

**For:** State and County Offices

**Coronavirus Food Assistance Program (CFAP)**

**Approved by:** Acting Deputy Administrator, Farm Programs



---

**1 Overview**

**A Background**

The Coronavirus Aid, Relief, and Economic Security (CARES) Act (Pub. L. 116-136) was signed into law on March 27, 2020, to provide relief for individuals and businesses that have been negatively impacted by the COVID-19 pandemic.

CFAP:

- provides direct support to eligible farmers, ranchers, and dairy operations with eligible agricultural commodities and/or livestock that have suffered losses due to price and market declines and supply chains impacted by COVID-19
- assists producers with additional adjustment and marketing costs resulting from lost demand and short-term oversupply caused by COVID-19
- is authorized under the CARES Act and Commodity Credit Corporation Charter Act
- is being administered by FSA.

---

|                            |  |
|----------------------------|--|
| <b>Disposal Date</b>       | <b>Distribution</b>                                  |
| January 1, 2021<br>5-20-20 | State Offices; State Offices relay to County Offices |

---

**Page 1**

## Notice CFAP-4

### 1 Overview (Continued)

#### B Purpose

This notice provides State and County Offices with the following for CFAP:

- general policies and provisions
- eligibility requirements
- eligible commodities and payment rates
- producer reporting requirements
- payment calculations.

#### C Contact Information

State Offices that require additional information may contact the following.

| IF the question is about CFAP...   | THEN contact...  |
|------------------------------------|--|
| non-specialty crop and wool policy | Brent Orr by either of the following: <ul style="list-style-type: none"> <li>• email to <a href="mailto:brent.orr@usda.gov">brent.orr@usda.gov</a></li> <li>• telephone at 202-720-0809.</li> </ul>  |
| specialty crop policy              | either of the following: <ul style="list-style-type: none"> <li>• Jenae Prescott by the following:                             <ul style="list-style-type: none"> <li>• email to <a href="mailto:jenae.prescott@usda.gov">jenae.prescott@usda.gov</a></li> <li>• telephone at 202-720-7641</li> </ul> </li> <li>• Tona Huggins by either of the following:                             <ul style="list-style-type: none"> <li>• email to <a href="mailto:tona.hugginsx@usda.gov">tona.hugginsx@usda.gov</a></li> <li>• telephone at 202-205-9847.</li> </ul> </li> </ul> |
| livestock policy                   | Kelly Breinig by either of the following: <ul style="list-style-type: none"> <li>• email to <a href="mailto:kelly.breinig@usda.gov">kelly.breinig@usda.gov</a></li> <li>• telephone at 202-720-1603.</li> </ul>  |
| dairy policy                       | Doug Kilgore by either of the following: <ul style="list-style-type: none"> <li>• email to <a href="mailto:douglas.e.kilgore@usda.gov">douglas.e.kilgore@usda.gov</a></li> <li>• telephone at 202-720-9011.</li> </ul>   |
| value loss crop policy             | Tona Huggins by either of the following: <ul style="list-style-type: none"> <li>• email to <a href="mailto:tona.huggins@usda.gov">tona.huggins@usda.gov</a></li> <li>• telephone at 202-205-9847.</li> </ul>   |
| application                        | Brittany Ramsburg by either of the following: <ul style="list-style-type: none"> <li>• email to <a href="mailto:brittany.ramsburg@usda.gov">brittany.ramsburg@usda.gov</a></li> <li>• telephone at 202-260-9303.</li> </ul>  |

## Notice CFAP-4

### 1 Overview (Continued)

#### C Contact Information (Continued)

| IF the question is about CFAP...                 | THEN contact...   |
|--|---|
| automation                                       | Mario Plummer by either of the following: <ul style="list-style-type: none"><li>• email to <a href="mailto:mario.plummer@usda.gov">mario.plummer@usda.gov</a></li><li>• telephone at 816-823-1027.</li></ul>  |
| payments   | Tina Nemec by either of the following: <ul style="list-style-type: none"><li>• email to <a href="mailto:tina.nemec@usda.gov">tina.nemec@usda.gov</a></li><li>• telephone at 202-690-4027.</li></ul>   |
| producer eligibility and conservation compliance | <ul style="list-style-type: none"><li>• Paul Hanson (producer eligibility policy) by either of the following:<ul style="list-style-type: none"><li>• email to <a href="mailto:paul.hanson@usda.gov">paul.hanson@usda.gov</a></li><li>• telephone at 202-720-4189</li></ul></li><li>• Michele Davidson (automated Subsidiary system) by either of the following:<ul style="list-style-type: none"><li>• email to <a href="mailto:michele.davidson@usda.gov">michele.davidson@usda.gov</a></li><li>• telephone at 816-823-1466</li></ul></li><li>• Joe Fuchtman (conservation compliance) by either of the following:<ul style="list-style-type: none"><li>• email to <a href="mailto:joseph.fuchtman@usda.gov">joseph.fuchtman@usda.gov</a></li><li>• telephone at 202-260-9146.</li></ul></li></ul> |

### 2 CFAP General Program Information and Eligibility

#### A CFAP Signup Period

Eligible producers who had an ownership share interest in 1 or more of the eligible CFAP commodities can file a CFAP application for all their farming and ranching interests nationwide by submitting a completed AD-3114, CFAP Application, to any USDA Service Center from May 26, 2020, through August 28, 2020. The producer's recording county will be responsible for acting on AD-3114. See Exhibit 1 for an example of AD-3114.

