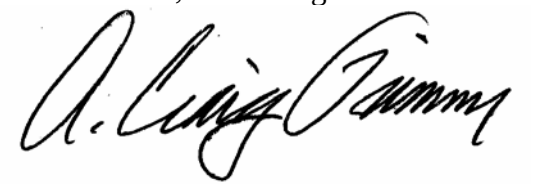
UNITED STATES DEPARTMENT OF AGRICULTURE
Farm Service Agency
Washington, DC 20250

Crop Disaster Program 5-DAP (Revision 2)	Amendment 7

Approved by: Acting Deputy Administrator, Farm Programs



Amendment Transmittal

A Reasons for Amendment

Subparagraph 2 B has been amended to include the revised statutory authority for the entire 2007 crop year.

Subparagraphs 3 F, 7 A, 71 B and D have been amended to remove information limiting 2007 program benefits to those crops planted or prevented by February 28, 2007, because additional funding has been made available for the remaining 2007 crop year.

Subparagraph 4 E has been amended to clarify second party reviews.

Subparagraph 10 B has been amended to clarify acceptable documentation in the absence of a written lease, and COC's role when a third party had control of the acreage.

Subparagraph 11 B has been amended to provide that FSA-770 CDP's must be completed before payments can be issued.

Paragraph 56 has been amended to clarify the deadline for providing production evidence for NAP-covered approved yields.

Subparagraph 70 B has been removed to eliminate the 2007 acreage exception because funding has been provided for the entire 2007 crop year.

Subparagraph 71 A has been amended to:

- provide that a referral to RMA shall be initiated using AD-2007
- clarify the 2-CP drought monitor reference.

Subparagraph 72 A has been amended to clarify the requirement for FSA-840M for insured or eligible producers with a valid ownership share interest in the designated crop acreage.

Subparagraph 72 D has been amended to reflect that late-filed FSA-578's shall not be accepted for history purposes after crop year 2007.

A Reasons for Amendment (Continued)

Paragraph 130 has been amended to clarify that history yield is used for assigned production not crop table yield.

Paragraph 253 has been amended to clarify that insured and eligible producers with a share in any eligible crop must designate the crop on FSA-840M.

Subparagraph 254 B has been amended to provide an example of the revised FSA-841.

Note: The instructions for completing the revised FSA-841 were provided in a previous amendment; however, the revised version of the form was mistakenly not released.

Exhibit 7 has been amended to correct some pay types for insurable tomatoes.

Exhibit 8 has been amended to remove spring wheat types from the nationwide price list for 2007.

Page Control Chart		
TC	**Text**	**Exhibit**
	1-1 through 1-4 1-11, 1-12 1-15, 1-16 1-25, 1-26 1-29, 1-30 3-9, 3-10 3-11 4-1 through 4-8 6-1, 6-2 6-5, 6-6 10-87 through 10-92 10-95, 10-96 11-1, 11-2	1, pages 1, 2 2, pages 5, 6 7, pages 85, 86 8, pages 1, 2

Part 1 Introduction to CDP

1 Handbook Purpose and Coverage

A Handbook Purpose

This handbook provides procedure for CDP implemented by DAFP, through PECD.

B Related Handbooks

The following handbooks relate to this handbook.

IF the material concerns...	THEN see...
referring possible fraud cases to OIG	9-AO.
appeals	1-APP.
signatures, power of attorney, name and address, controlled substance, deceased individuals, or closed estates	1-CM.
HELC/WC	6-CP.
requests for relief and finality rule provisions	7-CP.
issuing CCC-184's and EFT	1-FI.
accounting interface	6-FI.
bankruptcy flags, claims, and withholdings	58-FI.
prompt payment interest	61-FI.
assignments and joint payees	63-FI.
establishing and reporting debts in CRS	67-FI.
providing public information	2-INFO.
value loss and specialty crops	1-NAP.
AGI/payment limitation and person determinations	1-PL.
eligibility flags and payment limitation allocations	2-PL.
recording determinations and CCC-770 Eligibility's	3-PL.
referring FSA/RMA discrepancies and/or potential abuse cases to RCO on AD-2007	4-RM.

2 Authority

A Statutory Authority

The U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability
--Appropriations Act, 2007 (Pub. L. 110-28), signed May 25, 2007, as amended by the Department of State, Foreign Operations and Related Program Appropriations Act, 2008, signed December 26, 2007, authorizes the Secretary to provide disaster assistance to-- producers who suffered crop losses because of adverse weather conditions in 2005, 2006, and 2007.

B Regulatory Authority

Regulations for 2005-2007 CDP are provided in 7 CFR Part 760.

2 Authority (Continued)

C Limitations

To the extent that more than 1 particular handbook provision appears to apply, the provisions that are the most restrictive on benefits or eligibility apply.

This handbook constitutes FSA's internal operating guidelines issued by the Deputy Administrator for carrying out the provisions of regulations. Handbook provisions are considered interpretive of regulations. Whenever an unintended conflict appears to exist between any handbook provision and the pertinent applicable Federal regulations, regulations apply.

3 General Information

A CDP Assistance

Assistance under CDP is available for NAP-covered or insured crop losses on:

- prevented planted acreage
- reduced production of planted acreage
- reduced quality on certain crops
- value loss crops, including nursery and aquaculture.

Eligible applicants may receive CDP benefits in addition to:

- payments received under NAP
- crop insurance indemnities received under the Federal Crop Insurance Act
- emergency loans made available under subtitle C of the Consolidated Farm and Rural Development Act. However, the amount a producer is eligible to receive under an emergency loan application will be reduced by the benefits received under CDP.

Eligible applicants may not receive, for the same loss, both CDP benefits and benefits under:

- 2005 HIP as announced by the Secretary on January 26, 2006, using Section 32 authority
- 2005 HDP's authorized under the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Pub. L. 109-234).

3 General Information (Continued)

A CDP Assistance (Continued)

Participants may maintain benefits received under HIP or 2005 HDP if they select a different year in which to receive a CDP payment.

Example: Jane Jones received a 2005 HDP payment for citrus losses in 2005. Jane also suffered losses because of a natural disaster on her 2006 citrus crop. Jane submits a separate FSA-840 application for both 2005 and 2006 citrus losses. Jane can maintain the benefits received under 2005 HDP and also receive benefits under 2006 CDP.

Note: Had Jane elected 2005 CDP, the 2005 HDP payment would have been reduced from the 2005 CDP payment because it would have been for the same loss.

It is up to the participant to elect the program or programs the participant deems is not beneficial. FSA has no obligation of advising a participant what election may be most beneficial.

B Signup Period

Applications shall be filed in the applicant's administrative County Office for 2005-2007 CDP beginning October 15, 2007.

Notes: An ending date for this signup has not yet been determined.

A CDP RMA report may contain participants who suffered a loss in the county, but whose farm records are administered in an adjacent county. If the participant applies for disaster benefits in the administrative County Office, the County Office where the land is physically located must send a copy of the report pertaining to the participant to the County Office that administers the farm where the loss occurred.

When the participant applies for benefits in the administrative County Office, that County Office must manually add the participant's CDP RMA data.

3 General Information (Continued)

C Loss Threshold

Quantity - Participants are eligible for disaster benefits when a qualifying loss exceeds 35 percent of the expected production for the crop on the unit. Note that some crops on the RMA download may have production adjusted or factored because of quality and will be included in determining eligible quantity losses.

Quality - Participants are eligible for disaster benefits if a qualifying quality loss is equal to or greater than 25 percent.

Note: For applications with losses not meeting the established thresholds, see subparagraph 240 B.

D Funding

2005-2007 CDP is fully funded. Approved applications will not be subject to a national payment factor.

E FSA-570 Not Applicable

Payments for CDP apply without regard to FSA-570 on file in the County Office. FSA-570 does not apply to payments under CDP.

F Year of Loss

Participants have the option to receive disaster benefits for only 1 crop year (either 2005, *--2006, or 2007). The producer may elect only 1 year (2005, 2006, or 2007) in an administrative county for all units. The crop year for specific commodities is defined by--* RMA or NAP.

G Prompt Payment Interest

The Prompt Payment Act provisions shall be applicable to CDP according to 61-FI, with the exception that interest shall apply to payments issued more than 60 calendar days after all of the following have been completed.

- The participant signs and completes the program application along with all required forms, including those listed in subparagraph 240 A.

- All documentation required from the participant has been submitted, such as production records, sales receipts, crop appraisals, quality tests, etc.

4 Responsibilities (Continued)

E CED Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 760, CED's shall:

- fully comply with all 2005-2007 CDP provisions
- ensure that County Office employees fully comply with all 2005-2007 CDP provisions

  Note: CED's may delegate approval authority to program technicians for approval on routine cases, but program technicians shall not disapprove applications.

