



“SCOOP”

ARKANSAS FARM SERVICE AGENCY - - STATE OFFICE

July 2013

JULY 15, 2013 ACREAGE REPORTING DEADLINE

July 15, 2013 is the final acreage reporting deadline for spring seeded planted crops. Many FSA programs require all cropland on a farm to be certified in order to earn FSA benefits. However, if the crops are not planted by July 15, 2013, FSA's provisions allow crops to be considered timely reported if reported to FSA within 15 calendar days after planting is completed. However, it is extremely important for producers to understand all fields that are planted by July 15, 2013 must be certified by this date. This extension is only applicable to fields planted after July 15, 2013.

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 dates are provided in this SCOOP titled “Program Deadlines.”

FAILED ACREAGE PROVISIONS

Producers should report failed crop acres to their local FSA Office when the crop failed due to disaster related conditions. To be timely filed the failed acreage shall be reported to FSA before the crop is destroyed. For example, if a crop was completely destroyed by the recent floods, the producers shall report the crop loss to the FSA before preparing the land for other use. County Committee review, and action is required to receive history credit in accordance with applicable rules and regulations. The County Committee may require the office to conduct a field visit for crop residue and verification.

COMPLIANCE SPOT CHECKS

Compliance spot checks will be conducted on 2013 crops. Instead of locally selecting farms, contracts, and deficiency loans, for review, a nationwide selection of producers is employed. Spot check selections are to be conducted based on a producer's participation in the Conservation Reserve Program, Direct and Counter-Cyclical Program, Loan Deficiency Program or other relevant program.

For more information about the spot check selection procedure, contact a local Farm Service Agency office.

HIGHLY ERODIBLE LANDS AND WETLAND COMPLIANCE

Producers participating in most programs administered by the Farm Service Agency (FSA) and the Natural Resources Conservation Service (NRCS) are required to abide by certain conditions on any land owned or farmed that is highly erodible or that is considered a wetland.

To be in compliance with the highly erodible land conservation and wetland conservation provisions, producers must agree, that they will not:

- Produce an agricultural commodity on highly erodible land without a conservation system;
- Plant an agricultural commodity on a converted wetland;
- Convert a wetland to make possible the production of an agricultural commodity.

Producers planning to remove fence rows, convert woodlots to cropland, combine crop fields, divide a crop field into two or more fields, install new drainage, or improve or modify existing drainage, must notify the FSA and update Form AD-1026. FSA will notify NRCS and NRCS will then provide highly erodible land or wetland technical determinations.

To get additional information on highly erodible land and wetland conservation compliance contact the FSA office or the NRCS office at a local USDA Service Center. Additional information about conservation programs offered by FSA can be found online at www.fsa.usda.gov/conservation, and information on NRCS programs can be found at www.nrcs.usda.gov.

30 DAYS REMAIN **2013 DCP & ACRE LATE ENROLLMENT AUTHORIZED**

FSA national office has authorized producers to enroll or withdraw 2013 DCP through August 2, 2013. Producers meeting this deadline will be considered timely enrolled if all required signatures are obtained. Required signatures include the farm operator, and all producers who have a share in base acres. Persons who have zero shares such as the owner who cash rents the farm may sign after this deadline provided the required signatures are obtained timely. However, the County Committee cannot consider the application final until all signatures are obtained. Producers are also reminded that supporting documentation, such as the Farm Operating Plan, Highly Erodible Wetland Certification, and Adjusted Gross Income Certification, can be provided after the DCP or ACRE enrollment deadline. DCP or ACRE payments cannot be issued until these documents are obtained, and are determined to meet the eligibility criteria.

MAINTAINING IDLE DCP & ACRE CONTRACT ACRES

DCP and ACRE participants are required to protect all idle contract acres from erosion and weeds. Idle fields designated as "contract acres" must have a sod cover, crop residue, or volunteer grass cover. Weeds are not an acceptable cover and must be mowed. Failure to control weeds on contract acres will cost you program benefits if the County Committee determines that the producer failed to demonstrate a good faith effort to control weeds and/or erosion.

PLANTING FLEXIBILITY

Any commodity may be planted on the following:

- any land, including base acres, on a farm NOT enrolled in a DCP contract
- non base acres of a farm enrolled in a DCP contract
- base acres of a farm enrolled in a DCP contract, except for fruits, vegetables and wild rice.

Check with your local office to see if you or the farm qualifies for allowable exceptions.

