



## “SCOOP”

### ARKANSAS FARM SERVICE AGENCY - - STATE OFFICE

November 2011

#### **NEW! THERE'S ONE ADJUSTED GROSS INCOME (AGI) FORM TO ACCOMPLISH TWO THINGS**

We are happy to say it's out with the old and in with the new. FSA has now developed a form that will accomplish two tasks for producers with FSA doing most of the work. In previous years producers who requested benefits for the 2008 Farm Bill that were subject to the AGI provision must have completed at least two forms and possibility more to verify compliance, and were required to mail forms to the Internal Revenue Service (IRS) to verify compliance of the AGI certification. For 2012, producers will certify compliance to AGI on form CCC-931, Certification of Adjusted Gross Income and this same form will be mailed by FSA to IRS for the verification. FSA's power of attorney form will not be honored for the CCC-931.

#### **SIGN-UP TO BEGIN 2010 SUPPLEMENTAL REVENUE ASSISTANCE PAYMENTS (SURE) PROGRAM**

Producers who suffered crop losses for 2010 may begin applying for disaster assistance at FSA County Offices through the Supplemental Revenue Assistance Payments (SURE) Program **beginning November 14, 2011 through June 1, 2012**. 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). Producers who are 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," as a result of a 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 2010 all counties in Arkansas meet these 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.

### **2010 SURE SIGNUP continued:**

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. 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-902, CCC-931 if there was no other program participation for 2010.

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

### **2012 WHEAT AND OATS PREVENTED PLANTED PROVISIONS**

Producers should report prevented planted acreage to their local FSA Office when the crop acreage is not planted due to disaster-related conditions. To be considered timely filed, prevented planted acres should be reported no later than 15 calendar days after the final planting date established by Federal Crop Insurance. Final planting date for wheat and oats is **November 30, 2011**, so the final date to report prevented planted wheat and oats is **December 15, 2011**. County Committee review and action are required to receive credit in accordance with applicable rules and regulations.

### **2012 RECONSTITUTIONS**

Farm reconstitutions can be processed now for the 2012 program year provided proper signatures and supporting data are obtained. The method and priority order for farm division with bases acres is as follows:

- **Estate:** Used when a will or written agreement by heirs state the distribution of base acres
- **Landowner Designation:** Used when land is sold/transferred with a written agreement by the buyer/transferee or seller agreeing to the distribution of bases 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.

## CHANGES TO FARMING OPERATIONS

Failure to notify FSA of changes in your farming operation may adversely impact your eligibility for USDA benefits. You should also be aware of Highly Erodible Land Conservation, Wetland Conservation, Payment Eligibility, and Payment Limitation provisions, which impact your eligibility for DCP or ACRE payments. Changes to your farming operation may include, but are not limited to, a change in the structure of your farming operation or changes in your rental agreement, buying land, selling land, and change in producer. Any change to your farming operation *must be* reported to FSA immediately. Failure to timely report changes may result in ineligibility for program benefits.

## FSA SIGNATURE POLICY

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

### **Policy for Program Benefits such as but not limited to DCP, ACRE, LDPs, MAL, Price Support Loans, SURE, NAP, LIP, LFP, BWEP, CRP:**

- 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.

**Policy for Farm Loan Programs:** - Farm Loan Programs and Farm Programs have different signature requirements. Producer's requesting benefits with our FSA Loan Division should work with their local representative to ensure correct signatures are obtained.

**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.

**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.

**PROGRAM DEADLINES**

First date to sign-up for 2010 SURE Program	November 14, 2011
Final date to file prevented planting credit for wheat and oats	December 15, 2011
Final date to inform FSA of crop losses	Before Crop Disposition
2012 DCP & ACRE Enrollment Begins	January 23, 2012
Final Date to report wheat and oats planted acreage	May 15, 2012
Final date to file a 2012 ACRE Election Final date to have all signatures on an ACRE Election Final date to file a 2012 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, 2012	June 1, 2012
The date FSA uses to look at the structure of farming operations to calculate direct attributions	June 1, 2012
Final Date for Sign-up for 2010 Losses for the SURE Program	June 1, 2012
Final Date to Report 2012 Spring Seeded Crops	July 15, 2012
Last date to request a 2012 reconstitution on a DCP or ACRE farm	August 1, 2012
Final date to prioritize crop to receive ACRE Payments Final date to file a 2012 successor-in-interest DCP or ACRE contract if the change occurred after June 1, 2012 Final date to have returned signatures for producers who have a share in a DCP and/or ACRE contract that had a 2012 successor-in-interest contract filed after June 1, 2012	September 30, 2012

## 2012 NAP APPLICATION CLOSING DATES

Crop	Application Closing Date
Apples, Asparagus, Blueberries, Caneberries, Figs, Grapes, Peaches, Pears	November 20, 2011
Honey	December 1, 2011
Broccoli, Cabbage (S & F), Carrots, Greens (S & F), Onions, Pecans (Native & Improved), Potatoes (S & F)	January 1, 2012

## 2012 NAP ACREAGE REPORTING DATES

Crop	Acreage Reporting Date
Greens – COL, COM, HYB, TUR, LEF (Spinach)	November 1, 2011
Strawberries; Small Grains ( <u>Grazing</u> ) – Wheat-SRW; Rye, Barley, Oats – Winter; ( <u>Forage</u> ) - Wheat-SRW, Rye, Barley- Winter, Oats – Winter	December 15, 2011

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