- handle appeals according to 1-APP and 7 CFR Parts 780 and 11
- ensure that modifications to data provided by the applicant are not made unless the applicant initials and dates the modification
- ***--**ensure that a second party review on FSA-472 has been conducted before approval or disapproval of an application, according to subparagraph 276 B**--***
- ensure that producers receive complete and accurate program information
- immediately notify SED, through DD, of software problems and incomplete or incorrect procedures
- ensure that general provisions and other important items are publicized according to paragraph 6
- ensure that RMA-downloaded information for land administered in another county is sent to the applicable county.

F Program Technician Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 760, program technicians shall:

- fully comply with all 2005-2007 CDP provisions
- immediately notify CED of software problems and incomplete or incorrect procedures
- ensure that producers receive complete and accurate program information.

5 COC Delegation of Authority

A COC Responsibilities

COC is responsible for acting on all CDP applications. This authority cannot be delegated beyond routine determinations, as provided in subparagraph C.

B COC Responsibilities That Shall Not Be Delegated

Under no circumstances shall COC delegate responsibility to CED or County Office for determinations involving any of the following:

- assigning production
- reducing yields
- AGI in situations where certifications are questionable

  Note: See paragraph 31.

- assigning production to quality loss levels, if applicable
- ineligible loss conditions
- maximum loss level for the county or area
- normal marketing percentages for crops with multiple markets
- county average quality adjustment factors
- applying adjusted unharvested factors.

Note: COC employees making what could be interpreted to be adverse decisions not mentioned herein must provide a right of appeal to COC only according to 1-APP. See paragraph 37.

6 Outreach (Continued)

C County Office Responsibilities (Continued)

County Offices shall maintain a list of civic, agri-business, and special interest organizations functioning at the county level for reference in disseminating disaster program information. County lists should include a minimum of the following:

- farmer or rural organizations, such as Ruritan Clubs, FFA, etc.
- minority churches and ministers
- minority organizations and coalitions, such as NAACP, etc.
- county minority and ethnic newspapers and radio stations
- women's groups
- adult farm management educators, such as CSREES and agri-businesses, especially if minority-owned.

D Notifications

State and County Offices shall use the lists in subparagraphs B and C to assist in ensuring that information is disseminated to all producers. Program information must be publicized by mailings; meetings shall be held when possible and where feasible. When preparing to speak to minority groups, consider a location accessible and preferable for the group.

State and County Offices shall ensure that minority members and advisers are:

- fully informed on disaster program matters
- fully used for input of minority needs and contacts
- requested to speak to minority groups or to accompany CED, DD, or other officials when speaking to minority groups.

6 Outreach (Continued)

E Documentation

Extensive documentation of outreach efforts is required. STC shall document specific guidance given to County Offices and efforts made at the State level concerning outreach activity.

COC shall document efforts made at the county level whether performed singularly or in conjunction by the County Office with the minority adviser, DD, or State Outreach Coordinator.

A copy of all letters, notices, news articles, radio programs, county or ethnic group meetings and attendance data, notifications of minority advisers, etc., about outreach activity shall be filed in the Primary program file. For instance, DAP for Disaster Assistance Programs.

Documentation by COC or STC must include whether the effort is considered a minority or under-served/under-represented contact, and also be included in the program file.

7 Eligibility

A Eligible Commodities

Eligible commodities are those crops, types, intended uses, and practices:

- eligible for NAP according to 1-NAP for which coverage was purchased for the year of loss

- for which federal crop insurance is available and insurance was purchased for the year of loss.

Eligible crops are those that are planted or prevented from being planted with the intent of harvest. The crop could have been planted at anytime but must be for harvest during the crop year.

*** * ***

10 Eligible Producers (Continued)

B Verifying Producer Eligibility

COC shall take whatever action is necessary to ensure that payments are proper and are for producers suffering the claimed loss of the crop. The producer must be able to show, with verifiable evidence, that the producer had a valid ownership share interest in the commodity produced and control of the crop acreage on which the commodity was grown at the time of the disaster, which is the basis for the application for payment. One of the following shall be obtained as determined by COC:

- copies of signed written leases
- copies of signed rental agreements
- copies of other legal documents showing land ownership or control
- statement signed by landowner that producer had control of the acreage
- statement signed by operator or producer that producer had control of the acreage on a farm.

--Note:** FSA-578, producer print, or RMA documentation which includes the RMA download or crop insurance physical documents (loss adjustment settlement sheets, certified appraisal by LA) will suffice. Neither CCC-509 nor CCC-502 is acceptable as verifiable evidence.**--

Exception: For Federal- and State-owned leased forage only copies of signed written leases, rental agreements, or other legal documents may be considered.

Leases, rental agreements, and any other written statements documenting verbal agreements shall be reviewed on a case-by-case basis. The review must determine the amount of interest and risk in the production for the lessor and lessee. Apply the specific case circumstances to the determination of eligible producer.

10 Eligible Producers (Continued)

B Verifying Producer Eligibility (Continued)

When reviewing case circumstances, evaluate what lease or rental arrangement existed between parties before the natural disaster. The lease or rental arrangement existing before the date of disaster shall be used to determine eligible producer. Any negotiation, agreement, or performance of parties to a rental or lease arrangement after date of disaster shall have no bearing on the question of eligible producer.

Applicants certifying to having a valid claim to a share of CDP payment are subject to spot check. If agreements or contracts are discovered that show a grower did not have a valid claim to a share of a crop for which CDP assistance was claimed, the CDP payment must be refunded.

Payment shall be denied if COC is not satisfied that payments claimed by producers are proper.

Note: The eligible producer requirements shall not be deemed to have been met merely because a participant had obtained either NAP or insurance coverage. The CDP participant must have had a valid ownership share interest in the commodity as specified in this paragraph and 7 CFR 760.807.

C Deceased Producers and Dissolved Entities

Authority to sign contracts, applications, and other documents on behalf of deceased producers may vary according to State law. If an eligible producer is now deceased or a dissolved entity, then an authorized representative of the deceased producer or dissolved entity may sign the applicable disaster program form, provided that the authorized representative has authority to enter into a contract for the deceased producer or dissolved entity.

Important: Proof of authority to sign for the eligible deceased producer or dissolved entity must be on file in the County Office before the representative is allowed to sign an application requesting disaster benefits for the producer. Proof of authority includes any of the following:

- court order
- letter from Secretary of State
- document approved by OGC Regional Attorney.

11 FSA-770 CDP

A Introduction

The Improper Payments Information Act of 2002 requires Federal agencies to evaluate programs to determine if internal controls are sufficient to prevent improper payments. FSA-770 CDP was developed to address areas of concern to ensure that 2005, 2006, and 2007 CDP payments are issued properly.

B FSA-770 CDP Applicability

FSA-770 CDP:

- is applicable to administering 2005, 2006, and 2007 CDP
- shall be used when FSA-840 has been filed by the producer
- is producer specific
- is mandatory
- ***--**is required to be completed before payment for each of the first five FSA-840's**--*** processed by each FSA employee in a Service Center

  Note: All units and pay groups must have a corresponding FSA-770 CDP for each FSA-840 filed.

- does **not** negate STC, SED, State Office, DD, COC, CED, or County Office responsibility for administering **all** provisions applicable to 2005, 2006, and 2007 CDP.

Reminder: County Offices shall ensure that eligibility has been updated according to CCC-770 Eligibility **before** payments are issued to applicable producers.

C Maintaining FSA-770 CDP

FSA-770 CDP:

- is applicable for each of the first five FSA-840's processed by each FSA employee in a Service Center

  Note: All units and pay groups must have a corresponding FSA-770 CDP for each FSA-840 filed.

- has been designed to enable County Offices to update FSA-770 CDP as actions are taken
- shall be filed in the applicable producer's 2005, 2006, or 2007 CDP folder.

11 FSA-770 CDP (Continued)

D Retention Period

All FSA-770 CDP's shall be retained in the producer's 2005, 2006, or 2007 CDP folder with *--FSA-840 according to 25-AS, Exhibit 27.7. If a new FSA-770 CDP is initiated, the--* original FSA-770 CDP shall be retained, along with the newly initiated FSA-770 CDP.

FSA-770 CDP's shall be destroyed when FSA-840 is destroyed.

E County Office Action

Each County Office employee shall complete FSA-770 CDP's for:

- *--each of the first five FSA-840's processed for CDP at the beginning of each application period

  Note: All units and pay groups must have a corresponding FSA-770 CDP for each FSA-840 filed.--*

- all FSA employees participating in a program, including STC's and COC's.

The County Office employee that completes each item on FSA-770 CDP:

- is certifying that the applicable program provisions have, or have **not**, been met
- shall refer to the applicable handbook provisions, as specified, for additional information
- shall place their initials in the "Initials" column
- shall enter the date the item was reviewed in the "Date Completed" column.

Note: As an alternative, County Offices may choose to review all items **after** COC approval, if applicable; however, each item **must** be initialed and dated verifying that each item has been reviewed.

55 Units (Continued)

B Defining Units for NAP-Covered Crops

Basic units must be established for NAP-covered crops if not previously established. A basic unit is all acreage of the eligible crop, in the administrative county, for the crop year, under either of the following criteria:

- the person has 100 percent crop share
- acreage is owned by 1 person and operated by another person on a share basis.

