

Note: See subparagraph 375 A for crops that may have an intended use of "SD" (seed) available, but should be reported as "PR" (processed) or "GR" (grain).

202 Handling Crops Produced for Different Intended Uses (Continued)

G Examples of Separate and Nonseparate Seed Crop Intended Uses

Separate seed crop intended uses include onion, carrots, and non-ornamental nursery propagation seed.

Nonseparate seed crop intended uses include the following:

- alfalfa
- aquaculture
- Christmas tree seedlings
- grass
- ornamental nursery
- small or coarse grain.

203 Historical Marketing Percentage (HMP)

A Summary of Standard Rule and HMP Option

The HMP option allows for paying all or some of a NAP loss based on the intended use without regard to the Standard Rule. Under the Standard Rule, when 50 percent or more of production has an actual use with a lower value than the intended use, the producer's NAP assistance for that crop is calculated using the lower value actual use. If the HMP option is elected, producers will have their NAP assistance calculated based on the:

- intended use if they have historically marketed 50 percent or more of their production for the intended use
- producer's actual history of marketing if they have historically marketed less than 50 percent of their production for the intended use.

The HMP option:

- **must** be elected by the producer on CCC-471 before the crop's application closing date
- is **only** available to producers who elect buy-up coverage
- cannot result in a lower amount of NAP assistance than would be calculated using the Standard Rule
- does **not** affect premium calculations
- applies when the intended use is fresh or processed * * *
- does **not** apply to secondary uses, peanuts, small grains intended for forage, seed or other propagation intended uses
- uses the producer's previous 1 to 3 consecutive crop years of marketing history of the crop
- allows a producer to use a current year marketing contract as an alternative to marketing history, if applicable.

Example: A producer has a green bean crop that is sold fresh to a local restaurant, a roadside stand, and delivered to a wholesale market. A portion of the crop is also delivered to a packing house for processing. The producer elected buy-up coverage and the HMP option.

The producer can provide historical marketing records to establish the HMP for green beans sold as fresh to the local restaurant, roadside stand, and wholesale market, and green beans delivered to the packing house for processing.

Note: If more than 50 percent of the total actual harvested production in this example is intended and marketed as "fresh," the producer's NAP payment will be calculated based on the fresh average market price (Standard Rule).

Section 2 Crop Data

275 Crop Documentation

A Crop Data

--For each crop year and commercial crop or agricultural commodity for which a CCC-471-- may be filed in the state, STC will establish the following.

IF the crop is...	THEN STC shall determine the specific crop...	WITHIN...
other than a grazing forage crop	<ul style="list-style-type: none"> • average market price • county-expected yield • applicable payment factors 	120 calendar days before the specific crop’s application closing date. Important: It is crucial that for all crops, other than forage grazing, the crop data be established according to this table to provide potential participants information to estimate potential coverage and premiums.
a grazing forage crop	<ul style="list-style-type: none"> • carrying capacity • grazing period See subparagraph 277 F.	90 calendar days before the earliest applicable sales closing date for forage.

When a new crop, crop type, and/or intended use not currently included in 2-CP is needed, State Offices will submit new crop, crop type, and/or intended use requests according to 2-CP.

275 Crop Documentation (Continued)

A Crop Data (Continued)

When a determination of NAP eligibility is being requested for a crop, crop type, and/or intended use not included in Exhibit 14, STC must determine whether or not to recommend the crop for NAP eligibility. If the STC recommends the crop, crop type, and/or intended use, the State office will submit the request according to paragraph 11. Requests must include the following information:

- crop information from 2-CP, including name, type or variety, and intended use
- scientific name
- minutes including the STC recommendation of NAP eligibility
- supporting documentation such as:
 - basis for NAP crop eligibility, such as commercial food or fiber uses, biomass, or other industrial use
 - crop information from universities, NIFA, NRCS, or other subject matter experts with knowledge of the crop, crop type, and/or intended use
 - commercial markets
 - **Example:** Farmer's markets, grain elevator, and gin.
- FCIC established price
- NASS average yield.

Notes: For secondary use, follow subparagraph 202 C.

Provide both price and yield of seed on the "clean" basis.

Important: It is crucial that **required** crop data be established at least 120 calendar days before the application closing date to provide potential participants information to estimate potential coverage and premiums.

278 Average Market Price

A Average Market Prices and Payment Factors

[7 CFR 1437.12] Average market price and payment factors.

(a) An average market price will be used to calculate assistance under this part and will be:

(1) A dollar value per the applicable unit of measure of the eligible crop;

(2) Determined on a harvested basis without the inclusion of transportation, storage, processing, marketing, or other post-harvest expenses, as determined by FSA;

(3) Comparable with established FCIC prices; and

(4) Determined, as practicable, for each intended use of a crop type within a State, as determined by FSA, for a crop year.

(b) For each crop and location (State or county or other location as determined appropriate by FSA), FSA will establish an average market price using the following method:

(1) Obtaining market prices for each crop for the 5 consecutive crop years
--beginning with the most recent year for which price data is available; then--

(2) Dropping the crop years in the 5 consecutive crop years with the highest and lowest prices; and then

(3) Averaging the prices for the remaining 3 crop years in the 5 consecutive crop years; and

(4) If 5 crop years of data is not available for determining the average market price, FSA will use the best data available, as determined by FSA, for as many crop years of
--average market price data as possible within the 5 consecutive crop years beginning with the most recent year for which price data is available and determine an average-- market price for the crop by computing a simple average of the prices for those years.

278 Average Market Price (Continued)

A Average Market Prices and Payment Factors (Continued)

- (c) FSA will disregard small differences in prices for a crop based on different types or varieties or various intended uses. If FSA determines there is a significant amount of production being marketed in a location or region at significantly different prices, FSA will determine whether or not to establish different average market prices for subsequent crop years.**
- (d) Separate average market prices may be established within a State based on conventional or organic practices or the intended market, as determined by FSA.**
- (e) For these purposes, where needed, an Animal-unit-days (AUD) value will be based on the national average price of corn and the daily requirement of 13.6 megacalories of net energy for maintenance of 1 animal unit.**
- (f) Payment factors will be used to calculate assistance for crops produced with significant and variable harvesting expenses that are not incurred because the crop acreage was prevented planted, or planted but not harvested, as determined by FSA. The imposition of payment factors is based on the acre status and disposition not whether a NAP participant actually incurs or does not incur expenses.**
- (g) The average market price used to determine the amount of NAP assistance for crop acreage reported with a specific intended use will be based on the smaller of the approved average market price established for either the specific intended use reported on the acreage report or actual market or actual use for which more than 50 percent of the acreage's harvested production is marketed. For example: A producer reports 50 acres of carrots intended for fresh market and the producer suffers a 70 percent loss of production on the acreage. Additionally, more than 50 percent of the carrots actually produced from the 50 acres are sold as processed carrots. Because the established average market price for processed carrots is less than fresh carrots and more than 50 percent of the harvested crop was marketed as processed carrots, the established average market price for processed carrots will be used to compute the producer's NAP assistance. If an average market price had not been established for processed carrots in this example before the coverage period, then the average market price for fresh carrots would be used.**

278 Average Market Price (Continued)

D Determining Average Market Price (Continued)

If 5 crop years of data is **not** available for determining the average market price, STC's will:

- use the best data available to obtain as many crop years of data as possible within the 5 consecutive crop years, beginning with the most recent crop year for which price data is available
- determine an average market price for crops without 5 crop years of data by computing a simple average of the data obtained
- thoroughly document why 5 crop years of data is **not** available and the sources of the data used.

* * *

E Differences in Market Prices

STC's will disregard small differences in prices for a crop based on different types or varieties, various intended uses, direct or indirect marketing methods, and organic production methods. However, if there is a significant amount of production being marketed in a region at significantly different levels of compensation, STC will determine whether to establish different prices.

As applicable, if STC determines with credible data that:

- a different type or variety of a crop has historically been valued at a significantly different price when compared to the average market price of other types or varieties of this crop, STC will establish a separate price for the type or variety of the crop
- a significant amount of a crop has been historically marketed in a county or counties under a specific intended use and at a price that is significantly different than the average price received for the crop without regard to intended use, STC will establish a separate price for the crop based on intended use
- producers in the State have crop production that is sold through direct marketing, STC may establish a separate price, if sufficient data is available to support establishing a separate direct market price, and DAFP approval is obtained
- organic farming practices are used for crop production, STC may use organic prices *--when they have been established according to subparagraph F.--*

278 Average Market Price (Continued)

F Organic Market Prices

FSA may establish an organic average market price for a crop within a State to reflect the different price a producer receives because the crop qualifies as organic according to the National Organic Program regulations at 7 CFR Part 205.

Organic average market prices may be based on:

- the RMA organic price for the crop if available
- 145 percent of the NCT average market price
- other acceptable sources of organic price data.

If FCIC has not established a price for an OC crop, or the FCIC-established price is the same as the FCIC organic price (OC), States may choose to establish an organic average market price up to 145 percent of the NCT average market price without submitting price documentation to DAFP.

* * *

Sufficient data may be available that supports establishing an organic average market price higher than 145 percent of the NCT average market price. If this data exists, STC's must submit a request to DAFP, according to paragraph 11, with supporting evidence, to request approval of a different organic average market price.

Note: Organic average market prices higher than 145 percent require DAFP approval for each crop year.

Verifiable and/or reliable data, according to subparagraphs 601 B and C, from as many of these sources as is reasonable, must be collected and compiled by COC's. COC's will submit a memo with supporting documentation to the State Office for approval. State Offices will review and approve the request and submit the organic average market price and yield request to the National Office as necessary.

Notes: When establishing an organic average market price for a crop, a yield adjustment organic factor **must** also be established for the crop according to paragraph 276.

Organic prices do not apply to nongraduated value loss crops

The 145 percent organic price is based on the already computed average market price and does **not** represent a year-specific historical price. See 3-NAP for entering an override price in the NCT when year-specific historical average prices are not available.

Part 5 Obtaining NAP Coverage

Section 1 General Provisions

300 Application Closing Dates

A Establishing Application Closing Dates

STC will establish an application closing date for eligible crops, taking into consideration the pay crop and pay type groupings.

Application closing dates **must**:

- *--for annual crops, be at least 1 day before the date FSA would permit coverage to begin--*
for either prevented planting or low yield losses

Example 1: The final planting date for butternut squash is June 5 and the final planting date for acorn squash is June 30. Both types of squash are in the same pay crop pay type grouping. To ensure that prevented planting is eligible for the butternut squash (the earliest final planting date) the application closing date **must** be established * * * before the planting period for butternut squash. If the planting period for butternut squash begins around *--May 5, and STC wants to provide prevented planted coverage for **all** of--* that planting period, the application closing date **must** be established at *--no later than May 4.--*

Example 2: Lettuce has multiple planting periods with the following final planting dates:

- December 31
- April 3
- August 31.

The application closing date for all planting periods **must** be established at *--least 1 calendar day before December 31.--*

300 Application Closing Dates (Continued)

A Establishing Application Closing Dates (Continued)

- correspond to FCIC sales closing dates for like crops

Example: Apples are insurable in 13 of the 36 Oregon counties, cranberries are insurable **only** in 2 counties, and pears are insurable in 6 counties. RMA has established the sales closing date for all 3 crops as November 20.

The Oregon STC will establish the application closing date for apples, cranberries, and pears in the rest of the State as November 20. STC will consider establishing the same application closing date for any other fruit crops, unless a different RMA sales closing date for a crop is established.

Notes: STC's do **not** have the authority to arbitrarily change application closing dates for the specific reason of allowing additional producers to sign up for NAP coverage after the original dates had been publicized.

STC's will **not** change application closing dates established for the current year after the date has been publicized. STC can change application closing dates for subsequent years.

- be limited to the same number of sales closing dates as established by crop insurance, if reasonable

Example: Arizona has the following FCIC sales closing dates:

- October 31 for small grains
- November 20 for all citrus
- November 30 for potatoes
- January 31 for table grapes
- February 28 for coarse grains and cotton.

