**Mississippi Newsletter - July 2024**

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**County Committee Elections**

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| Farm Service Agency County committees are a critical component of the day-to-day operations of FSA and allow grassroots input and location administration of federal farm programs. Nationwide, more than 7,700 dedicated members of the agricultural community serve on FSA county committees. The committees are made up of three to 11 members who serve three-year terms.Elections occur each year in certain Local Administrative Areas (LAA). LAAs are elective areas for FSA committees in a single county or multi-county jurisdiction. This may include LAAs that are focused on an urban or suburban area.   |

**Signature Policy**

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| signatureUsing the correct signature when doing business with FSA can save time and prevent a delay in program benefits.The following are FSA signature guidelines:  * Married individuals must sign their given name.
* Example—Mary Doe and John Doe are married. When signing FSA forms, each must use their given name, and may not sign with the name of their spouse. Mrs. Mary Doe may not sign documents as Mrs. John Doe. For Farm Loan Purposes, spouses may not sign on behalf of the other as an authorized signatory, a signature will be needed for each. For a minor, FSA requires the minor's signature and one from the minor’s parent. There are certain exceptions where a minor’s signature may be accepted without obtaining the signature of one of the parents. Despite minority status, a youth executing a promissory note for a Youth Loan will incur full personal liability for the debt and will sign individually.

Note: By signing a document with a minor, the parent is liable for actions of the minor and may be liable for refunds, liquidated damages, or other penalties, 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.  Examples of documents not approved for FAXED signatures include:  * Promissory note
* Assignment of payment
* Joint payment authorization
* Acknowledgement of commodity certificate purchase

Spouses may sign documents on behalf of each other for FSA and CCC programs in which either spouse has an interest, unless written notification denying a spouse this authority has been provided to the county office.  Spouses cannot sign on behalf of each other as an authorized signatory for partnerships, joint ventures, corporations or other similar entities.  Likewise, a spouse cannot sign a document on behalf of the other in order to affirm the eligibility of oneself.  Any member of a general partnership can sign on behalf of the general partnership and bind all members unless the Articles of Partnership are more restrictive. 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. Acceptable signatures for general partnerships, joint ventures, corporations, estates, and trusts must consist of an indicator “by” or “for” the individual’s name, individual’s name and capacity, or individual’s name, capacity, and name of entity.  |

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**Updates to Acreage Reporting and Prevented Planted Acres**

The USDA Farm Service Agency (FSA) made several policy updates to acreage reporting and prevented planted acres.

**Prevented Planted Acres**

In order to certify prevented planted acreage due to drought, all of the following must apply:

* The area that is prevented from being planted has insufficient soil moisture for germination of seed on the final planting date for non-irrigated acreage
* Prolonged precipitation deficiencies that meet the D3 o4 D4 level as determined by the U.S. Drought Monitor
* Verifiable information must be collected from sources whose business or purpose is recording weather conditions as determined by FSA and the sources include, but are not limited to:
* S. National Weather Service
* Bureau of Reclamation
* S. Army Corps of Engineers
* National Institute of Food and Agriculture
* Natural Resources Conservation Service
* Local irrigation authorities responsible for water allocations
* State Department of Water Resources
* National Institute of Food and Agriculture
* Other sources responsible for the collection of water data or regulation of water resources (water allocations).

FSA reminds producers to report prevented planted and failed acres in order to establish or retain FSA program eligibility for some programs. You should report crop acreage you intended to plant, but due to natural disaster, were prevented from planting. Prevented planting acreage must be reported on form *CCC-576, Notice of Loss*, no later than 15 calendar days after the final planting date as established by FSA and the Risk Management Agency (RMA).

**Late-Filed Acreage Reports**

FSA can now accept late-filed acreage reports without a field visit if the producer can provide proof of existence and disposition.  Producers are required to pay the late filed fee.