Note: A crop shared with each different landlord, tenant, or sharecropper is a separate basic unit. Reversed roles do qualify for separate basic units. Varying percentages of shares within a basic unit do not qualify for separate basic units.

Land rented for cash, a fixed commodity payment, or any consideration other than a share in the crop on the land will be considered as owned by the lessee.

No other units are permitted.

Example: If, in addition to the land the person owns, the person rents land from 5 different landlords, 3 on a crop-share basis and 2 on a cash basis, then 4 units will be established; 1 unit for each crop-share lease and 1 unit that includes the 2 cash leases and the land owned by the person.

Create units according to 1-NAP, paragraph 798.

56 Determination of Historic Yields

A Definition of Historic Yield

Historic yield for:

- insured crops is the higher of the crop's APH, or the county average yield
- NAP-covered crops with an approved NAP yield is the higher of the applicable crop year's approved NAP yield established according to 1-NAP or the county average yield.

*** * ***

--Note:** Production evidence for NAP-covered crops must be provided before the applicable crop year production reporting deadline.**--

County average yields will be downloaded to counties and cannot be changed or entered at the county level. APH yields for insured crops will be downloaded by ADC. Established approved yields for NAP crops must be loaded into the approved yield software for NAP. See subparagraph B for additional information on source of APH yields and county average yields.

56 Determination of Historic Yields (Continued)

B APH/Approved Yields Data Included in Software

Yields for all crops for which applications are filed must be included in the county disaster crop table before benefits can be calculated and application data uploaded. APH yields will be included in county software as follows.

- **APH yields for insured crops** will be downloaded from ADC based on RMA data. Producers are responsible for working with their Regional Office in situations where they disagree with the APH download.

- **APH yields for NAP-covered crops** will use the existing approved yields loaded into the system for NAP.

Producers who have never had an approved yield calculated for NAP purposes must have *--submitted production evidence before the applicable crop year production reporting deadline.--*

C Determining Yield – Multiple Counties

If a unit is located partly within 2 or more counties, the county average yield applicable to the unit is the one associated with the administrative county.

57-69 (Reserved)

Part 4 Eligible Acreage

70 Acreage Reports

A Determination of Acreage Other Than Prevented Planted Acreage

RMA will provide acreage for insured crops.

For NAP-covered crops, FSA-578's timely filed according to 2-CP, paragraph 16 or accepted as late-filed according to 2-CP, subparagraph 21 A shall be used.

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B Late-Filed Reports

Acceptable late-filed reports include those:

- filed according to 2-CP, subparagraph 21 A and signed no later than the established application deadline
- **listed on FSA-840**.

Note: Exceptions to nonphysical evidence as outlined in 2-CP, subparagraph 21 F do not apply to CDP.

C Late-Filed Reports for History Purposes

Late-filed acreage reports cannot be used to meet the prevented planting history requirements.

D Late-Filed Procedure

Late acreage reports shall be filed in the automated system according to 2-CP.

The late-filed reports cannot be used to satisfy eligibility requirements for other programs unless all late-filed provisions of 2-CP are met.

71 Prevented Planting Acreage

A Prevented Planting Eligibility

Eligible prevented planted acreage will be considered separately from planted acreage of the same crop when determining losses. However, with respect to the 95 percent cap, prevented planted acreage will **not** be considered separately from planted acreage of the same crop. The following requirements must be met to be eligible for prevented planting payments.

For insured crops:

- RMA data must show that the producer qualified for a prevented planting payment

  Note: Some insured crops did not have prevented planting as part of the crop insurance policy and, as a result, any claimed prevented planted acreage will not be eligible for CDP. Those crops may include, but are not limited to, the following:

  - peppers
  - sweet corn (fresh market)
  - tomatoes (fresh market)
  - tomatoes (processing).

- FSA will normally accept RMA's determination of eligibility; however, COC may deny the application if documented evidence exists which supports the lack of prevented

--**planting conditions; in these cases, a referral to RMA shall be initiated on AD-2007.**--

There may be situations where an RMA download exists; however, according to a previous COC determination, FSA denied the prevented planting claim. In these cases, COC shall not approve the prevented planting claim based on the RMA download, unless they receive concurrence from a State Office representative. State Office concurrence is not required in the following situations:

- ***--**2-CP provisions require a greater than D2 designation on the drought monitor to be**--*** eligible for prevented planting; however, the weather condition was **not** widespread to support a D2 designation; COC can accept the RMA information to support that the producer was prevented from planting the crop

- 2-CP provisions require claims for prevented planting to be filed timely; COC can accept the RMA download and approve prevented planting, if the **only** reason the producer was denied, for FSA purposes, was because the prevented planting claim was not being timely filed and other similarly situated producers were prevented from planting their crop.

For NAP-covered crops for:

- 2007, COC **must** determine the producer met prevented planting provisions according to 2-CP, paragraph 24

- 2005 and 2006, COC **must** determine the producer met the prevented planting provision according to 1-NAP, paragraph 25.

Note: History criteria found in 2-CP, subparagraph 24 K did not apply to NAP-covered crops until the 2007 crop year. For 2005 and 2006 NAP-covered crops, County Offices shall follow 1-NAP, paragraph 25 for determining eligible prevented planting acreage.

71 Prevented Planting Acreage (Continued)

B Eligible Prevented Planting Acreage

For insured crops, eligible prevented planting acreage is acreage of the crop for which RMA data indicates the producer received a prevented planting payment, unless COC has determined the acreage ineligible according to subparagraph A.

For NAP-covered crops, the number of acres approved for prevented planting within a unit shall be the acreage of the crop for which NAP data indicates the producer received a prevented planting payment.

*** * ***

C History on Former CRP Land

Land that was formerly in CRP during any of the 4 years previous to the disaster year may be used to meet the prevented planting history requirement. History credit is limited to the crop and acreage listed on CRP-15.

D Prevented Planting Acreage Not Covered

For NAP-covered crops, prevented planting coverage is not provided for any prevented planted acreage of the crop:

- that does not consist of at least 20 acres or 20 percent of the intended acreage in the unit, whichever is less
- that is used for conservation purposes or intended to be left unplanted under any USDA program
- if the producer or any other person received a prevented planting payment for any crop for the same acreage (excluding share arrangements)

71 Prevented Planting Acreage (Continued)

D Prevented Planting Acreage Not Covered (Continued)

- if any crop from which any benefit is derived under any program administered by USDA is planted and fails on the same acreage

  Exceptions: STC-approved crops established under the multiple cropping provisions in subparagraph 72 B.

  Repeat crops with approved multiple planting periods as defined in subparagraph 7 D.

- if any crop other than a cover crop was harvested, hayed, or grazed on the acreage before November 1 of that crop year

  Exceptions: STC-approved crops established under the multiple cropping provisions in subparagraph 72 B.

  Repeat crops with approved multiple planting periods as defined in subparagraph 7 D.

*** * ***

- that a cash lease payment is received for the use of the same acreage for the same crop year unless the lease was for haying and grazing rights only and was not a lease for use of the land

- for which planting history or conservation plans indicate that the acreage would have remained fallow for crop rotation purposes

- that exceeds the eligible prevented planted acres or number of acres physically available for planting

- for which the producer cannot provide proof that he or she had the inputs such as seed, chemical, and fertilizer available to plant and produce a crop with the expectation of at least producing a normal yield

- for an irrigated practice if adequate irrigation facilities were not in place to carry out an irrigated practice on the acreage before the eligible disaster condition that prevented the producer from planting the crop.

71 Prevented Planting Acreage (Continued)

E Multiple-Cropped Acreage

Prevented planting payments are not provided on acreage that had either a previous or subsequent crop planted on the acreage, **unless** the producer has a history of multiple cropping and the county is approved for multiple cropping according to paragraph 72 or the crop is a repeat crop meeting eligibility conditions in subparagraph 7 D.

F Crops Not Eligible for Prevented Planting

The following crops are **not** eligible for prevented planting benefits under CDP:

- aquaculture, including ornamental fish
- beans (fresh market): (Insured)
  - pole
  - wax
  - snap
- cabbage (following types): (Insured)
  - red
  - hybrid
- Christmas trees
- cultivated wild rice
- floriculture
- ginseng root and ginseng seed
- grape crops (including raisins)
- honey
- maple sap
- mint
- spearmint
- peppermint
- nursery
- perennial crops, such as:
  - blueberries
  - raspberries
  - strawberries
- perennial forage crops grown for hay, seed, or grazing
- sweet potatoes (Insured)
- tobacco
- trees - fruit and nut crops
- turfgrass sod
- vegetable for root stock or sets.

Note: Note when identified as “Insured”, prevented planting is **not** eligible under the insurance policy. For those counties where coverage is only offered under NAP, prevented planting provisions may apply.