The Arizona STC will establish 5 application closing dates based on the FCIC sales closing dates already established. STC should also review other noninsurable crops and the FCIC sales closing dates that best accommodate the pay crop pay type grouping.

Note: State Offices will review FCIC sales closing dates annually to ensure consistency between programs.

300 Application Closing Dates (Continued)

A Establishing Application Closing Dates (Continued)

- correspond to the beginning of the crop year for crops without final planting dates.

Note: For value loss crops, the date **must** be established no later than September 1, **except** for ornamental nursery according to subparagraph 906 B.

STC **must** ensure that the application closing date is established early enough to include all the eligible crops, types, and intended uses grouped as the same pay crop and pay type.

***--Example:** The crop year for ginseng root starts October 1, 2020, and the coverage period for ginseng seed begins May 1, 2021. Ginseng with an intended use of root and--* seed has the same pay crop and pay type.

Because ginseng with the intended use of root has the earliest beginning date for coverage within the pay crop pay type grouping, STC will ensure that the application closing date for that pay crop pay type is established no later than *--September 30, 2020.--*

B Publicizing Application Closing Dates

SED's will ensure that application closing dates are publicized. Publication sources can include the following:

- posting in the USDA Service Center
- local media using newspaper, farm magazines, radio, etc.
- Town Hall meetings
- newsletters
- GovDelivery for bulletins, newsletters, etc.

See paragraph 6.

301 CCC-471, Application for Coverage

A Filing CCC-471

To be eligible for NAP coverage for a crop, a producer **must** file CCC-471 by the application closing date for the crop. CCC-471 **must** be filed by the producer for a specific administrative county by pay crop, pay type, and coverage options in any FSA Service Center.

CCC-471's accompanied by applicable service fees or CCC-860 certification of SDA, LR, VF, or BF status received by FSA in the mail are considered timely filed if the USPS postmark reflects a date no later than the crop's closing date. See paragraph 303.

FSA will allow any interested person to file CCC-471 without regard to whether or **not** the person may or may **not** qualify for NAP assistance. A person is ineligible for NAP assistance if the person chooses **not** to file CCC-471 for any reason including, but **not** limited to, a belief that NAP assistance would **not** be earned or paid, whether that assumption is correct or **not**. A participant who chooses **not** to file CCC-471 knows and has reason to know that coverage was knowingly and willingly **not** applied for or sought or obtained.

Individuals or legal entities submitting CCC-471 accompanied by the applicable service fee or CCC-860, as applicable, acknowledge receipt of all CCC-471 NAP BP provisions.

At the time of application in the Service Center, County Offices **must**:

- provide to the producer a photocopy of the originally filed CCC-471 showing crops for which coverage was obtained
- ensure that producers are aware of the availability of CCC-471 NAP BP
- provide CCC-471 NAP BP by 1 of the following methods as selected by an eligible producer:
 - make copies available
 - provide the web site to producers where they can get a copy
 - provide electronically by e-mail to the producer

301 CCC-471, Application for Coverage (Continued)

E Processing CCC-471's Filed After the Application Closing Date, But Before the End of the Coverage Period

If CCC-471 accompanied by the **required** service fee or CCC-860 is submitted after the application closing date, but before the end of the coverage period, do all of the following:

- provide a photocopy of the original submitted CCC-471 and a copy of NAP BP to the participant according to subparagraph A
- accept the CCC-471 and deposit the service fee
- present the late-filed CCC-471 accompanied by the participant's written explanation for late-filing to COC.

IF CCC-471 is filed...	THEN COC...
within 30 calendar days of the application closing date	is delegated authority to approve or disapprove programmatic relief for the producer. Approval of relief will allow coverage to be approved to begin no *--earlier than 1 calendar day following the actual day CCC-471 was--* filed. If COC grants relief, FSA representative will sign and date CCC-471 with effective COC decision date. Notes: COC is under no obligation to grant relief. However, if the producer filed the written explanation for late-filing, COC must determine whether or not relief is warranted. DAFP is extending this delegation of authority to allow COC to approve or disapprove programmatic relief beyond 30 calendar days after the application closing date in cases when an FLP applicant who qualifies as BF, LR, or SDA files CCC-471 for: <ul style="list-style-type: none"> • annual crops, on or before the final planting date • perennial crops, within 3 months of the application closing date.

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

376 Reported and Determined Crop Acreage

A Using Reported and Determined Crop Acreage

As specified in CCC-471 NAP BP, when a unit has both reported and determined crop acreage, COC will use:

- the smaller of the reported or determined acreage to determine the unit's:
 - expected level of production
 - total planted and prevented planted acreage
- determined acreage for premium calculation and APH purposes.

Note: See 2-CP for policy about determined acreage measured by LA.

See Part 3 for NAP provisions about:

- unacceptable, incorrect, or false records and certifications
- variance
- misrepresentation, scheme, or device.

B Disposition of Reported Crop Acreage

Producers who have reported crop acreage for NAP purposes who harvest the specific crop acreage **must** file a production report for the crop and be able to provide to COC documentary evidence of crop production and disposition. Evidence may include leaving representative samples of the crop acreage for inspection. Disposition may be reviewed to ascertain if the crop was harvested for the reported intended use and if acreage was harvested.

Failure to make timely application or to supply **required** documentary evidence will result in a denial of NAP payments.

Exception: For forage crops in areas where multiple cuttings are normal, see subparagraph 802 E.

376 Reported and Determined Crop Acreage (Continued)**C Replacement, Repeat, and Replanted Acreage**

Replacement crop acreage:

- is acreage of another crop or commodity planted as a subsequent crop.
- even if planted **after** approved prevented planted or failed crop acreage, in the same crop year, is **not** considered acres devoted to an eligible crop and is **not** eligible for NAP

Notes: See 2-CP for further information about replacement crops.

See paragraph 204 for eligible double-crop acreage.

See paragraph 380 for maintaining ineligible crop acreage.

Repeat crop is the subsequent planting of a crop or commodity planted on the same acreage as previous plantings of the same crop or commodity in the same planting period and crop year.

Replanted acreage is eligible for NAP when an eligible crop is damaged and COC determines that it is practical and customary to replant the same crop.

Notes: Practical and customary to replant means, as determined by FSA, replanting the covered crop or commodity is customary and will allow the crop or commodity to attain maturity before the calendar date for the end of the coverage period.

*--See subparagraph 51 E for ineligible causes of loss.--

377 **Late Planting****A Determining Late Planted Acreage**

Late-planted acreage. Late-planting provisions provide reduced coverage for eligible crop or commodity acreage planted during the applicable late planting period.

Crops **not** planted by the STC-established final planting date because of natural disaster but planted during the late planting period are **not** eligible for prevented planting payments.

Producers unable to plant the crop or commodity on the acreage in the unit by the STC-established final planting date because of natural disaster **must** provide an acceptable notice of loss (CCC-576, Part B), within 15 calendar days of the final planting date.

Production will be assigned according to subparagraph C for late planted acres based on the date the crop or commodity was planted.

B Definition of Planted Acreage--*

Planted acreage, means land in the unit in which seed, plants, or trees have been placed,--* appropriately for the crop and planting period, at the correct depth, into a seedbed that has been properly prepared for the planting method and production practice.

C Reducing Coverage for Late Planting

COC **must** assign production according to paragraph 607 for certain crop acreage planted during the applicable late-planting periods. Production to assign will be determined according to the date the crop acreage was actually planted and the following table. A calculator worksheet has been provided in Exhibit 37 to calculate the amount of production to assign.

Notes: If planting of the crop is by viable transplants, COC may not reduce nor assign production due to late planting that occurs within 1 to 5 calendar days after the final planting date.

*--If planting of the crop is by viable transplant, COC may determine if late planting provisions apply due to late planting that occurs from 6 to 30 days after the final planting date.

If a crop fails prior to the final planting date and a repeat crop is planted within 10 day of the final planting date, the COC will not reduce or assign production due to late planting.--*

377 Late Planting (Continued)

C Reducing Coverage for Late Planting (Continued)

Late-planting provisions do **not** apply to the following:

- crops with multiple planting periods **except**:
 - for the last planting period for the crop
 - to multiple planting periods with a defined gap of 60 days or more between the harvest date of the previous planting period and the beginning of the immediately following planting period
- value-loss crops.

IF the crop's days to maturity are...	AND IF the crop is planted after the final planting date by...	THEN assigned production is equal to...
60 calendar days or less	1 to 5 calendar days	5 percent of the expected production of the applicable crop acreage for each day after the final planting date.
	6 or more calendar days	expected production of the applicable crop acreage equal to the unit yield guarantee (50 to 65 percent coverage level).
61 to 120 calendar days	1 to 5 calendar days	5 percent of expected production of the applicable crop acreage regardless of the day planted.
	6 to 20 calendar days	1 percent of expected production of the applicable crop acreage for each day after the final planting date.
	21 or more calendar days	expected production of the applicable crop acreage equal to the unit yield guarantee (50 to 65 percent coverage level).
121 calendar days and up	1 to 5 calendar days	5 percent of expected production of the applicable crop acreage regardless of the day planted.
	6 to 25 calendar days	1 percent of expected production of the applicable crop acreage for each day after the final planting date
	26 or more calendar days	expected production of the applicable crop acreage equal to the unit yield guarantee (50 to 65 percent coverage level).

Note: Time periods include the date the crop is planted.

378 **Prevented Planting (Continued)**

C Ineligible Acreage for Prevented Planting

Acreage ineligible for NAP prevented planting includes, but is **not** limited to:

- acreage for which the provisions of 2-CP are **not** met
- value loss crops, including, but **not** limited to, Christmas trees, aquaculture, and ornamental nurseries
- uninsured crop acreage that is unrated for insurance purposes
- acreage planted during the late-planting period.

See paragraph 380 for maintaining ineligible crop acreage.

D Calculating Prevented Planting Payments

Subject to limitations, availability of funds, and specific provisions dealing with specific crops, a payment for prevented planting is determined according to the following.

Step	Action
1	Add the total planted and approved prevented planted acres.
2	Multiply the result of step 1 by “.35”.
3	Subtract the result of step 2 from the approved prevented planted acres.
4	Multiply the producer’s share by the approved yield by the positive result of step 3.
5	Multiply the producer’s share by the assigned production, if any.
6	Subtract the result of step 5 from the result of step 4.
7	Multiply the result of step 6 by the final payment rate (the higher of the average market price, organic market price, or the direct market price and producer’s DMP, as applicable, for the pay crop and pay type times price coverage level of .55 or 1.00 times prevented planting factor).

Notes: Yields for purposes of prevented planting payments will be calculated in the same manner as for low-yield claims.

Additional calculations are **required** when there are multiple crop types within a pay group or multiple practices, intended uses, organic status, or native sod status within a crop type.

--See Exhibit 39 for an example of the calculations.--

379 Native Sod Acreage

A Applicability

All annual NAP crops with tillage (including one-pass planters) planted on acreage that was determined as native sod after February 7, 2014, with a breaking date of February 8, 2014, through December 20, 2018, in Iowa, Minnesota, Montana, Nebraska, North Dakota, and South Dakota have more restrictive provisions during the first 4 years of planting.

Crop/types to which native sod provisions will apply if covered by NAP with these breaking *--dates are identified in Exhibit 40 (Exhibit 40 is applicable to crop years 2015 through 2018, 2019 and subsequent applicable annually tilled crops are identified in the NCT).--*

All NAP crops on acreage that was determined as native sod after February 7, 2014, with a breaking date after December 20, 2018, in the same applicable 6 States, have more restrictive provisions any time that **any NAP crop** acreage has NAP coverage in the first 10 years after breaking. However, the NAP restrictions will not apply more than 4 years total within the 10-year period. Federal crop insurance native sod provisions imposed by RMA on the same acreage do not count as a year of restrictions.

Note: The breaking date is considered the date that native sod is tilled or chemically killed in preparation of planting a crop.

B Definition of Native Sod

Native sod means land on which the plant cover is composed principally of native grasses, grass-like plants, or shrubs for grazing and browsing that has never been tilled, and the producer **cannot** substantiate that the ground has ever been tilled, for the production of an annual crop on or before February 7, 2014.