Proof of existence of the crop includes, but is not limited to:

* seed receipts showing the amount, variety, and date purchased.
* receipts for cleaning, treating, etc., for seed planted on the farm.
* a written contract or documentation of an oral contract to produce a specific crop.
* evidence that was accepted and approved by the RMA or another USDA agency.
* precision planting, spraying, or harvesting geospatial data or maps.
* drone photos with location and notable physical boundaries.
* other aerial or ground imagery with the ability to determine date, acres, and crop.

Proof of disposition of the crop includes, but is not limited to:

* receipts showing number and units sold if the sale can be positively identified as sale of the crop for the farm for the year represented.
* a written contract or documentation of an oral contract to produce a specific crop.
* records showing the crop was fed to livestock.
* documentation of payment for custom harvesting indicating acreage, location, and crop year.
* evidence that was accepted and approved by another USDA agency.

**USDA Now Accepting Applications for Available Funds to Help Cover Organic Certification Costs**

Through the [Organic Certification Cost Share Program](https://www.fsa.usda.gov/programs-and-services/occsp/index?utm_medium=email&utm_source=govdelivery) (OCCSP), USDA’s Farm Service Agency (FSA) will cover up to 75% of organic certification costs at a maximum of $750 per certification category. FSA is now accepting applications, and organic producers and handlers should apply for OCCSP by the Oct. 31, 2024, deadline for eligible expenses incurred from Oct. 1, 2023, to Sept. 30, 2024. FSA will issue payments as applications are received and approved.

OCCSP was part of a [broader organic announcement](https://www.fsa.usda.gov/news-room/news-releases/2024/usda-easing-producers-transition-to-organic-production-with-new-programs-and-partnerships-announces-investments-to-create-and-expand-organic-markets?utm_medium=email&utm_source=govdelivery) made by Agriculture Secretary Tom Vilsack on May 15, 2024, which also included the Organic Market Development Grant program and Organic Transition Initiative.

**Eligible Applicants, Expenses and Categories**

OCCSP provides cost-share assistance to producers and handlers of organic agricultural commodities for expenses incurred obtaining or maintaining organic certification under USDA’s [National Organic Program](https://www.ams.usda.gov/about-ams/programs-offices/national-organic-program?utm_medium=email&utm_source=govdelivery). Eligible OCCSP applicants include any certified organic producers or handlers who have paid organic certification fees to a USDA-accredited certifying agent.

Cost share assistance covers expenses including application fees, inspection costs, fees related to equivalency agreement and arrangement requirements, inspector travel expenses, user fees, sales assessments and postage. OCCSP pays a maximum of $750 per certification category for crops, wild crops, livestock, processing/handling, and state organic program fees (California only).

**How to Apply**

To apply, producers and handlers should contact FSA at their local [USDA Service Center](https://www.farmers.gov/working-with-us/service-center-locator?utm_medium=email&utm_source=govdelivery) and be prepared to provide documentation of organic certification and eligible expenses. OCCSP applications can also be submitted through participating state departments of agriculture.  For more information, visit the [OCCSP](https://www.fsa.usda.gov/programs-and-services/occsp/index?utm_medium=email&utm_source=govdelivery) webpage.

**Opportunity for State Departments of Agriculture**

FSA is also accepting applications from state departments of agriculture to administer OCCSP. FSA posted a [funding opportunity summary on grants.gov](https://grants.gov/search-results-detail/354179?utm_medium=email&utm_source=govdelivery) and will electronically mail the Notice of Funding Opportunity to all eligible state departments of agriculture. Applications are due July 12, 2024.

If a state department of agriculture chooses to participate in OCCSP, both the state department of agriculture and FSA county offices in that state will accept OCCSP applications and make payments to eligible certified operations. Producers or handlers can receive OCCSP assistance from either FSA or the participating state department of agriculture but not both.

