

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

**Special Programs
1-SP (Revision 1)**

Amendment 3

Approved by: Deputy Administrator, Farm Programs



Amendment Transmittal

A Reasons for Amendment

Subparagraph 26 E is added to provide that the color for TAA file folders is blue.

Subparagraph 29 A has been amended to provide that applicants for TAA for Farmers may use FSA-211. This policy change has been reviewed by OGC.

Subparagraph 35 A has been amended to provide monthly deadlines for submitting reimbursement requests to OBF.

Subparagraph 51:

- A, has been amended to clarify that:
 - producers shall submit FSA-229-1 only once in their control County Office
 - fishermen of ocean species shall apply in the Service Center where their eligibility is established, and that is usually where the business is located or where the producer is domiciled.
- B, has been amended to provide that:
 - husbands and wives may apply by submitting FSA-229-1 separately and are considered to both be at risk
 - corporations, LLC's, and trusts are limited to 1 application
 - individuals may authorize non-family members to attend required training
- C, has been added to clarify policy about the eligibility of spouses who apply as individuals.

Amendment Transmittal (Continued)

A Reasons for Amendment (Continued)

Subparagraph 52:

- A, has been amended to:
 - provide that eligibility under Options 1, 2, or 3 may be established by certification or documentation, as applicable to the chosen Option
 - remove reference to the \$750,000 adjusted gross farm income limit that does not apply to TAA for Farmers
 - include use of CCC-902 when applicable
- E, has been amended to:
 - remove the requirement for documentation to be submitted at the time of application under Options 1 and 2
 - provide that Option 2 price information may be that of the producer or of other producers as documented for the County, State, or region
 - provide that under Option 3 only USDA prices may be used, but that the prices are not limited to county prices and may be prices of States or regions
- F, has been amended to:
 - remove the requirement for documentation at the time of application and to clarify the reference to Options 2 and 3 in subparagraphs 52 H and I
 - provide that documentation of eligibility may be requested if selected for spot check
- G, has been amended to clarify policy that a producer not meeting the requirements of Option 1 may still establish eligibility under either Option 2 or 3
- H, has been amended to:
 - remove the requirement for documentation at the time of application, and to clarify that prices used may be those of the individual applicant
 - include that FAS may provide group approval based on State or regional prices that are either USDA prices or prices from verifiable market or third-party sources
- I, has been amended to delete reference to county prices because the USDA prices used may also be for a State or region and are not limited to county prices.

Amendment Transmittal (Continued)

A Reasons for Amendment (Continued)

Subparagraph 53:

- A, has been amended to provide a table of certification/documentation requirements under Options 1, 2, and 3 and to reference a new Exhibit 4 that provides weight conversion factors for shrimp and bait shrimp if needed
- C, has been amended to provide clarification for certifying prices under Option 2
- D, has been amended to reflect that producers may certify eligibility under Options 1 and 2 and are not obligated to submit documentation

Subparagraph 55 A has been amended to clarify that members of joint ventures or partnerships, in applying as individuals for TAA for Farmers, may submit CCC-902 for 2009 and subsequent crop commodities.

Subparagraph 56 A has been amended to provide clarification for certifications under Options 1 and 2.

Subparagraph 57:

- A, has been amended to provide clarification on producer certifications under Options 1 and 2
- B, has been amended to:
 - provide that producers may certify to Options 1 and 2 and that if they do certify, then entries for Items 11E and F, or entries 11G and H would be optional
 - expand Option 3 eligibility instructions
 - clarify that:
 - individual applicants are considered the primary training attendee and may optionally name an alternate (secondary) to attend
 - entities and corporations must identify the person attending (the primary or the attendee) but are also afforded the option of identifying an alternate (secondary) to attend training
- C, has been amended to provide instructions for producers who self-certify or for situations where FAS provides group approval for Options 1, 2, and 3
- D, has been amended to include the revised FSA-229-1, which provides that individuals may name 1 alternate, but that entities must enter the name of 1 attendee and may identify an alternate.

Amendment Transmittal (Continued)

A Reasons for Amendment (Continued)

Subparagraph 73 D has been amended to provide for applicant certifications.

Subparagraph 76 E has been amended to provide instructions for completing TAA applications that correspond to the changes made to FSA-229-1, item 13.

Exhibit 4 has been added to provide the commodity conversion factors.

Exhibit 6 has been amended to correct the petition certification and application period dates and clarify that under the:

- shrimp petition, wild and pond raised shrimp and prawns are eligible but rock shrimp, langoustine or spiny lobster are not
- catfish petition, fry and fingerlings are eligible.

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Section 2 Administrative Provisions

26 General TAA for Farmers Program Provisions

A Commodity Eligibility [7 CFR 1580.203]

Before producers can submit FSA-229-1's, a commodity must be determined as eligible under TAA for Farmers. See paragraph 41 for commodity eligibility requirements.

B Producer Eligibility Requirements

See paragraph 52 for a summary of producer eligibility requirements.

C Reimbursing Authorized Travel

See paragraph 74 for requesting reimbursement for travel expenses.

D Assigning Payments [7 CFR Part 1404 and 1580.303(b)]

TAA for Farmers payments are assignable according to 63-FI.

***--E Color Code for Folders**

The color code for TAA folders is blue, according to 25-AS.--*

26 General TAA for Farmers Program Provisions (Continued)**E Cash Payment Levels and Potential for Reduction**

Producers of certified commodities are eligible for a cash payment of up to \$4,000 for completing an approved initial business plan and an additional \$8,000 for completing an approved long-term business plan.

Payments for business plans may be reduced if total payment obligations, after expenditures for program administrative expenses, training, software, and applicant travel reimbursements, exceed available funds.

Example: If out of the \$90 million made available for TAA for Farmers for FY 2010, \$80 million is available after administrative expenses, the \$80 million would be sufficient to pay the maximum \$12,000 TAA for Farmers payment for business plans (subparagraph 27 A) to 6,666 applicants. However, if there are 25,000 applicants, the maximum payment to any 1 applicant for completing both initial and long-term business plans would be reduced to approximately \$3,200.

Any payment reductions under TAA for Farmers will be announced by press release as soon as possible following decisions about payment reductions.

29 Prompt Payments and Powers of Attorney

A Prompt Payment Interest

TAA for Farmers payments are **not** subject to prompt payment interest.

B Acceptable Powers of Attorney

--Applicants for TAA for Farmers may use FSA-211. The applicant shall enter "TAA for Farmers" in item A-17, "Other".--

30 Appeals and Corrections**A TAA for Farmers Program Determination Appeal Policy [7 CFR 1580.505]**

Applicants who are disapproved by FAS for TAA for Farmers benefits are informed of their rights for judicial review in FAS-931 (subparagraph 75 C) from FAS.

Appeal regulations used by FSA for other programs (7 CFR Part 780) do **not** provide NAD or STC jurisdiction over TAA for Farmers because FSA will **not** make any adverse TAA for Farmers determinations. FSA will not disapprove FSA-229-1's. Any FSA-229-1's that FSA cannot approve will be referred to FAS for disapproval.

B Delivery Instructions for Sending Disapproved FSA-229-1's

If disapproval is appealed by the applicant, COC may be asked to submit the original FSA-229-1 to FAS. If FSA-229-1 is requested by FAS, COC shall:

- copy the original FSA-229-1 and retain the **copy** in the file
- send the original FSA-229-1 to FAS
- send **any requested documentation**.

Requested copies shall be sent to the following address using commercial delivery service:

Attention: Pete Burr
USDA, Foreign Agricultural Service
1250 Maryland Ave SW Suite 400
Washington DC 20024
Telephone: 202-720-3274.

34 CCC-770 TAAF's and CCC-770 ELIG 2008's (Continued)

D Example of CCC-770 TAAF

The following is an example CCC-770 TAAF.

