

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

**Direct and Counter-Cyclical Program and
Average Crop Revenue Election for 2009
and Subsequent Crop Years
1-DCP (Revision 3)**

Amendment 9

Approved by: Deputy Administrator, Farm Programs



Amendment Transmittal

A Background

The National Office is attempting to coordinate with RMA to provide the premium amount per unit for farms participating in ACRE. In the interest of getting the instructions to State and County Offices rather than waiting on this data, this amendment is being issued.

B Reason for Amendment

Paragraph 188 has been added to provide the instructions for acquiring the per acre producer-paid crop insurance premium.

Page Control Chart		
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*--G Example of CCC-528

The following is an example of CCC-528.

<p>This form is available electronically. CCC-528 U.S. DEPARTMENT OF AGRICULTURE (08-20-09) Commodity Credit Corporation</p> <p align="center">Designation of Payment Acres for Planted and Considered Planted (P&CP) Crops of Covered Commodities and Peanuts for the Average Crop Revenue Election (ACRE) Program</p>		<p>1A. County FSA Office Name and Address (Including Zip Code) Iriquois County FSA RT 1 Greenwood, AK 00001</p>						
		<p>1B. County Office Telephone Number (Including Area Code)</p>						
2. Crop Year	3. State Code	4. County Code	5. Farm Number					
2009	02	004	47					
<p>NOTE: 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 1412 and the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246). The information will be used for CCC to determine the order of payment of covered commodities and peanuts on farms that are participating in ACRE when P&CP acres of covered commodities and peanuts on the farm exceed base acres. The information collected on this form may be disclosed to other Federal, State, 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 prorated payment acres based on the total P&CP acres on the farm.</p> <p>This information collection is exempted from the Paperwork Reduction Act, as it is required for administration of the Food, Conservation, and Energy Act of 2008 (see Pub. L. 110-246, Title I, Subtitle F - Administration). The provisions of criminal, civil, and privacy statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE</p> <p>THIS FORM IS USED TO allocate covered commodities and peanut ACRE payment acres when the sum of the P&CP acres of covered commodities and peanuts exceed 120 percent (118 percent in 2012) of the base acres on the farm. For a farm that has P&CP acres of covered commodities and peanuts in excess of 120 percent (118 percent in 2012) of the total base acres on the farm, all producers with an interest in covered commodities or peanuts may choose the number of acres of each P&CP covered commodity or peanuts that may receive an ACRE payment.</p> <p>This allocation shall occur prior to the end of the contract period. If an allocation is not made by the end of the contract period or if all persons with a share of a P&CP covered commodity or peanuts do not agree to the allocation by the end of the contract period, then CCC shall allocate the ACRE payment acres based on the percentage of P&CP acres of a covered commodity and peanuts to the total P&CP acres of covered commodities and peanuts on the farm.</p> <p>Note: An allocation is not necessary if one of the following apply:</p> <ul style="list-style-type: none"> only one crop is planted the sum of the P&CP acres of covered commodities and peanuts is less than 120 percent (118 percent for 2012) of the total base acres. 								
<p>6. Total Potential ACRE Payment Acres: 609.3</p>								
7. Crop	8. Maximum Potential Payment Acres	9. Number of Acres to Allocate	7. Crop	8. Maximum Potential Payment Acres	9. Number of Acres to Allocate	7. Crop	8. Maximum Potential Payment Acres	9. Number of Acres to Allocate
Barley	200.0		Grain Sorghum			Rice, Medium Grain		
Canola			Lentils			Safflower		
Chickpeas, large	50.0		Mustard Seed			Sesame Seed		
Chickpeas, small			Oats			Soybeans	250.0	109.3
Corn	500.0	300.0	Peanuts			Sunflower Seed		
Cotton, Upland			Peas, Dry			Wheat	300.0	200.0
Crambe			Rapeseed			10. Total (Total of all Item 9 columns) Can Not Exceed Item 6		609.3
Flaxseed			Rice, Long Grain					
11A. County Office Signature Josephine Par Tec						11B. Date 9-21-09		
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--188 Per Acre Producer-Paid Crop Insurance Premium*A Requirement for Reporting Per Acre Producer-Paid Crop Insurance Premium**

[7 CFR 1412.76] **The farm ACRE benchmark revenue for the crop year for a covered commodity or peanuts will equal the sum obtained by adding:**

(1) The amount determined by multiplying:

- (i) The average yield per planted acre for the covered commodity or peanuts of the producers on the farm for the most recent 5 crop years, excluding each of the crop years with the highest and lowest yields and**
- (ii) The ACRE program guarantee price for the applicable crop year for the covered commodity or peanuts in a State**

(2) The amount of the per acre crop insurance premium required to be paid by the producers on the farm for the applicable crop year for the covered commodity or peanuts on the farm.

