

July 2009

**Laclede, Camden  
& Pulaski County FSA**  
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Lebanon Mo 65536  
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[www.fsa.usda.gov/mo](http://www.fsa.usda.gov/mo)

**Hours**  
Monday - Friday  
7:30 a.m. - 4:30 p.m.

**County Committee**  
Homer Jones Jr.  
C. Kent Ledbetter  
Warren C. Hoffman  
Adv. Berniece Hamilton

County Committee  
Meets 2<sup>nd</sup> Thur. 9:00am

**Staff**  
Darrel McCann, CED  
Ava Baker, PT  
Pam Akers, PT



## County Committee Elections “FSA Counts on You”

This year a Committee Person will be selected from Camden County.

Since COC elections happen only once a year, here is an election refresher. For election purposes, counties are divided into *local administrative areas*, or LAAs. Each LAA selects one producer to serve a three-year term on the Farm Service Agency county committee. Each year, an election is held in an LAA to replace the committee member whose three-year term is expiring. In counties with three LAAs, one seat is up for election.

### Nominations

Candidate nominations for the FSA county committee election will be accepted June 15 through Aug. 3, 2009. Producers who are residents in the LAA holding the election, who participate or cooperate in an FSA program, and are of legal voting age may be nominated to serve on the county committee. Individuals may nominate themselves or others as candidates. Also, organizations representing socially disadvantaged minorities and women farmers or ranchers may also nominate candidates. The nomination form, FSA-669A, is available at the county office or may be downloaded from

<http://www.fsa.usda.gov/FSA/webapp?area=newsroom&subject=landing&topic=cce>.

To be valid, the nomination form must be signed by the person being nominated, indicating agreement to serve if elected. The completed nomination form must be returned to the county office by the close of business on Aug. 3, or postmarked by midnight Aug. 3, 2009.

### Voting

Ballots will be mailed to eligible voters beginning Nov. 6, and must be returned to the county office by the close of business on Dec. 7, or postmarked by midnight Dec. 7, 2009. Agricultural producers of legal voting age can vote if they participate or cooperate in any FSA program. A person who is not of legal voting age but supervises and conducts the farming operations on an entire farm can also vote. No one can be denied the right to vote because of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation or marital or family status.

### Candidate Eligibility

To hold office as a county committee member, a person must meet the basic eligibility criteria:

- Participate or cooperate in a program administered by FSA
- Be eligible to vote in a county committee election
- Reside in the LAA in which the person is a candidate
- Not have been:
  - Removed or disqualified from the office of county committee member, alternate or employee
  - Removed for cause from any public office or have been convicted of fraud, larceny, embezzlement or any other felony
  - Dishonorably discharged from any branch of the armed services.

For additional clarification about county committee elections, contact your local county office staff.

### DCP & ACRE Signup Deadline

Signup for the 2009 Direct and Counter-cyclical Payment (DCP) Program has been extended until August 14, 2009. FSA will not accept any late-filed applications. Signup in the ACRE option is also available through August 14, 2009. FSA computes DCP Program payments using base acres and payment yields established for each farm. Eligible producers receive direct payments at rates established by statute regardless of market prices. For 2009, you may request to receive advance direct payments based on 22 percent of the direct payment for each commodity associated with the farm. Counter-cyclical payment rates vary depending on market prices and are issued only when the effective price for a commodity is statutorily set below its target price.

The electronic DCP (or eDCP) service will save you time, reduce paperwork and speed up contract processing at FSA offices. It is available to anyone eligible to participate in the DCP Program. To access this on-line service, you must have an active USDA eAuthentication Level 2 account, which requires filling out an online registration form at <http://www.eauth.egov.usda.gov> followed by a visit to the local USDA Service Center for identity verification.

## Acreage Reporting Deadline

Because of extreme weather conditions many producers have not filed a 2009 acreage report. Producers may also need to request prevented planting or reported failed acreage. Where the crop year 2009 crop acreage deadlines have not passed for 2009, the final crop reporting dates are extended to Aug. 14, 2009.

Producers enrolled NAP are required to file an acreage report by the extended acreage reporting date but no later than 15 calendar days before the onset of harvest if that is earlier than the extended acreage reporting date.