PLANTING OF FRUITS AND VEGETABLES (FAV's) OR WILD RICE

If you or your farm qualifies to plant FAV's, or wild rice, you are reminded to check with your local FSA office to determine the number of acres that are eligible on your farm to be planted to FAV's, or wild rice. We often find that producers are not advising FSA of changes in available land, such as a sale of land, until after the FAV's or wild rice has been planted, and/or harvested. Unfortunately, some producers have had large penalties enforced for planting too many acres of FAV's or wild rice. **Do not let this happen to you.**

FSA MUST BE NOTIFIED

FSA must be notified **immediately** upon the death of producers who are participating in FSA programs. It is not acceptable to wait until the beginning of a new program year. Failure to notify FSA and make modifications to program contracts timely may result in a loss of benefits for the share of the deceased producer, **and** the other producers on the program contracts. *Producers are also cautioned to never sign using a power-of-attorney for a person who is deceased. Once a person dies, the power-of-attorney is no longer valid. Any document signed with a power-of-attorney for a deceased is invalid, and usually all producers on the document are ineligible to earn payments for the year.*

SUCCESSOR-IN-INTEREST

Many FSA programs will allow payments to be made to heirs or successors when a program participant passes away. Additionally, contracts in programs such as CRP must be revised to reflect the successor(s) to a deceased participant's interest.

In the event of an FSA program participant's death, it is important that FSA be notified. Entities and joint operations that participate in FSA programs also need to notify FSA if a shareholder or member passes away. FSA benefits are reported to IRS and maintaining current, accurate records about participants is vital to ensuring that those payments are reported correctly.

FARM RECONSTITUTIONS

For FSA program purposes, tracts having the same owner and the same operator are grouped under one farm serial number. When changes in ownership or operation take place, a farm reconstitution is necessary.

The reconstitution—or recon—is the process of combining or dividing farms or tracts of land based on the farming operation. Remember, to be effective for the current year, recons must be requested by **Aug. 1** for farms enrolled in specific programs.

The following are the different methods used when doing a farm recon:

Estate Method — the division of bases, allotments and quotas for a parent farm among heirs in settling an estate;

Designation of Landowner Method — may be used when (1) part of a farm is sold or ownership is transferred; (2) an entire farm is sold to two or more persons; (3) farm ownership is transferred to two or more persons; (4) part of a tract is sold or ownership is transferred; (5) a tract is sold to two or more persons; or (6) tract ownership is transferred to two or more persons. In order to use this method the land sold must have been owned for at least three years, or a waiver granted, and the buyer and seller must sign a Memorandum of Understanding;

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;

FARM RECONSTITUTIONS continued:

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.

Foreign Landowner Notification

The Agricultural Foreign Investment Disclosure Act (AFIDA) requires all foreign owners of U.S. agricultural land to report their holdings to the Secretary of Agriculture. The Farm Service Agency administers this program.

Foreign individuals who have purchased or sold agricultural land in the county are required to report the transaction to FSA with 90 days of the closing. Failure to submit the AFIDA form could result in civil penalties of up to 25 percent of the fair market value of the property.

County government offices, real estate agents, attorneys and others involved in real estate transactions are reminded to notify foreign investors of these reporting requirements.

FARM SAFETY

Summer is an exciting and hectic time on Arkansas farms. Arkansas FSA employees care about their customers, and want to remind them to practice farm safety.

Remember to walk around machinery and check shields and guards; make sure the PTO's master shield is in place; make sure Slow Moving Vehicle signs are on machinery.

If taking medicine, take it at the appropriate time and eat on schedule.

If working in grain bins know that flowing grain can kill, and it can kill quickly. It takes less than five seconds for a person caught in flowing grain to be trapped. Try not to work alone in bins or confined spaces, and if that's not possible let someone know where you are by checking in regularly by cell phone.

The American Society of Safety Engineers (ASSE) offers the following safety tips for farmers:

1. Educate yourself on farm equipment. Read and follow instructions according to the equipment's manuals about safety.
2. Conduct regular equipment inspections.
3. Don't wear loose clothing while entering confined spaces such as grain bins, silos and hoppers as this can prevent entanglements.
4. Install Rollover Protective Structures (ROPS) on tractors.
5. Use seat belts while operating tractors with a ROPS. Do not allow additional passengers on the tractor with you.
6. While operating tractors and other farm equipment, be very cautious on rural roadways.
7. Use protective gear when operating machinery: Be familiar with hazardous chemicals. Take extra precaution when handling chemicals such as anhydrous ammonia, carbon dioxide, methane gas and hydrogen sulfide.
8. Consistently educate your family and co-workers about safety practices, especially children.

PROGRAM DEADLINES

PROGRAM DEADLINES	DATE
<u>Final</u> date to inform FSA of crop losses	Before Crop Disposition
<u>Final</u> date to file prevented planted acreage/credit for Soybeans Following Another Crop (FAC)	July 10, 2013
<u>Final</u> date to Report 2013 Spring Seeded Crops	July 15, 2013
<u>Last</u> date to request a 2013 reconstitution on a DCP or ACRE farm	August 1, 2013
<u>Final</u> date to file a 2013 DCP contract <u>Final</u> date to return signatures for producers sharing in the DCP contract.	August 2, 2013
<u>Final</u> date to prioritize crop to receive ACRE Payments <u>Final</u> date to file a 2013 successor-in-interest DCP or ACRE contract <u>Final</u> date to return signatures for producers who share in a DCP and/or ACRE contract that had a 2013 successor-in-interest contract.	September 30, 2013
<u>Final</u> date to report 2014 planted and prevented planted wheat and oats	December 15, 2013

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