72 Limitation on Payments for Multiple-Cropped Acreage

A Introduction

The statute limits the number of crops planted on the same acreage that can receive a CDP payment. Payments cannot be earned for losses on more than 1 crop on the same acreage unless there is an established practice on the farm of planting and harvesting 2 or more crops in the same crop year on the same acreage. This limitation applies to insured and NAP-covered crops.

--**For crops planted on acreage not designated as eligible multiple-cropped acreage, all insured or eligible producers having a valid ownership share interest in the acreage shall designate**-- the crop and sign FSA-840M for which assistance is requested, according to this paragraph.

B Eligible Multiple-Cropped Acreage

Both the following criteria must be met for more than 1 crop to be eligible for benefits when multiple crops are planted on the same acreage during the same crop year:

- the specific crops must be approved by STC as eligible multiple-cropping practices according to subparagraph C

- the farm containing the acreage that is planted to multiple crops must have a history of multiple cropping according to subparagraph D.

C Establishing Multiple-Cropping Practices

COC shall submit recommendations to STC using Exhibit 11 for 2005, 2006, or 2007 crops to be included as an established multiple-cropping practice. Recommendations shall be submitted as soon as COC is aware of a multiple-cropping situation. For the recommended crops, COC shall document in the COC minutes recommendation and certify that:

- the normal growing season is sufficient for the specific crops to be planted on the same acreage with reasonable expectations and realistic possibilities of reaching maturity and being harvested within the same crop year

- there is sufficient average rainfall in the county for the designated crops to be planted with reasonable expectation for harvest for the same crop year.

Note: Double-cropped practices established and approved by STC according to 2-CP, paragraph 25 and 1-DCP, shall automatically be considered an established multiple-cropping practice for CDP.

72 Limitation on Payments for Multiple-Cropped Acreage (Continued)

C Establishing Multiple-Cropping Practices (Continued)

The recommendation shall include the following:

- the length of the growing season required to carry each crop recommended for established multiple-cropping practice to maturity
- documentation of rainfall amounts needed during the growing season for the specific crops
- data to support rainfall amounts normally received in the county during the growing season for each crop
- irrigation requirements, if any
- the RMA- or COC-established final planting dates for the specific crops
- the COC-established normal harvest date for the specific crops.

Note: Include documentation from CSREES and other available sources.

If COC determines that the growing season is sufficient to produce multiple crops in 1 crop year but average rainfall is insufficient, COC may recommend that only acreage with full irrigation facilities available and in use on the specific acreage be determined eligible for a multiple-cropping practice.

Each recommendation for multiple-cropping practices must be acted on by DD and STC before COC can act on disaster applications covering multiple-cropped acreage.

Note: Double-cropped recommendations made by COC according to 2-CP, paragraph 25 and 1-DCP and subsequently approved by STC may be used for purposes of CDP. In these cases, the COC minutes shall reference the applicable minutes of the original determination.

72 Limitation on Payments for Multiple-Cropped Acreage (Continued)

D Farm History for Multiple-Cropped Acreage

The second criteria for eligibility of multiple-cropped acreage is that the farm containing the multiple-cropped acreage must have a past practice of planting multiple crops on the same acreage for harvest in the same crop year. To meet the farm history requirement:

- some acreage on the farm must have been planted to more than 1 crop on the same acreage for the same crop year in the year previous to the disaster year, or at least 2 of the 4 crop years immediately before the disaster year

- the multiple crops planted in the history period do not have to be for the same combination of crops as planted during the disaster year

- the multiple crops planted in the history period have to be a combination approved by STC as an established multiple cropping practice according to subparagraph C

- FSA-578 on file must document the planted acreage for each of the crops. Late-filed

--**FSA-578 shall **not** be accepted for history purposes after crop year 2007.**--

Example: In 2004 and 2005 on FSN 88, wheat for grain was planted and harvested, followed by harvested soybeans. For 2006, oats for grain was planted and harvested followed by soybeans. STC approved the combination of wheat for grain and soybeans and the combination of oats for grain and soybeans as eligible multiple-cropped practices. The acreage for 2006 has met both the approved practice criteria and the farm history criteria. Therefore, both the oats for grain and soybeans are eligible for benefits if all other eligibility criteria are met.

Part 6 COC Adjustments

130 Assigned Production

A Using Assigned Production

Assigned production provisions shall be determined by COC for insured and NAP-covered crops in the following cases:

- when acceptable production records for harvested acres are not available from any source

- if unharvested acreage has not been appraised by FSA, RMA, a company reinsured by FCIC, or other appraiser acceptable to CCC

- when COC determines that a portion of the loss is because of an ineligible disaster condition or circumstances other than natural disaster and this ineligible cause of loss has not been otherwise accounted for, see subparagraph E

  Notes: Assigned production because of ineligible causes of loss shall always be in addition to situations where the maximum average loss level must be applied.

  Example: In the same situation described in subparagraph D, COC determines that 10 percent of the production loss was because of wildlife damage (an ineligible cause). An additional assignment of 4 bushels/acre ***--**(40 bushels/acre historic yield x 10 percent) of production is added**--*** to the county-established maximum average loss level of 24 bushels/acre for a total production assignment of 28 bushels/acre (24 bushels + 4 bushels) for CDP. ENTER "O" in FSA-840, item 47 to indicate override when a combination of maximum average loss level **and** additional production is assigned.

  In these cases where combination of maximum average loss apply and ineligible cause of loss, County Offices shall use the "O" code to override production.

  The application should be disapproved if all of the loss is because of ineligible causes.

- if the producer has a contract to receive a guaranteed payment for all or a portion of the crop

- for crops planted after the established normal ending planting date

  Note: See subparagraph F.

- COC may assign production using both maximum average loss provisions and assigning production to ineligible cause of loss.

Note: See subparagraph 135 B for procedure on double cropping.

130 Assigned Production (Continued)

B Establishing a County Maximum Average Loss Level

COC shall recommend for STC approval a maximum average loss level for the crop that reflects the impact that disaster conditions had on the crops in the county. The maximum average loss level shall reflect the amount of production that a producer should have made considering eligible disaster conditions in the area or county. This should be consistent with the norm of a substantial number of producers experiencing similar disasters.

If multiple disasters or varying levels of loss occurred in the county, COC may establish a **different level** for each type of disaster or region within the county, if applicable. COC shall determine loss level based on all available information, including weather data, loss estimates from applicable industries, appraisals from LA's, damage assessment reports, and other verifiable County Office records showing eligible disaster loss. Maximum average loss level shall be expressed as either a:

- percent of loss
- yield per acre.

Note: Land not physically located in the administrative County Office will be required to use the maximum average loss levels established by COC where the land is physically located.

COC shall thoroughly document basis for determination of maximum average loss level. Weather data, discussions with CSREES, universities, NASS, etc. should be included as supporting documentation when submitting maximum average loss level recommendations. See Exhibit 18 for documenting maximum loss levels. The maximum average loss level established by COC for a crop in a county is considered a matter of general applicability and, therefore, not appealable.

Note: Maximum average loss for the specific crop in the county or area should be based on the losses incurred directly by the recognized disaster condition on a representative amount of acreage of that crop.

The maximum average loss for a specific crop will not be 100 percent unless no acreage of the crop was harvested and all field appraisals reflect "0" production. If 1 specific area in the county was affected by a natural disaster that resulted in total destruction of the crop or crops, this area could be specifically identified by COC and the maximum average loss established at 100 percent.

130 Assigned Production (Continued)

E Assigning Production for Ineligible Loss (Continued)

- close-sown crop planted without use of pre-emergence herbicide or herbicide tolerant seed

- crop type or variety not suitable for nonirrigation practice.

See paragraph 134 for producer notification requirement.

- record the assigned production on FSA-840

- document in COC minutes and FSA-840, "Remarks" section:

  - the basis for the assignment
  - the quantity of production assigned
  - how the amount of assigned production was calculated or determined.

F Assigned Production for Late-Planted Crops

Loss of production for the initial planting of a crop may be attributed to both a natural disaster and late planting of the crop. Follow this table to determine the amount of crop production to assign for late-planted crops when the crop was also impacted by an eligible disaster condition. For double-cropped commodities, apply the following reduction to the approved yield.

Exception: Acreage of the same crop, which was timely planted but failed and was replanted after the final planting date because of an eligible cause of loss, shall not be assigned production because of lateness of planting.

IF the crop is planted after the final planting date by...	**THEN assign production based on...**
1 to 10 calendar days	1 percent reduction of the historic yield for each day.
11 to 24 calendar days	10 percent reduction of the historic yield plus an ***--**additional 2 percent reduction of the historic yield**--*** for each day late between days 11 through 24.
25 or more calendar days	50 percent of the historic yield.
a date where the crop would not reasonably be expected to mature by harvest	

130 Assigned Production (Continued)

F Assigned Production for Late-Planted Crops (Continued)

Example: Producer requests CDP for 50 acres of 2005 soybeans that were initially planted 15 calendar days after the final planting date established for the crop in the area. The historic yield for CDP purposes is 30 bushels per acre (.10 x 30 bu./ac. x 50 ac.) + (.02 x 30 bu./ac. x 5 days x 50 ac.). The total production to be assigned is 300 bushels.