C Determinations of Native Sod Acreage

Acreage that is planted and was **not** cropped on or before February 7, 2014, will be considered as native sod unless the producer can substantiate the acreage has previously been tilled, or that the acreage was not principally (greater than 50 percent) composed of the plant composition described in subparagraph B. Those substantiations may include, but are **not** limited to:

- FSA-578 dated on or before February 7, 2014, showing the crop (this is not limited to annual crops; however, it must be a crop that requires the ground to be tilled, including 1 pass planters, to plant the crop) that was previously planted on the requested acreage
- FSA-578 dated on or before February 7, 2014, showing that the requested acreage is classified as cropland
- NRCS Form CPA-026e identifying the acreage with, in the “Sodbust” column, “No”, and in the “HEL” column, “Yes”

379 Native Sod Acreage (Continued)

E Partial Field Planting and Relation to a Crop Year of Planting (Breaking Dates of February 8, 2014, Through December 20, 2018) and a Year of Restrictions (Breaking Date After December 20, 2018) (Continued)

Example 1: A producer has an 80-acre field (CLU) comprised completely of native sod acreage. In the initial year of tilling the native sod acreage, all 80 acres are planted to dryland corn. In crop year 2, the producer plants the North 40 acres to rye and leaves the South 40 acres idle. In crop year 3, the producer plants the South 40 acres to dryland corn and leaves the North 40 acres idle. In crop year 4, the producer plants all 80 acres to rye. All 4 years on the entire 80 acres count towards fulfilling the first 4 years of planting.

Example 2: A producer has an 80-acre field (CLU) comprised completely of native sod acreage. In the initial year of tilling the native sod acreage, the North 40 acres are planted to dryland corn and the South 40 acres are **not** tilled. The North 40 acres begin counting toward the first 4 years of planting. The South 40 acres will **not** count as a year of planting until those native sod acres are tilled and planted.

In crop year 2, if the South 40 acres are tilled and planted, but the North 40 acres are **not** planted, the South 40 acres will count as the first year of planting for those acres. The North 40 acres that were **not** planted in crop year 2 would still **only** have 1 year of planting count for the 4 years of restrictive provisions.

The determination if a year of NAP restrictions applied to a native sod CLU with a breaking date after December 20, 2018, will be determined from the same 50 percent or more threshold. If 50 percent or more of the acres have NAP coverage, then the entire CLU is considered to have met a year of restrictions. If less than 50 percent of the acres have NAP coverage, then the entire CLU is considered to have not met a year of restrictions.

F De Minimis Acreage

NAP annual crops that are planted on acreage converted from native sod on 5 acres or less are not subject to the more restrictive provisions. Like native sod provisions, de minimis determinations are also based on acreage identified as native sod that is physically located within the 6 States identified in subparagraph A.

Acreage that meets the parameters of native sod, identified in subparagraph B, has native sod provisions applied by checking the “native sod conversion box” identified in 2-CP. If de minimis is applicable that acreage should not have the “native sod conversion box” checked. This will ensure that the native sod provisions do not apply to that acreage.

***--Note:** Crop years 2019 and subsequent; NAP software reads from CARS to apply native sod restrictions. Refer to 2-CP, subparagraph 162 D to request a National Office manual override if a manual determination of de minimis is applicable.--*

379 Native Sod Acreage (Continued)

F De Minimis Acreage (Continued)**• Crop Years 2015 and 2016**

De minimis is determined the first year of cropping by producer, per pay grouping, per NAP unit. This requires a manual determination. A review of the acres identified as native sod within a NAP unit for the year, a review of pay grouping (pay group and pay type in Exhibit 14), and a review of Exhibit 40 to determine whether the crop/type is applicable to the native sod provisions (NAP crops that require annual tillage, including 1 pass planters) is required.

Example 1: Producer A has 6 acres identified as native sod converted to cropland in 2016 on 1 unit. NAP requested on those 6 acres is 3 acres of beans (green, GRN) and 3 acres of beans (green baby French, GBF). Exhibit 40 reveals native sod provisions apply to crop beans (0047), all types. Exhibit 14 reveals both crop types are in the same pay grouping (pay crop 0047, pay type 001). The de minimis parameters have not been met (6 acres converted from native sod in 1 unit, all 6 acres are planted to a crop to which the native sod provisions are applicable, and all 6 acres are within the same pay grouping). Native sod provisions apply to all 6 acres.

Example 2: Producer B has 10 acres identified as native sod converted to cropland in 2016 on 1 unit. NAP is requested on those 10 acres for 6 acres of beans (green, GRN) and 4 acres of beans (Chinese string, CHI). Exhibit 40 reveals native sod provisions apply to crop beans (0047), all types. Exhibit 14 reveals green beans and Chinese string beans are in different pay groupings (GRN pay crop 0047, pay type 001 and CHI pay crop 0047, pay type 003). The 4 acres of Chinese string beans meet the de minimis parameters and native sod provisions do not apply (it has been determined that less than 5 acres have been planted in 1 unit per pay grouping). The 6 acres of green beans do not meet the de minimis parameters; therefore, native sod provisions will apply.

379 Native Sod Acreage (Continued)

F De Minimis Acreage (Continued)

- **Crop Years 2017 and Beyond**

De minimis determinations are not applicable, once a producer has exceeded 5 acres determined as converted from native sod, cumulatively beginning with crop year 2017, in a county within the 6 States to which native sod provisions apply. If the cumulative acres in an applicable county exceed 5 acres, de minimis parameters are not met regardless of what is planted or how much of the native sod acres do or do not have NAP native sod provisions applicable. Cumulative acres will be manually calculated by the CLU's created and maintained the first 4 years of cropping for breaking dates of February 8, 2014, through December 20, 2018, and for 10 years or after 4 years of NAP restrictions for breaking dates after December 20, 2018.

Example 1: Producer A has 5 acres determined as native sod converted to cropland in Knox County Nebraska in 2017. All 5 acres are enrolled in NAP with coverage on rye for grain. Exhibit 40 reveals that rye (crop code 0094) is applicable to native sod provisions. Because the cumulative acres beginning with 2017 are only 5 acres de minimis applies and native sod provisions are not applicable.

Example 2: Producer A (from Example 1) has an additional 5 acres determined as native sod converted to cropland in Knox County Nebraska in 2018. The 5 acres converted to cropland in 2017 are once again enrolled in NAP with coverage on rye for grain in 2018. The additional 5 native sod acres converted to cropland in 2018 are insurable with oats for grain. De minimis is not applicable on the 5 acres of rye for grain because the cumulative acres to which native sod provisions apply now exceeds 5 acres or are the new acres converted to cropland in 2018 eligible for de minimis on the insurable crop as determined by RMA because the cumulative acres exceed 5 acres to which native sod provisions would apply.

--A combination of acreage with breaking dates on or before December 20, 2018, and after December 20, 2018, may both be in the cumulative acres to determine that a producer does not meet de minimis. For those situations, the applicable restrictions will apply to the acreage accordingly, as determined by the unique breaking dates, according to subparagraph A. However, since earlier than December 20, 2018, breaking dates may drop out of native sod designation much earlier than acreage with breaking dates after December 20, 2018, the cumulative acres may change in the future.--

379 Native Sod Acreage (Continued)

F De Minimis Acreage (Continued)

- Crop Years 2017 and Beyond (Continued)

Example: Producer B broke 3 acres determined as native sod in spring 2018 in Knox County, Nebraska. The 3 acres had NAP coverage with a crop from Exhibit 40 in 2018 but de minimis applied. In spring 2019, the producer broke an additional 3 acres in Knox County, Nebraska. These 3 acres were not planted to NAP crop in 2019 (no coverage), but NAP coverage continued on the 2018 native sod acreage. De minimis did not apply in 2019 because cumulatively *--there were more than 5 acres of native sod. After 4 years of continuous--* cropping, in 2022 the native sod designation is removed from the 2018 breaking acreage. Therefore, if no additional acreage is broken, for any year (2023 through 2029), up to 4 years maximum, the 3 acres designated with the 2019 breaking date and that have NAP coverage will meet de minimis since the cumulative acreage is now less than 5 acres. Had Producer B had NAP coverage in 2019 through 2022, de minimis would not have been met.

G Production for Native Sod

Example: A producer has 100 acres of rye for grain with NAP coverage, with 50 acres determined to be native sod and 50 acres are non-native sod. The producer reports 3,000 bu. of production on the entire 100 acres because it was commingled at harvest.

Step	Action	Calculation
1	Determine the proration by dividing the total acres by the applicable determined native sod acres.	$100 \div 50 = 2$
2	Determine native sod production by dividing total production by the result of step 1.	$3,000 \div 2 = 1,500$
3	Determine non-native sod production by subtracting the result of step 2 from the total production.	$3,000 - 1,500 = 1,500$

379 Native Sod Acreage (Continued)

H Adverse Determinations

It is a COC determination if the acreage is native sod or if the producer substantiations in subparagraph C apply.

Note: If the substantiations do not apply, the acreage is determined as “native sod”.

Any year a producer participates in NAP on acreage determined native sod, reconsideration must be offered. Some reconsiderations a producer may request are if:

- the acreage report correctly reflects where the NAP * * * crop is planted resulting in application of native sod provisions
- the substantiations in subparagraph C resulting in a native sod determination were fully considered
- de minimis provisions in subparagraph F should have applied
- *--4 years of cropping have been met according to subparagraph D, removing the native sod designation (breaking dates of February 8, 2014, through December 20, 2018)
- 4 years of NAP restrictions have applied or it is beyond 10 years from the breaking date (breaking dates after December 20, 2018).--*

See 1-APP on offering reconsideration of the adverse determination any year the more restrictive native sod provisions apply to NAP acreage.

Note: The determination that acreage is native sod acreage on which a crop was grown during a specific year is not an adverse determination, unless the more restrictive sod provisions are applied to NAP acreage.

380 SNAPP for Ineligible Crop Acreage, Honeybee Colonies, and Tree Taps**A Overview**

SNAPP is a web-based application that will be used to maintain ineligible crop acreage, honeybee colonies, and tree taps. For NAP, ineligible crop acreage, honeybee colonies, and tree taps will be entered in SNAPP for the applicable crop year and will not impact:

- establishing approved yield
- calculating contract marketing percentage
- calculating payment
- calculating premium
- calculating yield guarantee
- calculating summary of coverage values.

--B Entering Crop Acreage, Honey Bee Colonies, and Tree Taps Into SNAPP--

Beginning with crop year 2015, crop acreage, honeybee colonies, and tree taps for which CCC-471 is filed and subsequently deemed ineligible, according to paragraph 53, must be entered into SNAPP immediately upon FSA-578 certification. A photocopy of the map must be kept in the producer's NAP folder identifying the crop acreage deemed ineligible.

Notes: SNAPP is applicable to grazed forage crops.

SNAPP is **not** applicable for value loss crops.

C Accessing SNAPP

See 3-NAP, Part 3, Section 8 for SNAPP.

381-399 (Reserved)

402 Approved Yields (Continued)

C Calculating Approved Yield (Continued)

The basic formula for calculating the percentage of the T-yield for approved yields is according to this table.

IF...	THEN calculate the current year approved yield based on the simple average of...
producer certifies production records or has any combination of actual, replacement, zero credited, substitute, or assigned yields for 4 through 10 years	those yield years.
producer certifies production records for 3 years and there are no zero credited, substitute, or assigned yields in the APH database	the 3 yield years plus 100 percent of the applicable T-yield for the missing year.
producer certifies production records for 2 years and there are no zero credited, substitute, or assigned yields in the APH database	the 2 yield years plus 90 percent of the applicable T-yield for the missing years.
producer certifies production records for 1 year and there are no zero credited, substitute, or assigned yields in the APH database	the 1 yield year plus 80 percent of the applicable T-yield for the 3 missing years.
there has not previously been an approved yield calculated and there are no production records	65 percent of the applicable T-yield for each of the missing years. Note: Use 100 percent of applicable T-yield for each of the missing years for new producers according to paragraph 477.