## Notice CFAP-4

### 2 CFAP General Program Information and Eligibility (Continued)

#### B Application

Producers will submit 1 application for their entire operation nationwide using any of the following methods:

- in person, when available
- by mail
- electronically by:
  - FAX
  - e-mail with a scanned or photocopy of signed AD-3114 attached
  - other authorized method (provided by supplemental notice or other guidance) online through **www.farmers.gov**
- online, when available.

**Notes:** Submitting AD-3114 online requires an active Level 2 eAuthentication account. Individual producers can register for a Level 2 eAuthentication account at **www.eauth.usda.gov**.

A fillable version of AD-3114 will also be available for applicants to sign and submit by one of the above methods.

#### C Producer Eligibility

An eligible producer is a person or legal entity who shares in the risk of producing a crop or livestock and who is entitled to a share in the crop or livestock available for marketing or would have shared had the crop or livestock been produced and marketed.

The CFAP is available to persons and legal entities who had a share in the eligible commodity:

- on January 15, 2020, and/or between April 16 and May 14, 2020, for all commodities other than dairy
- for the months of January, February, and March 2020 for dairy.

## Notice CFAP-4

### 2 CFAP General Program Information and Eligibility (Continued)

#### C Producer Eligibility (Continued)

To be eligible for a CFAP payment, a person or legal entity must be a:

- citizen of the United States
- resident alien (possessing a Resident Alien Card (I-551))
- partnership of citizens of the United States
- corporation, limited liability company (LLC), or other organizational structure organized under State law
- Indian Tribe or Tribal organization, as defined in section 4(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)
- foreign person or foreign entity who meets foreign person rules according to 5-PL.

#### D Ineligible Producer

The following persons or legal entities are **ineligible** for CFAP payments:

- Federal, State, and local governments, including public schools as defined in 5-PL
- persons or legal entities who did not have a reported ownership interest in any of the eligible commodities
- producers that have been suspended or debarred or otherwise excluded from participating in Federal programs

**Note:** Follow procedure in 1-CM (Rev. 3).

- persons and legal entities not meeting payment limitation, payment eligibility, AGI, and HELC/WC requirements for CFAP.

## Notice CFAP-4

### 3 Payment Limitation, Payment Eligibility, AGI, and Other Compliance Requirements

#### A Payment Limitation

The total amount of CFAP payments that a person or legal entity (excluding general partnerships and joint ventures) may receive is \$250,000, except as provided in subparagraph B.

Payments to a program applicant that is a joint operation, including a general partnership or joint venture, cannot exceed \$250,000 per person or legal entity that comprise first level ownership of the general partnership or legal entity, unless the first level member is another joint operation.

#### B Optional Increase in Limitation for Corporations, LLC, and Limited Partnership (LP)

For CFAP applicants that are a corporation, LLC or LP, an authorized representative of the legal entity may seek an increase in the \$250,000 payment limitation to either \$500,000, if 2 members, stockholders, or partners provide independently at least 400 hours or more of active personal labor or active personal management, or combination thereof; or \$750,000 if three members, stockholders, or partners provide independently at least 400 hours or more of active personal labor or active personal management, or a combination thereof (as defined in 5-PL).

The maximum limitation a corporation, LLC, or LP may receive is \$750,000.

#### C Attribution of Payments

CFAP payments to persons and legal entities will be limited according to the rules for attribution at 7 CFR 1400.105.

CFAP payments made directly or indirectly to a person or legal entity will be combined and limited to the per person or legal entity.

CFAP payments to a legal entity will be tracked through 4 levels of ownership and will be reduced for members, partners, or stockholders holding an ownership interest below the 4<sup>th</sup> level.

Rules for “common attribution” (i.e., minor children) do not apply to CFAP payments.

#### D AGI

To be eligible for payment, a person or legal entity (including members, stockholders, or partners of the legal entity) must have an average AGI for program year 2020 that does not exceed the \$900,000 limitation, unless at least 75 percent of the person’s or legal entity’s average AGI is derived from farming, ranching, or forestry operations.

## Notice CFAP-4

### 3 Payment Limitation, Payment Eligibility, AGI, and Other Compliance Requirements (Continued)

#### E Other Eligibility Provisions Applicable to CFAP

Other compliance provisions applicable to persons and legal entities requesting a CFAP payment include:

- controlled substance
- HELC/WC compliance, including AD-1026.

To be considered eligible for a CFAP payment, persons or legal entities must be “certified” with AD-1026 for the 2020 program year.

Part A, items 7A and 8 on the AD-3114 allows CFAP applicants (with either continuous certification on file or new filing) to certify with box 5B of AD-1026 if the producer:

- does not participate in any USDA benefits subject to HELC and WC compliance except **Federal Crop Insurance or CFAP**
- only has interest in land devoted to agriculture, which is exclusively used for perennial crops, except sugar cane, and,
- has not converted a wetland after **December 23, 1985**.

Livestock and honey applicants that do not have any interest in agricultural land (i.e., cropland, pastureland, rangeland, or forestland) certify to compliance by checking box 5A of AD-1026 (discussed in producer agreement of CFAP application Part A 7B and 8), as they do with other USDA benefits subject to conservation compliance.

Parts A and D of AD-1026 are required for producers certifying with box 5A or B. However, farm records for which a producer’s certification of compliance applies are not required.

All other producers who do not have continuous AD-1026 certification of compliance on file must file a complete AD-1026 according to 6-CP (including certification of Part B HELC/WC compliance questions). According to 6-CP, subparagraph 641 D these producers must establish farm records to which their certification of compliance applies before recording AD-1026 as “certified”. However, for CFAP record AD-1026 as “certified” when received. County Offices will keep these AD-1026s in a “needs to establish farm records folder” if information is not readily available to establish them. The producers will be contacted to do so as workload and time allows. Certification of AD-1026, recorded in subsidiary is still required for the CFAP payment to process.