Note: For those NAP records transferred to CDP, the assigned production for late planting has already been accounted for and no further adjustments are necessary. For all insured crops, and those NAP crops for which a claim has not been filed, production must be assigned for late planting.

G Assigning Production for Guaranteed Payments

Any producer who has a contract to receive a guaranteed payment for production, as opposed to delivery, of an eligible crop shall have net production adjusted upward by the amount of production corresponding to the amount of the contract guarantee.

The adjustment shall be calculated and made according to this table.

Step	Action
1	Determine the total amount of guarantee. If this amount is on a per acre, square foot or yard, or similar basis, multiply the amount by the applicable acreage, square feet or yards, or other basis.
2	Determine the amount of production attributable to the guarantee by dividing the total amount determined in step 1 by the approved average market price for the crop.
3	Determine the amount of any actual and/or other assigned production (not because of guaranteed contracts).
4	Subtract the result of step 3 from the result of step 2. **Note:** If step 3 is greater than step 2, **stop**. No assignment of production because of guarantee is required.
5	Add the result of step 4 to the unit's net production as assigned production because of guarantee.

Example: A producer has a crop guarantee of $4,000. The crop has a CCC average market price of $1 per pound. The production associated with the guarantee would be 4,000 lbs. The producer realized 3,000 lbs. actual production. The amount of production that must be assigned because of guarantee is 1,000 lbs.

252 Completing FSA-840 on GRP, Revenue, or Dollar Insured Crops (Continued)

C Completing FSA-840 for Insureds Having "Dollar Amount of Insurance" or "Revenue" Crops (Continued)

The following table provides the required entries necessary to complete FSA-840.

Item	Instruction
42	Enter the total actual or appraised production for the unit. Attach copies of date-stamped sales receipts to FSA-840.
54A and 54B	Producer shall sign and date and this producer certification signifies that Part F items are true and correct. **Note:** Only 1 member having authority to sign for the partnership is required to sign.
55A through 55C	COC representative or designee shall sign and date the application and indicate in the box provided whether approved or disapproved.
56A and 56B	Enter the name, address, and telephone number of the County Office where the farm is administratively located and where the application is filed.

253 Completing FSA-840M

A Instructions for Completing FSA-840M

A producer may not receive a 2005, 2006, or 2007 disaster payment for losses on more than one 2005, 2006, or 2007 crop on the same acreage unless the provisions of paragraph 72 are *****--met. All insured or eligible producers sharing in the multiple-cropped acreage shall--***** designate the crop for payment on FSA-840M. Only one FSA-840M shall be completed by all producers for the specific multiple-cropped acreage. Attach a copy of FSA-840M to all applicable applications.

253 Completing FSA-840M (Continued)

A Instructions for Completing FSA-840M (Continued)

This is a manual form and should be completed according to this table. See an example of FSA-840M in subparagraph C.

Item	Instructions
1	Check the crop year for which disaster benefits are being requested.
2	Enter the farm number or numbers associated with the multiple-cropped acreage. Separate FSA-840 certifications must be filed for each multiple-cropped acreage with different or same initial crops/subsequent crops combinations. FSA-840M is required for multiple-cropped practices not approved, according to paragraph 72. For example, the initial crop of cotton followed by grain sorghum, that are not STC approved for multiple-cropped acreage, would require one FSA-840M. Other unapproved multiple-cropped acreages on the unit and in the same combination, such as wheat followed by sunflowers, require a separate FSA-840M. All persons with a share interest in the crop acreage involved must sign this certification and make the same crop choice for all of the acreage.
3	Any of the following documents can be used to complete this item: • FSA-840 • RMA download reports. For each crop planted on the multiple-cropped acreage, enter the following: A. the name or names of other producers who share in the multiple-cropped acreage B. crop planted C. crop status - enter “I” for initial crop and “S” for subsequent crop D. variety or type E. share - the total of all shares for each crop must equal 100 percent F. number of acres planted to the crop G. practice for the multiple crop (use RMA download report, if applicable) H. stage for the multiple crop I. FSN J. unit number K. indicate with “Y” or “N” if the crop is selected for disaster assistance L. COC or designee shall enter production associated with the nonselected crop acreage. **Notes:** Complete item “L” only if column “K” is “No” for the crop not selected. The multiple crop **not** selected for disaster assistance shall have the COC-calculated production subtracted from the nonselected multiple crop application provided that the application has other acreage on the application eligible for benefits. See subparagraph D.

253 Completing FSA-840M (Continued)

A Instructions for Completing FSA-840M (Continued)

Item	Instructions
4 A-C	Designate the crop, acreage, and farm number for which disaster assistance is requested.
4 D-F	***--**All insured or eligible producers having a share in **any** eligible crop on the**--*** multiple-cropped acreage must sign and date FSA-840M. Last 4 digits of the producers ID's shall be entered by the applicable producer name.
5	COC or designee shall sign and date.
6	Enter the name, address, and telephone number for the County Office where the farms in the unit are administratively located, and where FSA-840 and FSA-840M are filed.

Notes: Attach FSA-840M to all FSA-840's covering the multiple-cropped acreage.

COC may approve, with DD concurrence, more than 1 crop on the acreage, according to subparagraph 72 E.

B FSA-840's That Do Not Require FSA-840M

FSA-840's that **do not** require FSA-840M are FSA-840's filed:

- on acreage with only 1 crop planted
- for multiple crops planted on the same acreage meeting the multiple crop criteria in paragraph 72
- on multiple crops planted on the same acreage **not** meeting the multiple crop criteria; however, 1 crop is **not** insured or NAP-covered.

C Example of FSA-840M

Producer has 100 percent share in farm number 101 and planted 200 acres of irrigated cotton. The cotton failed because of a hail storm, and the producer planted 200 acres of irrigated grain sorghum. Both crops were insured and the County Office received a download for both crops. The appraisal for the cotton crop was "0". The producer harvested 3,000 bushels of grain sorghum. The disaster level for grain sorghum is 5,200 bushels.

Cotton and grain sorghum have not been approved as a multiple-cropping combination for the county.

253 Completing FSA-840M (Continued)

C Example of FSA-840M (Continued)

FSA-840's are completed for both the 200 acres of cotton and the 200 acres of grain sorghum.

Note: See subparagraph 240 D for items on FSA-840 that do not need to be completed for the nonselected crop.

Based on projected payment information, the producer selects cotton for payment on the multiple-cropped acres. FSA-840M is completed to identify crops planted on the same acreage and the crop selected for payment. FSA-840 for cotton will be approved and an approval date will be entered into the system. The following documents will be filed together in the producer's folder:

- FSA-840 for cotton
- FSA-840 for grain sorghum
- FSA-840M.

Note: The producer will not sign FSA-840 for grain sorghum, the nonselected crop, because the same number of grain sorghum acres were planted on the failed cotton acres, or 200 acres. Therefore, COC shall not act on the application. However, a disapproval date shall be entered in the system for the nonselected grain sorghum application.

253 Completing FSA-840M (Continued)

C Example of FSA-840M (Continued)

Following is an example of FSA-840M.

This form is available electronically.

FSA-840M
(10-11-07)

U.S. DEPARTMENT OF AGRICULTURE
Farm Service Agency

2005, 2006, and 2007
CROP DISASTER PROGRAM
FOR MULTIPLE CROP - SAME ACREAGE CERTIFICATION

NOTE:
The authority for collecting the following information is Pub. L. 110-28 and 7 CFR Part 760, Subpart I). This authority allows for the collection of information without prior OMB approval mandated by the Paperwork Reduction Act of 1995. The time required to complete this information collection is estimated to average 20 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a). The authority for requesting the following information is US Troop Readiness, Veteran's Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Pub. L. 110-28 and 7 CFR Part 760, Subpart I). The information will be used to determine eligibility for program benefits. Furnishing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility. In addition to the already published routine uses, this information may be provided to other agencies, IRS, Department of Justice, or other State and Federal law enforcement agencies, and in response to a court magistrate or administrative tribunal. All information provided herein is subject to verification by the Commodity Credit Corporation. As provided in various statutes, failure to provide true and correct information may result in civil suit or criminal prosecution and the assessment of penalties or pursuit of other remedies. ***RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.***

1. Crop Year *(Check **ONLY** one)*:
   [ ] 2005 [X] 2006 [ ] 2007

2. Farm Number*(s)* that have the Multiple Cropped Acreage:
   101

3. Provide the information requested below for the multiple cropped acreage for all producers with an interest in the crop combination *(all producers must file a joint certification)*. Refer to the applicable FSA-840 and/or RMA download report when completing Items A through J. The total of all shares of each crop must equal 100 percent in Item E below.