**Acreage reports filed after Aug. 14, 2009, will require a late filed fee.**

## Livestock Indemnity Program for 1-1-2008 →10-1-2011

LIP is an ongoing program to compensate producers for Livestock death losses in excess of normal mortality due to adverse weather. There are no Disaster designations & no insurance requirements to be eligible for LIP – payments will be based on a producer's eligible loss due to adverse weather conditions which include lightning, ice storms, flooding, wildfire, blizzard, tornado, extreme heat or cold etc documented by the FSA county committee. The signup period for 2008 losses and 09 losses Jan through 9-12-09 ends **Sep 13, 2009.** From Sept 13 after there is no signup period as such – producers will need to file a notice of loss within 30 days of when a loss is apparent. Payment rates per head will be 75% of the market value of livestock, by kind, type & weight range, to be determined by CCC.

When a producer's first LIP application is filed for a calendar year a beginning livestock inventory will be required. Producers need to report all losses including normal mortality losses. Proof of death is required through verifiable records such as Veterinary records, insurance documents or tax assessor records. If these are not available then records such as bank records, vaccination or branding records may be used if accompanied by a verifiable record showing beginning and ending inventories. If the producer certifies in writing the above records are not available and lists the physical location of animals at time of death for FSA verification and provides some documentation of number of livestock in inventory at time of death then a third party certification may be used by someone not affiliated with the operation who witnesses the death or disposition.

Following are the National normal mortality rates – Missouri's will be announced soon and should be very similar; Beef & Dairy; non-adult -5%, adult -1.5%, rams/ewes -4%, lambs -10.7%, rates for other livestock are also available. Any eligible losses you had above these rates should qualify for payment per above rules.

Date of Livestock Death	Final Date to File a Notice of Loss	Final Date to Submit an Application
Calendar Year 2008	Sept. 13, 2009	Sept. 13, 2009
Jan. 1, 2009 to July 12, 2009	Sept. 13, 2009	Jan. 30, 2010
July 13, 2009 to Dec. 31, 2009	30 days after death is apparent	Jan. 30, 2010

## Successor in Interest

Many FSA programs will allow payments to be made to heirs or successors when a program participant passes away. Additionally, contracts in programs such as CRP must be revised to reflect the successor(s) to a deceased participant's interest.

In the event of an FSA program participant's death, it is important that FSA be notified. Entities and joint operations that participate in FSA programs also need to notify FSA if a shareholder or member passes away. FSA benefits are reported to IRS and maintaining current, accurate records about participants is vital to ensuring that those payments are reported correctly.

## Foreign Landowner Notification

The Agricultural Foreign Investment Disclosure Act (AFIDA) requires all foreign owners of U.S. agricultural land to report their holdings to the Secretary of Agriculture. The Farm Service Agency administers this program for USDA.

Foreign persons who have purchased or sold agricultural land in the county are required to report the transaction to FSA with 90 days of the closing. Failure to submit the AFIDA form could result in civil penalties of up to 25 percent of the fair market value of the property. County government offices, real estate agents, attorneys and others involved in real estate transactions are reminded to notify foreign investors of these reporting requirements.

## Compliance Spot Checks

Compliance spot checks will be conducted on 2009 crops. Instead of locally selecting farms, contracts, deficiency loans, etc. for review, a nationwide selection of producers is employed. Spot check selections are to be conducted based on a producer's participation in Conservation Reserve Program, Direct and Counter-cyclical Program, Loan Deficiency Program, etc.

State and County Offices shall view and print their producer spot check lists according to posted instructions. If an entity is selected from the national database that is no longer farming or participating in the 2009 crop year, a notation shall be made on the spot check list.

For more information about the spot check selection procedure, feel free to contact your local Farm Service Agency office for additional clarification.

## Special Accommodations

Special accommodations will be made upon request for individuals with disabilities, vision impairment or hearing impairment. If accommodations are required, individuals should contact the county FSA office directly or by phone.

## Spousal Signature

A husband and wife may sign documents on behalf of each other for FSA and Commodity Credit Corporation programs in which either has an interest. This option is automatically available unless a written request for exclusion is made to the County Office from either spouse. Exceptions include: claim settlements and lien filings.

## Changes in Payment Limitations

The payment limitation provisions over the last 39 years have been expanded to more programs. Some of the changes in this area are listed below.