Notes: An assigned, zero credited, or substitute yield will **not** be considered derived from producer-certified production records for the purpose of attaining a higher percentage of T-yield.

An assigned, zero credited, or substitute yield **is** included when determining the *--number of years with yield data. However, these yields are **not** counted when determining the percentage of T-yield to use to complete the minimum 4 years of data.

Example: A producer has 2 years of yield data consisting of 1 assigned yield and 1 year of actual yield derived from producer certified production records. Therefore, the current year approved yield will be based on these 2 years of yield data (1 assigned yield and 1 actual yield) and 80 percent of the applicable T for the missing 2 yield years. Eighty percent of the applicable T is used because the producer has reported only 1 year of producer certified records resulting in 1 year of actual yield in the database.--*

402 Approved Yields (Continued)

D Special Considerations for Approved Yield Calculations

To establish an approved yield for a producer, consideration **must** be made for each of the following according to Section 2:

- continuity or breaks therein
- new producer
- center pivot irrigation system
- succession-in-interest eligibility
- yield limitations, including cups
- *--added land, practice, type, intended use, planting period and units--*
- * * *
- combining and dividing APH databases
- NAP crops produced on acreage previously determined native sod (applicable to Iowa, Minnesota, Montana, Nebraska, North Dakota, and South Dakota, including land from these States administered in counties contiguous to these States)
- organic and transitional crops
- multiple market crops
- crops with only one type available on NCT and original type has been removed and replaced with several new types of the crop. State Offices need to approve the new crop type records on the NCT before County Office access, according to 3-NAP, Part 2.

E Manually Calculating Approved Yields

If approved yields **cannot** be calculated using the NAP automated system, a manual calculation may be completed using CCC-452.

* * *

481 Native Sod Yield Restrictions

A Limitation for Native Sod

NAP-covered yield-based crops produced with annual tillage * * * on native sod will have coverage limited to an approved yield of 65 percent of the T-yield (county expected yield) for the first 4 years of planting on the native sod with breaking dates of February 8, 2014, through December 20, 2018.

Native sod acreage with breaking dates after December 20, 2018, will have the same approved yield limitation for the first 10 years after breaking, up to 4 years maximum, on any *--NAP yield-based crop (annually tilled crop parameter does not apply).--*

The T-yield used is applicable to the specific crop year for the administrative county.

Crop insurance has similar restrictions applicable to insured crops.

B Determining Native Sod Acreage and Cropping Year

See subparagraph:

- 379 C for determining when NAP acreage is determined as “Native Sod”
- 379 D for determining what constitutes a year of planting.

Note: The year of planting for breaking dates of February 8, 2014, through December 20, 2018, determines when the more restrictive approved yield is applicable, rather than the years that the crop acreage had NAP coverage.

Example: Year 1: NAP Crop covered.
 Year 2: Insured Crop covered.
 Year 3: Cropped, but **not** covered by NAP or insured.
 Year 4: NAP Crop covered.
 Year 5: NAP Crop covered.

In this example, the more restrictive approved yield is applicable in years 1 and 4, but would **not** be applicable in year 5, because the first 4 years of planting requirement had been met regardless if NAP coverage had been obtained or **not**.

481 Native Sod Yield Restrictions (Continued)

--C Multiple Year Example of Native Sod Approved Yield (Breaking Dates of February 8, 2014, Through December 20, 2018)--

The NAP participant has a NAP unit with 100 percent share in Nebraska that follows a soybean and rye rotation on 40 acres (20 acres in rye and 20 acres in soybeans in any given year). Soybeans are insured in the county, but rye is **not**, and the producer participates in NAP for the rye. The NAP participant tills and plants an additional 16 acres of rye in September 2014. The producer **cannot** substantiate that the acreage has been previously tilled and planted for the production of a crop. Because the acreage is in Nebraska and the producer **cannot** substantiate that it has ever been cropped, the acreage is considered native sod. The acreage has been added to the existing NAP unit.

The year the native sod acreage is tilled and planted, separate approved yields **must** be established for the acreage, and the acreage **must** be reported by farm, tract, and field number.

Year 1:

The native sod acreage being added to the existing unit in 2015 requires separate approved yields for the first 4 crop years planted to an annual crop. The native sod database **must** have a yield of 65 percent of the T-yield.

2015 Acreage Report for Unit 1001. The native sod acreage **must** be reported separately by farm, tract, and field number.

Crop Year	Crop/ Use	Unit Number	Farm, Tract, and Field Number	Acres	Acreage Type
2015	Soybeans/ GR	1001	1234/5678/1	20.0	Insured acreage in existing unit.
2015	Rye/GR	1001	1234/5678/1	20.0	NAP covered acreage in existing unit.
2015	Rye/GR	1001	1234/5678/2	16.0	NAP covered native sod acreage.

483 Multiple Market Crops

A Definition of Multiple Market Crops

Multiple market crop means a crop that can have multiple market or intended uses with separate NAP average market prices established for each use; however, only 1 approved yield will be established for the crop.

Note: The county-expected yield for multiple market crops with 1 market is based on crop and type instead of crop, type, and intended use. See subparagraphs 276 G and 483 C for approved yield procedure for multiple market crops.

B Multiple Market Crop List

The following crops are identified as multiple market crops:

- sweet potatoes
- APH-based perennial tree fruit crops including, but **not** limited to:
 - apples
 - apricots
 - bananas
 - cherries
 - grapefruit
 - lemons
 - limes
 - oranges, including mandarin
 - peaches
 - pears
 - plums
 - prunes
 - tangelos
 - tangerines.

Note: If a crop meets definition in subparagraph A, but is **not** included in the list, STC's should contact the National Office and provide the name of crop (as listed in 2-CP).

C Approved Yield for Multiple Market Crops

Multiple market crops, as defined in this paragraph, **must** have a single approved yield for all *--intended uses, including fresh and processed, if applicable. The approved yield is the--* same regardless of where the crop is marketed. Production will be collected by all intended uses and combined in the databases with total acres and production of the crop, including all *--under fresh and processed, if applicable.--*

483 Multiple Market Crops (Continued)

C Approved Yield for Multiple Market Crops (Continued)

*--Follow these steps to properly update the approved yield database when there is acreage or production reported for multiple intended uses of a multiple market crop.

Step	Action
1	Add eligible acres together of all the intended uses of the crop/type.
2	Add eligible production from all reported intended uses of the crop/type.
3	Divide the total production in step 2 by the total acres in step 1.
4	Multiply the per acre yield result from step 3 times the acres of each individual intended use eligible acres. This step needs to be repeated for all intended uses.
5	Enter the production result from step 4 in the approved yield database with each intended use eligible acres, as applicable.
6	Maintain calculation in the remarks section of CCC-452.

Example: For historical year 2015, the producer had 8.0 eligible acres of fresh tart cherries with total production of 750 cwt. The producer also has 2.0 acres of processed tart cherries with total production of 250 cwt. For a total of 10.0 acres and 1,000 cwt. production. The total production of cherries from the eligible acres must be prorated to each intended use acres in the approved yield database.

Step	Action
1	Add 8.00 fresh acres plus 2.00 processed acres for a total of 10.0 acres.
2	Add 750 cwt. fresh production plus 250 cwt. processed production for a total of 1,000 cwt.
3	Divide 1,000 cwt. by 10.00 acres for a total of 100 cwt. per acre.
4	Multiply 100 cwt. x 8.0 fresh acres for a total of 800 cwt. fresh production. Multiple 100 cwt. x 2.0 processed acres for a total of 200 cwt. processed production.
5	Enter 800 cwt. fresh production and 200 cwt. processed production into the respective approved yield database.

--*

D Previously Separate Databases

If different approved yields have been previously maintained for fresh, processed, and juice, combine total acres and production for each intended use. Recalculate the prior approved yield to reflect the combined acres and production and enter the resulting approved yield for each intended use.

An approved yield is needed for each intended use to calculate a loss for the multiple-market crop. Although the crop definition for multiple market crops is crop and type, the approved yield database is at the crop, type, and intended use level.

Part 8 Reporting Losses

Section 1 Loss Information

575 Notice of Loss

A Overview

CCC-576, Part B (Exhibit 53) documents:

- a producer's loss or damage to a crop or commodity
- what has been or will be done with the crop acreage or commodity.

* * *

B Filing CCC-576, Part B

CCC-576, Part B **must** be provided for:

- prevented planting claims, within 15 calendar days after the final planting date
- low yield claims and allowable value loss, the earlier of either the following:
 - 15 calendar days after the disaster occurrence or date of loss or damage to the crop or commodity first becomes apparent
 - 15 calendar days after the normal harvest date

*--For 2020 and subsequent years, NAP producers of forage with the intended use of grazing who choose to establish loss level using independent assessments, according to subparagraph 804 J, or other alternative loss percentage methods approved by DAFP, according to paragraphs 812 and 813, are not required to file a CCC-576, Parts A and B. For producers meeting that criteria, the only requirement is to file an application for payment on grazed forage by the deadline specified in paragraph 675.

For 2020 and subsequent years, NAP producers of forage with the intended use of grazing who choose to establish their loss using similar mechanically harvested forage acreage on the unit for which an approved yield has been calculated, or similar units in the area where approved yields have been calculated for forage, are required to file the following by the applicable deadline:

- CCC-576, Parts A and B by the earlier of the following:
 - 15 calendar days after the disaster occurrence or date of loss or damage to the crop or commodity first becomes apparent
 - 15 calendar days after the end of the coverage period
- CCC-576, Parts D through H, according to paragraph 675.--*

575 Notice of Loss (Continued)

B Filing CCC-576, Part B (Continued)

An acreage report **must** be filed for the acres devoted to the eligible crop in CCC-576, item 8C and/or 9D, as applicable, for 2015 and subsequent years.

Notices of loss **must** be provided:

- timely
- on CCC-576, Part B
- for each weather-related event or adverse natural occurrence that causes damage to or loss of a specific crop or commodity.

Notes: A separate CCC-576, Part B **must** be filed for each weather-related event or adverse natural occurrence that causes damage to or loss of a specific crop or commodity.

Multiple crops can be entered on the same CCC-576, Part B, when the same weather-related event or adverse natural occurrence affected the crops or commodities.

County Offices will publicize CCC-576, Part B requirements to **all** producers according to subparagraph 6 B.

Although producers may notify FSA of losses to hand-harvested crops within 72 hours according to paragraph 576, this does **not** remove the requirement to complete CCC-576, Part B according to this paragraph.

Offices **must** ensure that acres are correct based on reported or determine acres according to subparagraph 376 B.

Offices **must** ensure that production is correct based on reported or determined production according to paragraph 604.

Part 10 Payment

Section 1 General Payment Provisions

675 Application for Payment

A Filing CCC-576, Parts D Through G

[7 CFR §1437.11(g)] Producers must file an application for payment on a form specified by FSA to apply for NAP payments within 60 days of the last day of coverage for the crop year for any NAP covered crop in the unit.

* * * A completed application for NAP payment **must** be filed on CCC-576, Parts D through H (Exhibit 53), as applicable:

- with the County Office where the units are administered
- along with filing an acceptable CCC-576-1 that is **required only** when an appraisal is **required**, measurement service is requested or a spot check is **required**

Exception: If producer has signed the final appraisal and CCC-576-1, and all production from all eligible acres is accounted on the CCC-576, Parts D through G, producer does **not** need to sign Part H. If the producer refused to sign the CCC 576-1 and appraised production is different than actual production the producer must provide a written explanation to the COC. The COC will follow production variance rules (subparagraph 152 C) if applicable.

- no later than 60 calendar days after the coverage period ends for any NAP covered crop in the unit.

Exception: COC has the authority to grant an extension of up to 120 calendar days, after the initial 60 calendar days, not to exceed a total of 180 calendar days, for applications for payment, if circumstances merit approval. The request **must** be filed in writing and can be filed up to and no later than 180 calendar days after the end of the coverage period.

* * *

Note: COC has authority to encourage producers to provide information by an earlier date; however, production submitted by the applicable production reporting date will be considered timely.