## Notice CFAP-4

### 3 Payment Limitation, Payment Eligibility, AGI, and Other Compliance Requirements (Continued)

#### F Applicable Eligibility Forms for CFAP

The following forms must be on file for all persons and entities requesting CFAP benefits.

- **CCC-902 Automated** will be completed according to 5-PL and 3-PL (Rev. 2) by all CFAP applicants to collect:
  - names, addresses, taxpayer identification numbers for the person or legal entity (and its members)
  - member information for legal entities (including joint operations)
  - citizenship status for the person or legal entity (and its members)
  - contributions of foreign persons.

**Notes:** Manual forms CCC-902I (Parts A and B), CCC-902E (Parts A, B, and C) and CCC-901 (if applicable) may be used to collect the required information for CFAP. Information collected on manual forms **must** be loaded in Business File according to 3-PL (Rev. 2).

Applicants who are foreign persons or foreign entities as defined in 5-PL must complete CCC-902 to collect contributions of the foreign persons.

- **CCC-903** will be used to document COC payment limitation, producer eligibility, and foreign person eligibility determinations.
- **CCC-941** will be used to collect the certification of AGI for the CFAP applicant.
- **CCC-942** will be used to collect farm AGI certifications from the CFAP applicant and CPA or attorney, as applicable.

Failure to satisfy or comply with any of these provisions may result in a loss or reduction of payment eligibility.

#### G Timeframe for Filing Eligibility Documents

CFAP applicants **must** file all eligibility documents for CFAP within 60 calendar days from the date of signing a CFAP application.

Failure to timely provide all eligibility forms may result in no payment or a reduced payment.



## Notice CFAP-4

### 4 CFAP Eligible Commodities and Payments

#### A CFAP Eligible Commodities

CFAP provides financial assistance to eligible producers with an ownership interest in the following eligible commodities that have been determined to have been impacted by the effects of the COVID-19 outbreak.

| Commodity Category           | Eligible Commodity   |
|------------------------------|--|
| Dairy                        | <ul style="list-style-type: none"> <li>• Dairy (milk)</li> </ul>   |
| Non-Specialty Crops and Wool | <ul style="list-style-type: none"> <li style="width: 50%;">• Barley – Malting only</li> <li style="width: 50%;">• Sorghum</li> <li style="width: 50%;">• Canola</li> <li style="width: 50%;">• Soybeans</li> <li style="width: 50%;">• Corn</li> <li style="width: 50%;">• Sunflowers</li> <li style="width: 50%;">• Cotton – Upland</li> <li style="width: 50%;">• Wheat – Durum</li> <li style="width: 50%;">• Millet</li> <li style="width: 50%;">• Wheat - Hard Red Spring</li> <li style="width: 50%;">• Oats</li> <li style="width: 50%;">• Wool (graded/clean and non-graded/greasy)</li> </ul>   |
| Livestock                    | <ul style="list-style-type: none"> <li>• Feeder Cattle: Less than 600 Pounds</li> <li>• Feeder Cattle: 600 Pounds or More</li> <li>• Slaughter Cattle: Fed Cattle</li> <li>• Slaughter Cattle: Mature Cattle</li> <li>• All Other Cattle</li> <li>• Pigs: Less than 120 Pounds</li> <li>• Hogs: 120 Pounds or More</li> <li>• Lambs and Yearlings</li> </ul>   |
| Value Loss Crops             | <ul style="list-style-type: none"> <li>• Eligible value loss commodities will be identified in the future.</li> </ul>  |
| Specialty Crops              | <ul style="list-style-type: none"> <li style="width: 33%;">• Almonds</li> <li style="width: 33%;">• Garlic</li> <li style="width: 33%;">• Peppers – Other</li> <li style="width: 33%;">• Apples</li> <li style="width: 33%;">• Grapefruit</li> <li style="width: 33%;">• Potatoes</li> <li style="width: 33%;">• Artichokes</li> <li style="width: 33%;">• Kiwifruit</li> <li style="width: 33%;">• Raspberries (Caneberries)</li> <li style="width: 33%;">• Asparagus</li> <li style="width: 33%;">• Lemons</li> <li style="width: 33%;">• Rhubarb</li> <li style="width: 33%;">• Avocados</li> <li style="width: 33%;">• Lettuce – Iceberg</li> <li style="width: 33%;">• Spinach (Greens)</li> <li style="width: 33%;">• Beans</li> <li style="width: 33%;">• Lettuce - Romaine</li> <li style="width: 33%;">• Squash</li> <li style="width: 33%;">• Blueberries</li> <li style="width: 33%;">• Mushrooms</li> <li style="width: 33%;">• Strawberries</li> <li style="width: 33%;">• Broccoli</li> <li style="width: 33%;">• Onions – Dry</li> <li style="width: 33%;">• Sweet Corn</li> <li style="width: 33%;">• Cabbage</li> <li style="width: 33%;">• Onions – Green</li> <li style="width: 33%;">• Sweet Potatoes</li> <li style="width: 33%;">• Cantaloupe</li> <li style="width: 33%;">• Oranges</li> <li style="width: 33%;">• Tangerines</li> <li style="width: 33%;">• Carrots</li> <li style="width: 33%;">• Papayas</li> <li style="width: 33%;">• Taro</li> <li style="width: 33%;">• Cauliflower</li> <li style="width: 33%;">• Peaches</li> <li style="width: 33%;">• Tomatoes</li> <li style="width: 33%;">• Celery</li> <li style="width: 33%;">• Pears</li> <li style="width: 33%;">• Walnuts</li> <li style="width: 33%;">• Cucumbers</li> <li style="width: 33%;">• Pecans</li> <li style="width: 33%;">• Watermelon</li> <li style="width: 33%;">• Eggplant</li> <li style="width: 33%;">• Peppers – Bell</li> </ul> |

## Notice CFAP-4

### 4 CFAP Eligible Commodities and Payments (Continued)

#### B CFAP Payments

The CFAP payment is:

- available to eligible producers who had or still have an ownership interest in 1 or more of the eligible commodities
- **not** subject to sequestration
- not subject to offset.

