



## “SCOOP”

### ARKANSAS FARM SERVICE AGENCY - - STATE OFFICE

January 2010

#### **USDA IMPLEMENTS NEW DISASTER ASSISTANCE PROGRAM**

Producers who suffered crop losses for 2008 may now apply for disaster assistance at FSA County Offices through the Supplemental Revenue Assistance Payments (SURE) Program. Signup began January 4, 2010. An ending date has not been announced. The SURE program was enacted with the 2008 Farm Bill. The SURE program will help provide financial assistance to producers who have suffered crop losses due to a natural disaster. The SURE Program has many components. *One of the most important aspects of the program is all land the producer farms nationwide is used to determine if a payment can be earned. This land is identified as a producer's "farm."* To qualify for a payment several criteria must be met. The first three basic elements/triggers are as follows:

- #1 A producer must have insured all crops that he/she farms nationwide that are of economic significance with a plan of insurance with Federal Crop Insurance or with FSA's Noninsured Disaster Assistance Program (NAP). This requirement is known as the Risk Management Purchase Requirement (RMPR). With the late passage of the 2008 Farm Bill, for 2008, producers had the opportunity to obtain a waiver of the RMPR requirement. This could have previously been accomplished by participating in one of two separate buy-ins that were offered with FSA. In addition, producers who are also considered socially disadvantaged, a beginning farmer or rancher, or a limited resource farmer may be eligible for SURE without a policy or plan of insurance or NAP coverage.
- #2 A producer must have suffered at least a 10 percent production loss on the "farm" which was a result of natural disaster on at least one crop of economic significance.
- #3 The producer must have a farming interest physically located in a county that was declared a primary disaster county or contiguous county by the Agriculture Secretary under a Secretarial Disaster Designation. For 2008, all counties in Arkansas meet this criteria. However, if there is no disaster declaration an individual producer may be eligible for SURE if the actual production on the farm is less than 50 percent of normal production due to a disaster.

Once the three triggers described above are met, then the program can cover quality and economic losses. The SURE program provides assistance in an amount equal to 60 percent of the difference between the SURE farm guarantee and the total farm revenue. The farm guarantee is based on the amount of crop insurance and NAP coverage on the farm. Total farm revenue takes into account the actual value of production on the farm as well as insurance indemnities, and certain farm program payments. It is also very important to know that for 2008, the SURE program has additional benefits implemented by the American Recovery and Reinvestment Act of 2009 (The Stimulus Act) that may boost a producer's payment beyond what they would normally receive.

### **USDA IMPLEMENTS NEW DISASTER ASSISTANCE PROGRAM continued:**

The application process is unique for the SURE Program given that an application must account for all land in all counties farmed by the producer. Producers who have farming interests in more than one county will ultimately sign their application in the county FSA has noted as their payment limitation control county. However, before signing the application, all land from all counties must be processed by each respective administrative county or by the control county.

A producer should call their FSA County Office to start the process. Many items that are needed for the program are already a matter of record with FSA, but they will need to be verified with the County Office(s). Some of the information that FSA will NOT have includes but is not limited to:

- production evidence if a notice of loss was not filed with federal crop insurance or FSA/NAP
- Value of settlements obtained from Federal Crop Insurance or FSA
- AD-1026, CCC-502, CCC-526 if there was no other program participation for 2008.

Producers should bring this information with them to the County Office to speed up the application process. Due to the many components of the SURE Program, it will take a considerable amount of time to process the application.

