

For: State and County Offices

In and Out Transfers

Approved by: Deputy Administrator, Farm Programs



1 Overview

A Background

The National Office has received numerous questions on the existing in-and-out transfer procedure provided in 3-CM (Rev. 3) and has been asked to clarify the procedure to ensure that County Offices understand:

- how to determine a farm’s administrative county
- when an in-and-out transfer can be approved
- requesting DAFP approval for in-and-out transfers that do not meet procedure
- how to load farm and tract acreage after an in-transfer is approved.

B Purpose

This notice provides clarification on:

- determining a farm’s administrative county
- approving in-and-out transfers
- requesting DAFP approval for in-and-out transfers that do not meet procedure
- loading farm and tract acreage after an in-transfer has been approved.

Disposal Date

March 1, 2004
9-15-03

Distribution

State Offices, State Offices relay to County Offices

Notice CM-481

2 Location of Farm’s Administrative Records

A Determining a Farm’s Administrative County

The following table explains how to determine a farm’s administrative county.

Situation	General Rule	
All of the land on the farm is physically located in 1 county and the county where the farm is physically located has an FSA office.	The farm records shall be administratively located in that county.	
All of the land on the farm is physically located in 1 county, but there is no County Office where the farm is physically located.	IF...	THEN...
	the County Office has been closed and the timeframe to request a change of administrative county has not yet passed <ul style="list-style-type: none"> • the County Office has been closed and the timeframe to request a change of administrative county has passed • the physical location county has never had a County Office 	follow procedure in 3-CM (Rev. 3), paragraph 52 for handling County Office closures. a change in a farm’s administrative county may only be permitted if 1 of the following applies: <ul style="list-style-type: none"> • the principle dwelling of the operator has changed • a change has occurred in the operation of the land • there has been a change that would cause the changed administrative County Office to be more accessible, such as a new highway, relocation of the County Office, building site, etc. <p>Note: Administrative county changes shall only be made to contiguous counties of the physical location county of the farm.</p>

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2 Location of Farm’s Administrative Records (Continued)

A Determining a Farm’s Administrative County (Continued)

Situation	General Rule
<p>The land on the farm is physically located in more than 1 county.</p>	<p>The farm operator and COC’s must agree on the county where the farm shall be administratively located.</p> <p>If no agreement is reached, the administrative county for the farm shall be where the:</p> <ul style="list-style-type: none"> • principal dwelling of the operator is situated • major portion of the farm is located, if the principal dwelling of the operator is not situated in any county in which the farm is located <p>Changing the farm’s administrative county shall not be permitted unless 1 of the following applies:</p> <ul style="list-style-type: none"> • the principal dwelling of the operator has changed • a change has occurred in the operation of the land • there has been a change that would cause the changed administrative County Office to be more accessible, such as new highway, relocation of the County Office, building site, etc. • County Office is closed. <p>Exception: Do not permit a change of administrative County Office if the farm is a combination across county lines:</p> <ul style="list-style-type: none"> • involving tobacco according to 2-CM • where 1 county has a certified CLU and the other county does not have a certified CLU.

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2 Location of Farm’s Administrative Records (Continued)

A Determining a Farm’s Administrative County (Continued)

Situation	General Rule
The land of the farm is part of an Indian reservation	If the land on a farm is part of an Indian reservation and is operated by a grazing association, the farm’s administrative county shall be the county where the grazing association has its headquarters if all of the following apply: <ul style="list-style-type: none">• COC’s and the farm operator agree• the person using the land does not live on it• the geographic features are such that administrative access would be more practical.

3 When to Approve In and Out Transfers

A Approving In and Out Transfers

An in and out transfer **cannot** be approved unless **all of** the following apply:

- land meets criteria for being a farm according to 2-CM

Note: Farms being transferred according to subparagraph 2 A where all of the land on the farm is physically located in 1 county but the county where the farm is physically located has no FSA office do not need to be combined with any other farm in the receiving county.

- any of the situations outlined in subparagraph 2 A are met
- the farm does not have a tobacco allotment/quota unless being combined according to 2-CM
- both counties have a certified CLU or both counties do not have a certified CLU.

Note: A transfer cannot be approved if 1 county has a certified CLU and the other county does not have a certified CLU.

B DAFP Approval

Any requests for in and out transfers that do not meet the criteria in subparagraph A can be submitted to DAFP for approval.

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4 Processing In-Transfers

A Adding Farm and Tract Records

Use the following table to add farm and tract records after an in-transfer has been approved according to the conditions outlined in subparagraph 3 A.

Step	Screen/Menu	Action
1	FAX250	ENTER "3" or "4", "Application Processing", as applicable, and PRESS "Enter".
2	FAX09002	Enter the appropriate County on the Office Selection Menu, if applicable, and PRESS "Enter".
3	FAX07001	ENTER "11", "PFC/DCP/Compliance", and PRESS "Enter".
4	M00000	ENTER "2", "Farm Records Management", and PRESS "Enter".
5	MC0097	ENTER "1", "Farm, Tract, and Crop Report Maintenance", and PRESS "Enter".
6	MIBSYR01	Enter the option for the appropriate FY to be accessed and PRESS "Enter". Screen MIB00001 will be displayed. Follow 3-CM (Rev. 3): <ul style="list-style-type: none">• paragraph 203 to add farm record• paragraph 289 to add tract owners• paragraph 296 to add other producers• subparagraph 246 E to add tract crop records.

B County Office Action

County Offices must:

- load all acreage and yield information for the farm and tracts **exactly** as it appears on FSA-156EZ that was provided from the transferring county

Note: Yields shall not be changed.

- print FSA-156EZ after all acreage and yield information has been loaded
- file the printout with the active farm record file.