**More Information**

USDA offers other assistance for organic producers, including the [Organic Transition Initiative (OTI)](https://www.farmers.gov/your-business/organic/organic-transition-initiative?utm_medium=email&utm_source=govdelivery), which includes direct farmer assistance for organic production and processing and conservation. For more information on organic agriculture, visit [farmers.gov/organic.](https://www.farmers.gov/your-business/organic?utm_medium=email&utm_source=govdelivery)

To learn more about FSA programs, producers can contact their local [USDA Service Center](https://www.farmers.gov/working-with-us/service-center-locator?utm_medium=email&utm_source=govdelivery). Producers can also prepare maps for acreage reporting as well as manage farm loans and view other farm records data and customer information by logging into their [farmers.gov account](https://www.farmers.gov/account?utm_medium=email&utm_source=govdelivery). If you don’t have an account, sign up today.

**Applying for Farm Storage Facility Loans**

The Farm Service Agency’s (FSA) Farm Storage Facility Loan (FSFL) program provides low-interest financing to help you build or upgrade storage facilities and to purchase portable (new or used) structures, equipment and storage and handling trucks.

Eligible commodities include corn, grain sorghum, rice, soybeans, oats, peanuts, wheat, barley, minor oilseeds harvested as whole grain, pulse crops (lentils, chickpeas and dry peas), hay, honey, renewable biomass, fruits, nuts and vegetables for cold storage facilities, floriculture, hops, maple sap, rye, milk, cheese, butter, yogurt, meat and poultry (unprocessed), eggs, and aquaculture (excluding systems that maintain live animals through uptake and discharge of water). Qualified facilities include grain bins, hay barns and cold storage facilities for eligible commodities.

Loans up to $50,000 can be secured by a promissory note/security agreement, loans between $50,000 and $100,000 may require additional security, and loans exceeding $100,000 require additional security.

You do not need to demonstrate the lack of commercial credit availability to apply. The loans are designed to assist a diverse range of farming operations, including small and mid-sized businesses, new farmers, operations supplying local food and farmers markets, non-traditional farm products, and underserved producers.

For more information, contact your local County USDA Service Center or visit [fsa.usda.gov/pricesupport](http://www.fsa.usda.gov/pricesupport?utm_medium=email&utm_source=govdelivery)

**Highly Erodible Land (HEL) and Wetland Conservation Compliance**

Landowners and operators are reminded that in order to receive payments from USDA, compliance with Highly Erodible Land (HEL) and Wetland Conservation (WC) provisions are required. Farmers with HEL determined soils are reminded of tillage, crop residue, and rotation requirements as specified per their conservation plan. Producers are to notify the USDA Farm Service Agency prior to breaking sod, clearing land (tree removal), and of any drainage projects (tiling, ditching, etc.) to ensure compliance. Failure to update certification of compliance, with [form AD-1026](https://lnks.gd/l/eyJhbGciOiJIUzI1NiJ9.eyJidWxsZXRpbl9saW5rX2lkIjoxMTMsInVyaSI6ImJwMjpjbGljayIsInVybCI6Imh0dHBzOi8vd3d3LmZhcm1lcnMuZ292L3NpdGVzL2RlZmF1bHQvZmlsZXMvZG9jdW1lbnRzL0Zvcm0tQUQxMDI2LUhpZ2hseS1Fcm9kaWJsZS1MYW5kLnBkZj91dG1fK2NhbXBhaWduPTA0MjYyNHBvbGljeXJlbWluZGVycyZ1dG1fbWVkaXVtPWVtYWlsJnV0bV9zb3VyY2U9Z292ZGVsaXZlcnkiLCJidWxsZXRpbl9pZCI6IjIwMjQwNDIzLjkzNzcxMzQxIn0.kKmvCEzIqgXWCmmzpfGtM-tqqYy7g5lvj-Jtk57EDT8/s/1615886783/br/241222203079-l?utm_medium=email&utm_source=govdelivery), triggering applicable HEL and/or wetland determinations, for any of these situations, can result in the loss of FSA farm program payments, FSA farm loans, NRCS program payments, and premium subsidy to Federal Crop Insurance administered by RMA.

**Payment Limitation**

Program payments may be limited by direct attribution to individuals or entities. A legal entity is defined as an entity created under Federal or State law that owns land or an agricultural commodity, product or livestock.