<p>This form is available electronically.</p> <p>CCC-770 TAAF (05-26-10)</p> <p>TRADE ADJUSTMENT ASSISTANCE FOR FARMERS APPLICATION CHECKLIST</p>		<p>U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation</p>		<p>1. Producer's Name</p>		
				<p>2. Application Number</p>		
<p>Eligibility Item Required</p>			<p>Handbook or Other Applicable References</p>	<p>YES</p>	<p>NO</p>	<p>N/A</p>
<p>3. County Office Actions Before Application is Submitted:</p>						
<p>A. Inform applicant of application requirements and submission deadlines. Provide FSA-229-1 and either Factsheet or FSA-230 to applicant</p>			<p>1-SP, subparagraph 28A</p>			
<p>4. Applicant Actions:</p>						
<p>A. Submission of following is required within the 90-day application period:</p>						
<p>(1) Did producer submit completed FSA-229-1 by deadline?</p>			<p>1-SP, subparagraph 56A</p>			
<p>(2) Did producer provide documentation of production or prices used to establish eligibility for TAA benefits?</p>			<p>1-SP, subparagraph 57B</p>			
<p>(3) Did applicant submit the following forms or have them on file from previous applications: AD-1026 CCC-502 for 2008 crop or CCC-902 for 2009 and subsequent crops CCC-526 for 2008 crop or CCC-926 for 2009 and subsequent crops</p>			<p>1-SP, subparagraph 55A</p>			
<p>B. Submission of the following is not required by application deadline but must be submitted before disbursement of any payment:</p>						
<p>(1) SF-1199A or FFAS-12</p>			<p>1-SP, subparagraph 55A</p>			
<p>5. County Office Actions After Application (FSA-229-1) is Submitted:</p>						
<p>A. FSA-229-1 entered into TAAF application software or Excel.</p>			<p>1-SP, paragraph 76</p>			
<p>B. Application for training set status to:</p>						
<p>(1) "Approved" for applicants meeting all requirements.</p>			<p>1-SP, subparagraph 76B</p>			
<p>(2) "Refer to FAS" for applications that cannot be approved.</p>			<p>1-SP, subparagraph 76B</p>			
<p>C. Travel voucher (FSA-232) :</p>						
<p>(1) Amount claimed entered into software.</p>			<p>1-SP, subparagraph 74A</p>			
<p>(2) Reimbursement status set to "approved" and paid via NPS;</p>			<p>1-SP, subparagraph 74A</p>			
<p>(3) If claim was not approvable, was the reason entered into item 8 of FSA-232 and claim status set to "Refer to FAS".</p>			<p>1-SP, subparagraph 74C</p>			
<p>(4) If reimbursement disapproved by FAS, was FAS-931 sent to Applicant.</p>			<p>1-SP, subparagraph 74C</p>			
<p>D. Initial business plan payment:</p>						
<p>(1) For plans recommended by instructor, payment set to "Approved" and payment processed via NPS.</p>			<p>1-SP, subparagraph 73B</p>			
<p>(2) For plans not recommended by instructor, status set to "Refer to FAS".</p>						
<p>(3) If initial-plan payment disapproved by FAS, was FAS-931 sent to applicant.</p>			<p>1-SP, subparagraph 74D</p>			
<p>E. Final business plan payment:</p>						
<p>(1) For plans recommended by instructor, payment set to "Approved" and payment processed via NPS</p>			<p>1-SP, subparagraph 73B</p>			
<p>(2) For plans not recommended by instructor, status set to "Refer to FAS"</p>						
<p>(3) If final-plan payment disapproved by FAS, was notification letter sent to applicant.</p>			<p>1-SP, subparagraph 74D</p>			
<p>Certifications: I (we) the undersigned certify the above items have been verified or updated accordingly.</p>						
<p>6A. Signature of Preparer(s)</p>				<p>6B. Date (MM-DD-YYYY)</p>		
<p>7A. I concur/do not concur the above items have been verified or updated accordingly. <input type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur</p>				<p>7B. CED Signature for Spotcheck</p>		<p>7C. Date (MM-DD-YYYY)</p>
<p>8A. I concur/do not concur the above items have been verified or updated accordingly. <input type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur</p>				<p>8B. DD Signature for Spotcheck</p>		<p>8C. Date (MM-DD-YYYY)</p>
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35 Administrative Expense Reimbursement

A Reporting Administrative Expenses

Funds have been apportioned to FSA to reimburse State Offices or County Service Centers for costs of administering TAA for Farmers. Some State and individual counties may experience high levels of program enrollment that stress their existing budgets for travel, postage, delivery, and other miscellaneous expenses.

State Offices can elect to submit claims for TAA for Farmers Program expense reimbursement using the spreadsheet format in subparagraph B.

Note: Federal and non-Federal expenses are separately reported.

An Excel version of the spreadsheet in subparagraph B will be sent to States administering TAA for Farmers. Employee's time spent on TAA for Farmers activities are **not** needed on this report; that will be collected from the activity reporting system when they report their time and attendance. Recording and submitting TAA for Farmers expense claims optional at each State Office.

Expense claims are submitted by the State Office to Jeff Beringer, Office of Budget and Finance, by either of the following:

- e-mail to jeff.beringer@wdc.usda.gov
- telephone at 202-720-7205.

*--Monthly requests for reimbursement of TAA program expenses shall be forwarded to FSA OBF as soon as possible after the end of each month, but no later than the following:

- October 7 for the immediately preceding September expense report
- ten working days after the end of every month for expenses incurred in the months of October through August.--*

Section 4 Filing FSA-229-1's and Producer Eligibility

51 Submitting FSA-229-1's

A Where to File

*--Applicants in all States shall submit FSA-229-1 in the producer's control County Office. Shrimpers or other fishermen of ocean species shall apply in the Service Center that serves the area where the business is located or where the producer is domiciled. In all cases for all commodities, producers are allowed to apply in only 1 Service Center.

Note: Multi-county producers may be eligible for TAAF if any county serviced by a control County Office is approved under a group blanket approval by FAS.--*

B Who May Submit FSA-229-1's

FSA-229-1's may be submitted by:

- any individual meeting the eligibility requirements explained in paragraph 52
- an entity meeting eligibility requirements such as a partnership, corporation, trust, etc., but only if individual members of that entity are **not** applying as individuals; if an entity is approved for payments, the payments will be disbursed to the entity and reported according to the entity's TIN
- *--a member of a partnership or joint venture applying as an individual if the applicant meets the eligibility requirements explained in paragraph 52, but only if the entity is **not** applying; payments will be disbursed to the individual and reported according to the individual's TIN
- husbands and wives separately, and each is considered to be at risk, having a risk in the commodity.--*

When members of entities, or husbands and wives separately, apply for TAA for Farmers training and payments, they must individually attend the training and must individually develop and submit business plans to receive separate payments.

*--Corporations, LLC's, and trusts are limited to 1 application. Stockholders/members of such may not individually apply.

Individuals are permitted to authorize an alternate on FSA-229-1 to attend the required training session. Entities that apply must identify the person attending and may also identify an alternate.

Applicants who **cannot** attend the scheduled training are permitted to authorize an alternate to attend the required initial or intensive training sessions. Using FSA-229-1, item 13 to identify an alternate to attend training in the place of the applicant is optional.--*

Any person authorized by the applicant to attend TAA for Farmers training on behalf of the applicant is permitted to represent **only 1** applicant, regardless of whether the applicant is an individual or an entity.

51 Submitting FSA-229-1's (Continued)

B Who May Submit FSA-229-1's (Continued)

It is the responsibility of TAA for Farmers applicant to assure that any authorized person will represent **only** the applicant and **no other** TAA for Farmers applicant.

FSA-229-1's may be disapproved by FAS if an authorized alternate is found to be representing more than one TAA for Farmers applicant.

*--C Husband and Wife Eligibility

FAS has determined that husbands and wives may apply and obtain separate TAA for Farmers benefits if each individually:

- meets general program eligibility requirements, as set forth in 1-SP, subparagraph 52 A

Notes: The documentation of:

- the family farming/fishing enterprise may be used by each of the spouses if both apply as individuals
- production and prices may be used to qualify each spouse, even if they apply separately and even if the documentation only includes 1 spouse's name.

Spouses are considered to be at risk.

- attends required business plan orientation and business-plan training without serving as the alternate attendee for their spouse
- submits an approved initial and long-term business plan.

The husband/wife ruling applies to only individual operations. For joint operations, such as Partnerships or Joint Ventures, each member may apply separately. However, the spouse of the partner is not eligible unless the spouse is also a member of the joint operation.

There is no statutory, regulatory, or procedural requirement for proof of marriage for TAA for Farmers applicants. However, if the County Office has reason to believe that an individual is fraudulently claiming to be a spouse to establish eligibility, the County Office is authorized to require the applicant to submit proof of marriage.

Spouses shall be considered separate persons for payment limitation purposes under TAA for Farmers and may submit separate applications for TAA assistance:

- according to 1-SP, subparagraph 55 A, including separate payment eligibility forms, either CCC-502A or 902I--*

51 Submitting FSA-229-1's (Continued)

***--C Husband and Wife Eligibility (Continued)**

- and may, but are not required, to:
 - establish themselves as a member of a joint venture with their spouse
 - present a spousal statement that they were paid a share of the family farming/fishing operation
 - be co-signers of loan obligations of the family operation.--*

52 Producer Eligibility Requirements [7 CFR 1580.301]

A General Eligibility

To be eligible for TAA for Farmers benefits, applicants must:

- at the option of STC, provide acceptable identification issued by a State or Federal Government agency
- provide to FSA, TIN that is **not** temporary
- *--meet the requirements of any 1 of options 1, 2, or 3 by certification or providing documentation, as applicable--*
- be a U.S. citizen or a lawful alien possessing a valid I-551 (1-PL, paragraph 235)
- comply with AGI requirements that establish the following applicant income limits for eligibility:
 - for 2008-crops, the applicant's average AGI for 2005-2007 shall average \$2.5 million or less
 - for 2009 and subsequent crops, the applicant's average adjusted gross nonfarm income must be \$500,000 or less, * * * for the 3 taxable years preceding the most immediately preceding complete taxable year for which the petition is certified; following are examples of selecting the correct years for which AGI is averaged

Crop Year of Approved TAA for Farmers Commodity	3 Years for Which AGI is Averaged for Determining AGI Compliance
2008	2005, 2006, 2007
2009	2005, 2006, 2007
2010	2006, 2007, 2008

52 **Producer Eligibility Requirements [7 CFR 1580.301] (Continued)****A General Eligibility (Continued)**

- submit a properly completed FSA-229-1 and the following, as applicable:
 - CCC-526 or CCC-926 according to subparagraph 54 A
 - CCC-502 or CCC-902, according to subparagraph 55 A (including member information if requested).