A. Producer Name	B. Crop	C. Status	D. Variety or Type	E. Share (%)	F. Acres	G. Practice	H. Stage	I. FSN	J. Unit No.	K. Crop Selected for Payment YES	K. NO	COC Use Only L. Production *(Complete only if Item K is "NO".)*
John Smith	Cotton	I		100%	200	I	UH	101	1	X		
John Smith	Grain Sorghum	S	GRS	100%	200	I	H	101	1		X	300bu

I understand that disaster benefits will not be paid on multiple crops produced on the same acreage unless the State FSA Committee approves the cropping practice and the farm has a multiple cropping history. I certify that all information reported on the FSA-840M is true and correct and understand that if any information is determined to be in error that the application may be denied or may result in a determination of ineligibility in whole or in part.

4. Designate the crop(s) in the crop combination for which assistance is requested and supply the additional information requested below *(all producers must make the same designation)*.

A. Crops	B. Acreage	C. Farm Number(s)
1. Cotton	200	101
2.		
3.		

D. Producer's Signature	E. Producer ID *(Last 4 digits)*	F. Date Signed *(MM-DD-YYYY)*
/s/ John Smith	1111	12-21-2007

5A. Signature of COC or Designee
/s/ Mary Jones, CED

5B. Date *(MM-DD-YYYY)*
12-21-2007

6A. County FSA Office Name and Address *(Including Zip Code)*
Stafford County FSA Office
200 Front Street
Stafford, Va. 23000-2000

6B. Telephone No. *(Include Area Code)*: 123-456-7890

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253 Completing FSA-840M (Continued)

D Example of Adjusting Acreage and Production for Nonselected Crop Using FSA-840M

All producers sharing in the crops planted on the acreage must select the crop to receive payment on the multiple-cropped acreage. Once the crop is selected, acreage from the nonselected crop must be reduced if some acreage of the nonselected crop is single cropped. Complete the following steps to:

- assist the producer in making his or her selection
- reduce the acres eligible for the nonselected crop.

Step	Action	
1	Complete FSA-840's for each crop.	
2	***--**The insured or eligible producer with a valid ownership share interest shall**--*** identify the specific acres on FSA-840M that were multiple cropped. If the crop is insured, the RMA download may assist in identifying acres and production associated with multiple-cropped acres.	
3	COC, or designee, determines production associated with the nonselected crop's acres.	
4	**IF...**	**THEN...**
	specific production can be tied to those acres being reduced through an RMA download or FSA-840	production shall be entered on FSA-840M, item 3L.
	production cannot be tied to the specific acres being reduced	production must be prorated from overall production associated with the crop, type, practice, and intended use in the unit. Production shall be entered on FSA-840M, item 3L.
5	Subtract the nonselected crop's acres and production (taken from FSA-840M, items 3F and 3L) from FSA-840.	
6	Obtain producer's signature on revised FSA-840.	
7	File a copy of FSA-840M with each producer's FSA-840 application having a share in the multiple-cropped acres.	

See subparagraph A for completing FSA-840M when selecting multiple-cropped acres for payment.

Example: Farm A has 400 acres of cropland. The producer plants 300 acres of wheat and 200 acres of soybeans. 100 acres of the soybeans were planted following wheat:

- 50 acres of the soybeans are planted following unharvested wheat
- 50 acres of the soybeans are planted following harvested wheat.

254 Completing FSA-841 (Continued)

B Example of FSA-841

Following is an example of FSA-841.

*--

This form is available electronically.

FSA-841
(02-08-08)

U.S. DEPARTMENT OF AGRICULTURE
Farm Service Agency

2005, 2006, and 2007 CDP
CERTIFICATION OF DUPLICATE BENEFITS UNDER HIP, HDP, AND SUGARCANE PROGRAMS

NOTE: *The authority for collecting the following information is Pub. L. 110-28 and 7 CFR Part 760). This authority allows for the collection of information without prior OMB approval as might otherwise be mandated by the Paperwork Reduction Act of 1995. The time required to complete this information collection is estimated to average 10 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 following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a). The authority for requesting the following information is US Troop Readiness, Veteran's Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Pub. L. 110-28 and 7 CFR Part 760). The information will be used to determine eligibility for program benefits. Furnishing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility. In addition to the already published routine uses, this information may be provided to other agencies, IRS, Department of Justice, or other State and Federal law enforcement agencies, and in response to a court magistrate or administrative tribunal. All information provided herein is subject to verification by the Commodity Credit Corporation. As provided in various statutes, failure to provide true and correct information may result in civil suit or criminal prosecution and the assessment of penalties or pursuit of other remedies. ***RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.***

Section 9004(a) of the US Troop Readiness, Veteran's Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Pub. L. 110-28) and 7 CFR Part 760 require that the amount of any payment received from HIP, HDP, or Sugarcane Programs shall be reduced from any CDP payment received for a year that corresponds to a year for which HIP, HDP, or Sugarcane Program payments was received. Accordingly, I certify to the following concerning 2005 and/or 2006 Hurricane Indemnity Program (HIP), Hurricane Disaster Program (HDP), 2005 Florida Sugarcane Disaster Program, and/or 2005 Louisiana Sugarcane Hurricane Disaster Assistance Program payments:

1. Crop Year	2. Program	3. Payment received?		4. COC Use Only *(Payment Amount)*
		YES	NO	
2005	**HIP**			$
2006	**HIP**			$
2005	**HDP**			$
2006	**HDP**			$
2005	**SUGARCANE**			$
2006	**SUGARCANE**			$
5. Totals for 2005 HIP, HDP, and Sugarcane *(COC Use Only)*:				$
6. Totals for 2006 HIP, HDP, and Sugarcane *(COC Use Only)*:				$

I understand that USDA will be conducting spot-checks for this program. I certify that all information reported on this certification is true and correct and I understand that if any information is determined to be in error that my application may be denied and may result in a determination of ineligibility in whole or in part.

7A. Producer's Name and Address *(Including Zip Code)*		
7B. Producer's Signature	7C. Producer's ID *(last 4 digits of SSN/TIN)*	7D. Date
8A. County Name and Address *(Including Zip Code)*	8B. State Code	8C. County Code
9A. COC Signature	9B. Date	

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--*

--255 FSA-840 Corrections--

A Certifying FSA-840 Information

The producer **must** certify all of the data is correct on the computer-generated or manual FSA-840. Certifying incorrect information may result in a denial of program benefits.

B Correcting FSA-840 Information

If the data on an originally signed FSA-840 **must** be corrected for any reason, the County Office shall do either of the following:

- generate a new corrected FSA-840 and:
  - mark the new FSA-840 as a revision
  - have the producer sign and date the revision
  - include both the original and revised FSA-840's in the producer's CDP folder
- line through the incorrect entry on the original FSA-840 and enter the revised data. Ensure that both the:
  - producer and a County Office employee initial and date the revised entry
  - original and revised entries are legible.

Note: Manual FSA-840's should only be accepted if the automated system is down.**--***

256-275 (Reserved)

Part 11 Compliance

276 CDP Reviews

A Overview

Internal reviews and OIG audits have found numerous errors in processing FSA-840's. To document compliance with CDP provisions, County Offices shall initiate the following reviews:

- DD or designee shall use FSA-770 CDP (see paragraph 11)
- second party reviews shall use FSA-472 (see subparagraph B)
- employee reviews shall use both FSA-770 CDP and FSA-472
- producer reviews.

Note: Procedure for producer reviews will be provided in a future amendment.

B Performing Second Party Reviews

Second party reviews are performed by County Office employees not involved in FSA-840 being reviewed.

Second party reviews are required before issuing CDP payments on all:

- administrative county FSA-840's for producers who exceed the payment limitation amount

  Note: Review all units involved.

- FSA-840 worksheets with assigned production

- FSA-840 worksheets where "Cmd16", "Cmd17", or "Cmd18" was used to load, override, or change insured data

- FSA-840's where RMA data is not downloaded under an APH plan of insurance, such as *--but not limited to AGR, AGR Lite, Dollar Plans, GRIP, GRP, Revenue Insurance, or--* written agreements

- manual FSA-840's.

Note: DD shall conduct second party reviews for all manually submitted FSA-840's.

See subparagraph C for an example of FSA-472.

*--276 CDP Reviews (Continued)

C Example of FSA-472

The following is an example of FSA-472.

This form is available electronically.

FSA-472 (12-28-07)

U.S. DEPARTMENT OF AGRICULTURE
Farm Service Agency

CROP DISASTER PROGRAM
SECOND PARTY REVIEW WORKSHEET

1. County Office Name

2. Crop Year

3. Name of Reviewer	4. Producer Name	5. Producer ID No. (Last 4 digits SSN/Tax ID)	6. Crop	7. Unit

	YES	NO 1/	N/A
8. Determine unit structure is correct, if applicable for AGR, AGR-lite, PRF.			
9. Determine assigned production was accurately documented, if applicable, and producer was notified according to 5-DAP (Rev. 2) paragraph 130 or 134.			
10. Determine data load is correct.			
11. Determine production matches production documentation.			
12. Determine share(s) correct.			