Producers are **not** required to purchase crop insurance to participate in ACRE; however, if a producer does have crop insurance with a premium-based insurance policy, value is added to the farm ACRE benchmark revenue that increases the likelihood that a farm will trigger.

The farm ACRE guarantee calculation requires that producers report their per acre producer-paid crop insurance premium. Collect this information on CCC-538. The amount of the premium recorded on CCC-538 shall **not** include the subsidized portion of the premium.

There is no timeframe for completing CCC-538; however, payments will **not** be calculated until the information is provided to the County Office and CCC-538 is complete.

All producers with a share in a covered commodity or peanuts listed on FSA-578 must certify the amount of the crop insurance premium, even if the producer does **not** have a crop insurance policy on the farm.

If a State trigger is **not** met for a specific covered commodity or peanuts, the producer is **not** required to provide the producer-paid crop insurance premium for that covered commodity or peanuts.--*

***--188 Per Acre Producer-Paid Crop Insurance Premium (Continued)**

B Completing CCC-538

Complete CCC-538 according to the following table.

Item	Instructions
1A	Enter the County Office name and address.
1B	Enter the County Office telephone number. Note: This is an optional entry.
2	Enter the applicable crop year.
3	Enter the applicable State code.
4	Enter the applicable county code.
5	Enter the applicable farm number.
6	Enter the applicable covered commodity or peanuts and the practice that the producer is reporting the per acre producer-paid crop insurance premium.
7	Enter the producer's name who is reporting the per acre producer-paid crop insurance premium.
8	Enter the producer's premium per acre.
9A	Each producer identified in item 7 shall sign.
9B	If the individual signing in item 9A is signing in a representative capacity for the participant, a title/relationship shall be listed. If the individual in item 9A is the signatory, then no entry is required.
9C	Enter the date the producer or person signing in a representative capacity completes CCC-538.
10A	The County Office employee accepting the completed CCC-538 shall sign. Note: The employee shall not sign until CCC-538 is complete.
10B	Enter the title of the County Office employee accepting the completed CCC-538.
10C	Enter the date the County Office employee accepted the completed CCC-538.

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***--188 Per Acre Producer-Paid Crop Insurance Premium (Continued)**

C Completed Example of CCC-538

The following is a completed example of CCC-538.

<p>This form is available electronically.</p> <p>CCC-538 U.S. DEPARTMENT OF AGRICULTURE (07-29-10) Commodity Credit Corporation</p> <p style="text-align: center;">PRODUCER-PAID CROP INSURANCE PREMIUM</p>			<p>1A. County FSA Office Name and Address <i>(Including Zip Code)</i></p> <p>George County FSA 111 Ventura Dr., Suite 1 Lucedale, MS 39452</p>		
			<p>1B. County Office Telephone Number <i>(Including Area Code)</i></p> <p>(601) 766-3962</p>		
2. Crop Year	3. State Code	4. County Code	5. Farm Number		
2009	28	039	1234		
<p>Note: <i>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 1412, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246). The information will be used to report insurance premiums paid by all producers of a farm for insurance on a covered commodity or peanuts and to determine eligibility for ACRE payments for a covered commodity or peanuts. The information collected on this form may be disclosed to other Federal, State, 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 an inability to determine whether a farm is eligible for ACRE payments for a covered commodity or peanuts.</i></p> <p><i>This information collection is exempted from the Paperwork Reduction Act, as it is required for administration of the Food, Conservation, and Energy Act of 2008 (see Pub. L. 110-246, Title I, Subtitle F – Administration). The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</i></p>					
<p>THIS FORM IS USED TO report the insurance premiums paid by all producers of a farm for insurance on a covered commodity or peanuts, provided that at least some of the insured crop acreage is subject to CCC-509, divided by the total acres of the covered commodity or peanuts subject to the insurance coverage; regardless of whether or not all of the acres insured are included on the farm's FSA-578 or subject to CCC-509.</p>					
6. Crop/Practice	7. Name of Producer	8. Premium Per Acre	6. Crop/Practice	7. Name of Producer	8. Premium Per Acre
Wheat/NI	Jim Bob Producer	\$ 16.00			\$
Wheat/NI	Ralph Alexander	\$ 8.00			\$
Wheat/NI	John Doe	\$ 19.00			\$
		\$			\$
		\$			\$
		\$			\$
		\$			\$
		\$			\$
		\$			\$
		\$			\$
		\$			\$
		\$			\$
		\$			\$
		\$			\$
		\$			\$
		\$			\$
		\$			\$
		\$			\$
<p>PRODUCER'S SIGNATURES: <i>(Enter additional producer signatures on Page 2 of this form.)</i></p>					
9A. Producer's Signature (By)		9B. Title/Relationship of the Individual Signing in the Representative Capacity		9C. Date (MM-DD-YYYY)	
/s/ Jane Doe		Spouse		08/02/2010	
9A. Producer's Signature (By)		9B. Title/Relationship of the Individual Signing in the Representative Capacity		9C. Date (MM-DD-YYYY)	
/s/ Ralph Alexander				08/03/2010	
<p>FOR FSA USE ONLY:</p>					
10A. County Office Signature		10B. Title Program Technician		10C. Date (MM-DD-YYYY)	
/s/ Sally Jones				08/03/2010	