The CFAP payment will be determined in 1, 2, and/or 3 payment parts, and a total payment will be calculated based on the combined parts. The total payment amount will be multiplied by a factor of 80 percent after applying payment limitation to determine the actual payment amount. FSA may issue a second payment if funds remain available.

Generally, the initial payment of 80 percent of the calculated total will be issued as a single payment for each producer nationwide; however, subsequent payments may be issued as more data is received from each producer.

Payments will be determined according to the following table.

| Commodity Category           | CARES Act Funds  | CCC Funds   |
|------------------------------|--|---|
| Dairy                        | For each eligible producer, a payment rate in pounds of milk production including dumped milk for the months of January, February, and March 2020.   | For each eligible producer, a payment rate in pounds of milk production including dumped milk for the months of January, February, and March 2020 with an adjustment factor of 1.014. |
| Non-Specialty Crops and Wool | For each eligible producer and commodity, eligible production will be based on the unsold production on hand on January 15, 2020, not to exceed 50 percent of the total 2019 production for that producer nationwide.  |   |
|                              | Fifty percent of production determined above will be paid using CARES Act funds.   | Fifty percent of production determined above will be paid using CCC funds.  |
| Livestock                    | For each eligible producer, payment is calculated by multiplying the number of livestock sold between January 15 and April 15, 2020, by the payment rate per head.<br><br><b>Note:</b> Livestock must have been owned by the producer on January 15, 2020. Any offspring born from that same inventory are eligible. | For each eligible producer, payment is calculated by multiplying the highest livestock inventory between April 16 and May 14, 2020, by the payment rate per head.                     |

**Notice CFAP-4**

**4 CFAP Eligible Commodities and Payments (Continued)**

**B CFAP Payments (Continued)**

| <b>Commodity Category</b> | <b>CARES Act Funds</b>  | <b>CCC Funds</b>   |
|---------------------------|---|--|
| Value Loss Crops          | To be determined.   |  |
| Specialty Crops           | <p>There are 2 potential subparts to the payment:</p> <ul style="list-style-type: none"> <li>• For specific specialty crops, a payment for each eligible producer will be based on the volume of production sold between January 15, 2020, and April 15, 2020.</li> <li>• A payment for each producer will be based on the volume of production shipped but not sold or for which no payment was received (unpaid) between January 15, 2020, and April 15, 2020.</li> </ul> | For each eligible producer, a payment will be based on the number of acres for which production was destroyed or not harvested due to market between January 15, 2020, and April 15, 2020. |

**Note:** All production, sales, and inventory of eligible commodities and livestock **must be subject to price risk** as of January 15, 2020. Unpriced inventory or production subject to price risk means any production, sales, and inventory that is not subject to an agreed-upon price in the future through a forward contract, agreement, or similar binding document. The producer’s eligible commodity and/or livestock must still be at risk of price fluctuations after January 15, 2020, to be eligible for payment.

## Notice CFAP-4

### 5 CFAP Payment Rates and Reporting Requirements

#### A Dairy

The following table lists the payment rates for CFAP Dairy:

| Commodity    | Unit of Measure | CARES Act Payment Rate | CCC Payment Rate |
|--------------|-----------------|------------------------|------------------|
| Dairy (Milk) | pounds          | \$0.0471               | \$0.0147         |

Each dairy operation will certify to milk production for the month of January, February, and March 2020 according to:

- milk commercially marketed for the months of January, February, and March 2020
- dumped milk during the months of January, February, and March 2020
- milk subject to price risk for the months of January, February, and March 2020.

#### B Non-Specialty Crops and Wool

The following table lists eligible non-specialty commodities and payment rates for CFAP.

| Commodity                       | Unit of Measure | CARES Act Payment Rate | CCC Payment Rate |
|---------------------------------|-----------------|------------------------|------------------|
| Barley (malting barley only)    | bushel          | \$0.34                 | \$0.37           |
| Canola                          | pound           | \$0.01                 | \$0.01           |
| Corn                            | bushel          | \$0.32                 | \$0.35           |
| Upland Cotton                   | pound           | \$0.09                 | \$0.10           |
| Millet                          | bushel          | \$0.31                 | \$0.34           |
| Oats                            | bushel          | \$0.15                 | \$0.17           |
| Sorghum                         | bushel          | \$0.30                 | \$0.32           |
| Soybeans                        | bushel          | \$0.45                 | \$0.50           |
| Sunflowers                      | pound           | \$0.02                 | \$0.02           |
| Wheat, Durum                    | bushel          | \$0.19                 | \$0.20           |
| Wheat, Hard Red Spring          | bushel          | \$0.18                 | \$0.20           |
| Wool (graded, clean basis)      | pound           | \$0.71                 | \$0.78           |
| Wool (non-graded, greasy basis) | pound           | \$0.36                 | \$0.39           |

Each producer will be required to certify, for each eligible commodity, their:

- total production in 2019
- 2019 production subject to price risk and unsold production as of January 15, 2020.