Minors may submit FSA-229-1's if requirements in 1-CM, paragraph 882 are met.

B Payment Eligibility

FSA payment eligibility software operates differently for 2008-crop payments than for 2009 and subsequent crops because of changes provided by the Food, Conservation, and Energy Act of 2008. Use the following summary table as a guide to applicable eligibility requirements based on the crop year of a certified TAA for Farmers commodity.

TAA for Farmers Eligibility Provision	2008 Crop	2009 and Subsequent Crops
AD-1026	Yes	Yes
AGI Limits	\$2.5 Million	Nonfarm Income \$500,000 and Farm Income \$750,000
Conservation Compliance	Yes <u>1/</u>	Yes <u>1/</u>
Controlled Substance	Yes	Yes
Counter-Cyclical and TAA for Farmers Pay Limits	Yes	Yes
DCIA	No	No
Federal Crop Insurance	No	No
Federal Crop Insurance Fraud	Yes	Yes
Foreign Person	Yes	Yes
NAP Non-Compliance	No	No
Person	Yes	No
SDA, Beginning Farmer, Limited Resource Producer	No	No
State/Local Government Entity	Yes	No

Note: Producers who satisfied TAA for Farmers eligibility requirements, but who are ineligible for cash payments because of payment limitation are **eligible** for educational assistance (business-plan training).

1/ Applicants are compliant if they are without land association.

52 Producer Eligibility Requirements [7 CFR 1580.301] (Continued)

C Ineligible Applicants

Applicants ineligible for training and payments are producers who:

- do **not** submit a completed FSA-229-1 by deadline
- have **not** satisfied 1 of the 3 eligibility options on FSA-229-1
- have violated HELC/WC provisions according to 6-CP
- have a controlled substance violation according to 1-CM, Part 30
- have a temporary TIN
- did **not** share in the risk of producing the applicable commodity
- exceed AGI limits.

D Production Eligibility Requirements

To be eligible for TAA for Farmers benefits, an applicant **must**:

- have produced the commodity in both :
 - MY for which the commodity is certified for benefits
 - at least 1 of the 3 MY's immediately before the certified MY
- satisfy 1 of the production or price requirements listed in subparagraph E.

Producers without production in the certified MY are ineligible, even if they have a record of producing the crop in alternate years, but had no production in the certified MY.

E Summary of Producer Eligibility Options 1, 2, and 3

In addition to the production requirements in subparagraph B, an applicant **must** satisfy 1 of the following 3 eligibility requirements presented on FSA-229-1 as options 1, 2, and 3:

- option 1- the applicant's production in the certified MY was less than the applicant's production in the most recent production year of the 3 prior MY's
- option 2 - there has been a decrease in the price received for the commodity by the applicant or by producers in the State or region in the certified MY from the average price received by the applicant or producers of the same State or region in the most recent 3 years of production
- option 3 - there has been a decrease in USDA's price on the date FAS-930 for the commodity was filed from USDA's average price for the 3 MY's preceding the date on which FAS-930 is filed.

52 **Producer Eligibility Requirements (Continued)**

***--F Option 1 Eligibility Determination: Applicant’s Production History**

The following examples show that eligibility may be established based on whether or not the applicant produced:--*

- the commodity in the certified MY
- the crop in 1 of the 3 MY’s immediately before the certified MY
- less in the certified MY than in the immediately prior MY’s.

If production increased in the certified MY from the level of the prior MY’s, then the
--producer may still be eligible under Option 2 or 3 (see examples in subparagraphs H and I).--

MY	Producer				
	A	B	C	D	E
	(Production Level – Units of Production)				
2004	200	200	300	400	700
2005	750	200	200	350	0
2006	0	0	300	300	0
2007	0	0	450	250	0
2008 (certified MY)	500	300	500	0	500
Eligibility determination based on production quantity:	Eligible	No Determination: Go to Price Conditions	No Determination: Go to Price Conditions	Ineligible	Ineligible

Producer A is eligible because 3 eligibility requirements are met as follows:

- crop was produced in the certified MY
- crop was produced in 1 of the 3 prior MY’s
- the certified MY level of production is less than the most recent MY for which production data is available.

--Under Options 1 and 2, producers may certify their eligibility by initialing and dating after either Option 1 or 2, but if selected for spot check, will be asked to document their eligibility from their records.--

52 **Producer Eligibility Requirements (Continued)****F Example Eligibility Determinations Based on the Production History (Continued)**

Producers B and C met the 2 mandatory production tests, but must meet 1 of the 1 price tests to be eligible. Specifically, they met the requirements that the crop was produced in the certified MY and the crop was produced in 1 of the 3 prior MY's. However, because *--production in the certified MY is greater than for the most recent MY, they must establish eligibility under Option 2 or 3.

Producer D is ineligible because there was no production of the commodity in MY for which the commodity is certified. Having been a producer of the commodity in MY's before the petition MY is not, by itself, sufficient to establish eligibility.--*

Producer E is ineligible because there was no production of the commodity in 1 of the 3 MY's immediately before MY for which the commodity is certified. The production in 2004 does not apply because it was not 1 of the 3 MY's immediately preceding the certified MY for the commodity.

***--G Eligibility Options if Option 1 Not Satisfied**

If an applicant has produced the commodity in the certified MY and in 1 of the 3 immediately prior MY's, but did **not** produce less in the certified MY than in the prior year, then the producer may still establish eligibility if:

- under Option 2, there has been a decrease in the price received for the commodity by the producer or by producers in the State or region in the certified MY from the average price received by the applicant or producers of the same State or region in the most recent 3 years of production

Note: Under this option, the producer may certify to his own prices or use State or regional prices from USDA or verifiable sources.

- under Option 3, there has been a decrease in USDA's policy on the date FAS-930 for the commodity was filed from USDA's average price for the 3 MY's preceding the date on which FAS-930 is filed.--*

52 Producer Eligibility Requirements (Continued)

***--H Option 2 Eligibility Determinations: Producer Prices Received**

The following table provides examples of eligibility determinations based on prices received. The prices used for the average calculation are shaded. The price received during the certified MY must be less than the prior 3-MY's average price. The prices used for the average calculation are shaded.

When using prices received by the producer:--*

- a 3-MY average price can be calculated from prices for **any** 3 prior MY's; the prices are **not** required to be from the 3 MY's immediately before the certified MY
- producers must use prices from the most recent production years; they **cannot** skip over prices received from production years.

MY		Producer (Price Received by Producer)				
		F	G	H	I	J
Price received by Producer	2000	\$10	\$10	\$0	\$0	\$0
	2001	\$12	\$0	\$0	\$0	\$0
	2002	\$7	\$8	\$0	\$7	\$0
	2003	\$8	\$0	\$0	\$0	\$0
	2004	\$9	\$0	\$0	\$9	\$0
	2005	\$6	\$6	\$6	\$0	\$0
	2006	\$6	\$0	\$0	\$8	\$7
	2007	\$3	\$4	\$0	\$0	\$6
	3-MY Average	\$15÷3=\$5	\$18÷3=\$6	\$6÷1=\$6	\$24÷3=\$8	\$13÷2=\$6.50
Price received in the certified MY (2008).		\$5	\$5	\$5	\$5	\$5
Eligibility determination based on prices.		Ineligible.	Eligible.	No determination, go to comparison of USDA prices (see example in subparagraph I).	Eligible.	No determination, go to comparison of USDA prices.

--Under Option 2, producers may certify as to their own prices received, or FAS may provide group approval (certification) using State or regional prices that are either USDA prices or from verifiable services.--

52 Producer Eligibility Requirements (Continued)**H Eligibility Determinations based on Producer-Documented Prices Received (Continued)**

Producer F is ineligible because the certified MY price is **not** less than the 3-MY average price.

Note: The comparison of prices is based on the most-immediate 3 MY's, 2005 through 2007, before the certified MY for which the applicant received payment for production. The producer is **not** allowed to average prices from 2004 through 2006 (\$7), because a price from a production year (2007) would have to be skipped.

Producer G is eligible because the certified MY price is less than the average price received for the 3 most immediate production years. The producer had no production and; therefore, no prices to report for the 2003, 2004, and 2006 crops.

Producer H **cannot** establish eligibility because a 3-MY average of prior prices received could not be established. Producer H may establish eligibility by comparing the certified MY price received with USDA official prices for the 2005 through 2007 MY's.

Producer I is eligible because the certified MY price is less than the average price of the immediately prior 3 MY's.

Producer J **cannot** establish eligibility because a 3-MY average of prior prices received could not be established. Producer J may establish eligibility by comparing the certified MY price received with USDA official prices for the 2005 through 2007 MY's.

52 Producer Eligibility Requirements (Continued)

--I Option 3 Eligibility Determinations: USDA Official Prices--

It is specifically:

- **not** the responsibility of FSA staff to research and determine official USDA prices for any day or period of time
- the responsibility of the applicant to determine and provide official prices on their FSA-229-1.

