

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

Acreage and Compliance Determinations
2-CP (Revision 15)

Amendment 65

Approved by: Deputy Administrator, Farm Programs



Amendment Transmittal

A Reason for Amendment

Paragraph 22.5 has been added to provide policy for correcting FSA-578 when incorrect information is entered on FSA-578 by a FSA representative.

Subparagraph 23 B has been amended to remove the exclusion for acreage that COC determines was not planted with the intent for harvest, including acreage that is planted as a cover crop and not harvested, hayed, or grazed.

Paragraph 25 has been amended to clarify policy when COC recommends and STC approves **any** specific crop combinations, to be reported on FSA-578, as double-cropping.

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--22.5 FSA-578 Corrections*A Correcting FSA-578 Information When Incorrect Information Was Entered by a FSA Representative**

If the producer provided the correct information and a FSA representative entered incorrect information on FSA-578, even though it was signed by the producer, the information may be corrected at any time if the information can be verified to COC's satisfaction. Producer is **not** required to sign the corrected FSA-578.

COC minutes must be documented to identify the following:

- specific data to be corrected on FSA-578
- crop year the error occurred
- documentation used to verify the information
- error was committed by a FSA representative
- date the error was discovered.

This information shall be available upon request by DAFP. Accepting a corrected FSA-578 does **not** guarantee program eligibility.

B Spot Checks

Corrected FSA-578's shall be subject to the same compliance spot checks as other FSA-578's.

The corrected FSA-578 will not nullify the results of a spot check, if the results of the spot check have been provided to the producer.--*

--23 Planted Acreage for Program Purposes*A Planted Acreage**

Planted acreage includes the following:

- **corn** includes field corn in all stages of growth, including sterile high sugar field corn and hybrid seed corn

Note: Planted acreage of corn does not include popcorn, sweet corn, Zea Mays Amylacea (blue corn), cuzco gigantea (corn nuts), regardless of use, and any other corn varieties grown for decorative uses. However, acreage planted to popcorn in 1998 to 2001 is considered planted to corn for DCP base acres purposes.

- **grain sorghum**, acreage of grain or dual purpose variety, including crosses having grain or dual purpose variety characteristics during all stages of growth, and acreages of millage
- **ELS cotton**, including stub cotton, which is cotton acreage meeting all of the following conditions:
 - American-Pima, Sea Island, Sealand, all other varieties of the Barbandense species of cotton and any hybrid thereof, and any other variety of cotton in which 1 or more of these varieties is predominant
 - the acreage is grown in a county designated as an ELS county by the Secretary
 - the production from the acreage is ginned on a roller-type gin

Note: ELS cotton that does not meet these criteria is considered other cotton.

- **upland cotton**, including stub cotton, which is produced from other than pure strains of the Barbandense species, any hybrid thereof, or any other variety of cotton in which 1 or more of these varieties predominate, including colored lint--*

23 Planted Acreage for Program Purposes (Continued)**A Planted Acreage (Continued)**

- **rice**, including volunteer rice harvested
- **barley, oats, and wheat**, if the crop could have been harvested as grain, regardless of whether the crop is actually harvested as grain.

Note: This includes the following:

- planted and volunteered acreage not capable of reaching the hard dough stage solely because of a disaster, if CCC-576 was filed and approved by COC
- malting barley.

B Excluded From Planted Acreage

For any crop, planted acreage does not include acreages:

- of the crop that fails or are destroyed and that could have been replanted by the ending planting date set for the commodity but were not replanted
- of planted or volunteered small grain that COC determines was planted or volunteered so late that it would not reach the hard dough stage or is not economically feasible to be harvested because of yield
- of black or red rice.

* * *

24.5 Failed Acreage (Continued)

C Requesting Failed Acreage Credit

To be approved as failed acreage, the acreage must have been reported as failed acreage before the disposition of the crop; and the acreage must have been planted under normal conditions but failed as the result of a natural disaster and not a management decision.

- *--Exception:** For insured crops, acreage must have been reported as failed acreage before the final crop reporting date according to Exhibit 6 and the producer must provide the County Office crop insurance data to support the data reported on FSA-578.--*

D Verifying Failed Acreage

Verify failed acreage by 1 of the following methods:

- crop insurance data if the data supports FSA-578
- COC knowledge

Example: If COC has knowledge that an area is affected by a natural disaster, COC can approve the acreage without performing a field visit.

- field visit.

E Approving Failed Acreage

COC must make a determination of eligibility on each request for failed acreage credit filed by a producer. If COC is not satisfied with the supporting documentation provided, the request shall be denied.

F Recording Failed Acreage

Producers with claimed failed acreage shall report acreage on FSA-578. The acreage shall be recorded in the acreage reporting software as reported with a status code of "F" for failed. Determined acreage for the failed crop shall only be entered in the acreage reporting software if the crop is selected as a spot check through the AFIS software.