The payment formula is the eligible production multiplied by the applicable payment rate.

## Notice CFAP-4

### 5 CFAP Payment Rates and Reporting Requirements (Continued)

#### B Non-Specialty Crops and Wool (Continued)

The eligible production is each producer's 2019 production subject to risk and not sold as of January 15, 2020, not to exceed 50 percent of each producer's total 2019 production. Fifty percent of the eligible production will be paid using CARES Act funds. The remaining 50 percent of the eligible production will be paid using CCC funds.

Crops used for grazing are ineligible for CFAP. Other eligible crop types and intended uses will be listed in 1-CFAP.

#### C Livestock

The following table lists eligible livestock and payment rates for CFAP.

| Livestock         | Eligible Livestock                  | Unit of Measure | CARES Act Payment Rate | CCC Payment Rate |
|-------------------|-------------------------------------|-----------------|------------------------|------------------|
| Cattle            | Feeder Cattle: Less Than 600 Pounds | Head            | \$102.00               | \$33.00          |
|                   | Feeder Cattle: 600 Pounds or More   | Head            | \$139.00               | \$33.00          |
|                   | Slaughter Cattle: Fed Cattle        | Head            | \$214.00               | \$33.00          |
|                   | Slaughter Cattle: Mature Cattle     | Head            | \$ 92.00               | \$33.00          |
|                   | All Other Cattle                    | Head            | \$102.00               | \$33.00          |
| Hogs & Pigs       | Pigs: Less Than 120 Pounds          | Head            | \$ 28.00               | \$17.00          |
|                   | Hogs: 120 Pounds or More            | Head            | \$ 18.00               | \$17.00          |
| Lambs & Yearlings | All Sheep Less Than 2 Years Old     | Head            | \$ 33.00               | \$ 7.00          |

Each producer will be required to certify, for each eligible livestock, their:

- owned inventory subject to price risk as of January 15, 2020, and any offspring from that inventory, that were sold between January 15 and April 15, 2020, and/or
- highest owned inventory between April 16 and May 14, 2020.

The payment formula is the sum of:

- the number of head sold multiplied by the applicable payment rate (CARES Act funds)
- the number of head in inventory multiplied by the applicable payment rate (CCC funds).

## Notice CFAP-4

### 5 CFAP Payment Rates and Reporting Requirements (Continued)

#### D Value Loss Crops

No value loss crops have been determined eligible at this time. If a specific type of value loss crop is determined eligible for CFAP, producers will be required to report the value of sales and/or the value of inventory.

#### E Specialty Crops

The following table lists eligible specialty crops and payment rates for CFAP.

| Specialty Crop   | CARES Act<br>Payment Rate for<br>Sales<br>(\$/pound) | CARES Act<br>Payment Rate for<br>Delivered and Unpaid<br>(\$/pound) | CCC<br>Payment Rate for<br>Not Delivered<br>(\$/acre) |
|------------------|--|---|---|
| Almonds          | \$0.26   | \$0.57  | \$237.60  |
| Apples           |  | \$0.18  | \$1,125.00  |
| Artichokes       | \$0.66   | \$0.49  | \$1,300.00  |
| Asparagus        |  | \$0.38  | \$254.80  |
| Avocados         |  | \$0.14  | \$153.60  |
| Beans            | \$0.17   | \$0.16  | \$233.79  |
| Blueberries      |  | \$0.62  | \$795.60  |
| Broccoli         | \$0.62   | \$0.49  | \$1,563.00  |
| Cabbage          | \$0.04   | \$0.07  | \$367.30  |
| Cantaloupe       |  | \$0.10  | \$478.80  |
| Carrots          | \$0.02   | \$0.11  | \$1,251.40  |
| Cauliflower      | \$0.11   | \$0.31  | \$1,327.20  |
| Celery           |  | \$0.07  | \$560.00  |
| Cucumbers        | \$0.13   | \$0.15  | \$444.90  |
| Eggplant         | \$0.07   | \$0.15  | \$412.71  |
| Garlic           |  | \$0.85  | \$2,635.00  |
| Grapefruit       |  | \$0.11  | \$496.76  |
| Kiwifruit        |  | \$0.32  | \$1,404.00  |
| Lemons           | \$0.08   | \$0.21  | \$1,424.00  |
| Lettuce, iceberg | \$0.20   | \$0.15  | \$1,128.00  |
| Lettuce, romaine | \$0.07   | \$0.12  | \$623.60  |
| Mushrooms        |  | \$0.59  | \$33,109.96   |
| Onions, dry      | \$0.01   | \$0.05  | \$540.10  |
| Onions green     |  | \$0.30  | \$1,782.00  |
| Oranges          |  | \$0.14  | \$634.83  |
| Papaya           |  | \$0.32  | \$1,020.00  |
| Peaches          | \$0.08   | \$0.32  | \$1,099.20  |
| Pears            | \$0.08   | \$0.18  | \$966.00  |
| Pecans           | \$0.28   | \$0.93  | \$116.46  |