The following table provides examples of eligibility determinations based on a decline in the *--USDA price on the date FAS-930 was filed from the average of official USDA prices for the immediately 3 prior MY's. The USDA prices may be county, State, or regional prices but may not be national-level prices

In this example, the certified MY is 2008, and the assumed filing date is in May, 2009. The prior 3-MY average must be based on USDA prices from 2006, 2007, and 2008, which are the 3 years prior to the May, 2009 filing date. The prices used for the average calculation--* are shaded.

Note: When official USDA county prices are used to compute a 3-year average, the average is computed using the 3 immediately preceding MY prices.

MY		Producer (USDA * * * Price)		
		K	L	M
USDA County Price	2005 Annual Average	\$6	\$6	\$9
	2006 Annual Average	\$6	\$2	\$6
	2007 Annual Average	\$3	\$4	\$3
	3-Year Average Official USDA * * * Prices	$\$15 \div 3 = \5	$\$12 \div 3 = \4	$\$18 \div 3 = \6
2008 (certified MY) USDA county price on the *--date FAS-930 was filed in May 2009.--*		\$5	5	\$5
Eligibility determination based on prices:		Ineligible	Ineligible	Eligible

Producers K and L are ineligible because the official USDA county price on the date FAS-930 was filed was **not** less than the average of USDA county prices for the immediately prior 3 MY's.

52 Producer Eligibility Requirements (Continued)**I Eligibility Determinations based on USDA Official County Prices (Continued)**

Producer M is eligible because the USDA county price on the date FAS-930 was filed was less than the average of USDA official county prices for the commodity for the immediately preceding 3 years.

TAA for Farmers regulations provide that if USDA county prices are not available, producers may document prices from other verifiable sources under this option.

If the County Office has reason to doubt official prices entered by the producer, many commodity MY prices can be obtained as follows:

- go to FSA Intranet at <http://fsaintranet.sc.egov.usda.gov/fsa>
- under “Links”, CLICK “**FSA Applications**”
- under the “Production Adjustment & Disaster Programs”, CLICK “**NCT - National Crop Table**” for 2001-2008 or 2009-2010, as applicable, that will provide prices for the 3 MY’s before FAS-930 filing date.

53 Acceptable Documentation

A Acceptable Production Documentation

*--Any required production evidence must be provided within the application period. Documents must show that production occurred in both of the following:

- certified MY or period
- at least 1 of the immediately 3 prior MY's.

Under Option 1 (production) or Option 2 (prices), the applicant may certify their own records documenting eligibility and is not required to submit documentation with the application. However, applicants may be asked to submit documentation if selected for spot check (in the absence of FAS blanket approval).

Option	Data Source	Applicant Certification Allowed
1	Only producers' records of production	Yes, of applicant's production.
2	Producer records of price received, or FAS may provide group approval using State or regional prices that are either USDA prices or from verifiable sources.	Yes, of applicant's received..
3	Only USDA-maintained prices for county, State, region. FAS may provide group approval.	No. Evidence of USDA prices must be provided.

--*

Acceptable production documentation can include:

- copies of sales receipts
- invoices that show quantity
- scale or delivery tickets.

In circumstances, as determined by CED, FSA may accept as production evidence for the commodity, a signed, dated statement (see subparagraph B for an example) from another party, such as a ship captain or business partner, if the applicant:

- was paid in cash based on an agreed share of the production
- was at risk in producing the commodity
- does not have conventional evidence of production, such as sales receipts.

This statement of production provided by a third party shall specify:

- name of the crew member or partner
- total production of the commodity before any distributions
- weight or share of production distributed to each member, such as ship crew member
- crop year of the production
- for fish, basis of the weight, such as head-on, head-off.

*--**Note:** See Exhibit 4 for shrimp weight conversion factors.--*

53 Acceptable Documentation (Continued)

C Acceptable Price Documentation

If an applicant establishes eligibility for TAA for Farmers by satisfying 1 of the price requirements as described in subparagraph 52 H or I, then the producer may certify these prices under Option 2 or must provide documentation of USDA prices under Option 3 within the application period announced for the commodity.

Producers are **not** required to certify or provide any documentation about prices received if they establish eligibility based **only** on production records.

Acceptable documentation of prices received can include:

- copies of sales receipts
- invoices that show price
- tax records that show price received
- supporting documents provided by certified public accountant or attorney.

FSA staff is **not** responsible for:

- researching and obtaining official USDA prices to be used by producers to establish payment eligibility
- validating producer entries by recalculating price averages or production quantities from producer records.

D Retaining Price and Production Documentation

If the producer submits production or price documentation under Option 1 or 2, FSA County Office staff:

- shall review the documentation to establish that it is for the relevant commodity and crop years under the petition
- at the time documentation is submitted, may elect to copy and retain the documentation at the option of the County Office staff
- are not required to copy and retain copies of the documentation in the applicant's folder
- shall advise the applicant that, if the applicant is selected for spot check, the documentation must be resubmitted, will be copied, and copies will be retained by FSA.

54 Documenting AGI Certification

A General Certification Requirement

Complying with average AGI limitations is an eligibility requirement for both TAA for Farmers training and payments. For 2009 and subsequent crops, all TAA for Farmers applicants **must** certify their compliance with AGI requirements and **must** submit CCC-927 or CCC-928, as applicable, to IRS.

FSA will determine AGI compliance for:

- 2008-crop benefits based on CCC-526; applicants may be requested to document the AGI certification if:
 - selected by the county * * * for spot check
 - FSA determines that further verification is needed
- 2009 and subsequent-crop benefits based on CCC-926 and information provided to FSA by IRS based on CCC-927 or CCC-928, as applicable, submitted to IRS by the applicant.

Use the following table to determine which forms are required to be submitted to either FSA or directly to IRS, based on the crop-year of the TAA for Farmers petition certification.

Crop Year of TAA for Farmers Commodity Petition Certification	
IF for...	THEN producers submit the following...
2008-crop petitions	to FSA, CCC-526.
2009 and subsequent-crop petitions	<ul style="list-style-type: none"> • to FSA, CCC-926 • to IRS for: <ul style="list-style-type: none"> • individuals, CCC-927 • entities, CCC-928.

B Native American Waiver

Native Americans applying for TAA for Farmers must certify to AGI compliance. However, for Native Americans exempt from Federal taxes, DAFP has waived the requirement that any documentation that may be requested from such individuals under subparagraph A must be based on Federal income tax returns.

Native Americans who are exempt from Federal taxes may document their AGI certification using certified public accountant or attorney-submitted documentation that is not based on a Federal tax return.

55 Producers Applying for Benefits

A Producer Request for TAA for Farmers Benefits

Producers of certified commodities request benefits by submitting:

- FSA-229-1
- AD-1026
- either of the following according to 1-FI, Part 3:
 - SF-1199A for direct deposit
 - FFAS-12 for a hardship waiver request for EFT
- for 2008 crops, the applicable CCC-502, if not already on file, which is for:
 - individuals, CCC-502A, items 1 through 11, 18, and 19 (check and sign), or CCC-502EZ, items 1 through 8 and 14
 - joint venture or general partnership, CCC-502B, only items 1 through 14, 21, and 22
 - corporations, limited partnerships, or similar entities CCC-502C, only items 1 through 14, 21, and 22
 - estate or trust, CCC-502D, only items 1 through 14, 21, and 22
 - for certifying AGI, CCC-526
- for 2009 and subsequent crops:
 - an entity, CCC-902E, Parts A, B, and C, and sign in Part L (supplement with CCC-901, if required)
 - an individual, CCC-902I Short Form, only parts A, B, and F
- for certifying AGI, CCC-926 for 2009 and subsequent crops.

A member of a joint venture or partnership may apply as an individual for TAA for Farmer benefits, in which case the applicant may document eligibility by submitting the production records and applicable CCC-502 or CCC-902 of the joint venture or partnership.*

55 Producers Applying for Benefits (Continued)**B Acceptable Methods for Submitting Documents**

Applicants may submit forms at the FSA office where the producer's records are maintained as follows:

- in person
- as an e-mail attachment
- by FAX.

C One FSA-229-1 Per FAS-930

Producers may apply and are eligible for benefits under only one FAS-930. Once benefits are provided to a producer, subsequent TAA for Farmers benefits will be blocked and the status of any subsequent FSA-229-1 submitted shall be set to "Refer to FAS" for disapproval by FAS.

56 FSA-229-1 Deadlines**A Deadlines for Submitting Initial FSA-229-1 and Documentation**

For each approved FAS-930, FAS establishes a 90-calendar-day application period that is announced by press release and issued in an SP notice to FSA offices. Generally, the application period begins the day FAS-930 certification is published in FR.

See Exhibit 6 for information about FAS-930 that has been approved.

Producers are required to submit FSA-229-1 and all documentation needed to determine their eligibility for benefits by the application deadline.

Complying with the application deadline is **required** for the following reasons:

- County Offices must enter FSA-229-1 information into the Excel spreadsheet or web-based software, as applicable, within **3 workdays** after the close of the application period
- State TAA for Farmers specialists must send any Excel spreadsheet-recorded information to CFFM at **taainfo@umn.edu** within **5 workdays** after the close of the application period.