24.5 Failed Acreage (Continued)

G Reporting the Replanting of Failed Acreage

If the initial crop fails and the producer replants the same crop on the same land, the crop shall only be reported once. The crop shall be considered a replacement crop, **not** a subsequent or double-crop. County Offices may notate on FSA-578 that the crop was replanted.

Example 1: Producer replants failed crop of corn and has **not** reported the first planting of the crop on FSA-578.

Failed crops that are replanted to the same crop and no acreage report has been filed, shall report the acreage only once, with planting date as the date the crop was replanted. Treat the second planting of the same crop as the first planting of the crop.

Example 2: Producer planted corn, the acreage failed, and the producer filed an acreage report with a status code of “F” (failed) and CCC-576.

If the producer notifies the County Office that the acreage has been replanted to the same crop, the acreage report shall be revised to remove the “F” (failed) and change the date to reflect the date of the second planting of the same crop. Treat the second planting of the same crop as the first planting of the crop.

Note: Producers who report the first crop as failed and replant the acreage to the same crop without revising their acreage report to reflect that the acreage was replanted may **not** be eligible for LDP’s or price support loans on the acreage because the acreage report will reflect that there will be no production of the crop.

25 Double-Cropping

A Definition of Double-Cropping

Approved double-cropping occurs when * * * the following is met:

- the specific combination of crops recommended by COC is approved by STC
- *--the 2 specific crops can be planted mature and be harvested on the same acreage within a crop year under normal growing conditions.--*

25 Double-Cropping (Continued)

A Definition of Double-Cropping (Continued)

One or both of the crops could have been prevented from planting and/or failed as long as both of the crops had reasonable expectations and realistic possibilities of reaching maturity and being harvested within the same crop year under normal growing conditions.

***--Notes:** See 1-DCP, paragraph 472 for definition of double-cropping FAV's or wild rice with covered commodities, peanuts, grain, or lint.

Previous to 2012, COC-approved double-cropping combination lists shall **not** be altered.

B Establishing Double-Cropping Crops

COC shall submit to STC recommendations of specific combinations of crops that can annually meet the approved definition of double-cropping. This applies to **all** combinations that are requested to be reported on FSA-578 as double-cropped.--*

COC supporting documentation shall include the following:

- length of growing season and moisture requirements required to produce the recommended crops
- documentation of rainfall amounts normally received in the county during the growing season for each crop
- irrigation requirements, if any
- established final planting date for each crop according to subparagraph 16 A
- COC-established normal harvest date for each crop.

The normal harvest dates and final planting dates are established based on normal growing single cropping conditions.

***--Notes:** See 1-DCP, paragraph 472 for the definition of double-cropping FAV's or wild rice with covered commodities or peanuts.

The inclusion of a county on the list in 7 CFR 1412 does not mean that every double-cropping combination in that county is automatically approved. Counties on the list in 7 CFR 1412 are listed **only** for the purpose of using the double-cropped FAV exception. See 1-DCP (Rev. 3), paragraph 472.--*

25 Double-Cropping (Continued)

C COC Action

*--COC shall annually submit any changes or additions in double-cropping practices to STC for approval.

D STC Action

STC shall review annually and approve or disapprove COC-recommended changes or additions to specific combinations of crops based on the data submitted by COC.--*

STC shall **not** approve any of the following:

- any specific combination of crops that were disapproved as a multiple-cropping practice under a particular program without first obtaining concurrence of DAFP--*
- a combination comprised of plantings of the same crop
- any specific combination of crops if both crops cannot be planted, taken to maturity, and harvested * * * , as applicable, on the same acreage within the same crop year under normal growing conditions.

Note: A second planting of the same crop on the same acreage in the same crop year *--shall be considered a repeat planting, not double-cropping.

E County Office Action

County Offices shall:

- annually publicize approved double-cropping combinations by all available means
- ensure applicable status codes are recorded on FSA-578 according to Exhibit 11.

Note: Status codes are based on specific crop combination approved, regardless of the intended or actual use of the crop.--*

F Exception

There may be some cases where a producer has a verifiable record of double-cropping a specific combination of crops that were either of the following:

- not recommended by COC
- not approved by STC.

25 Double-Cropping (Continued)

F Exception (Continued)

At the request of the producer, those cases shall be reviewed by STC on a case-by-case basis. STC may approve the specific combination of crops for that particular producer only if the following requirements are met:

- producer provides verifiable and documentable proof that the specific crops have been successfully planted and harvested on the same acreage in the same crop year in at least 2 of the previous 4 crop years
- for crops requiring irrigation, evidence must be provided to show that the specific crops planted and harvested were irrigated.

This exception does not apply nor shall STC approve any combination of crops for a specific producer if any of the following are met:

- 1 or both of the crops were prevented from being planted or failed
- 1 or both of the crops require irrigation and no verifiable evidence of irrigation is provided
- 1 or both of the crops were not taken to maturity and harvested * * *, as applicable.

26-38 (Reserved)