**Notice CFAP-4**

**5 CFAP Payment Rates and Reporting Requirements (Continued)**

**E Specialty Crops (Continued)**

| <b>Specialty Crop</b> | <b>CARES Act<br/>Payment Rate for<br/>Sales<br/>(\$/pound)</b> | <b>CARES Act<br/>Payment Rate for<br/>Delivered and Unpaid<br/>(\$/pound)</b> | <b>CCC Payment Rate<br/>for Not Delivered<br/>(\$/acre)</b> |
|-----------------------|--|---|---|
| Peppers, bell type    | \$0.14   | \$0.22  | \$1,267.20  |
| Peppers, other        | \$0.15   | \$0.22  | \$644.80  |
| Potatoes              |  | \$0.04  | \$449.00  |
| Raspberries           |  | \$1.45  | \$3,780.00  |
| Rhubarb               | \$0.15   | \$1.03  | \$395.83  |
| Spinach               | \$0.37   | \$0.37  | \$1,022.00  |
| Squash                | \$0.72   | \$0.39  | \$2,534.40  |
| Strawberries          | \$0.84   | \$0.72  | \$7,042.00  |
| Sweet corn            | \$0.09   | \$0.13  | \$483.60  |
| Sweet potatoes        |  | \$0.18  | \$871.60  |
| Tangerines            |  | \$0.22  | \$1,224.88  |
| Taro                  |  | \$0.23  | \$481.50  |
| Tomatoes              | \$0.64   | \$0.38  | \$6,122.90  |
| Walnut                |  | \$0.45  | \$322.20  |
| Watermelon            |  | \$0.02  | \$0.00  |

Each producer will be required to certify, for each eligible commodity, their:

- total volume of production subject to price risk sold between January 15, 2020, and April 15, 2020
- total volume of production subject to price risk shipped (delivered) but not sold (unpaid) between January 15, 2020, and April 15, 2020
- acres left in the field or harvested but not shipped (delivered) between January 15, 2020, and April 15, 2020.

The payment formula is the volume of production subject to price risk or acres multiplied by the applicable payment rate.

The portion of the CFAP payment based on:

- volume of sold or delivered and unpaid production (first two bullets) is paid through CARES Act funds
- acres not delivered are paid through CCC funds.

## 6 Outreach Responsibilities

### A Monitoring Outreach Efforts

The SED, STC, and COC's will monitor State and county outreach efforts for CFAP in OTIS. Monitoring efforts will help ensure that program information and awareness is communicated to all producers, including underrepresented individuals, groups, and communities. Underrepresented groups and communities may include but are not limited to minority, beginning farmers, and specialty crop producers.

SOC's **must**:

- work with State Communications Coordinator (CC) and County Office Outreach Coordinators (COOC's) to ensure the availability to apply for CFAP is publicized through GovDelivery, the State's FSA website, radio, newspaper and other applicable broadcast mediums
- partner with stakeholders through the following ways:
  - provide awareness of program requirements, crops included in the program, and the opportunity to submit information through the Federal Register for consideration of commodities not included
  - discuss how stakeholders can help FSA prepare customers to apply for CFAP. Stakeholders can help producers understand:
    - how customers can set up an appointment
    - forms and documentation needed for program participation
    - expectations for the first FSA meeting
  - provide CFAP materials to partner organizations who work with local producers, including underserved producers which includes ethnic minorities, women, beginning and specialty crop producers.



## Notice CFAP-4

### 6 Outreach Responsibilities (Continued)

#### A Monitoring Outreach Efforts (Continued)

- ensure County Offices have the Telephonic Language Interpretation Service to reach an interpreter when applicable:
  - Step 1. Dial 888-331-0185 – This service is available 24 hours a day.
  - Step 2. When the operator answers, the employee will provide the following information:
    - Language requested
    - Agency: (FSA)
    - State.
  - Once this information is provided, the operator will promptly connect you with an interpreter.
- to request Document Translation Service, employees should contact the agency's limited English proficiency (LEP) representative in the Farm Production and Conservation (FPAC) Business Center Charles A. Russell II by either of the following;
  - email to [Charles.Russell@wdc.usda.gov](mailto:Charles.Russell@wdc.usda.gov)
  - telephone at 202-720-9413.
- coordinate with COOC's to ensure informational calls and/or virtual meetings regarding the program are conducted and program information is disseminated.
- ensure all county and State outreach efforts are recorded in the Outreach Tracking Information System (OTIS) timely to monitor outreach efforts in real time. Outreach activities should be categorized as "Other", and "CFAP" should be manually entered.

## Notice CFAP-4

### 6 Outreach Responsibilities (Continued)

#### B County Office Outreach Requirements

CED's and COOC's **must**:

- provide and educate producers with box client user guide to process applications
- provide CCC-860, Socially Disadvantaged, Limited Resource, Beginning and Veteran Farmer or Rancher Certification, as an optional form for producers to complete for FSA's records to capture applicable information on new program participants
- educate local groups, associations, organizations, and cooperatives on program provisions by emailing or mailing CFAP materials
- educate local groups, associations, organizations, and cooperatives on program provisions by explaining CFAP program requirements during calls and or webinars with local groups and producers
- ensure outreach efforts are entered and recorded in OTIS timely. Outreach activities should be categorized as "Other", and "CFAP" should be manually entered.

### 7 Action

#### A State Office Action

State Offices **will**:

- ensure County Offices are aware of the contents of this notice
- complete outreach efforts according to subparagraph 6 A
- provide additional assistance and/or resources that County Offices may need to prepare for CFAP signup.

#### B County Office Action

County Offices **must**:

- review this notice in advance of CFAP sign-up
- complete outreach efforts according to subparagraph 6 B.

