

**Serving**   
**Monmouth,  
Mercer &  
Middlesex Counties**

**4000 Kozloski Road  
P.O. Box 5033  
Freehold, NJ 07728**

**Phone:  
(732) 462-0075  
Fax:  
(732) 462-5274**

**Office Hours:  
8:00 am to 4:30 pm  
or visit us at:  
[www.fsa.usda.gov](http://www.fsa.usda.gov)**

**County Committee**  
Richard Bullock  
Thomas Orgo II  
Barry Taylor  
Kathy Stattel

*“dedicated to achieving  
an economically and  
environmentally sound  
future for American  
Agriculture”*

**County Committee Elections** - Please join FSA in congratulating the winners of this year's County Committee election! 110 ballots were received for LAA #1 (eastern Monmouth County) and counted in a public forum on December 10, 2009 resulting in Richard Bullock being re-elected as the regular member, Debra Kauffman as the first alternate. All members and alternates began their new term on January 4, 2010. Thanks to all who voted! 

**Farm Reconstitutions** - In program terminology, farms are constituted to group all tracts having the same owner and the same operator under one farm serial number (FSN). When changes in ownership or operator take place, a farm reconstitution may be necessary. The reconstitution (recon) is the process of combining or dividing farms or tracts of land based on the farming operation. The following are different methods used when completing a farm recon: **Estate Method**—the division of bases for a parent farm among the heirs settling an estate **Designation by Landowner Method**—divides base in a manner agreed to by the parent farm owner and the purchaser or transferee. The Landowner Method can be used when: part of the farm is sold or ownership is transferred; an entire farm is sold to two or more persons; farm ownership is transferred to two or more persons; a tract is sold to two or more persons; tract ownership is transferred to two or more persons. The land sold or transferred must have been owned for at least three years, unless a waiver is granted and the owner of the parent farm and the purchaser or transferee shall file a signed memorandum of understanding designating base-acres before the farm is reconstituted and any subsequent transfer of ownership. **DCP Cropland Method**—the division of bases in the same proportion that the DCP cropland for each resulting tract relates to the DCP cropland on the parent tract **Default Method**—the division of bases for a parent farm with each tract maintaining the bases attributed to the tract level when the reconstitution is initiated in the system.

### **Important Annual Reminders:**

**Payment Limitation/Eligibility** - Producers are reminded that no program benefits may be provided until all the necessary payment limitation and eligibility determinations have been made. Determinations are based on the facts as submitted by the producer, and as a program participant, it is the producer's responsibility to promptly



notify the county FSA office of any changes in the farming operation that would affect an “actively engaged in farming”, or foreign person determination. Any changes in an operation may result in a new or revised CCC-902 and/or AD-1026 being required before any current year payments can be issued. Current payment limitation and eligibility requirements result in the following annual limits: Direct and Counter Cyclical Payment Program (DCP); direct payments (\$40,000) and counter-cyclical payments (\$65,000), ACRE: Direct Payment earned reduced by 20% - not to exceed \$32,000; Marketing Assistance Loans, Loan Deficiency Payments (LDP) and market gains (\$75,000), Conservation Reserve Program (CRP) (\$50,000), ELAP, LFP, LIP, and SURE \$100,000, and Non-Insured Assistance Program (NAP) (\$100,000); Emergency Conservation Program (ECP)(\$200,000).

**Appeal Process** - After an FSA official makes a decision on your request for USDA services or application, you will be sent a letter informing you of the decision and options you can pursue if you disagree. Generally, program participants have three choices — an informal review with the original agency decision-maker, an opportunity for mediation and finally an appeal to the next level of authority within the agency.

**Controlled Substance** - Any person who is 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.

**Farm Records Update** - If you have bought or sold land, or if you have picked up or dropped rented land from your operation, make sure to report the changes to the County Office as soon as possible. You need to provide a copy of your deed or closing contract for purchased property. We recommend keeping your records up do date now to save you time in the spring. Failure to maintain accurate records with FSA on all land you have an interest in can lead to program ineligibility and penalties.

**Special Accommodations** - Special accommodations will be made, upon request, for individuals with disabilities, vision impairment or hearing impairment. If you require such accommodations, please call this office.

**Bank Account Changes** - Current policy mandates that FSA payments be electronically transferred into your bank account. In order for timely payments to be made, producers need to notify the FSA County office staff if your account has been changed or if another financial institution purchases your bank. Payments can be delayed if the FSA office is not aware of updates to your account and routing numbers

**Power of Attorney** - For those individuals who find it difficult to visit the office personally, the FSA has a Power of Attorney form available so you may designate another person to conduct your business at the office.

**Foreign Landowner Notification** - The Agricultural Foreign Investment Disclosure Act (AFIDA) of 1978 requires that any foreign person who acquires, transfers, or holds an interest in U.S. agricultural lands to report such holdings to the U.S. Secretary of Agriculture within 90 days of the transaction. Failure to do so may result in a fine of up to 25% of the property's fair market value. County government offices, realtors, attorneys and others involved in real estate transactions are reminded to notify foreign investors of these reporting requirements and that it is the foreign person's responsibility to report the land transaction.



### **Dates to Remember!**

**January 4, 2010** – Signup period for the Supplemental Revenue Assistance Program (SURE) began.

**January 18, 2010** – Martin Luther Kings Birthday; FSA Office closed in observance.

**February 3, 2010** - Next scheduled meeting of the County Committee (9:30 am)

**March 15, 2010** – Sales closing date for many 2010 NAP crops.



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