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***--188 Per Acre Producer-Paid Crop Insurance Premium (Continued)**

C Completed Example of CCC-538 (Continued)

CCC-538 (07-29-10) Page 2

9A. Producer's Signature (By) /s/ Jim Bob Producer	9B. Title/Relationship of the Individual Signing in the Representative Capacity	9C. Date (MM-DD-YYYY) 08/02/2010
9A. Producer's Signature (By)	9B. Title/Relationship of the Individual Signing in the Representative Capacity	9C. Date (MM-DD-YYYY)
9A. Producer's Signature (By)	9B. Title/Relationship of the Individual Signing in the Representative Capacity	9C. Date (MM-DD-YYYY)
9A. Producer's Signature (By)	9B. Title/Relationship of the Individual Signing in the Representative Capacity	9C. Date (MM-DD-YYYY)
9A. Producer's Signature (By)	9B. Title/Relationship of the Individual Signing in the Representative Capacity	9C. Date (MM-DD-YYYY)
9A. Producer's Signature (By)	9B. Title/Relationship of the Individual Signing in the Representative Capacity	9C. Date (MM-DD-YYYY)
9A. Producer's Signature (By)	9B. Title/Relationship of the Individual Signing in the Representative Capacity	9C. Date (MM-DD-YYYY)
9A. Producer's Signature (By)	9B. Title/Relationship of the Individual Signing in the Representative Capacity	9C. Date (MM-DD-YYYY)
9A. Producer's Signature (By)	9B. Title/Relationship of the Individual Signing in the Representative Capacity	9C. Date (MM-DD-YYYY)
9A. Producer's Signature (By)	9B. Title/Relationship of the Individual Signing in the Representative Capacity	9C. Date (MM-DD-YYYY)
9A. Producer's Signature (By)	9B. Title/Relationship of the Individual Signing in the Representative Capacity	9C. Date (MM-DD-YYYY)
9A. Producer's Signature (By)	9B. Title/Relationship of the Individual Signing in the Representative Capacity	9C. Date (MM-DD-YYYY)
9A. Producer's Signature (By)	9B. Title/Relationship of the Individual Signing in the Representative Capacity	9C. Date (MM-DD-YYYY)
9A. Producer's Signature (By)	9B. Title Relationship of the individual Signing in the Representative Capacity	9C. Date (MM-DD-YYYY)

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--188 Per Acre Producer-Paid Crop Insurance Premium (Continued)*D Collection of Data**

The collection of the per acre producer-paid crop insurance premium may be provided through RMA or received directly from the producer. Regardless of the source, each producer with a share of a covered commodity or peanuts on FSA-578 must sign CCC-538 indicating the premium per acre even if the premium per acre is zero.

Premium data should be collected from insurance policies that require a premium, **not** fee-based insurance policies, such as a catastrophic risk protection plan of insurance or NAP. The following are the 3 examples of premium-based insurance policies:

- multi-peril crop insurance
- group risk plan
- crop revenue coverage.

Care should be given to information provided by producers, in that, normally RMA reports premiums per unit and **not** per FSN. County Offices may have to calculate the premium on the applicable FSN before calculating the per acre producer-paid crop insurance premium.

E Calculating the Per Acre Producer-Paid Crop Insurance Premium

Calculate the per acre producer-paid crop insurance premium based on the premium paid by a producer on a farm divided by the number of FSA acres in which the producer has an interest.