### **TIME IS RUNNING OUT TO ENSURE 2010 CROP DISASTER BENEFITS ARE AVAILABLE**

It's hard to plan ahead and project future disasters, but that is exactly what must occur in order to meet the 2010 Risk Management Purchase Requirement (RMPR) for the *Supplemental Revenue Assistance Payments (SURE) Program, TAP, Emergency Assistance for Livestock, Honey Bees, and Farm-Raised Fish (ELAP) Programs*. The 2010 sales closing dates are quickly approaching for many crops and unfortunately, others have past. Producers should project their 2010 plantings to determine if it is still possible to meet the Risk Management Purchase Requirement. SURE, TAP, and ELAP require producers to purchase multi-peril crop insurance at a minimum of the Catastrophic (CAT) Level with Federal Crop Insurance or with FSA through the Non-Insured Disaster Assistance Program (NAP) Program. The insurance requirement is for all farms in all counties in all states. It is also important to know that **any and all crops can be insured**, if Federal Crop Insurance does not insure the crop then FSA insures the crop with the NAP program. The NAP program offers insurance coverage at a level equal to CAT with Federal Crop Insurance. Sales closing dates vary by crop. FSA does not sell Federal Crop Insurance, therefore, producers will need to find an agent of their choice to obtain insurance and verify their sales closing dates. Before deciding on the level of insurance to purchase with Federal Crop Insurance, producers are encouraged to visit their local FSA Office to understand how SURE benefits are calculated. The purchase of buy-up coverage has the potential of yielding a larger SURE payment.

To be eligible for 2010 grazing losses, under the *Livestock Forage Disaster Program (LFP)*, producers are required to purchase NAP insurance for the grazing land incurring losses for which assistance is requested.

## **FAILED ACREAGE PROVISIONS**

Producers should report failed crop acres to their local FSA Office when the crop failed due to disaster related conditions. To be timely filed, acreage reports for failed acreage shall be filed **before the crop is destroyed**. County Committee review, and action is required to receive history credit in accordance with applicable rules and regulations.

## **NATIONAL AGRICULTURE IMAGERY PROGRAM (NAIP)**

### **SEARCH AND IDENTIFY TOOLS**

Producers and agri-business personnel will want to check out the following website to view National Agriculture Imagery: <http://gis.apfo.usda.gov/naipcoveage>. The site allows users to view farm images and much more free of charge. Once the site is accessed, go to the "Help" link located in the upper-right corner for further instructions.

## **CONTROLLED SUBSTANCE PROVISIONS**

Any person 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.

## **FSA SIGNATURE POLICY**

Using the correct signature when doing business with FSA can save time and prevent a delay in program benefits. The following are FSA signature guidelines:

- A married woman shall sign her given name: Mrs. Mary Doe, not Mrs. John Doe
- For a minor, FSA requires the minor's signature and one from an eligible parent (Note, by signing the applicable document, the parent is liable for actions of the minor and may be liable for refunds, liquidated damages, etc.)
- When signing on one's behalf the signature must agree with the name typed or printed on the form, or be a variation that does not cause the name and signature to be in disagreement. Example - John W. Smith is on the form. The signature may be John W. Smith or J. W. Smith or J. Smith. Or Mary J. Smith may be signed as Mrs. Mary Joe Smith, M.J. Smith, Mary Smith, etc.
- FAXED signatures will be accepted for certain forms and other documents provided the acceptable program forms are approved for FAXED signatures. Producers are responsible for the successful transmission and receipt of FAXED information.
- Spouses may sign documents on behalf of each other for FSA and CCC programs in which either has an interest, unless written notification denying a spouse this authority has been provided to the county office
- Spouses shall not sign on behalf of each other as an authorized signatory for partnerships, joint ventures, corporations, or other similar entities
- Spouses may sign on behalf of each other's individual interest in a partnership, unless notification denying a spouse that authority is provided to the county office
- Persons signing in a representative capacity must ensure that the applicant is still living. Once a person is deceased, signature authority ceases to exist. If an FSA document is signed in a representative capacity for a deceased person, then the document is invalid and FSA program benefits are not earned.

## **E-FORMS**

Producers with Internet access can fill out and print a variety of FSA paper forms at home. Producers are encouraged to register for secure electronic access that will allow you to e-file (electronically sign and transmit) some forms directly to the county office staff. To sign and transmit forms electronically, you must sign up and get a user name and password. To sign up in person, visit the county office and complete form AD-2016. The staff will verify your identity and enter your information into the system. You will receive a letter with your temporary ID. You will be sent a second letter with your temporary password and instructions on how to activate your account. You then go to the Activation Web site and select a permanent ID and password. Submitting an e-Form is convenient. You can access information anytime day or night seven days a week. It is also faster, forms and applications can be submitted and received in the county office in a matter of minutes, not days or weeks.