56 FSA-229-1 Deadlines (Continued)

A Deadlines for Submitting Initial FSA-229-1 and Documentation (Continued)

Although FSA shall encourage applicants to submit all forms within the 90-calendar-day period applicable to FSA-229-1, the only deadline that legally applies to TAA for Farmers applicants is that by the last day of the 90-calendar-day application period, the applicant must submit or have on file:

- FSA-229-1
- *--either certification (Options 1, 2) or documentation needed to determine eligibility--* under 1 of the 3 options
- the following as applicable:
 - CCC-502A, CCC-502B, CCC-502C, CCC-902E for an entity, or CCC-902I Short Form for an individual
 - CCC-526 or CCC-926
- completed AD-1026.

B Requirements for Payment Documentation

The following documents or notifications are not required by the application deadline but must be submitted before disbursement of payments, as applicable:

- SF-1199A or FFAS-12
- notification from NIFA of having attended initial training for travel reimbursement
- notification from NIFA of having submitted initial and/or long term business plans recommended for approval.

C Processing Late/Incomplete FSA-229-1's

FSA-229-1's that that are submitted:

- after the 90-calendar-day application period shall be accepted, entered into the TAA for Farmers Excel spreadsheet or web-based software, as applicable, and referred to FAS for disapproval
- within the 90-calendar-day application period, but without documentation to establish eligibility shall be accepted, entered into the TAA for Farmers Excel spreadsheet or web-based software, as applicable, and referred to FAS for disapproval after the 90-calendar-day application period.

57 FSA-229-1's

A Completing FSA-229-1's

County Offices shall:

- provide instructions for the producer to complete FSA-229-1, if necessary
- require the applicant to complete Parts A, B, C, and D
- require that applicants submit documentation for * * * Part C, items 11 C and D, to document that production occurred in both the petition MY and 1 of the 3 prior years; an applicant only needs to document some production from each of those years, it is **not** required to document the total level of production unless the applicant elects to document eligibility under 1 of the following 3 options
- *--advise applicants that eligibility may be established under 1 of the 3 options described in subparagraph 52 E based on the following methods:
 - Option 1:
 - producers may certify eligibility based on their own production levels by entering their initials and date of initials at the end of the Option 1 question on FSA-229-1, Part C
 - producers may document eligibility by entering responses to items 11E and 11F
 - Option 2:
 - producers may certify eligibility based on their own prices received by entering their initials and date of initials at the end of the Option 2 question on FSA-229-1, Part C
 - producers may document eligibility by entering responses to items 11G through 11L
 - eligibility may be based on group approval granted by FAS and provided to the FSA State and County Office
 - Option 3:
 - producers may not certify eligibility under Option 3 because only USDA prices may be used for this Option but producers may enter USDA prices in items M and N.
 - eligibility may be based on group approval granted by FAS and provided to the FSA State and County Office.--*

* * *

57 FSA-229-1's (Continued)

A Completing FSA-229-1's

County Office staff is **not** required to calculate any of these entries on behalf of applicants. For the timely processing of FSA-229-1's, it may not be possible to "do the math" for applicants.

***--Notes:** An applicant may also be eligible if, under Option 2 or 3, FAS provides group approval to producers in a State or region.

Applicants are not required to initial, date, or provide any entries to items 11E through 11M if FAS provide group approval--*

B Instructions for Completing FSA-229-1's

Complete FSA-229-1 according to this table.

Item	Instruction
Items 1 through 4 are completed by FSA.	
1A	Enter State and county code of County Office where FSA-229-1 has been submitted for processing.
1B	To determine Congressional District, go to writerep.house.gov/writerep/welcome.shtml . Enter applicable State and ZIP Code; for post office box addresses, use ZIP Code of the applicant's residence, not the post office. The Congressional District entry format is: SSxx, where SS is the State abbreviation and xx is the district number; for example, the 8th District of Texas is entered as, "TX08".
2	Every application number shall be in the format: SSCCxxxxx where SSCC is the numeric State and county code for that office and xxxxx is a sequential number starting with 00001 and ending with 99999. However, each County Office shall use this same sequential numbering sequence for each individual commodity petition. Example: FSA-229-1 numbers for the first fifteen FSA-229-1's under a carrot petition would be numbered SSCC00001 through SSCC00015, and in the same County Office, the first fifteen FSA-229-1's under a blueberry petition would also be numbered SSCC00001 through SSCC00015. A separate numbering ledger is established for each commodity petition.
3	The application deadlines under various approved commodity FAS-930's will be provided in an exhibit to this handbook and SP notice, when approved. Deadlines are provided in the press release announcing FAS-930 certification.
4	Enter date FSA-229-1 was received by the FSA County Office.

57 FSA-229-1's (Continued)

B Instructions for Completing FSA-229-1's (Continued)

Item	Instruction
	<p>Parts A, B, C, and D are to be completed by applicant.</p> <p>Note: Documentation of items 11C through N is required and FSA-229-1's entries are the responsibility of the applicant and not the responsibility of FSA staff. FSA staff is not required to validate production or price quantities from submitted documentation.</p>
5A	Enter first name of an individual applicant or the name of entity, corporation, joint operation, or partnership that is applying (see subparagraph 51 C). Members of entities and husbands and wives may apply as individuals. Members of corporations cannot apply as individuals.
5B	Entering the applicant's e-mail is optional. CFFM and FAS will use e-mail to provide quicker notifications in addition to mailed letters.
5C	Enter phone number (land-line or cell phone) of the applicant.
	Parts A, B, C, and D are to be completed by applicant. (Continued)
6	Enter name and address of the farm operation if it is different from item 5.
7	Enter name of the commodity for which producers is applying for benefits and the State where the commodity was marketed.
8	Enter FAS-930 number as provided in SP notice for that commodity.
9	Enter filing date of the commodity FAS-930. This date is announced in FR that announced the commodity as certified for TAA for Farmers benefits and is in SP notice for that commodity.
10A	Enter certification date of the commodity FAS-930. This date is announced in FR that announced the commodity as certified for TAA for Farmers benefits and in SP notice.
10B	Enter deadline for completion and approval of business plans. This date is 36 months from FAS-930 certification date and is in SP notice for that commodity.
11A	Check (✓) either "Yes" or "No". Benefits received under the FY 2004 through 2006 TAA Programs are not considered benefits received under TAA for Farmers.
11B	Check (✓) either "Yes" or "No".
11C	Check (✓) either "Yes" or "No". Producer must provide some documentation, but not of entire production quantity.
11D	Check (✓) either "Yes" or "No". Producer must provide some documentation, but not of entire production quantity.
	<p>*--Option 1: Is the applicant's production quantity in the petition marketing year less than production in the most recent year of the 3 years prior to the petition marketing year?</p> <p>An applicant may certify to meeting the requirements of Option 1 by entering the applicant's initials and date of initials after the Option 1 question. Entries in items 11E and 11F are optional.--*</p>

B Instructions for Completing FSA-229-1's (Continued)

Item	Instruction
11E	Enter production quantity for the certified MY.
11F	<p>Enter production quantity for the most recent year of the 3 MY's before the certified MY.</p> <p>Example: If the certified MY is 2009, then this entry is the production from the most immediately prior MY for which production occurred and must be from 2008, 2007, or 2006. If there was no production in 1 of the 3 immediately prior MY's, then enter zero.</p>
	<p>*--Option 2: Is the applicant's average price received in the petition marketing year less than the average price received from the 3 most recent prior marketing years?</p> <p>An applicant may certify to meeting the requirements of Option 2 by entering the applicant's initials and date of initials after the Option 2 question. Entries in items 11G through 11L are optional.--*</p>
11G	Enter price received for production of the certified commodity from the certified MY.
11H	<p>Enter price received for production from the year of production most immediately before the certified MY.</p> <p>Example: If the certified MY is 2008, and the crop was produced in 2007, enter the quantity of 2007 production. However, if the most immediately prior MY of production was 2006, enter the 2006 quantity of production.</p>
11I	Enter price received for production from the second most recent year before the petition MY.
11J	Enter price received for production from the third most recent year before the petition MY.
11K	Enter sum of the prices received from the 3 MY's most recently before the certified MY as entered in items 11H, 11I, and 11J.
11L	Divide the entry in item 11K by 3.
	<p>*--Option 3: Was the USDA price for the commodity on the Petition filing date less than the average of USDA prices for the 3 years immediately preceding the year of the filing date? Applicant's may not certify their eligibility under Option 3 because any valid price information is maintained by USDA and does not original with the applicant. Option 3 may also be approved based on a group certification provided by FAS.--*</p>
11M	Enter the USDA county price for the commodity on FAS-930 filing date. (If a USDA County price is not available, a price from another verifiable source may be used.)
11N	<p>Enter average USDA county price for the commodity for the 3 MY's immediately before FAS-930 filing date. (If an average USDA County prices are not available, prices from another verifiable source may be used.)</p> <p>Example: If FAS-930 filing date is May 3, 2010, enter the average of USDA county prices for MY's 2007, 2008, and 2009.</p>