### New forms for 2009 and subsequent years

Anyone that plans to participate in 2009 programs is required to submit a completed CCC-902, CCC-926, and CCC-901, if applicable, for payment eligibility and payment limitation purposes. The form used prior to 2009 was named CCC-502.

### Another change for 2009, all must make a contribution in an entity

All partners, stockholders, or members with an ownership interest in the legal entity must make a contribution, whether compensated or **not** compensated, for active--\*

- personal labor,
- personal management,
- or a combination of active personal labor and active personal management to the farming operation;

\*Note: there are exceptions for spouses.

1/ Under ACRE, this amount will be a combined limitation for counter-cyclical and ACRE payments. If a

person or legal entity has a direct or indirect interest in payments earned on a farm participating in

ACRE, this limitation will reflect an increase for the amount that direct payments are reduced.

2/ If the person or legal entity has a direct or indirect interest in payments earned on a farm that is in ACRE,

this limitation will reflect a 20 percent reduction in direct payments on each farm that is participating in ACRE.

## Banking Changes?

Almost all Farm Service Agency payments are made electronically using Direct Deposit. This innovation has cut down on the number of missing and late payments and reduced the time required to move funds. It has been calculated that having a problem with a payment is 20 times greater with checks than with Direct Deposit. Another benefit is that Direct Deposit to your account can be made within 48 hours.

To keep the system running smoothly, it's critical to keep the county office staff up to date on changes you might make in your financial institutions.

If you have changed accounts or institutions that might affect the direct deposit of your FSA payments,

contact the FSA county office so we can update our files to insure continued uninterrupted service.

## Sodbusting

The term "sodbusting" is used to identify the plowing up of erosion-prone grasslands for use as cropland. Sodbuster violations are unauthorized tillage practices on highly erodible lands that converted native vegetation such as rangeland or woodland, to crop production after Dec. 23, 1985.

Farmers and ranchers should be aware that if they use highly erodible land for crop production without proper conservation measures, they risk losing eligibility to participate in Farm Service Agency programs.

Before producers clear, plow or otherwise prepare areas not presently under crop production for planting, they are required to file an AD-1026, indicating the area to be brought into production.

If Natural Resources Conservation Service indicates on a CPA-026 that the area will be highly erodible land, the producer will be required to develop and implement a conservation plan on the affected acreage, before bringing land into production.

In addition, producers and the producer's affiliates have to file an AD-1026 with the staff in the administrative or control county office before any farm program payments can be made. The AD-1026 is the producer's signed certification that HELC, as well as wetland conservation, provisions will not be violated.

## Change in Farming Operation

Update signature authorization when changes in the operation occur. Producers are reminded to contact the office of a change in operations on a farm so that records can be kept current and accurate.

## Controlled Substance

Any person who is convicted under federal or state law of a controlled substance violation could be ineligible for USDA payments or benefits. Violations include planting, harvesting or growing a prohibited plant. Prohibited plants include marijuana, opium poppies and other drug producing plants.

## Highly Erodible Land and Wetland Conservation Compliance

Landowners and operators are reminded that in order to receive payments from USDA, compliance with Highly Erodible Land (HEL) and Wetland Conservation (WC) provisions are required. Farmers with HEL determined soils are reminded of tillage, crop residue, and rotation requirements as specified per their conservation plan. Contact should be made to the USDA Service Center prior to conduction land clearing or drainage projects to insure compliance, which is recorded on form AD-1026 or AO-1026U

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### Darrel's Notes

Committee nominations are now open for Camden County and elections will be held this fall. All producers are encouraged to participate.

Sign up for DCP (the grain base program) and crop reporting are progressing at a slower pace than most years. Don't miss the August 14 deadline. This is a much later deadline than most years. Report as soon as you plant is a good idea.

Conservation Reserve Program has a continuous signup for practices such as wildlife or forest buffers along waterways. The land has to be in crops or pasture now in order to be eligible for this program. There are incentives and annual rental payments available. Livestock must be excluded. Call for details if your interested.

I will be completing spot checks on conservation practices, that received cost share and are still under the maintenance requirement, within the next few weeks. If you are selected, I will need to visit your farm and see the practice that received cost share.

Dates to Remember	
August 14	ACRE sign-up deadline
August 14	DCP sign-up deadline
Continues	Continuous Conservation Reserve program

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