## **PARTICIPATION IN BOTH FARM PROGRAMS AND FARM LOAN PROGRAMS**

Producers and lenders are being reminded that FSA must ensure that producers consistently participate in Farm Loan Programs and Farm Programs, such as but not limited to DCP, LDP's, and CRP. For example: If FSA Farm Loan Program approves a loan for an individual to produce crops on FSN 100, then the applicable DCP payments must reflect that he is receiving payments as an individual and not as a corporation, partnership, or other. Producers are also reminded, although FSA is monitoring both Farm Loans and Farm Programs for consistency, farm producers are the ones that must comply with all FSA programs.

## **2010 RECONSTITUTIONS**

Farm reconstitutions may now be processed for the 2010 program year provided proper signatures and supporting data are obtained. The method and priority order for farm divisions with base acres are as follows:

- **Estate:** Used when a will or written agreement by heirs state the distribution of base acres
- **Landowner Designation Method:** Used when land is sold/transferred with a written agreement by the buyer/transferee or seller agreeing to the distribution of base acres. The seller/transferor must have owned the land at least three years unless the County Committee waives the requirement.
- **Default:** Used when the estate and landowner designation method does not apply. This method distributes bases to the new farms at the tract level as they exist on the parent farm before reconstitution.

<b>PROGRAM DEADLINES</b>	<b>DATE</b>
Final date to inform FSA of crop losses	Before Crop Disposition
Final Date to report wheat and oats planted acreage	May 15, 2010
Final date to file a 2010 ACRE Election Final date to have all signatures on an ACRE Election Final date to file a 2010 DCP and/or ACRE (yearly) enrollment Final date to have returned signatures for producers who have a share in a DCP and/or ACRE contract Final date to file a successor-in-interest DCP or ACRE contract if the change occurred by June 1, 2010	June 1, 2010
Final Date to Request a Reconstitution on DCP or ACRE Farm	June 1, 2010
Final Date to Report 2010 Spring Seeded Crops	July 15, 2010
Final date to prioritize crop to receive ACRE Payments Final date to file a 2010 successor-in-interest DCP or ACRE contract if the change occurred after June 1, 2010 Final date to have returned signatures for producers who have a share in a DCP and/or ACRE contract that had a 2010 successor-in-interest contract filed after June 1, 2010	Sept. 30, 2010

### **Deadline for 2010 Livestock Indemnity Program (LIP) Signup**

1. Livestock owners or contract growers who suffered livestock losses during July 13, 2009, through December 31, 2009, shall file:
  - a notice of loss no later than 30 calendar days of when the loss of livestock is apparent to the participant
  - an application for payment no later than January 30, 2010.
2. There are **no** late-filed provisions for LIP.

### **2010 NAP**

<b>2010 NAP Acreage Reporting Dates</b>	
Apples	January 15, 2010
Asparagus	
Blueberries	
Caneberries	
Figs	
Grapes	
Peaches	
Pears	

## 2010 NAP Application Closing Dates

Broccoli, fresh	1/01/10
Beans (spring and fall), fresh	2/28/10
Cantaloupes	
Corn, grain	
Corn, sweet, fresh	
Cotton	
Cucumbers (spring and fall), fresh	
Eggplant, fresh	
Grain sorghum, grain	
Lettuce, fresh	
Okra, fresh	
Peanuts	
Peas (spring and fall), fresh	
Peppers, fresh	
Pumpkins, fresh	
Rice, grain	
Soybeans, grain	
Squash (spring and fall), fresh	
Strawberries, fresh	
Sugarcane, fresh	
Sunflowers	
Sweet Potatoes, fresh	
Watermelons, fresh	
Corn, forage	
Millet, forage	
Sorghum, forage	
Tomatoes (spring and fall), fresh	3/15/10

### 2010 Calendar Year Signup Deadline for Emergency Livestock Assistance Program (ELAP)

1. Producers who suffer eligible livestock, honey bee, or farm-raised fish losses during September 14, 2009, through December 31, 2009, shall file the following:
  - a notice of loss no later than 30 calendar days of when the loss is apparent to the producer
  - an application for payment no later than January 30, 2010.
2. There are **no** late-filed provisions for ELAP.

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