Through direct attribution, payment limitation is based on the total payments received by a person or legal entity, both directly and indirectly. Qualifying spouses are eligible for a separate payment limitation.

Payments and benefits under certain FSA programs are subject to some or all of the following:

* payment limitation by direct attribution (including common attribution)
* payment limitation amounts for the applicable programs
* substantive change requirements when a farming operation adds persons, resulting in an increase in persons to which payment limitation applies
* actively engaged in farming requirements
* cash-rent tenant rule
* foreign person rule
* average AGI limitations
* programs subject to AGI limitation

No program benefits subject to payment eligibility and limitation will be provided until all required forms for the specific situation are provided and necessary payment eligibility and payment limitation determinations are made.

Payment eligibility and payment limitation determinations may be initiated by the County Committee or requested by the producer.

Statutory and Regulatory rules require persons and legal entities, provide the names and Tax Identification Numbers (TINs) for all persons and legal entities with an ownership interest in the farming operation to be eligible for payment.

Payment eligibility and payment limitation forms submitted by persons and legal entities are subject to spot check through FSA’s end-of-year review process.

Persons or legal entities selected for end-of-year review must provide the County Committee with operating loan documents, income and expense ledgers, canceled checks for all expenditures, lease and purchase agreements, sales contracts, property tax statements, equipment listings, lease agreements, purchase contracts, documentation of who provided actual labor and management, employee time sheets or books, crop sales documents, warehouse ledgers, gin ledgers, corporate or entity papers, etc.

A finding that a person or legal entity is not actively engaged in farming results in the person or legal entity being ineligible for any payment or benefit subject to the actively engaged in farming rules.

Noncompliance with AGI provisions, either by exceeding the applicable limitation or failure to submit a certification and consent for disclosure statement, will result in payment ineligibility for all program benefits subject to AGI provisions. Program payments are reduced in an amount that is commensurate with the direct and indirect interest held by an ineligible person or legal entity in any legal entity, general partnership, or joint operation that receives benefits subject to the average AGI limitations.

If any changes occur that could affect an actively engaged in farming, cash-rent tenant, foreign person, or average Adjusted Gross Income (AGI) determination, producers must timely notify the County FSA Office by filing revised farm operating plans and/or supporting documentation, as applicable. Failure to timely notify the County Office may adversely affect payment eligibility.

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**FSA Offers Joint Financing Option on Direct Farm Ownership Loans**

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| Produce |  | The USDA Farm Service Agency’s (FSA) [Direct Farm Ownership loans](https://www.fsa.usda.gov/programs-and-services/farm-loan-programs/farm-ownership-loans/index?utm_medium=email&utm_source=govdelivery) can help farmers and ranchers become owner-operators of family farms, improve and expand current operations, increase agricultural productivity, and assist with land tenure to save farmland for future generations.There are three types of Direct Farm Ownership Loans: regular, down payment and joint financing. FSA also offers a [Direct Farm Ownership Microloan](https://www.fsa.usda.gov/programs-and-services/farm-loan-programs/microloans/index?utm_medium=email&utm_source=govdelivery) option for smaller financial needs up to $50,000.Joint financing allows FSA to provide more farmers and ranchers with access to capital. FSA lends up to 50 percent of the total amount financed. A commercial lender, a State program or the seller of the property being purchased, provides the balance of loan funds, with or without an FSA guarantee. The maximum loan amount for a joint financing loan is $600,000, and the repayment period for the loan is up to 40 years.The operation must be an eligible farm enterprise. Farm Ownership loan funds cannot be used to finance nonfarm enterprises and all applicants must be able to meet general eligibility requirements. Loan applicants are also required to have participated in the business operations of a farm or ranch for at least three years out of the 10 years prior to the date the application is submitted. The applicant must show documentation that their participation in the business operation of the farm or ranch was not solely as a laborer.For more information about farm loans, contact your local County USDA Service Center or visit [fsa.usda.gov](http://www.fsa.usda.gov/?utm_medium=email&utm_source=govdelivery). |

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