Example: The following farm data applies:

- Producer A has an interest in 75 acres of barley and does **not** have any form of crop insurance
- Producer B has an interest in 100 acres of barley and has an insurance premium totaling \$600 for the farm
- Producer C has an interest in the same 100 acres of barley as Producer B and has an insurance premium totaling \$200 for the farm.

Note: CCC-538 shall be completed to show that:

- Producer A's premium per acre is \$0
- Producer B's premium per acre is \$6
- Producer C's premium per acre is \$2.--*

189-195 (Reserved)

Reports, Forms, Abbreviations, and Delegations 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 (HELIC) and Wetland Conservation (WC) Certification		6, 7, 352, 429, Ex. 4
AD-1153	Application for Long-Term Contracted Assistance Through the _____ Program		427
CCC-505	Voluntary Permanent Direct and Counter-Cyclical Program (DCP) Base Acres Reduction	66	Text, Ex. 19
CCC-509 (04-16-09)	Direct and Counter-Cyclical Program (DCP) Contract and Average Crop Revenue Election (ACRE) Contract		Text, Ex. 2
CCC-509 (10-01-09)	Direct and Counter-Cyclical Program (DCP) Contract and Average Crop Revenue Election (ACRE) Contract		Text, Ex. 2
CCC-509 (04-27-10)	Direct and Counter-Cyclical Program (DCP) Contract and Average Crop Revenue Election (ACRE) Contract	332	Text, Ex. 2
CCC-509ACRE	Average Crop Revenue Election (ACRE) Program Irrevocable Election		Text, Ex. 14
CCC-509 Appendix (04-24-09)	Appendix to Form CCC-509, Direct and Counter-Cyclical Program (DCP) Contract and Average Crop Revenue Election (ACRE) Contract		11, 332, 395, 426
CCC-509B ACRE Worksheet	2009-ACRE CCC-509B Worksheet		10
CCC-510	DCP or ACRE Program Cash Rent Certification Statement	Ex. 14	352, 394, 402
CCC-517	Tract Redistribution Form		334
CCC-527	Request for Action for Subsidiary/Payment Limitation		10
CCC-528	Designation of Payment Acres for Planted and Considered Planted (P&CP) Crops of Covered Commodities and Peanuts for the Average Crop Revenue Election (ACRE) Program	187	
CCC-529	Program Adjustment to Payment Limitation Because of Participation in ACRE Program	10	

Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

Forms (Continued)

Number	Title	Display Reference	Reference
CCC-538	Producer-Paid Crop Insurance Premium	188	
CCC-576	Notice of Loss and Application for Payment Noninsured Crop Disaster Assistance Program		78
CCC-749	Request to Participate in the 20__ Planting Transferability Pilot Project	80	76, 79, 81, 82, 333
CCC-770 DCP	Direct and Counter-Cyclical Program Contract Checklist	Ex. 17	353
CCC-770 Eligibility	Eligibility Checklist		Ex. 17
CCC-902 Continuation	Continuation Sheet for Leased or Owned Land		6, 7, 352, Ex. 4
CCC-902E	Farm Operating Plan for Entity 2009 and Subsequent Program Years		6, 7, 352, Ex. 4
CCC-902I	Farm Operating Plan for Individual 2009 and Subsequent Program Years		6, 7, 352, Ex. 4
CCC-903	Worksheet for Payment Eligibility and Payment Limitation Determinations		352
CCC-920	Grassland Reserve Program Contract		66, 427
CCC-926	Average Adjusted Gross Income (AGI) Statement		6, 7, 352, Ex. 4
CRP-1	Conservation Reserve Program Contract		Text, Ex. 2
CRP-2	Conservation Reserve Program Worksheet		427
CRP-2C	Conservation Reserve Program Worksheet (For Continuous Signup)		427
CRP-15	Agreement for Reduction of Bases, Allotments and Quotas		67, 331, 425
FCI-19	Crop Insurance Acreage Report		478
FSA-156-EZ	Abbreviated 156 Farm Record and Tract Listing		82, 426, 427, Ex. 19
FSA-217	Socially Disadvantaged, Limited Resource and Beginning Farmer or Rancher Certification		395
FSA-325	Application for Payment of Amounts Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent		400
FSA-578	Report of Acreage		Text, Ex. 2, 17
FSA-658	Record of Production and Yield		6, 175, 187, Part 9
FSA-910	Wetland Reserve Program Projected DCP Base Reduction Worksheet	Ex. 19	426