A timely CCC-576 is **required**. Producers interested in obtaining a NAP payment for a qualifying loss **must** file CCC-576, Parts D through H.

675 Application for Payment (Continued)**A Filing CCC-576, Parts D Through G (Continued)**

Other producers involved in the farming relationship may choose to use the production and loss information previously filed. By signing the certification in CCC-576, Part H they acknowledge the information is correct.

COC will ensure that the filing requirement in this subparagraph is adequately publicized. See paragraph 6.

B When CCC-576, Parts D Through H Are Considered Filed

*--CCC-576, Parts D through H are considered filed when both of the following apply:

- Part H has been signed by the producer

Note: The COC must act on all applications which are signed or considered signed following the exception in subparagraph 675 A.--*

- it is accompanied by all **required** documentation for the unit, including, but **not** limited to:
 - an acceptable report of acreage according to Part 6
 - an acceptable CCC-576, Part B filed according to paragraph 575
 - acceptable production evidence according to Part 9
 - any other documentation and information necessary from the applicant for COC to determine the correct payment amount.

C Late-Filed CCC-576, Parts D Through H

CCC-576, and any **required** information and documentation for CCC-576, submitted beyond the period defined in subparagraph A will be received by the County Office and placed in the producer's file.

COC will immediately notify the producer in writing that:

- the application was **not** filed timely
- assistance **cannot** be paid.

Note: The letter advising any producer that CCC-576 **cannot** be paid **must** include the basis for the determination and a right of reconsideration according to 1-APP. The right of reconsideration is limited to providing facts and evidence that CCC-576 was filed timely.

675 Application for Payment (Continued)**D COC Review and Action, CCC-576, Part I**

COC:

- is required to use Exhibit 53 (CCC-576, Part I - COC Approval/Disapproval of Application for NAP Payment)
- must review producer eligibility criteria and follow steps 1 through 12, Part I, before COC action and signature is completed on CCC-576
- *--must provide producer a copy of the Estimated Calculated Payment Report if the application is approved and a payment is calculated
- must follow Exhibit 22 if the application is approved and a payment is calculated to be zero
- must follow provisions in 1-APP to notify the participant if the application is disapproved.--*

676 Amount of Assistance**A Amount of NAP Assistance for Yield Based Crops**

Calculate the amount of assistance for yield based crops as follows.

$$\text{Eligible Acres} \times \text{Producer Share} \times \text{Approved Yield} \times \text{Yield Coverage Level Percentage} = \text{Disaster Level}$$

$$\text{Disaster Level} - \text{Production to Count} = \text{Net Production for Payment}$$

$$\text{Net Production for Payment} \times \text{Applicable Price (according to subparagraph 278 D)} \times \text{Price Coverage Percentage} \times \text{Payment Factor} - \text{Salvage Value} = \text{Calculated NAP Payment}$$
B Amount of NAP Assistance for Value Loss Crops

Calculate the amount of assistance for value loss crops as follows.

$$\text{The smaller of the Actual Field Market Value A or the Producer Selected Maximum Dollar Value} \times \text{Coverage Level Percentage} = \text{Disaster Level}$$

$$\text{Disaster Level} - \text{Field Market Value B} = \text{Crop Loss}$$

$$\text{Crop Loss} \times \text{Producer Share} \times \text{Unharvested Factor} \times \text{Price Coverage Percentage} = \text{Calculated NAP Payment}$$
Note: For prevented planted payment calculations see paragraph 378.

677 Reductions**A NAP Payment Reductions**

NAP payments computed according to this handbook will be reduced for:

- payment limitation (paragraph 102)
- * * *
- salvage value (paragraph 612)
- secondary use (subparagraph 202 C).

678 Other Benefits**A Multiple Benefit Exclusion**

Before approving CCC-576, COC will review whether the producer has requested or received other USDA benefits for the loss. The producer is responsible for notifying FSA of any other USDA benefits for the same loss. The producer **must** specify what the other USDA benefit was or is; however, **not** the amount, but the kind of benefit. NAP payments will **not** be approved if the producer chooses or has received benefits for the loss under any other program administered by the Secretary.

If any person misrepresents facts or circumstances about a person having received another USDA benefit, action according to paragraph 153 may apply.

See paragraph 150 for information on multiple benefits.

679 Determining Shares**A Eligible Producer and Shares**

A grower's claimed share of NAP payment **cannot** exceed **both** of the following:

- grower's actual share of the crop, at time of loss
- grower's share of the risk in producing the crop.

680-699 (Reserved)

Section 2 Payment Processing**700 General Payment Provisions****A Introduction**

This paragraph contains general provisions applicable to NAP payments.

B Obtaining FSA-325

Follow 1-CM for policy about signatures for persons who have died, disappeared, or been declared incompetent. FSA-325 will be completed, according to 1-CM, by individuals or entities requesting payment for a producer who has died, disappeared, or been declared incompetent. Payment will be issued to the individuals or entities requesting payment using the deceased, incompetent, or disappeared producer's ID number. A revised CCC-576 is **not required** to be completed when payments are issued under the deceased, incompetent, or disappeared producer's ID number.

C Administrative Offset

Any payment or portion thereof due any producer will be issued without regard to:

- questions of title under State law
- any claim or lien against the crop, or proceeds thereof, in favor of any creditor, except agencies of the U.S. Government.

The regulations in **7 CFR Part 1403** are applicable to NAP payments.

D Assignments

A producer entitled to a NAP payment may assign payments according to **7 CFR Part 1404** and 63-FI.

E Bankruptcy

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

Contact the OGC Regional Attorney for guidance on issuing NAP payments on all bankruptcy cases.

700 General Payment Provisions (Continued)**F Payment Limitation**

The payment limitations for NAP benefits are:

- \$125,000 for crops with basic 50/55 coverage
- \$300,000 for crops with buy-up coverage.

Note: Payment limitation was \$125,000 regardless of coverage level for NAP benefits received for the 2015 through 2018 crop years.

G Small Payment Policy

The NAP payment process will:

- issue payments that round to at least \$1
- **not** issue payments less than 50 cents.

H Prompt Payment Due Dates

According to 61-FI, a prompt payment interest penalty applies if a NAP payment is **not** issued within 30 calendar days from the later of the following:

- date the County Office has the approved national crop data in their County Office
- date prior year premium amounts are paid in full or included in an approved repayment plan
- date producer signs, dates, and submits a properly completed application for payment.

The application for payment is considered filed according to paragraph 675.

See 61-FI for additional information on handling prompt payment interest penalties.

***--Note:** For grazed forage losses using independent assessments, prompt payment interest begins 30 calendar days from the date on which the STC approved the grazing loss if the independent assessment loss percentage is used. If the producer is receiving a payment based on their own production loss or losses on similar farms, prompt payment interest begins 30 calendar days from the date the producer signs, dates, and submits a completed application for payment.--*

Section 2 Crops Grown in Tropical Regions

875 Coverage for Tropical Regions

A Tropical Regions Overview

Because of the unique growing climate, agricultural producers in tropical regions typically plant annual crops in a continuous, year-round planting and harvesting cycle. In the past, each planting was considered a separate crop requiring established planting periods, separate CCC-471's and service fees, and separate records for planting and harvesting. The reporting of numerous planting periods imposes an undue burden on producers in the tropical regions. Accordingly, procedure has been modified to eliminate multiple planting periods in the tropical region and makes other modifications as necessary to implement a single planting period policy for the tropical region.

B Tropical Regions

Tropical region includes, for the purpose of NAP, and as may be further limited by DAFP, the following:

- American Samoa
- Guam
- Hawaii
- Puerto Rico
- U.S. Virgin Islands
- territories and possessions of the United States.

Note: Other areas may be included as determined by DAFP.

876 Tropical Region Provisions**A Applicability**

Procedure in the handbook is applicable for administering NAP in Tropical Regions subject to the modifications provided in this section.

B Covered Crops

Covered tropical crops are crops planted on or after January 1 through December 31, of each year which include:

- annual crops, where all plantings of the same pay crop and pay type are planted during the crop year
- perennial or biennial crops, where all acreage of the pay crop and pay type is existing during the crop year.

Note: County Offices will follow value-loss procedure, according to paragraph 900, and honey procedure according to paragraph 976.

C Crop Year

The crop year for all covered crops and commodities is the calendar year (January 1 through December 31).

For annual and biennial crops, the crop year will be determined by all acres planted in the current crop year and all production from those acres regardless of the year harvested.

For perennial crops, the crop year will be determined by all acres present for the current crop year and all production from those acres harvested within the specific crop year.

D Application Closing Date

--The application closing date for all crops is December 31 of the calendar year before the-- applicable crop year.

E Multiple Planting Periods

Multiple planting periods and final planting and harvesting dates are **not** applicable for covered tropical crops.

904 Ginseng (Continued)

N Calculating Eligible Loss

To calculate the loss for ginseng roots, COC **must** complete the following calculations. The results of these calculations will be data loaded into CCC-576.

Step	Calculations
1	<p>Determine FMVA.</p> <ul style="list-style-type: none"> • For the roots present immediately before the disaster, add the number of roots of each age of maturity and multiply the number of these roots times the appropriate average market price adjusted for the age of the roots. <p>Example: STC established 3 years from planting as the average number of years to maturity for ginseng root. If the average price of a mature ginseng root is \$5 per root, immature root 2 years old would be valued at \$0 (unless it was a transplant). A 7-year old root would have a market value of \$5 per root.</p> <p>Note: Ginseng must be mature before it has value, unless rootlet for propagation stock.</p> <ul style="list-style-type: none"> • Total the value of all roots (all ages) present on the unit immediately before the onset of disaster.
2	<p>Determine the:</p> <ul style="list-style-type: none"> • dollar value of inventory after disaster (FMVB) • post disaster inventory from either LA report and/or acceptable or verifiable records for the number of roots having dollar value. <p>Note: Any roots listed in step 1 having any dollar value, or which may rejuvenate or re-establish value, will be counted as having the assigned value in step 1.</p>

O Unharvested Payment Factors

The approved unharvested payment factor will be applied to all ginseng (roots only) computed for payment, unless the producer can prove the unit was harvested * * *. If the producer cannot show with documentary evidence that harvest of the unit, or portion of the unit was performed * * *, any loss calculated for the payment will be paid at the unharvested payment rate. In no case will COC assume the harvest expenses were incurred at or near time of disaster. The STC will establish the unharvested payment factor for ginseng according to paragraph 279.

905 Mushrooms**A Eligible Mushroom Crops**

Eligible mushrooms are grown for human consumption and **must** be grown:

- by a commercial operator on private property
- in an enclosed controlled environment.

B Crop Year

The crop year for all mushroom crops is October 1 through September 30.

Note: Loss is determined by comparing the value of inventory immediately before (FMVA) to value of inventory immediately after (FMVB) the disaster.

C Private Property

For a producer to be considered eligible for NAP assistance on mushrooms, COC **must** determine:

- producer owns or has leased property with readily identifiable boundaries
- producer is the owner or lessee
- producer has total environmental control of the enclosed mushroom facility.

D Controlled Environment

See Exhibit 2 for the definition of controlled environment.

Eligible mushrooms **must** be:

- placed in the enclosed facility by the producer and **must not** be growing naturally in the facility

Note: Indigenous species (occurring naturally) in the facility are **not** eligible.

- growing on property described in subparagraph C.

976 Honey**A Eligible Honey**

Eligible honey includes table and nontable honey produced commercially for human consumption.

--Eligible colonies for NAP include only those colonies which are honey-producing.--

All honey is considered a single crop, regardless of type or variety of floral source or intended use. As a result, the service fee for honey will never exceed \$325.

See paragraph 304 for calculating premium and billing information for honey.

B Crop Year

The crop year for honey production is the calendar year January 1 through December 31.

C Recording County Office

A producer's colonies may be located in various counties at several different times during the crop year. Ordinarily, NAP units do **not** traverse county lines. However, it would neither be equitable nor practicable to consider colonies of bees located in 2 or more counties as separate units. Therefore, apiaries located in multiple counties are considered 1 unit.

An eligible producer having an interest in colonies of bees, or honey produced from these colonies, will use the State and county listed on the subsidiary print as the recording County Office for the honey operation.

