

For: State and County Offices

Clarifying FAV Double-Cropping Policy

Approved by: Acting Deputy Administrator, Farm Programs



1 Overview

A Background

The Food, Conservation, and Energy Act of 2008 (the 2008 Act) was enacted on June 18, 2008. The 2008 Act provides for continuing the policy limiting planting fruits, vegetables (other than mung beans and pulse crops), and wild rice (WR) on base acres.

4-CP (Rev. 6), issued October 15, 2009, provides for the 2009 FAV and WR Planted on Base Acres Report that clarified calculating free acres on farms with historical double-cropping acres recorded in FRS software according to 3-CM.

B Purpose

This notice further clarifies determining free acres and calculating free acres on base acres for determining the number of direct payment acres to reduce.

Disposal Date	Distribution
December 1, 2010	State Offices; State Offices relay to County Offices

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2 FAV/WR Policy

A Determining Available Acres for FAV/WR Plantings

The County Office shall determine available free acres for planting FAV/WR on the farm according to the following.

Step	Action	
1	Determine effective DCP cropland on the farm.	
2	Determine number of double-cropped acres on the farm.	
3	Add result of step 1 and step 2.	
4	Total base acres for all covered commodities and peanuts for the farm.	
5	Subtract result of step 4 from the result of step 3.	
6	If result of step 5 is...	THEN...
	equal to zero	there are not any available free acres on the farm for FAV/WR planting.
	greater than zero	the result is the number of available acres for FAV/WR planting without a violation or acre-for-acre payment reduction.

B Acre-for-Acre Reductions

County Offices shall determine whether FAV/WR is planted on base acres enrolled in DCP or ACRE according to the following table.

Important: All producers on base acres **must** share in the following:

- direct and counter-cyclical payments according to 1-DCP (Rev. 3), paragraph 352, if participating in DCP
- direct payments according to 1-DCP (Rev. 3), paragraph 352, if participating in ACRE.

Therefore, if multiple producers exist on a farm and a producer on the farm does **not** share in CCC-509, then that producer is being represented as **not** farming base acres. Any crop planted by the producer with zero interest in CCC-509 shall be considered planted on nonbase acres on the farm. See 1-DCP (Rev. 3), subparagraphs 471 H and I for farm examples. See subparagraph H for an example of determining FAV/WR acres planted on base acres when a producer with zero interest in CCC-509 exists on the farm.

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2 FAV/WR Policy (Continued)

B Acre-for-Acre Reductions (Continued)

Step	Action	
1	Determine if all producers on the farm share in CCC-509.	
	IF all producers on the farm...	THEN nonbase acreage on the farm is equal to the result of the farm's effective DCP cropland plus double-cropped acres, minus the...
	share in CCC-509	total base acres for the farm. If the result is equal to or less than zero, then the farm is fully based; therefore, the result is equal to zero.
	do not share in CCC-509	sum of the following: <ul style="list-style-type: none"> • total base acres for the farm, plus • total non-FAV/WR acres planted by producers with zero interest in the farm's CCC-509. If the result is equal to or less than zero, the portion of the farm that is controlled by DCP or ACRE producers is fully based; therefore, the result is equal to zero.
2	Subtract the result of step 1 from the total acres of FAV/WR planted on the farm.	
	Important: The total acreage of FAV/WR planted on the farm includes FAV/WR acreage planted by producers with zero interest in the farm's CCC-509.	
	Note: Only count the acreage once when multiple plantings of FAV/WR are planted on the same acreage (1-DCP (Rev. 3), paragraph 469).	
3	If the result of step 2 is...	THEN...
	equal to or less than zero	<ul style="list-style-type: none"> • FAV/WR are not planted on base acres • acre-for-acre reduction does not apply to the farm.
	greater than zero	<ul style="list-style-type: none"> • FAV/WR are planted on base acres • acre-for-acre reduction applies to the farm based on the result of step 2 • apply the acre-for-acre reduction to the farm according to 4-CP (Rev. 6), paragraph 22.

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3 Examples

A Example of Determining Available Acres for FAV/WR Plantings

This is an example of determining whether there are free acres on a farm with the following criteria:

- 300 acres of effective DCP cropland
- 75 double-cropped acres
- 200 base acres.

Step	Action	Result
1	Determine effective DCP cropland on the farm.	300 acres of effective DCP cropland.
2	Determine number of double-cropped acres on the farm.	75 double-cropped acres.
3	Add result of step 1 and step 2.	375 acres.
4	Total base acres for all covered commodities and peanuts for the farm.	200 base acres.
5	Subtract result of step 4 from result of step 3.	175 acres.
6	The result of step 5 is greater than zero.	The result in step 5 is the number of available acres for FAV/WR planting without a violation or acre-for-acre payment reduction.