13. Remarks

14A. Signature of Reviewer	14B. Title	14C. Date *(MM-DD-YYYY)*

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1/ Use Remarks or a separate sheet of paper to explain and document any "NO" answers.

--*

277-299 (Reserved)

Reports, Forms, Abbreviations, and Redelegations of Authority

Reports

None

Forms

This table lists all forms referenced in this handbook.

Number	Title	Display Reference	Reference
AD-1026	Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification		Text
AD-2007	FSA/RMA Compliance Referral Form		1, 71, 132
CCC-36	Assignment of Payment		35, 472
CCC-37	Joint Payment Authorization		35, 472
CCC-184	CCC Check		Text
CCC-502	Farm Operating Plan for Payment Eligibility Review		10, 34, 240
CCC-509	Direct and Counter-Cyclical Program Contract		10
CCC-526	Payment Eligibility Average Adjusted Gross Income Certification		240
CCC-576	Notice of Loss and Application for Payment Noninsured Crop Disaster Assistance Program		240
CCC-770 Eligibility	Eligibility Checklist		1, 451
CRP-15	Agreement for Reduction for Bases, Allotments, and Quotas		71
FSA-325	Application for Payment of Amounts Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent		10, 36, 451
FSA-472	Crop Disaster Program Second Party Review Worksheet		4, 276
FSA-570	Waiver of Eligibility for Emergency Assistance		3
FSA-578	Report of Acreage		Text
FSA-770 CDP	2005, 2006, and 2007 CDP Checklist	11	276

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Forms (Continued)

Number	Title	Display Reference	Reference
FSA-840	2005, 2006, and 2007 Crop Disaster Program Application	241	Text
FSA-840A-1	2005, 2006, and 2007 Crop Disaster Program Quantity Payment Calculation Worksheet (Yield Based Single Market and Multiple Market-Single Price Crops)	242	276, 455, 475
FSA-840B-1	2005, 2006, and 2007 Crop Disaster Program Quantity Payment Calculation Worksheet (Yield Based Multiple Market-Multiple Price Crops)	244	276, 455, 475
FSA-840C	2005, 2006, and 2007 Crop Disaster Program Payment Calculation Worksheet (Value Loss Crops)	246	181, 240, 251, 276, 455, 475
FSA-840E	Estimated Calculated Payment Report - Producer Summary Report		451, 521, 540, 541
FSA-840E-1	Detailed Statement of Calculated Payment Amounts for Single-Market Crops		451, 521, 542, 545
FSA-840E-2	Detailed Statement of Calculated Payment Amounts for Multiple-Market Crops		451, 521, 543, 545
FSA-840E-3	Detailed Statement of Calculated Payment Amounts for Value Loss Crops		451, 521, 544, 545
FSA-840M	2005, 2006, and 2007 Crop Disaster Program for Multiple Crop - Same Acreage Certification	253	7, 72, 240, 251, 402
FSA-841	2005, 2006, and 2007 CDP Certification of Duplicate Benefits Under HIP, HDP, and Sugarcane Programs	254	37, 240, 251, 320

Definitions of Terms Used in This Handbook (Continued)

Historic Production

Historic production is acres multiplied by historic yield.

Historic Yield

Historic yield for:

- insured crops is the higher of the crop's APH, or the county average yield
- NAP-covered crops with an approved NAP yield is the higher of the applicable crop year's approved NAP yield established according to 1-NAP or the county average yield.

*** * ***

Insured Crops

Insured crops are those crops covered by crop insurance and the producer purchased either catastrophic or buy-up crop insurance.

Marketing Contract

Marketing contract means a legally-binding, written contract between a purchaser and grower for the purpose of marketing a crop.

Multiple-Cropping

Multiple-cropping is the planting of 2 or more different crops on the same acreage for harvest within the same crop year. The specific crops must be approved as eligible multiple-cropping practices and the farm containing the acreage that is planted to multiple crops must have a history of multiple-cropping as determined by COC.

Multiple Market Crops

A multiple market crop is:

- a crop listed on the county crop table having an intended use of fresh, processed, juice, or any combination
- not a value loss crop.

Definitions of Terms Used in This Handbook (Continued)

Multiple-Planted Crops

A multiple-planted crop is a crop planted or prevented from being planted in more than 1 approved planting period in a crop year on different acreage.

Net Production

Net production is the total amount of harvested, appraised, and assigned production on the unit as adjusted for quality, as applicable.

***--NAP-Covered Crops**

NAP-covered crops are those crops for which NAP coverage was attained.

Owner

Owner means 1 who had legal ownership of the commodity or livestock for which benefits**--*** are being requested under 7 CFR Part 760 subparts B through F, on the day such plant or livestock perished or suffered losses because of an eligible hurricane.

Primary Price

A primary price is the price listed on the county crop table for a particular crop and type corresponding to the intended use with the highest price.

Producer

A producer is an owner, landlord, tenant, or sharecropper who:

- shares in the risk of producing the crop
- is entitled to share in the crop available for marketing from the farm or would have shared had the crop been produced.

Pay Groupings (Continued)

Crop Code	Type Abbr	Crop Name	Type Name	Use	Pay Crop	Pay Type
0024	MIN	Tangelos	Minneola	FH	0024	011
0024	MIN	Tangelos	Minneola	JU	0024	001
0024	ORL	Tangelos	Orlando	FH	0024	012
0024	ORL	Tangelos	Orlando	JU	0024	001
0048	MUR	Tangerines	Murcotts	FH	0023	015
0048	MUR	Tangerines	Murcotts	JU	0023	015
0048	MUR	Tangerines	Murcotts	RS	0048	001
0048		Tangerines		FH	0048	011
0187	PUR	Tannier	Purple	FH	0187	001
0187	RAS	Tannier	Rascana	FH	0187	001
0187	WHT	Tannier	White	FH	0187	001
0187	YEL	Tannier	Yellow	FH	0187	001
0535	CHI	Taro	Chinese	FH	0535	001
0535	GIA	Taro	Giant	FH	0535	001
0535	POI	Taro	Poi	FH	0535	001
0535	XAN	Taro	Xanthosoma	FH	0535	001
1223		Teff		GR	1223	001
0012		Tobacco			0012	011
0001		Tobacco Burley			0001	011
0013		Tobacco Burley 31v			0001	011
0008	CBA	Tobacco Cigar Binder	Cigar Binder (051)		0008	011
0008	CBB	Tobacco Cigar Binder	Cigar Binder (052)		0008	011
0010	CGA	Tobacco Cigar Filler	Cigar Filler Tobacco (041)		0010	011
0007	CFA	Tobacco Cigar Filler Binder	Cigar Filler Binder (054)		0007	011
0007	CFB	Tobacco Cigar Filler Binder	Cigar Filler Binder (055)		0007	011
0005	DAA	Tobacco Dark Air Cured	Dark Air Cured (035)		0005	011
0005	DAB	Tobacco Dark Air Cured	Dark Air Cured (036)		0005	011
0004	FRA	Tobacco Fire Cured	Fire Cured (022)		0004	011
0004	FRB	Tobacco Fire Cured	Fire Cured (023)		0004	011
0002	FCA	Tobacco Flue Cured	Flue Cured (012)		0002	011
0002	FCB	Tobacco Flue Cured	Flue Cured (013)		0002	011
0002	FCC	Tobacco Flue Cured	Flue Cured (014)		0002	011
0002	FCD	Tobacco Flue Cured	Flue Cured (11a)		0002	011
0002	FCE	Tobacco Flue Cured	Flue Cured (11b)		0002	011
0009		Tobacco Maryland			0009	011
0003		Tobacco Virginia Fire Cured			0003	011
0006		Tobacco Virginia Sun Cured			0006	011

Pay Groupings (Continued)