976 Honey (Continued)

C Recording County Office (Continued)

This table provides actions that can **only** be performed in the **recording County Office** and that may be performed in **any** County Office.

IF action is taken in...	THEN the following can be performed...
the recording County Office	<ul style="list-style-type: none"> • filing CCC-471 • filing a report of colonies (FSA-578) • filing an application for payment (CCC-576, Part G) • reporting total unit production (CCC-452) • request to change a unit’s recording County Office. <p>Note: A change of recording County Office in the current crop year is not permitted if CCC-576, Part G has been submitted for the unit and crop year by any producer.</p>
any County Office	<ul style="list-style-type: none"> • selecting a recording County Office if a recording County Office has not previously been selected <p>Note: Any producer sharing in the unit may select the unit’s recording County Office filing CCC-576, Part B because of natural disaster impacting the honey operation in such county</p> <ul style="list-style-type: none"> • filing a manual report of colonies according to subparagraph D. <p>Note: County Offices accepting CCC-576, Part B or FSA-578 for honey will identify the producer’s recording County Office on the subsidiary print so a copy of CCC-576, Part B or FSA-578 can be sent to the recording County Office for payment disbursement.</p>

976 Honey (Continued)

D Report of Colonies

A producer sharing in the unit **must** accurately report, in the recording County Office by January 2 of the same calendar year or crop year ending December 31, the total number of the unit’s colonies present in all counties.

Note: Producers **must** notify the recording County Office within 30 calendar days of changes in the:

- total number of colonies
- names of additional counties to which bees are moved.

Producers will use FSA-578 to report the number of colonies and/or counties to which bees are moved. Manual FSA-578’s **must** include the following.

Item	Entry
1	FSA farm number where producer’s headquarters are located.
7	Names and shares of all producers sharing in the colonies for producing honey, pollinating, and/or breeding.
12	Number of colonies of bees belonging to the unit.
13	Names of counties to which colonies of bees are moved.

The producer **must** certify to the number of colonies reported in FSA-578, “Remarks” section.

Note: The certification statement on FSA-578 reads as follows:

“I certify that the number of colonies reported includes all colonies for which producing honey, pollinating, and/or breeding is expected.”

If the total number of colonies increases on a manual FSA-578 during the crop year after the initial automated FSA-578 is filed by January 2, the automated FSA-578 will be revised with the highest number of colonies reported at any time in the crop year.

COC **must** be satisfied that the report of the number of colonies is accurate. The certification is binding for all producers sharing in the unit.

Honeybee colonies deemed ineligible for NAP must be maintained in SNAPP according to paragraph 380.

***--Note:** Only eligible honey-producing colonies should be included when calculating approved yields and premiums and determining eligible losses.--*

976 Honey (Continued)**E Late-Filed Report of Colonies**

A report of colonies submitted beyond the date identified in subparagraph D can be accepted *--if either of the following conditions are met:

- COC is satisfied that the report of colonies for the unit, accompanied by a copy of the State hive registrations where required by State law, is accurate
- in States not having a State hive registration program, COC will require additional documentation to establish the accuracy of the report of colonies to COC's satisfaction.

Note: Acceptable documentation includes, but is not limited to:

- moving permits
- contracts with growers for pollination
- loan documents
- beekeeper financial records.

Documents submitted in support of FSA-578 must support a conclusion that bees were indeed present in the geographical area.--*

F Reports of Production

The producer **must** report the unit's production of honey on CCC-452 by January 2 following the crop year in which a report of colonies was filed.

The total amount of honey production includes all honey harvested in the calendar year.

COC may request storage or sales records to support the producer's reported production.

976 Honey (Continued)

G County-Expected Yields

STC will establish a county-expected yield for honey. The county-expected yield will be pounds of honey produced per colony of bees per crop year.

H Calculating Eligible Loss

Calculate unit loss of honey by:

- *--multiplying the producer's highest number of NAP eligible colonies reported for the crop year times the producer's approved yield
- subtracting the producer's total actual and assigned production of honey from all the producer's eligible colonies.--*

A producer filing an application for honey loss payment **must** certify whether bees were present in the geographical area at the time of disaster.

Note: Beginning in 2015, NAP assistance may be made available for any commercially produced crop acreage for which individual CAT level or buy-up coverage is available as a pilot product. However, if a producer is eligible to receive a payment under NAP and under the pilot, the producer **must** choose whether to receive the benefit under the pilot product or NAP, but will **not** be eligible for both, according to paragraph 150.

I Ineligible Causes of Loss

Loss of honey production **must** be the result of an eligible cause of loss listed in paragraph 51. Production losses because of managerial decisions or losses of bees because of circumstances other than natural disaster are not eligible. NAP does **not** provide coverage for:

- the result of a condition other than an eligible cause of loss
- the loss of colonies or bees
- *--lack of a floral source--*
- decreased honey production because of:
 - the application of agricultural or nonagricultural chemicals
 - theft, fire, or vandalism
 - movement of bees by the producer or any other person
 - disease or pest infestation of the colonies

976 Honey (Continued)

I Ineligible Causes of Loss (Continued)

- colony collapse disorder occurring before the hives are set out for honey production

Notes: If the producer can provide documentation showing that replacement colonies, including queen bees, were purchased and received in sufficient time to expect full production at the beginning of the honey production season for the physical location county where the hives are placed, these replacement colonies may be eligible for NAP loss, premium, and approved yield.

If COC determines the colonies are eligible under this provision, do **not** enter the colonies in SNAPP. COC must retain copies of documentation provided and thoroughly document the decision in the COC minutes.

- the inability to extract because of the unavailability of equipment
- collapse or failure of equipment or apparatus used in the honey operation
- losses resulting from improper storage of honey
- loss of honey production because of bee feeding.

J Payment Factors

The prevented planting payment factor for honey is zero.

--The unharvested factor for honey is 85 percent. Colonies are considered unharvested if honey is not extracted during the crop year. Effective with the 2020 crop year, if honey is extracted at any time during the crop year, the unharvested payment factor is not applicable.--

977 **Maple Sap (Continued)**

F Expected Production

When establishing a unit's expected amount of production of maple sap, COC's will:

- consider **only** the number of taps placed in eligible trees in the tapping season
- multiply the number of taps placed in eligible trees times the producer's approved yield, that is, gallons of sap per tap, which equals expected production.

G Payment Factors

The prevented planting payment factor for maple sap is zero.

STC will establish an unharvested payment factor for maple sap. * * *

Any loss of expected production for maple sap calculated for payment will have the unharvested payment factor applied.

*--978 Hemp Provisions

A Intended Uses

The following intended uses of hemp are eligible for NAP coverage:

- Grain – used for hemp hearts, crushed seed oil (**not** CBD), and protein supplements (human or animal consumption)
- Seed – use for propagation stock and hybrids (non-human consumption)
- CBD – grown for extracting plant resin, which includes CBD and other phytocannabinoids
- Fiber – used for cloth, pressed plastics, ropes, animal bedding, paper, biofuel, packaging, concrete additives, and spill cleanup.

B Processor Contract Requirements

A processor is any business enterprise regularly engaged in processing hemp that possesses all required licenses and permits and that possesses facilities, or has access to these facilities, to process hemp.

A producer is required to have a contract with a processor showing risk for the applicable intended use of hemp to support the grower's ability to harvest and market the crop, as required for NAP. Producers are required to submit a copy of the contract at the time the acreage is reported, but not later than the final acreage reporting date. If the producer does not provide a copy of the contract, the crop is ineligible for NAP payment; however, NAP service fees will not be refunded, and the producer is responsible for paying the premium, if applicable.

The contract **must** be with an eligible processor and **must** contain the following provisions:

- the producer's promise to deliver all hemp to the processor
- the processor's promise to purchase hemp
- a base contract price, or method to derive a value that will be paid.

For a hemp producer who is also a processor, a corporate resolution by the Board of Directors or officers of the hemp processor will be considered a hemp processor contract if it contains the required terms listed in this subparagraph.--*

--978 Hemp Provisions (Continued)*C License Requirement**

To be eligible for NAP coverage, the producer must have a license issued by a State, Tribe, or USDA. Producers are required to submit a copy of the license at the time the acreage is reported, but not later than the final acreage reporting date. If the producer does not provide a copy of the license, the crop is ineligible for NAP payment; however, NAP service fees will not be refunded, and the producer is responsible for paying the premium, if applicable.

D Commercial Use Requirement

NAP requires hemp to be grown for commercial use as evidenced by the license and processor contract.

Note: Before the 2018 Farm Bill, hemp could only be grown as part of a university research pilot program authorized by Section 7606 of the 2014 Farm Bill. States could continue to operate under the 2014 Farm Bill authority until October 31, 2020. If a producer is in a State that continued to operate a pilot hemp program for experimental or research purposes, a producer may obtain NAP coverage if the producer also has a processor contract. Additionally, producers may use hemp grown under the 2014 Farm Bill provisions to meet the growing history requirement according to paragraph 50.--*

--978 Hemp Provisions (Continued)*E Significance of THC Level Exceeding 0.3 Percent**

USDA requires hemp plans to include procedures for sampling and testing to ensure that the THC level does not exceed 0.3 percent. Cannabis with a THC level exceeding 0.3 percent, often referred to as “hot”, is not considered hemp. It is considered marijuana, which is classified as a schedule I controlled substance regulated by DEA.

Note: THC testing is not required by USDA if the crop is not taken to harvest.

In accordance with the definition of hemp, the maximum acceptable hemp THC level will be the lesser of:

- 0.3 percent, allowing for the measurement of uncertainty provided by the testing laboratory; or
- the acceptable level of the applicable governing authority (State or Tribe) in which the insured crop is grown, allowing for the measurement of uncertainty provided by the testing laboratory. The maximum acceptable hemp THC level and measurement of uncertainty are established in accordance with the Agriculture Improvement Act of 2018, with Agricultural Marketing Service Interim Final Rule (84 FR 58522) and any subsequent regulations, and with any other applicable Federal regulations. If the test results provided by the testing laboratory do not include a measure of uncertainty, the measurement of uncertainty will be considered zero percent (0.000%).

Example 1: Production does not exceed maximum THC Level

The Federal maximum acceptable THC level is 0.3 percent and is applicable. The testing laboratory sample result shows 0.35 percent THC with a measure of uncertainty of +/- 0.05 percent, resulting in a range of 0.25 percent - 0.35 percent. The sample is within the maximum acceptable THC level of 0.3 percent.

Loss of production due to eligible causes of loss is eligible for NAP payment.

Example 2: Production exceeds maximum THC Level

The Federal maximum acceptable THC level is 0.3 percent and is applicable. The testing laboratory sample result shows 0.35 percent THC with a measure of uncertainty of +/- 0.04 percent, resulting in a range of 0.26 percent - 0.34 percent. The sample is outside the maximum acceptable THC level of 0.3 percent.

Loss of production not eligible for NAP payment.--*

--978 Hemp Provisions (Continued)*F Failed Acres**

If all or a portion of the crop within a subfield (commonly referred to as a “lot” by growers) is determined to be “hot”, destruction of the crop in the subfield is required. The production **must** be associated with the acres where it was grown, using the producer’s acreage reporting map. If a portion of the crop is “hot” and a portion of the crop is not, production must be assigned, up to the guarantee, for those acres associated with the “hot” portion of the crop because that acreage suffered an ineligible cause of loss according to paragraph 607.

FSA only considers those acres to be failed if the loss is because of an eligible cause of loss and the crop is not “hot”. For approved yield purposes, only hemp production (i.e., production that is not “hot”) is included in the APH database. Production that is destroyed because of high THC levels is not included.

Important: All test results must be provided to FSA regardless of the THC level.