Example of AD-3114

The following is an example of AD-3114.

|  |                               |                                       |  |  |   |   |
|--|-------------------------------|---------------------------------------|--|--|---|---|
| This form is available electronically.   |                               |                                       |  | Form Approved - OMB No. 0560-0295<br>OMB Expiration Date: 11/30/2020 |   |   |
| <b>AD-3114</b><br>(05-19-20)   |                               | <b>U.S. DEPARTMENT OF AGRICULTURE</b> |  | 1. Recording State   |   | 2. Program Year                           |
| <b>CORONAVIRUS FOOD ASSISTANCE PROGRAM (CFAP) APPLICATION</b>  |                               |                                       |  | 3. Recording County  |   | 4. Application Number                     |
| <p><b>NOTE:</b> The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 9, the CARES Act (Pub. L. 116-136), and 15 U.S.C. 714b and 714c. The information will be used to determine eligibility for program benefits. The information collected on this form may be disclosed to other Federal, State, and Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for program benefits. Payments may be made under the program to which the form applies only to the extent permitted by applicable authorities.</p> <p><b>Public Burden Statement (Paperwork Reduction Act)</b> Public reporting burden for this collection is estimated to average 60 minutes per response, including reviewing instructions, gathering and maintaining the data needed, completing (providing the information), and reviewing the collection of information. You are not required to respond to the collection, or USDA may not conduct or sponsor a collection of information unless it displays a valid OMB control number. <b>RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</b></p>  |                               |                                       |  |  |   |   |
| <b>PART A PRODUCER AGREEMENT</b>   |                               |                                       |  |  |   |   |
| <p>The Department of Agriculture (USDA) will make payments under the CFAP to producers who meet the requirements of the program. The following information is needed in order for USDA to make a determination that the applicant is eligible to receive a CFAP payment. By submitting this application, and upon approval by USDA, the applicant agrees:</p> <ol style="list-style-type: none"> <li>1. To comply with regulations set forth in 7 CFR Part 9 and any Notice of Funds Availability published by USDA. Copies of these documents may be found at <a href="http://www.regulations.gov/docket?D=FSA-2020-0004">www.regulations.gov/docket?D=FSA-2020-0004</a>.</li> <li>2. That a CFAP payment will only be made with respect to a commodity produced in the United States and intended to be marketed for commercial production;</li> <li>3. Any production/sales/inventory eligible for payment must be subject to price risk.</li> <li>4. To provide to USDA all information that is necessary to verify that the information provided on this form is accurate and to allow USDA representative access to all documents and records of the producer, including those in the possession of a third-party such as a warehouse operator, processor or packer;</li> <li>5. To comply with maximum payment limitation and adjusted gross income provisions applicable to the CFAP by completing forms:             <ul style="list-style-type: none"> <li>• CCC-902, Farm Operating Plan for Payment Eligibility (NOTE: Only Parts A and B of the form are required).</li> <li>• CCC-901, Member Information for Legal Entities, if applicable</li> <li>• CCC-941, Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information</li> <li>• CCC-942, Certification of Income From Farming, Ranching and Forestry Operations, optional</li> </ul> </li> <li>6. To provide to USDA all information required for program participation within 60 days from the date the applicant signs this application. Failure of an individual, entity, or member of an entity to timely submit all information required may result in no payment or a reduced payment.</li> <li>7. To comply with the provisions of the Food Security Act of 1985 that protect highly erodible land and wetlands. All applicants must complete and submit all portions of form AD-1026, Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification unless:             <ol style="list-style-type: none"> <li>7A.                 <ol style="list-style-type: none"> <li>i. The applicant does not participate in USDA benefits subject to HELC and WC compliance except Federal Crop Insurance or CFAP, and</li> <li>ii. The applicant only has an interest in land devoted to the production of agricultural commodities that are perennial crops, excluding sugar cane, such as tree fruits, tree nuts, grapes, olives, native pasture and perennial forage. If the applicant produces alfalfa, the applicant must contact the Natural Resources Conservation Service to determine if such production qualifies as the production of a perennial crop; and</li> <li>iii. The applicant has not converted a wetland after December 23, 1985; or</li> </ol> </li> <li>7B.                 <ol style="list-style-type: none"> <li>i. The applicant does not own or rent land devoted to an agricultural activity including cropland, rangeland, pastureland or forestland;</li> <li>ii. The applicant is a producer of livestock, nursery crops, honey or similar commodity that is not produced from tillage of land</li> </ol> </li> </ol> </li> <li>8. If the applicant meets either the conditions in section 7A (certification with box 5 B on AD-1026) or 7B (certification with box 5 A on AD-1026), the applicant is only required to complete Parts A and D of form AD-1026.</li> </ol> |                               |                                       |  |  |   |   |
| <b>PART B PRODUCER INFORMATION</b>   |                               |                                       |  |  |   |   |
| 5. Producer's Name and Address (City, State and Zip Code)  |                               |                                       |  |  |   |   |
| <b>PART C DAIRY PRODUCTION INFORMATION</b>   |                               |                                       |  | <b>COC USE ONLY</b>  |   |   |
| 6.<br>Unit of Measure  | 7.<br>January 2020 Production | 8.<br>February 2020 Production        | 9.<br>March 2020 Production                          | 10.<br>COC Adjusted Jan 2020 Production                              | 11.<br>COC Adjusted Feb 2020 Production                           | 12.<br>COC Adjusted March 2020 Production |
| LBS  |                               |                                       |  |  |   |   |
| <b>PART D NON SPECIALTY CROP AND WOOL INFORMATION</b>  |                               |                                       |  | <b>COC USE ONLY</b>  |   |   |
| 13.<br>Commodity   | 14.<br>Unit of Measure        | 15.<br>2019 Total Production          | 16.<br>2019 Production Not Sold (as of Jan 15, 2020) | 17.<br>COC Adjusted 2019 Total Production                            | 18.<br>COC Adjusted 2019 Production Not Sold (as of Jan 15, 2020) |   |
|  |                               |                                       |  |  |   |   |
|  |                               |                                       |  |  |   |   |
|  |                               |                                       |  |  |   |   |