57 FSA-229-1's (Continued)

B Instructions for Completing FSA-229-1's (Continued)

Item	Instruction
	Part D – Applicant Certification and Signatures
12	<p>After applicant reads the certification statement, they should sign, certifying that the information submitted on FSA-229-1 is true and that they have read, understand, and agree to the certification statement in Part D.</p> <p>If applicant is mailing or FAXing FSA-229-1, the applicant prints FSA-229-1 and manually enters signature before FSA-229-1 is submitted.</p>
	Part D – Applicant Certification and Signatures (Continued)
13	<p>*--An individual applicant may elect to identify and authorize 1 alternate to attend the training sessions by entering the name of the authorized alternate. Thus, for individual applicants, 1 of 2 individuals may attend; either the applicant or the alternate.</p> <p>If the applicant is an entity, the entity must enter the name of at least 1 person representing the entity who will attend the training on behalf of the entity. This person is entered as the attendee. An entity may also identify an alternate representative as backup to the person planning to attend. Only 1 of the 2 named individuals is responsible to attend all training.--*</p>
14A	Applicant enters 9-digit TIN of the individual or entity submitting FSA-229-1.
14B	Enter TIN type that is either S, E, or I.
15	Applicant enters the date (MM-DD-YYYY) of signature.
16	<p>Applicant checks (✓) either of the following:</p> <ul style="list-style-type: none"> • “Yes”, if the applicant chooses to refuse all cash payments, including travel expense reimbursements • “No”, if the applicant chooses to accept all cash payments.
	Parts E and F, items 17A through 23C are for FSA use only.
17A	Check (✓) whether date FSA-229-1 was received by FSA (item 4) is no later than the announced application deadline (item 3).
17B	Check (✓) whether applicant had production in petition MY from item 11C.
17C	Check (✓) whether applicant indicated production in 1 of the immediately prior 3 years in item 11D.

57 FSA-229-1's (Continued)

B Instructions for Completing FSA-229-1's (Continued)

Item	Instruction
17D	Option 1: compare entries in items 11E and 11F. Check (✓) whether the quantity entered in item 11E is less than the quantity entered in item 11F.
17E	Option 2: compare the entries in items 11G and 11L. Check (✓) whether the price entered in item 11G is less than the price entered in item 11L.
17F	Option 3: compare the price entries in items 11M and 11N. Check (✓) whether the price in item 11M is less than the price in item 11N.
Parts E and F, items 17A through 23C are for FSA use only. (Continued)	
19	<p>Because of legal requirements, only FAS can disapprove FSA-229-1's; therefore, if FSA-229-1 does not meet requirement for approval, set FSA-229-1 status to "Refer to FAS". This means that FSA-229-1 will be sent to FAS for disapproval.</p> <p>Review item 18, lines A, B, and C. For FSA-229-1 to be approved, all 3 items must be answered. If any 1 of the 3 items is not answered, set FSA-229-1 status to "Refer to FAS."</p> <p>Check (✓) whether FSA-229-1 status is "approved" or "Refer to FAS".</p>
20	<p>If FSA-229-1 is approved, no entry is required. If FSA-229-1 is set to "Refer to FAS", include the appropriate disapproval code listed in subparagraph 73 C.</p> <p>Note: Before referring FSA-229-1 to FAS for disapproval, consider whether there is reason to request a waiver of a deadline or a requirement from DAFP (see subparagraph 71 C).</p>
21A	Enter name and address of County Office where FSA-229-1 was processed (stamped entry is OK) in case FSA-229-1 must be sent to FAS for processing a disapproval appeal.
21B	Enter telephone number of County Office where FSA-229-1 was processed.
22A	Enter signature of the person who completed FSA-229-1.
22B	Enter title of the person who signed in item 22A.
22C	Enter date of signature in item 22A.
23A	Enter signature of the second-party reviewer. Each FSA-229-1 must be signed by a second-party reviewer, regardless of whether FSA-229-1 status is "approved" or "Refer to FAS".
23B	Enter title of the person who signed in item 23A.
23C	Enter date of signature in item 23A.

57 FSA-229-1's (Continued)

C Instructions for Completing FSA Parts E and F

FSA-229-1, Parts E and F, are for completion by FSA **only** using the following instructions.

Item	Description
For eligibility, an applicant must document “Yes” answers to items 17 A, B, and C, and 1 of items 17 D, E, or F.	
17A Was application filed...	Enter a check (✓) indicating whether the date FSA-229-1 was received by FSA (item 4) is no later than the announced application deadline (item 3).
17B Did the applicant have...	Enter a check (✓) indicating whether item 11C is answered “yes”.
17C Did the applicant produce...	Enter a check (✓) indicating whether item 11D is answered “yes”.
*--17D Is the quantity of item 11E less than 11F?	If the applicant is certifying eligibility under Option 1, enter the word “certified” after the question. Otherwise, compare the entries of items 11E and 11F and enter a check (✓) to indicate whether the quantity entered in item 11E is less than the quantity entered in item 11F.
17E Is the price in item 11G less than 11L?	If FAS has provided group approval, enter the words “FAS certified” after the question. If applicant is certifying eligibility under Option 2, enter the word “certified” after the question. Otherwise, compare the entries in item 11G and 11L. Enter a check (✓) to indicate whether the price entered in item 11G is less than the price entered in item 11L.
17F Is the price in item 11M less than 11N?	If FAS has provided group approval, enter the words “FAS certified” after the question. Otherwise, compare the price entries of items 11M and 11N. Enter a check (✓) to indicate whether the price in item 11M is less than the price in item 11N.--*
19 Application Status	<p>Because of legal requirements, only FAS can disapprove FSA-229-1's. Therefore, if FSA-229-1 does not meet requirement for approval, FSA-229-1 status is set to “Refer to FAS”. This means that it will be sent to FAS for disapproval.</p> <p>Review lines A, B, and C of item 18. For FSA-229-1 to be approved, all 3 items must be answered as indicated in item 18. If any 1 of the 3 items is not answered as indicated, set FSA-229-1 status to “Refer to FAS.”</p> <p>Enter a check (✓) in the appropriate box to indicate whether FSA-229-1 status is “Approved” or “Refer to FAS”.</p>

57 FSA-229-1's (Continued)

C Instructions for Completing FSA Parts E and F (Continued)

Item	Description
20 Justification for Referral to FAS	Before referring FSA-229-1 to FAS for disapproval, consider whether there is reason to request, from DAFP, a waiver of a deadline or requirement. See paragraph 71 C. If FSA-229-1 is approved, no entry is required for item 20. If FSA 229-1 is set to "Refer to FAS", include the reason and the appropriate disapproval code listed in subparagraph 73 C.
21A Name/Address of County Office	Enter name and address of County Office where FSA-229-1 was processed (stamped entry is acceptable). This is needed in case FSA-229-1 must be sent to FAS for processing any appeal of a disapproval.
21B County Office Phone #	Enter phone number of County Office where FSA-229-1 was processed.
22A Signature of COC Representative	Enter the signature of the person who completes FSA-229-1.
22B Title of COC Representative	Enter title of the person who signed in item 22A.
22C Date Signed	Enter date of signature of item 22A.
23A Signature of Second-Party Reviewer	Enter signature of the second-party reviewer. Each FSA-229-1 must be signed by a second-party reviewer, regardless of whether FSA-229-1 status is approved or "Refer to FAS".
23B Title of Second-party Reviewer	Enter title of the person who signed in item 23A.
23C Date Signed	Enter date of signature of item 23A.

D Example of Completed FSA-229-1

Following is an example of FSA-229-1.