B Example of Computing the Acre-for-Acre Reduction

This example shows how to determine whether FAV/WR is planted on base acres enrolled in ACRE on a farm with the following criteria:

- farm has a history of planting FAV/WR
- 300 acres of effective DCP cropland
- 310 base acres
- 60 double-cropped acres
- 125 planted acres of FAV/WR that are **not** double-cropped
- all producers on the farm share in CCC-509.

Step	Action	Result	
1	Subtract total base acres for the farm from the effective DCP cropland plus double-cropped acres to determine the farm's nonbase acreage.	300 acres of effective DCP cropland plus 60 double-cropped acres minus 310 base acres equals 50 acres; therefore, the farm has 50 nonbase acres.	
2	Subtract the result of step 1 from the total acres of FAV/WR planted on the farm.	125 acres of FAV/WR minus 50 nonbase acres equals 75 acres.	
3	If result of step 2 is...		
	THEN acre-for-acre reduction...		
	equal to or less than zero		does not apply to the farm.
	greater than zero	applies to the farm based on the result of step 2.	ACRE direct payment acres for the farm shall be reduced by 75 acres.

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4 2009 DCP FAV Payment Reductions

A FAV and WR Planted on Base Acres Report

Questions have arisen about free acres on the 2009 FAV and WR Planted on Base Acres Report. Free acres are determined on the report by subtracting the base acres from the effective DCP cropland. The current FAV and WR Planted on Base Acres Report will be corrected to reflect the policy in this notice. 1-DCP (Rev. 3) and 4-CP (Rev. 6) will be amended with this policy change.

B Example of the FAV and WR Planted on Base Acres Report

FSN 88 has:

- effective DCP cropland – 3430.4
- double-cropped acres – 559.0
- total base acres – 3877.6
- a history of planting vegetables.

The FAV and WR Planted on Base Acres Report for this county will display the following.

State: County:		United States Department of Agriculture Farm Service Agency 2009 DCP FAV Payment Reductions FAV and WR Planted on Base Acres			Farms on Report: 13	
Farm Number	Effective DCP Cropland	Base Acreage	Free Acres (Non-Base Acres)	FAV/WR Planted Acreage	FAV/WR Planted on Base Acreage	
20	68.0	58.9	9.1	5.0	0.0	
17	173.3	220.6	-47.3	11.0	58.3	
56	234.7	216.9	17.8	4.1	0.0	
78	50.0	55.5	-5.5	4.8	10.3	
43	55.4	44.0	11.4	20.4	9.0	
14	62.7	59.8	2.9	2.9	0.0	
51	291.2	321.3	-30.1	0.5	30.6	
27	103.0	121.1	-18.1	4.5	22.6	
17	199.4	190.2	9.2	10.7	1.5	
88	3430.4	3877.6	-447.2	9.9	457.1	
50	251.8	251.7	0.1	2.9	2.8	
57	926.9	965.8	-38.9	5.0	43.9	
07	85.6	99.6	-14.0	4.4	18.4	

Note: State and county name and leading numbers of FSN have been redacted.

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4 2009 DCP FAV Payment Reductions (Continued)

B Example of the FAV and WR Planted on Base Acres Report (Continued)

In this example, FSN 88 would have 457.1 acres of FAV/WR planted on base acres. Using the policy in paragraph 2, FAV/WR planted on base acres for FSN 88 would be calculated according to this table.

Step	Action		Result
1	Subtract total base acres for the farm from the effective DCP cropland plus double-cropped acres to determine the farm's nonbase acreage.		3430.4 acres of effective DCP cropland plus 559.0 double-cropped acres minus 3877.6 base acres equals 111.8 acres; therefore, the farm has 111.8 nonbase acres.
2	Subtract result of step 1 from the total acres of FAV/WR planted on the farm.		9.9 acres of FAV/WR minus 111.8 nonbase acres equals -101.9 acres.
3	If result of step 2 is...	THEN acre-for-acre reduction...	
	equal to or less than zero	does not apply to the farm.	No acre-for-acre reduction.
	greater than zero	applies to the farm based on the result of step 2.	

5 Action

A State Office Action

State Offices shall use the policy in this notice and adjust acre-for-acre reductions, as applicable.

B County Office Action

County Offices shall use the policy in this notice and adjust acre-for-acre reductions, as applicable.