G Ineligible Causes of Loss

In addition to the ineligible causes of loss in subparagraph 51 E, NAP will not cover any loss of hemp production due to:

- levels of THC in excess of 0.3 percent on a dry weight basis
- failure to follow the requirements contained in a processor contract
- any harvested production infected by mold, yeast, fungus, or other microbial organisms after harvest
- any damage or loss of production because of the inability to market the hemp for any reason other than actual physical damage to the hemp from a covered cause of loss (for example, quarantine, boycott, processor contract default, or refusal of any person to accept production).--*

--978 Hemp Provisions (Continued)*H Acreage Restrictions Based on Prior Crops**

The general NAP provisions about using good farming practices apply to hemp. Growing hemp on acreage planted in the prior year to the following crops is not considered a good farming practice:

- cannabis
- canola
- dry peas
- mustard
- rapeseed
- soybeans in CT, IA, ID, IL, IN, MA, ME, MI, MN, MT, NE, NH, NJ, NY, ND, OH, OR, PA, RI, SD, VT, WA, WI, and WY
- sunflowers.

I Whole Plant Harvest Conversion

There are two harvesting methods for CBD:

- whole plant harvest includes the entire plant (stalks, stems, leaves, and flowers, including parts with lower CBD concentration), which may result in a lower concentration of CBD
- floral harvest includes only the high-CBD concentrated floral material (all parts of the flower and, depending on the processor, flag leaves and small pieces of stalk).

The harvesting method has a direct impact on expected yield; therefore, it is necessary to convert production harvested using the whole plant harvest method to floral.

Note: Harvested production will be determined in pounds for both methods of harvest.

The conversion factor is 0.43 for whole plant to floral conversions.

Example: 9,500 lbs. of whole plant biomass x 0.43 = 4,085 lbs. of floral biomass.--*

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
%PL	percent of public land	807, 808
AIB	RMA's Actuarial Browser	Ex. 5
AU	animal unit	4, 277, 804, 807, 808, Ex. 2
AUD	animal-unit-day	4, 101, Part 12, Ex. 2, 62
AUM	animal-unit-month	804, 807, 808
BF	beginning farmer or rancher	301-303, 305
CARS	Crop Acreage Reporting System	402, 807, 808
CBD	cannabidiol	978
CMP	contract marketing percentage	203, Ex. 52, 55
DAS	Disaster Assistance Section	51, 53, 200, 207, 342
DM	dry matter	809, 810, Ex. 2, 53
DMP	direct marketing percentage	207, 278, 702, Ex. 52, 55
FH	fresh	50, 200, 203, 375, 400
FMVA	Field Market Value A	304, 900-908, Ex. 53, 54
FMVB	Field Market Value B	304, 900-908, Ex. 54
FTA	fescue, tall	803, 804, Ex. 1435, 14.6
HMP	historical marketing percentage	202, 203, 302, 702, Ex. 52, 55
LASH	Loss Adjustment Standards Handbooks	502, 802, Ex. 64
LR	limited resource farmer or rancher	301-303, 305
MDV	maximum dollar value	900, 901, Ex. 54
MPCI	Multiple Peril Crop Insurance	587
NTS	no type specified	801
OC	certified organic	278, Ex. 5
OO	unit producer type owner/operator	101
OP	unit producer type operator	101
OT	unit producer type other tenant	101
OW	unit producer type owner	101
pH	p(otential of) H(ydrogen)	904, 906, 907
PPB	Program Policy Branch	11, 51, 53, 200, 207, 275
PRF	pasture, rangeland, and forage	806
PRISM	Parameter-elevation Regressions on Independent Slopes Model	51, 812
RFV	relative feed value	809-811
RI-PRF	Rainfall Index - Pasture, Rangeland, Forage	806
RIRS	RMA Information Reporting System	Ex. 5
SNAPP	Supplemental NAP Process	6, 53, 54, 152, 375, 380, 877, 975, 976, 977

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

Abbreviations Not Listed in 1-CM (Continued)

Approved Abbreviation	Term	Reference
SOC	Summary of Coverage	305
T-yield	transitional yield	Text, Ex. 2, 26
THC	tetrahydrocannabinol	978
VF	Veteran Farmer	301-305, Ex. 34
VI-PRF	Vegetative Index - Pasture, Rangeland, Forage	806
webRFS	Web receipt for service	576
WFRP	Whole Farm Revenue Protection Pilot Program	150

Delegations of Authority

This table lists the delegations of authority in this handbook.

Delegation	Reference
In routine cases, COC may redelegate, in writing, to CED the authority to act on, or sign, as applicable, CCC-576, Parts C and I. The re delegation must define what COC considers routine.	152, 675
COC is delegated authority to approve late-filed CCC-471 if CCC-471 is filed within 30 calendar days of the application closing date and also as specified for an FLP applicant who qualifies as BF, LR, SDA, or VF through the final planting date for annual crops or up to 3 months after the application closing date for perennial crops.	301
SED's have authority to approve replacement applications for coverage. SED may redelegate this authority to any State Office employee.	341
COC may redelegate, in writing, to CED and PT, the authority to complete and sign automated and manual CCC-452's.	400

**Letter in Response to CCC-471 Filed After the End of a Coverage Period or When a Coverage
*--Period Would End Within 1 Calendar Day of Actual Date of CCC-471 Filing--***

The following is an example of a letter to a participant who submits CCC-471 accompanied by a service fee or written request for waiver of fee, either after a coverage period has ended or when the
*--coverage period would end within 1 calendar day.

Dear *[enter name of person signing CCC-471 submitted after application closing date or when a coverage period would end within 1 day of the actual date of CCC-471 filing.]*,

This letter acknowledges receipt of your request for *[enter coverage year]* NAP coverage for one or more crops.

You submitted the application for NAP coverage and remitted a service fee or written request for waiver on *[enter date of actual filing and fee submission or request for fee waiver]*. The application closing date(s) for the crop(s) on your application for coverage have passed. In fact, the coverage period has also passed. 7 U.S.C. 7333 specifies that coverage **cannot** begin sooner than 1 day after the date the application for coverage is actually filed. Because there is no remaining time in the coverage period for coverage to attach to any of the crops on your application, FSA **cannot** extend coverage to you under the application for coverage. If you remitted a fee with your application, that fee has been returned to you.

The Farm Service Agency (FSA) appreciates your interest. We encourage you to make an application for coverage for your crops by application closing dates. If you have questions about application closing dates, please contact this office.

Thank you again for your interest.

Sincerely,

County Executive Director

--*

Crops Applicable to Native Sod Provisions

The following are crops and types applicable to native sod provisions if acreage meets native sod parameters identified in paragraph 379, applicable to breaking dates of February 8, 2014, through *--December 20, 2018. Applicable for crop years 2015 through 2018. 2019 and subsequent annually tilled determinations are in the NCT.--*

FSA Crop Code	FSA Crop Name	FSA Type Code	FSA Type Name
0516	AMARANTH GRAIN	All Types	All Types
0104	ASPARAGUS	All Types	All Types
0091	BARLEY	All Types	All Types
0047	BEANS	All Types	All Types
0642	BEETS	All Types	All Types
0905	BROCCOFLOWER	All Types	All Types
0110	BROCCOLI	All Types	All Types
7073	BROCCOLO-CAVALO	All Types	All Types
0112	BRUSSEL SPROUTS	All Types	All Types
0114	BUCKWHEAT	All Types	All Types
0116	CABBAGE	All Types	All Types
1166	CAIMITO	All Types	All Types
9999	CALABAZA MELON	All Types	All Types
9056	CALALOO	All Types	All Types
0033	CAMELINA	All Types	All Types
9998	CANARY MELON	All Types	All Types
0711	CANOLA	All Types	All Types
0759	CANTALOUPE	All Types	All Types
0120	CARROTS	All Types	All Types
9997	CASABA MELON	All Types	All Types
0124	CAULIFLOWER	All Types	All Types
0509	CELERIAC	All Types	All Types
0126	CELERY	All Types	All Types
0840	CHIA	All Types	All Types
9996	CHINESE BITTER MELON	All Types	All Types
9995	CITRON MELON	All Types	All Types
0041	CORN	All Types	All Types
0022	COTTON, ELS	All Types	All Types
0021	COTTON, UPLAND	All Types	All Types
9994	CRENSHAW MELON	All Types	All Types
0132	CUCUMBERS	All Types	All Types
0318	EGGPLANT	All Types	All Types
0136	EINKORN	All Types	All Types
0133	EMMER	All Types	All Types
0031	FLAX	All Types	All Types
7501	FLOWERS	All Types	All Types

Crops Applicable to Native Sod Provisions (Continued)

FSA Crop Code	FSA Crop Name	FSA Type Code	FSA Type Name
0125	FORAGE SOYBEAN/SORGHUM	All Types	All Types
0953	GAILON	All Types	All Types
0773	GARDEN, COMMERCIAL	All Types	All Types
0772	GARDEN, HOME	All Types	All Types
0423	GARLIC	All Types	All Types
1292	GENIP	All Types	All Types
0322	GOURDS	All Types	All Types
0102	GRASS	RAN	Annual Ryegrass
0102	GRASS	SUD	Sudan
4000	GREENS	All Types	All Types
0134	GUAR	All Types	All Types
0758	HONEYDEW	All Types	All Types
1218	INDUSTRIAL HEMP	All Types	All Types
1217	INDUSTRIAL RICE	All Types	All Types
9030	ISRAEL MELONS	All Types	All Types
1303	JICAMA	All Types	All Types
0489	KENAF	All Types	All Types
8050	KENYA	All Types	All Types
0019	KHORASAN	All Types	All Types
2002	KOCHIA (PROSTRATA)	All Types	All Types
0374	KOHLRABI	All Types	All Types
9993	KOREAN GOLDEN MELON	All Types	All Types
0377	LEEKs	All Types	All Types
0401	LENTILS	All Types	All Types
0140	LETTUCE	All Types	All Types
7087	LOTUS ROOT	All Types	All Types
0793	MEADOWFOAM	All Types	All Types
8139	MELONGENE	All Types	All Types
2010	MILKWEED	All Types	All Types
0080	MILLET	All Types	All Types
0296	MIXED FORAGE	ASG	Alfalfa Small Grain Interseeded
0296	MIXED FORAGE	GGV	Small Grain/Grass/Vegetable Interseeded

Crops Applicable to Native Sod Provisions (Continued)

FSA Crop Code	FSA Crop Name	FSA Type Code	FSA Type Name
0296	MIXED FORAGE	GLV	Small Grain/Legume/Vegetable Interseeded
0296	MIXED FORAGE	ICG	2 Or More Interseeded Coarse Grains
0296	MIXED FORAGE	LCG	Legume/Coarse Grain
0296	MIXED FORAGE	LEG	2 Or More Legumes Interseeded
0296	MIXED FORAGE	LGG	Legume/Small Grain/Grass
0296	MIXED FORAGE	LGV	Legume/Small Grain/Grass/Vegetable Interseeded
0296	MIXED FORAGE	LSG	Legume/Small Grain
0296	MIXED FORAGE	MSG	2 Or More Interseeded Small Grains
0296	MIXED FORAGE	OSG	Oilseed/Grain Interseeded
0296	MIXED FORAGE	OTP	Hay Oats And Peas
0296	MIXED FORAGE	SSG	Grass/Small Grain Interseeding
0130	MUSTARD	All Types	All Types
0016	OATS	All Types	All Types
0286	OKRA	All Types	All Types
0142	ONIONS	All Types	All Types
0338	PARSNIP	All Types	All Types
0075	PEANUTS	All Types	All Types
0067	PEAS	All Types	All Types
0615	PENNYCRESS	All Types	All Types
0083	PEPPERS	All Types	All Types
0887	PERIQUE TOBACCO	All Types	All Types
0084	POTATOES	All Types	All Types
0156	POTATOES SWEET	All Types	All Types
0715	PSYLLIUM	All Types	All Types
0147	PUMPKINS	All Types	All Types
0716	QUINOA	All Types	All Types
0148	RADISHES	All Types	All Types
0129	RAPESEED	All Types	All Types
0018	RICE	All Types	All Types

Crops Applicable to Native Sod Provisions (Continued)