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FSA-229-1 (08-23-10)		U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency		Form Approved - OMB No. 0551-0040	
TRADE ADJUSTMENT ASSISTANCE (TAA) FOR FARMERS PROGRAM APPLICATION		1A. State and County Codes		2. Application Number	
		1B. Congressional District			
		3. Announced Application Deadline		4. Date Received by FSA	
<p>NOTE: <i>The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a – as amended). The authority for requesting the information identified on this form is 7 CFR Part 1580 and the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5). The information will be used to determine eligibility for benefits provided by the Trade Adjustment Assistance for Farmers program. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for participation in the Trade Adjustment Assistance for Farmers program.</i></p> <p><i>According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0551-0040. The time required to complete this information collection is estimated to average 45 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR FSA COUNTY OFFICE.</i></p>					
<p>Instructions: Producers use this form to apply for training and cash benefits under the Trade Adjustment Assistance Program for Farmers.</p>					
<p>PART A – APPLICANT INFORMATION</p>					
5A. Applicant's Name and Address (Including Zip Code)			6. Name and Address of Farm Operation (If different from Item 5) (Including Zip Code)		
5B. Applicant's E-Mail Address:					
5C. Applicant's Telephone Number (Include Area Code):					
<p>PART B – TAA FOR FARMERS PETITION FOR WHICH BENEFITS ARE REQUESTED</p>					
7. Commodity/State		8. Petition Number	9. Petition Filing Date	10A. Petition Certification Date	
10B. Deadline for Completion and Approval of Business Plans					
<p>PART C – APPLICANT ELIGIBILITY INFORMATION – To establish eligibility, an applicant must answer Items 11A through 11D and complete entries under 1 of the 3 eligibility options listed in Item 11 below:</p>					
<p>11. Production, Price and TAA benefit information to be completed by the Applicant:</p>				YES	NO
A. Has applicant received benefits under another TAA for Farmers Program?					
B. Has applicant received benefits under either the TAA for Workers or FIRMS Programs?					
C. Did the applicant produce the petition commodity in the petition marketing year (MY)?					
D. Did the applicant produce the commodity in one of the 3 years prior to the petition MY?					
<p>OPTION 1: Is applicant's production quantity in petition year less than production in the most recent prior year?</p>					
E. Production quantity for the petition MY.					
F. Production quantity for the most recent year of the 3 years prior to the petition MY.					
<p>OPTION 2: Is applicant's average price in petition marketing year less than average price received from the 3 most recent prior years?</p>					
G. Average price received by producer for production from petition MY.				\$	
H. Price received by producer for production from most recent year prior to petition MY.				\$	
I. Price received by producer for production from 2 nd most recent year prior to petition MY.				\$	
J. Price received by producer for production from 3 rd most recent year prior to petition MY.				\$	
K. Sum of prices received from the 3 MYs most recently prior years (add entries from items 11H, 11I, and 11J).				\$	
L. Average of 3 prices: Divide entry in Item 11K by 3.				\$	
<p>OPTION 3: Was the County price for producers on petition filing date less than the average price for the prior 3 marketing years?</p>					
M. USDA county price (or other price if USDA price not available) for the commodity on the petition filing date.				\$	
N. Average USDA county price (or other price if USDA price not available) for the 3 MYs immediately prior to the petition filing date.				\$	

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D Example of Completed FSA-229-1 (Continued)

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FSA-229-1 (08-23-10)					Page 2 of 2	
PART D – APPLICANT CERTIFICATION AND SIGNATURE(S)						
<p><i>The undersigned producer hereby applies for benefits under the Trade Adjustment Assistance for Farmers (TAAF) Program and agrees to comply with the eligibility requirements established by the TAAF statutory authority and program regulations in 7 CFR Part 1580 to obtain program benefits. The applicant acknowledges that eligibility may be denied based on one or more of the following requirements: (1) the applicant must have had adjusted gross farm and non-farm income within statutory limits and must have complied with conservation compliance, and controlled substance regulations; (2) business-plan disbursements are limited by statutory payment limits and may be reduced by a uniform factor established by CCC so that total program outlays do not exceed statutory limits; (3) payments are subject to provisions of the Debt Collection Improvement Act; (4) eligibility is governed by Federal Crop Insurance Fraud provisions; (5) provisions regarding permitted entity, person determinations, and state and local government entity determinations may apply; (6) receipt of business-plan payments is contingent upon the approval by the Farm Service Agency of an initial and/or final business plan by the date shown in Item 10B; and (7) any TAAF application must be received no later than the deadline date announced for each certified commodity and shown in Item 3 of this application. The undersigned applicant certifies that: (1) all the information entered on this application is true and correct and that the applicant was a producer of the petition commodity during the petition crop year and one of the immediate preceding 3 crop years; and (2) the applicant did not receive cash benefits under the TAA for Workers or TAA for Firms programs, or TAAF benefits under another commodity petition. The applicant understands that providing a taxpayer identification number and type is voluntary but that benefits cannot be provided without this information. The applicant agrees, if requested, to provide: (1) any documentation required to determine program eligibility to the satisfaction of the County FSA Committee, and (2) responses to program evaluation of impacts on employment and business changes. The applicant understands that providing a false certification to the U.S. Government is punishable by imprisonment, fines or other penalties. The criminal and civil fraud statutes that apply to this certification, may include 15 USC 286 71-4m, 18 USC 286, 297, 371, 641, 651, and 1001; and 31 USC.</i></p>						
12. Applicant's Signature	13. Training Attendee: Individual Applicants: may name 1 alternate Entity Applicants: must name attendee; may name 1 alternate	14A. Tax ID Number	14B. Tax ID Type	15. Date Signed (MM-DD-YYYY)	16. Refused Payment? YES NO	
	Attendee:					
	Alternate:					
PART E – CCC REVIEW OF SUBMITTED PRODUCTION AND PRICE INFORMATION						
17. Review Item 11 and enter a checkmark for Items A, B, and C and complete one of the 3 options listed as D, E, and F below:					YES	NO
A. Was application filed within the 90-day application period? (See dates entered in Items 3 and 4)?						
B. Did applicant have production in the petition MY (See Item 11C)?						
C. Did the applicant produce the commodity in one of the 3 years prior to the petition MY (See Item 11D)?						
OPTION 1.						
D. Is the quantity in Item 11E less than the quantity in Item 11F?						
OPTION 2.						
E. Is the price in Item 11G less than the 3-year average price in Item 11L?						
OPTION 3.						
F. Is the price in Item 11M less than the price in Item 11N?						
PART F – CCC DETERMINATION OF APPROVAL FOR TRAINING						
18. For application approval, the answers to the following questions in Items 11 and 17 must be:						
A. "YES", for questions "A", "B", and "C" in Item 17.						
B. "YES", to at least one of questions "D", "E", or "F" in Item 17.						
C. "NO", for both questions "A" and "B" in Item 11.						
19. Application Status: APPROVED <input type="checkbox"/> REFER TO FAS <input type="checkbox"/> (If not approved, complete Item 20)						
20. Justification for Referral to FAS:						
21A. Name and Address of County FSA Office (Including Zip Code)				21B. Telephone Number (Including Area Code)		
22A. Signature of COC Representative		22B. Title of COC Representative		22C. Date Signed (MM-DD-YYYY)		
23A. Signature of Second-Party Reviewer		23B. Title of Second-Party Reviewer		23C. Date Signed (MM-DD-YYYY)		
<p><small>The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.</small></p>						

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58-70 (Reserved)

73 Processing FSA-229-1's (Continued)

C Using Numeric "Reason Codes" for Events Referred to FAS for Disapproval (Continued)

Code	Reason for Setting the Event to "R"
Code for Disapproval of Event #3, Further Participation Disapproved for Failure to Attend/Complete Intensive Training.	
*--15	Applicant did not attend or complete the long-term technical assistance and is; therefore, ineligible for additional training or cash benefits as authorized by Trade Act of 1974, Section 296 (b)(2) and provided in 7 CFR 1580.302 (b).
Codes for Disapproval of Event #4, Reimbursement of Travel and Per Diem	
16	Submitted travel expense voucher was not supported by receipts of claimed expenses as provided by 41 CFR Part 301-52.4.
17	Submitted travel expense voucher was not signed by the applicant to certify the expenses claimed as provided by 41 CFR 301-52.3.
18	Submitted travel expense voucher was not signed by the training instructor to validate attendance at the training as provided by 41 CFR 301-52.6.
Codes for Disapproval of Event #5, Initial Business-Plan Payment	
19	Applicant did not attend the required initial technical assistance training for writing an initial business plan as authorized by Trade Act of 1974, Section 296(b)(2)(A and B) and (3)(A)(i) provided by 7 CFR 1580.302(d).
20	Applicant did not submit an initial business plan as authorized by Trade Act of 1974, Section 296(b)(3) and 7 CFR 1580.302(d).
21	Applicant submitted an initial business plan after the required deadline as identified on FSA-229-1 as required by 7 CFR 1580.302(i).
22	FAS disapproved the initial business plan because it did not meet plan requirements as required by 7 CFR 1580.302(d) and (e).
Codes for Disapproval of Event #6, Long-Term Business-Plan Payment	
23	Applicant did not submit a long-term business plan as required by Trade Act of 1974, Section 296(b)(4)(B) and provided by 7 CFR 1580.302 (g).
24	FAS disapproved the submitted long-term business plan because it did not meet plan requirements as required by Trade Act of 1974, Section 296(b)(4)(B) and provided by 7 CFR 1580.302 (g).
25--*	Applicant submitted a long-term business plan after the required deadline as identified on FSA-229-1 as provided by 7 CFR 1580.302(i).
Code (for Any Event) for Reasons Not Listed	
99	Code indicates that a reason different from reasons listed in this table applies to the "R" status. The reason is stated in Column "Z" of the Excel spreadsheet or web-based software, as applicable.

73 Processing FSA-229-1's (Continued)

D Required Applicant Compliance

The following table summarizes the actions required by applicants for full benefits and how compliance is recorded.

Applicant Events Required for Benefits	IF the applicant...	THEN...
Event #1: Applicant must submit FSA-229-1.	<ul style="list-style-type: none"> • submits FSA-229-1: <ul style="list-style-type: none"> • by the application deadline •*--with required certification or documentation--* • meets all eligibility requirements 	FSA approves FSA-229-1 by setting application status to "A". Applicant is eligible for initial orientation, reimbursement of travel to attend the initial training, intensive training, and business plan payments pending completion of those events.
	<ul style="list-style-type: none"> • submits FSA-229-1: <ul style="list-style-type: none"> • after the application deadline •*--without adequate certification or documentation--* • does not meet eligibility requirements 	FSA refers FSA-229-1 to FAS for disapproval by setting the application status to "R". FAS will disapprove FSA-229-1 and notify the applicant of disapproval and appeal rights and procedure. Note: Applicants can attend orientation training if approval is pending. But only approved applicants are eligible for reimbursement of travel expenses and subsequent training.