Example of AD-3114 (Continued)

| AD-3114 (05-19-20)  |                                  |  |   |  | Page 2 of 2   |  |   |
|---|----------------------------------|--|---|--|---|--|---|
| PART E LIVESTOCK INFORMATION  |                                  |  |   |  | COC USE ONLY  |  |   |
| 19.<br>Livestock  | 20.<br>Unit of Measure           | 21.<br>Jan 15, 2020 - April 15, 2020<br>Sales of Owned Inventory as of Jan 15, 2020 & Any Offspring From Owned Inventory | 22.<br>Inventory<br><i>(Highest Between April 16, 2020 - May 14, 2020)</i>                            | 23.<br>COC Adjusted Jan 15, 2020 - April 15, 2020 Sales of Owned Inventory as of Jan 15, 2020 & Any Offspring From Owned Inventory | 24.<br>COC Adjusted Inventory   |  |   |
|   |                                  |  |   |  |   |  |   |
|   |                                  |  |   |  |   |  |   |
|   |                                  |  |   |  |   |  |   |
| PART F VALUE LOSS INFORMATION   |                                  |  |   | COC USE ONLY   |   |  |   |
| 25.<br>Commodity  |                                  | 26.<br>Value of Sales<br><i>(Jan 15, 2020 – April 15, 2020)</i>  | 27.<br>Value of Inventory<br><i>(as of April 15, 2020)</i>  | 28.<br>COC Adjusted Value of Sales<br><i>(Jan 15, 2020 – April 15, 2020)</i>   |   | 29.<br>COC Adjusted Value of Inventory<br><i>(as of April 15, 2020)</i>  |   |
|   |                                  |  |   |  |   |  |   |
|   |                                  |  |   |  |   |  |   |
|   |                                  |  |   |  |   |  |   |
| PART G SPECIALTY CROP INFORMATION (COC DETERMINATION NOT REQUIRED)  |                                  |  |   |  | AMS USE ONLY  |  |   |
| 30.<br>Crop   | 31.<br>Unit of Measure           | 32.<br>Volume of Production Sold<br><i>(Jan 15, 2020 - April 15, 2020)</i>   | 33.<br>Volume of Production Shipped but Not Sold and Unpaid<br><i>(Jan 15, 2020 – April 15, 2020)</i> | 34.<br>Acres with Production Not Shipped or Sold<br><i>(Jan 15, 2020 – April 15, 2020)</i>   | 35.<br>AMS Adjusted Volume of Production Sold<br><i>(Jan 15, 2020 - April 15, 2020)</i> | 36.<br>AMS Adjusted Volume of Production Shipped but Not Sold and Unpaid<br><i>(Jan 15, 2020 - April 15, 2020)</i> | 37.<br>AMS Adjusted Acres with Production Not Shipped or Sold<br><i>(Jan 15, 2020 - April 15, 2020)</i> |
|   |                                  |  |   |  |   |  |   |
|   |                                  |  |   |  |   |  |   |
|   |                                  |  |   |  |   |  |   |
| PART H INCREASED PAYMENT LIMITATION FOR CORPORATIONS, LIMITED LIABILITY COMPANIES AND LIMITED PARTNERSHIPS  |                                  |  |   |  |   |  |   |
| 38. Applicants who are Corporations, Limited Liability Companies, and Limited Partnerships may seek an increase in the per-person payment limitation from \$250,000 to either \$500,000, if such entity has two members, partners, or stockholders who each provided at least 400 hours or more of personal labor or active personal management, or combination thereof, to the farming operation as defined in 7 CFR Part 1400, or a maximum of \$750,000 if such entity has three members, partners, or stockholders who each provided at least 400 hours or more of personal labor or active personal management, or combination thereof, to the farming operation as defined in 7 CFR Part 1400. Identify the names of members, partners, or stockholders who provided at least 400 hours of active personal labor or active personal management, or combination thereof, to the farming operation identified in Part B Item 5: |                                  |  |   |  |   |  |   |
| A.  |                                  |  | B.  |  |   | C.   |   |
|   |                                  |  |   |  |   |  |   |
| PART I PRODUCER CERTIFICATION   |                                  |  |   |  |   |  |   |
| <i>I hereby sign and acknowledge under penalty of perjury in accordance with 28 U.S.C. § 1746 and 18 U.S.C. § 1621 that the foregoing is true and correct.</i>  |                                  |  |   |  |   |  |   |
| 39A. Signature (By)   |                                  |  | 39B. Title/Relationship of the Individual Signing in the Representative Capacity                      |  |   | 39C. Date (MM/DD/YYYY)   |   |
|   |                                  |  |   |  |   |  |   |
| PART J COC DETERMINATION  |                                  |  |   |  |   |  |   |
| 40.<br>Payment Part   | 41.<br>COC or Designee Signature |  |   | 42.<br>Date (MM/DD/YYYY)   | 43.<br>Determination  |  |   |
| CARES   |                                  |  |   |  | APPROVED  | DISAPPROVED  |   |
| CCC   |                                  |  |   |  | APPROVED  | DISAPPROVED  |   |

In accordance with Federal civil rights law and USDA civil rights regulations and policies, the USDA, its agencies, offices, and employees participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov). USDA is an equal opportunity provider, employer, and lender.