Crop Code	Type Abbr	Crop Name	Type Name	Use	Pay Crop	Pay Type
7158		Tomatillos		FH	7158	001
7158		Tomatillos		PR	7158	001
0087	CHR	Tomatoes	Cherry	FH	0087	*--011--*
0087	CHR	Tomatoes	Cherry	PR	0087	004
0087	CHR	Tomatoes	Cherry	RS	0087	004
0087	CHR	Tomatoes	Cherry	SD	0087	004
0087	GRP	Tomatoes	Grape	FH	0087	*--011--*
0087	GRP	Tomatoes	Grape	PR	0087	005
0087	GRP	Tomatoes	Grape	RS	0087	005
0087	GRP	Tomatoes	Grape	SD	0087	005
0087	GRN	Tomatoes	Green	FH	0087	002
0087	GRN	Tomatoes	Green	PR	0087	002
0087	GRN	Tomatoes	Green	RS	0087	002
0087	GRN	Tomatoes	Green	SD	0087	002
0087	HYB	Tomatoes	Hybrid	FH	0087	011
0087	HYB	Tomatoes	Hybrid	PR	0087	012
0087	HYB	Tomatoes	Hybrid	RS	0087	002
0087	HYB	Tomatoes	Hybrid	SD	0087	002
0087	JPN	Tomatoes	Japanese	FH	0087	001
0087	JPN	Tomatoes	Japanese	PR	0087	001
0087	JPN	Tomatoes	Japanese	RS	0087	001
0087	JPN	Tomatoes	Japanese	SD	0087	001
0087	PLM	Tomatoes	Plum	FH	0087	*--011--*
0087	PLM	Tomatoes	Plum	PR	0087	003
0087	PLM	Tomatoes	Plum	RS	0087	003
0087	PLM	Tomatoes	Plum	SD	0087	003
0087	YEL	Tomatoes	Yellow	FH	0087	001
0087	YEL	Tomatoes	Yellow	PR	0087	001
0158		Triticale		FG	0158	002
0158		Triticale		GR	0158	001
0158		Triticale		SD	0158	001
0160	HYB	Turnips	Hybrid Turnip	FH	0160	001
0160	HYB	Turnips	Hybrid Turnip	PR	0160	001
0160	HYB	Turnips	Hybrid Turnip	SD	0160	001
0160	OPN	Turnips	Open Pollinated	FH	0160	001
0160	OPN	Turnips	Open Pollinated	PR	0160	001
0160	OPN	Turnips	Open Pollinated	SD	0160	001

Nationwide Insurable Prices

The following table provides RMA-established nationwide prices for crops insurable by RMA.

Crop Code	Type Abbr	Crop Name	Type Name	Use	Meas	2005 Price	2006 Price	2007 Price
0001		Tobacco Burley			LBS	1.50	1.50	1.62
0002	FCA	Tobacco Flue Cured	Flue Cured (012)		LBS	1.35	1.35	1.52
0002	FCB	Tobacco Flue Cured	Flue Cured (013)		LBS	1.35	1.35	1.52
0002	FCC	Tobacco Flue Cured	Flue Cured (014)		LBS	1.35	1.35	1.52
0002	FCD	Tobacco Flue Cured	Flue Cured (11a)		LBS	1.35	1.35	1.52
0002	FCE	Tobacco Flue Cured	Flue Cured (11b)		LBS	1.35	1.35	1.52
0003		Tobacco Virginia Fire Cured			LBS	1.80	1.80	1.98
0004	FRA	Tobacco Fire Cured	Fire Cured (022)		LBS	2.10	2.15	2.45
0004	FRB	Tobacco Fire Cured	Fire Cured (023)		LBS	2.10	2.15	2.45
0005	DAA	Tobacco Dark Air Cured	Dark Air Cured (035)		LBS	1.70	2.17	2.18
0005	DAB	Tobacco Dark Air Cured	Dark Air Cured (036)		LBS	1.70	2.17	2.18
0006		Tobacco Virginia Sun Cured			LBS	1.70	1.70	1.70
0007	CFA	Tobacco Cigar Filler Binder	Cigar Filler Binder (054)		LBS	1.60	1.70	1.65
0007	CFB	Tobacco Cigar Filler Binder	Cigar Filler Binder (055)		LBS	1.60	1.70	1.65
0008	CBA	Tobacco Cigar Binder	Cigar Binder (051)		LBS	5.55	5.30	5.65
0008	CBB	Tobacco Cigar Binder	Cigar Binder (052)		LBS	5.55	5.30	5.65
0010	CGA	Tobacco Cigar Filler	Cigar Filler Tobacco (041)		LBS	1.45	1.40	1.45
0011	HRS	Wheat	Hard Red Spring Wheat	GR	BU	3.50	3.15	*--N/A--*
0011	HRW	Wheat	Hard Red Winter Wheat	GR	BU	3.50	3.15	3.90
0011	HWR	Wheat	Hard White Winter Wheat	GR	BU	3.50	3.15	3.90
0011	HWS	Wheat	Hard White Spring Wheat	GR	BU	3.50	3.15	*--N/A--*
0011	SRW	Wheat	Soft Red Winter Wheat	GR	BU	3.50	3.15	3.90
0011	SWS	Wheat	Soft White Spring Wheat	GR	BU	3.50	3.15	*--N/A--*
0011	SWW	Wheat	Soft White Winter Wheat	GR	BU	3.50	3.15	3.90
0012		Tobacco			LBS	21.00	21.00	21.00
0016	SPR	Oats	Spring	GR	BU	1.60	1.35	1.80
0016	WTR	Oats	Winter	GR	BU	1.60	1.35	1.80
0018	LGR	Rice	Long Grain		LBS	0.071	0.08	0.0975
0018	MGR	Rice	Medium Grain		LBS	0.071	0.08	0.0975
0018	SGR	Rice	Short Grain		LBS	0.071	0.08	0.0975
0019		Kamut		GR	BU	3.50	3.15	4.45
0021		Cotton, Upland			LBS	0.52	N/A	N/A
0022		Cotton, Els			LBS	0.95	1.05	1.18
0031	COM	Flax	Common	SD	BU	5.24	7.28	6.64
0031	LIN	Flax	Linola	SD	BU	5.24	7.28	6.64
0038		Sugarcane		PR	LBS	0.104	0.10	0.115
0039		Sugar Beets		PR	TON	38.00	38.00	39.00

Nationwide Insurable Prices (Continued)

Crop Code	Type Abbr	Crop Name	Type Name	Use	Meas	2005 Price	2006 Price	2007 Price
0041	POP	Corn	Popcorn	GR	LBS	0.105	0.10	0.14
0041	YEL	Corn	Yellow	GR	BU	2.20	2.00	3.50
0041	YEL	Corn	Yellow	SD	BU	2.20	2.00	3.50
0047	ADZ	Beans	Adzuki	DE	LBS	0.22	0.21	0.22
0047	ANA	Beans	Anasazi	DE	LBS	0.35	0.35	0.35
0047	BBL	Beans	Baby Lima	DE	LBS	0.30	0.31	0.36
0047	BTU	Beans	Black Turtle	DE	LBS	0.16	0.17	0.19
0047	BUT	Beans	Butter	DE	LBS	0.22	0.25	0.27
0047	CAN	Beans	Canario - Yellow	DE	LBS	0.22	0.25	0.27
0047	CRA	Beans	Cranberry	DE	LBS	0.20	0.22	0.24
0047	DRK	Beans	Dark Red Kidney	DE	LBS	0.21	0.23	0.24
0047	FSW	Beans	Flat Small White	DE	LBS	0.20	0.22	0.22
0047	GAD	Beans	Garbanzo - Desi	DE	LBS	0.09	0.09	0.10
0047	GTN	Beans	Great Northern	DE	LBS	0.16	0.18	0.19
0047	LGL	Beans	Large Lima	DE	LBS	0.36	0.39	0.43
0047	LRK	Beans	Light Red Kidney	DE	LBS	0.22	0.24	0.25
0047	MYC	Beans	Mycoba	DE	LBS	0.22	0.25	0.27
0047	MYO	Beans	Myothe	DE	LBS	0.22	0.25	0.27
0047	PEA	Beans	Pea	DE	LBS	0.15	0.16	0.19
0047	PNK	Beans	Pink	DE	LBS	0.22	0.20	0.21
0047	PNT	Beans	Pinto	DE	LBS	0.16	0.18	0.20
0047	SMR	Beans	Small Red	DE	LBS	0.22	0.21	0.22
0047	SMW	Beans	Small White	DE	LBS	0.20	0.22	0.22
0047	TEB	Beans	Tebo	DE	LBS	0.16	0.18	0.19
0047	WKD	Beans	White Kidney	DE	LBS	0.22	0.24	0.25
0047	YEY	Beans	Yellow Eye	DE	LBS	0.38	0.32	0.32
0050	ALU	Sorghum Forage	Alum	SG	TON	15.40	14.20	22.50
0050	CAN	Sorghum Forage	Cane	SG	TON	15.40	14.20	22.50
0050	SWT	Sorghum Forage	Sweet	SG	TON	15.40	14.20	22.50
0051	GRS	Sorghum	Grain	GR	BU	2.15	1.95	3.30
0051	GRS	Sorghum	Grain	SG	TON	15.40	14.20	22.50
0051	HIF	Sorghum	Hybird Interplanting Fg	SD	BU	2.20	2.00	3.50
0051	HIG	Sorghum	Hybrid	SD	BU	2.20	2.00	3.50
0051	HIG	Sorghum	Hybrid	SG	TON	15.40	14.20	22.50
0051	HSF	Sorghum	Hybrid Standardplant Fg	SD	BU	2.20	2.00	3.50
0051	HSG	Sorghum	Hybrid Standardplant Gr	SD	BU	2.20	2.00	3.50
0051	HSS	Sorghum	Hybrid Standardplant Su	SD	BU	2.20	2.00	3.50
0052		Sorghum, Dual Purpose		SG	TON	15.40	14.20	22.50
0058		Cranberries		FH	BBL	28.00	32.00	34.00
0058		Cranberries		PR	BBL	28.00	32.00	34.00