76 Entering FSA-229-1's Into Excel (Continued)

E Instructions for Entering FSA-229-1's Into the Excel Spreadsheet (Continued)

Column	Entry	Specifications
G	Date Application Received	Enter date FSA-229-1 was received at the County Office.
<p>Note: If applicant is an individual or entity, the applicant name is entered in FSA-229-1, item 5a and:</p> <ul style="list-style-type: none"> for individuals, enter the last name, first name, and middle initial of the individual in Columns H, I, and J for entities and corporations, enter the name only in Column H. 		
H	Applicant Last Name	<p>If applicant is an:</p> <ul style="list-style-type: none"> *--entity or corporation, enter the entity name as in SCIMS, only in Column H individual, enter the individual's last name.
I	Applicant First Name	Enter the first name of an individual applicant as entered in SCIMS (subparagraph 51 C). This field is left blank if the applicant is an entity or corporation. Members of entities, and husbands and wives, may apply as individuals.
J	Applicant Middle Initial	Enter the individual applicant's middle initial or name, limited to 20 characters as entered in SCIMS. This field is left blank if--* the applicant is an entity or corporation.
K	Applicant Street Address	Enter applicant's street address to which record of payments or notifications shall be mailed.
L	City	Enter city of applicant's address.
M	State Abbreviation	Enter 2-letter State abbreviation for the applicant's address.
N	Applicant ZIP Code, 9-Digit	Enter ZIP Code in 9-digit format. Spreadsheet is formatted to auto-hyphenate any 9-digit entry. Nine digits may be required to provide geospatial reporting of benefits as required by the Recovery Act. (For some addresses, 5-digits are sufficient if ZIP Code area is not split between Congressional districts.
O	Applicant E-Mail Address	For the applicant, this is an optional entry on FSA-229-1. Enter the applicant's e-mail if it was provided. It may be needed by CFFM to contact the applicant about scheduled training.
P	Applicant Phone Number	Enter the applicant's phone number including area code. It may be needed by CFFM to contact the applicant about scheduled training.

76 Entering FSA-229-1's Into Excel (Continued)

E Instructions for Entering FSA-229-1's Into the Excel Spreadsheet (Continued)

Column	Entry	Specifications
Q	*--Name of Training Alternate (Primary)	<p>If the applicant is:</p> <ul style="list-style-type: none"> an entity or corporation, enter the name of the "attende" as entered on FSA-229-1, item 13 an individual, enter the name of the applicant.
R	Name of Training Alternate (Secondary)	<p>If the applicant is:</p> <ul style="list-style-type: none"> an entity or corporation, enter the name of the "alternate" as entered on FSA-229-1, item 13 an individual, enter the name of the "alternate" as entered on FSA-229-1, item 13.
S	Application Status	<p>See subparagraph 52 B to determine the appropriate status code from the following 3 codes:</p> <ul style="list-style-type: none"> "A", approved "P", pending "R", refer to FAS, pending disapproval. <p>Enter only the single letter code (A, P, or R). Do not enter the corresponding word.--*</p> <p>Note: Only FAS can enter a "D" code for disapproved.</p>
T	Last 4 Digits of Applicant's TIN	<p>Enter last 4-digits of TIN FSA-229-1, item 14. Only the last 4-digits are to be provided to CFFM.</p> <p>Note: Columns A through T are the only Excel spreadsheet entries sent to CFFM by State Offices.</p>
U	Applicant's 9-Digit TIN	<p>Enter complete TIN from FSA-229-1, item 14.</p> <p>Note: The complete TIN is entered separately from the last 4-digits as a convenience to State Offices that send Columns A through T to CFFM, but do not include Columns U through AA.</p>
V	Applicant's TIN Type	<p>TIN type entries are limited to the following:</p> <ul style="list-style-type: none"> "S", Social Security number "E", employer ID "I", number assigned by IRS.

76 Entering FSA-229-1's Into Excel (Continued)

E Instructions for Entering FSA-229-1's Into the Excel Spreadsheet (Continued)

Column	Entry	Specifications
W	AGI: Payment Reduction Indicator	County Office obtains AGI limitation indicator from AGI Web service and enters either of the following: <ul style="list-style-type: none"> • "Y", yes • "N", no.
X	Refused Payment	Enter Y or N from Item 16 of FSA-229-1.
Y	Reason Code for FSA-229-1 Referred to FAS	If FSA-229-1 status entered under Column S is set to "R", enter the numeric reason code. Do not make an entry in Column Y unless FSA-229-1 status in Column S was set to "R".
Z	Free-Form Reason if Code is Not Listed	If FSA-229-1 status in Column S is set to "R", and a reason code is not already established, enter a brief explanation for setting the application status to "R".
AA	Date of Latest Status Determination.	Enter most recent date that the initial FSA-229-1 status code or any subsequent FSA-229-1's status code was determined. This date is usually the date FSA-229-1 was signed by the second-party reviewer.

77 **Managing Excel Files Used by CFFM and Web-Based Software**

A Policy

FSA must promptly identify TAA for Farmer applicants to CFFM so that initial training is provided within 90 calendar days from the end of a petition application period (as required by statute).

Until the web-based software is available, FSA:

- County Office staff will enter FSA-229-1 information into an Excel spreadsheet that is to be sent as an encrypted e-mail attachment to their State Office
- State Office staff will combine the county-level Excel spreadsheet into 1 State-level file; the combined file will be:
 - saved in its entirety for possible uploading to Kansas City after the web-based software is available, relieving County Office staff from having to enter FSA-229-1 information into the web-based software
 - copied, renamed, edited by eliminating Columns U through AA, and promptly sent to CFFM.

Definitions of Terms Used in This Handbook

Certified MY

Certified MY is MY of the commodity for which TAA for Farmers benefits were requested on FAS-930 and were subsequently approved by the FAS Administrator.

FAS-930 Certification Date

FAS-930 certification date is:

- the earlier of the date of the FR notice or press release by which the FAS Administrator announces a certification of eligibility
- no later than 40 calendar days after FAS-930 acceptance date.

***--FAS-930 Filing Date**

FAS-930 filing date is:

- the date on which FAS accepted and began review of a petition for TAA for Farmers benefits
- not necessarily the date that FAS initially received the submitted petition because FAS may discuss the petition with the submitter before accepting it.--*

***--Shrimp Weight Conversion**

Effective from the date of this amendment to 1-SP:

- the following conversion factors shall be recommended to TAA for Farmers applicants to convert shrimp weights to a uniform weight-basis
- FSA staff shall not re-compute weights already computed based using conversion factors previously supplied by FSA.

If shrimp production weights are recorded by applicants on the basis of both heads-off and heads-on weights, then the applicant can use the following conversion factors to convert 1 to the other so that the total represents a consistent weight basis.

State	Conversion
All States	Head-off weight times 1.59 equals whole-shrimp weight.
	Whole-shrimp weight times 0.629 equals head-off weight.

Converting Volumes to Pounds

Production expressed by quarts or gallons shall be converted to pounds of whole shrimp, heads-on weight basis according to the following factors:

- number of quarts multiplied times 1.5 equals pounds of shrimp
- number of gallons multiplied times 6.0 equals pounds of shrimp

Converting Pieces to Pounds

Production expressed in pieces shall be converted to pounds of whole shrimp based on local recommended conversion factors recommended by applicants, or as approved by the State program specialist. Whatever factor is used shall apply to production pieces in all years used to establish TAA eligibility.--*

Summary of Certified Petition Information

The following petition has been approved.

*--

Commodity/ Crop Year	States	Petition Number	Petition Filing Date	Petition Certification Date	Producer Application Period	Deadline for Submitting Excel File To CFM
FY 2010 Funded Petitions						
Catfish 2009 <u>1/</u>	National: all States	2010001	5-3-10	6-25-10	6-25-10 Through 9-23-10	9-30-10
Asparagus 2009	National: all States	2010003	5-3-10	6-25-10	6-25-100 Through 9-23-10	9-30-10
Shrimp 2008 <u>2/</u>	AL, FL, GA, LA, MS, NC, SC, TX	2010005	5-3-10	6-25-10	6-25-10 Through 9-23-10	9-30-10
FY 2011 Funded Petitions						
Shrimp 2008 <u>2/</u>	AK, AL, FL, GA, LA, MS, NC, SC, TX	2011002	7-21-10	9-24-10	9-24-10 through 12-23-10	12-30-10
Lobster 2009	CT, MA, ME, NH, RI		7-21-10	9-24-10	9-24-10 through 12-23-10	
Blueberries 2009	Maine	2011015	8-13-10	9-30-10	9-30-10 Through 12-29-10	1-6-11

1/ Includes fry, fingerling, and all other commercial catfish, regardless of harvest method.

2/ Wild and pond-raised shrimp and prawns are both eligible. Rock Shrimp, langoustine, and spiny lobster are **not** eligible.--*