FSA Crop Code	FSA Crop Name	FSA Type Code	FSA Type Name
0904	RICE, SWEET	All Types	All Types
0641	RICE, WILD	All Types	All Types
0339	RUTABAGA	All Types	All Types
0094	RYE	All Types	All Types
0079	SAFFLOWER	All Types	All Types
0532	SALSIFY	All Types	All Types
8109	SCALLIONS	All Types	All Types
0396	SESAME	All Types	All Types
0533	SHALLOTS	All Types	All Types
0051	SORGHUM	All Types	All Types
0050	SORGHUM FORAGE	All Types	All Types
0052	SORGHUM, DUAL PURPOSE	All Types	All Types
0081	SOYBEANS	All Types	All Types
0131	SPELT	All Types	All Types
0760	SPRITE MELON	All Types	All Types
0155	SQUASH	All Types	All Types
0154	STRAWBERRIES	All Types	All Types
0039	SUGAR BEETS	All Types	All Types
0038	SUGARCANE	All Types	All Types
0078	SUNFLOWERS	All Types	All Types
7510	SUNN HEMP	All Types	All Types
0535	TARO	All Types	All Types
1223	TEFF	All Types	All Types
0001	TOBACCO BURLEY	All Types	All Types
0013	TOBACCO BURLEY 31V	All Types	All Types
0008	TOBACCO CIGAR BINDER	All Types	All Types
0010	TOBACCO CIGAR FILLER	All Types	All Types
Crops Applicable to Native Sod Provisions (continued)			Exhibit 40 (Par. 379)
FSA CROP CODE	FSA CROP NAME	FSA TYPE CODE	FSA TYPE NAME
0007	TOBACCO CIGAR FILLER BINDER	All Types	All Types
0005	TOBACCO DARK AIR CURED	All Types	All Types
0004	TOBACCO FIRE CURED	All Types	All Types
0002	TOBACCO FLUE CURED	All Types	All Types
0009	TOBACCO MARYLAND	All Types	All Types

Crops Applicable to Native Sod Provisions (Continued)

FSA Crop Code	FSA Crop Name	FSA Type Code	FSA Type Name
0003	TOBACCO VIRGINIA FIRE CURED	All Types	All Types
0006	TOBACCO VIRGINIA SUN CURED	All Types	All Types
0012	TOBACCO, CIGAR WRAPPER	All Types	All Types
7158	TOMATILLOS	All Types	All Types
0087	TOMATOES	All Types	All Types
0158	TRITICALE	All Types	All Types
0160	TURNIPS	All Types	All Types
0435	VETCH	All Types	All Types
7320	WAMPEE	All Types	All Types
0613	WATER CRESS	All Types	All Types
0757	WATERMELON	All Types	All Types
0011	WHEAT	All Types	All Types
0188	YAM	All Types	All Types

***--Instructions for Completing CCC-576-1, Appraisal/Production Report Noninsured Crop Disaster Assistance Program for 2019 and Subsequent Years**

A Completing CCC-576-1

County Offices should provide LA's with all forms and maps needed to identify and appraise the specific NAP acreage being assigned, including but not limited to:

- all maps pertinent to CCC-576, properly delineated with farm, tract, and field numbers, crops, and reported acres
- CCC-576
- FSA-578 (Producer Print)
- CCC-576-1 with Part A completed by the County Office
- FSA-501
- copy of RMA's LASH for the crop being appraised, found on RMA's website at <https://www.rma.usda.gov/en/Policy-and-Procedure/Loss-Adjustment-Standards---25000>

Note: If no crop-specific LASH is available, select a LASH for a crop with similar characteristics.

- copy of applicable crop loss production worksheets available at <https://inside.fsa.usda.gov/program-areas/dafp/dap/nap/index>

Note: If no crop-specific worksheet is available, select a worksheet for a crop with similar characteristics.

- FSA-409 (if a measurement service has been completed).--*

Instructions for Completing CCC-576-1, Appraisal/Production Report Noninsured Crop Disaster Assistance Program for 2019 and Subsequent Years (Continued)

A Completing CCC-576-1 (Continued)

Complete CCC-576-1 according to the following table.

Item	Action								
Part A – General Information This part is to be completed by the County Office.									
1	Enter the County Office name and address.								
2	Enter the applicable NAP unit number. Note: See paragraph 101 for the definition of a NAP unit.								
3	Enter the County Office telephone number.								
4	Enter the producer’s name and address.								
5	Enter the producer’s telephone number.								
6	Enter the producer’s e-mail address, if available.								
7A	Enter the crop that suffered the loss as reported on CCC-576, item 6A.								
7B	Enter the crop type that suffered the loss as reported on CCC-576, item 6B. Use a separate CCC-576-1 for each type or variety of crop affected by the disaster.								
*--8A	Enter the crop year from CCC-576, item 2.								
8B--*	Enter the planting period from CCC-576, item 6E.								
Part B – Appraisal or Report of Production for Yield Based Crops This part is to be completed by an LA or FSA representative.									
9	Enter the farm numbers associated to the unit from CCC-576, item 8A.								
10	Enter the tract numbers from FSA-578, item 12.								
11	Enter the field numbers from FSA-578, item 13.								
12	Enter the practices from CCC-576, item 6D.								
13	Enter the intended uses from CCC-576, item 6C.								
14	Enter the reported acres from CCC-576, item 8D.								
15	*--Enter the determined acres. Determined acres may be measured acres by a loss adjuster or FSA employee as a result of a field visit. The LA or FSA--* representative shall review whether the reported acres appear to be accurate. If the acreage appears to be more than 5 percent different than the reported acreage, the acreage shall be determined. See paragraph 152 for guidance about acreage variance.								
<table border="1" style="width: 100%;"> <thead> <tr> <th data-bbox="389 1585 776 1623">IF for...</th> <th data-bbox="776 1585 1476 1623">THEN enter...</th> </tr> </thead> <tbody> <tr> <td data-bbox="389 1623 776 1701">yield-based crops</td> <td data-bbox="776 1623 1476 1701">the final acres in hundredths associated with the type/variety, practice, and stage.</td> </tr> <tr> <td data-bbox="389 1701 776 1751">maple sap</td> <td data-bbox="776 1701 1476 1751">the total number of taps.</td> </tr> <tr> <td data-bbox="389 1751 776 1789">honey</td> <td data-bbox="776 1751 1476 1789">the total number of colonies.</td> </tr> </tbody> </table>		IF for...	THEN enter...	yield-based crops	the final acres in hundredths associated with the type/variety, practice, and stage.	maple sap	the total number of taps.	honey	the total number of colonies.
IF for...	THEN enter...								
yield-based crops	the final acres in hundredths associated with the type/variety, practice, and stage.								
maple sap	the total number of taps.								
honey	the total number of colonies.								

Instructions for Completing CCC-576-1, Appraisal/Production Report Noninsured Crop Disaster Assistance Program for 2019 and Subsequent Years (Continued)

B Example of CCC-576-1 (Continued)

*__

CCC-576-1 (03-23-20)						Page 2 of 3	
A. Producer's Name Any Producer (the value loss crop for 7a is oysters)						B. Unit Number 321	
PART C – APPRAISAL OR REPORT OF INVENTORY FOR VALUE LOSS CROPS (To be completed by LA or FSA representative)							
26. Farm	27. Tract	28. Field	29. Intended Use	30. Size or Variety	31. Beginning Inventory	32. Ending Inventory	
1096	100	20	FH	0.01	100,000,000	4,000,000	
			FH	0.11	50,000,000	2,000,000	
			FH	0.18	25,000,000	1,000,000	
			FH	0.35	1,000,000	40,000	
			FH	0.55	750,000	30,000	
			FH	0.80	500,00	20,000	
33. Total Beginning and Ending Inventory (Sum Items 31 and 32, respectively)							
Attach Appraisal Worksheet, FSA-501 (Statement of Facts), and CCC-677-1 (if applicable)							
PART D – CERTIFICATION BY LA OR FSA REPRESENTATIVE (Signature in Part D, by the producer or legal representative, constitutes written agreement with Parts A, B, and/or C for the commodity as found in Item 7.							
<p>The undersigned acknowledges applying for NAP payment on the crops and units identified on this form in accordance with 7 CFR part 1437 and NAP Basic Provisions (form CCC-471 BP). The undersigned certifies that all the information entered on this form, whether personally entered by the undersigned or not, or by someone else, the attachments to this form, related acreage reports, production certifications, statements, etc., are each true and correct. The undersigned certifies that the production on this form is accurately identified to the unit and represents total production, as well as the correct share relationship, pay crop, pay type, and year shown. The undersigned understands this report is subject to spot-check, and if FSA finds that this report contains any erroneous information, FSA will render a new determination which may require a refund of unearned payments as a result of the errors. Failure to certify any of the information on this form and application accurately will result in a loss of program benefits. Additionally, by signing this form, the undersigned directs the purchaser, warehouse operator, ginner, or any person who otherwise stores or purchases crop production listed on this form to disclose the production records of such crops to USDA representatives for the purpose of verification. If CCC issues a payment as a result of this report, FSA will issue a form detailing how the payment was calculated.</p> <p>MULTIPLE BENEFIT EXCLUSION: If a producer is eligible to receive NAP payments and benefits under any other program administered by the Secretary for the same crop loss, the producer must choose whether to receive the other program benefits or NAP payments, but will not be eligible for both. The exclusion prohibits a producer from being compensated more than once for the same loss.</p>							
34. LA or FSA REPRESENTATIVE SIGNATURE							
A. Type of Appraisal Completed (Check One)			B. Signature			C. Date (MM-DD-YYYY)	
<input type="checkbox"/> Preliminary <input type="checkbox"/> Growing Season <input type="checkbox"/> Final							
35. Producer Agreement/Disagreement:							
<input type="checkbox"/> A. I agree with the information entered on this form. This includes all production of the crop, in the crop group, and my signature constitutes submission for application for payment.							
<input type="checkbox"/> B. I agree with the information entered on this form, but it does not include all production of the crop which I am responsible for providing before an application for payment can be considered.							
<input type="checkbox"/> C. I disagree with the information entered on this form and will complete and sign Part E of this form. Disagreeing with the loss adjuster's appraisal does not constitute application for payment.							
36A. Producer's Signature (By)			36B. Title/Relationship (Individual Signing in a Representative Capacity)			36C. Date (MM-DD-YYYY)	
<p>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 the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333 – as amended), the Federal Crop Insurance Act (7 U.S.C. 1508 – as amended), and the Agriculture Improvement Act of 2018 (Pub. L. 115-334), and 7 CFR Part 1437. The information will be used to determine eligibility to participate in and receive benefits under the Non-Insured Crop Disaster Assistance Program. The information 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 to participate in and receive benefits under the Non-Insured Crop Disaster Assistance Program.</p> <p>Paperwork Reduction Act Statement: The information collection is exempted from PRA as specified in 7 U.S.C. 9091(2)(c)(B). RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</p> <p><small>In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.</small></p> <p><small>Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.</small></p> <p><small>To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.nacis.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: 1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; 2) fax: (202) 690-7442; or 3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.</small></p>							

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Instructions for Completing CCC-576-1, Appraisal/Production Report Noninsured Crop Disaster Assistance Program for 2019 and Subsequent Years (Continued)

B Example of CCC-576-1 (Continued)

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CCC-576-1 (03-23-20)		Page 3 of 3		
PART E – PRODUCER APPRAISAL DISAGREEMENT <i>(Items 37A-D to be completed by the producer if disagreeing with a loss adjuster's appraisal (Item 35C) and providing to the FSA county office within 14 calendar days of the day the loss adjuster appraised the crop. Complete, detailed responses may assist the COC when considering the appraisal.)</i>				
37A. Producer's Name and Address				
37B. Crop in Dispute	37C. NAP Unit Number	37D. Farm Number	37E. Tract Number	37F. Field Number
Producer Appraisal Disagreement				
38A. Identify specific points of disagreement you have with the loss adjuster's appraisal.				
38B. Describe your appraisal method and how it differs from the loss adjuster's method.				
38C. How are your representative sample areas selected?				
38D. What is different about your representative sample areas compared to the loss adjuster's sample area?				
39A. Producer's Signature (By)		39B. Title/Relationship (Individual Signing in a Representative Capacity)		39C. Date (MM-DD-YYYY)

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