

CORONAVIRUS FOOD ASSISTANCE PROGRAM

FREQUENTLY ASKED QUESTIONS

Answers to these Frequently Asked Questions have been reviewed by the Farm Service Agency (FSA). New information will be added as it becomes available. Do not hesitate to contact your local FSA office, to apply for funds!

2020 Program Application

Does this apply to almonds that are under contract or already sold or both between January 15 and April 15?

It is both. As long as you have a firm price and can reasonably expect payment, the almonds are eligible. The actual shipping date is not a factor.

You are not eligible if your contract was issued before January 15 or after April 15, even if the almonds were shipped between January 15-April 15.

Can someone other than the business owner act as primary contact for the farming operations?

Anyone can submit information or documents on behalf of the interested grower. However, only the grower or someone with an FSA POA may sign documents or receive information from FSA.

What documentation should a handler provide to a grower to complete the application?

For category #1 (box 32) the handler must provide a letter or documentation of how many pounds were sold on the producer's behalf during the specified timeframe regardless of whether they were part of a pool or not. For category #2 (box 33), the handler must provide a letter or documentation stating the grower will never receive payment for all or part of their almonds and why as well as the number of pounds that the grower will never be paid for.

Does each partner in a general partnership need to file an application?

No. Each partner will have their own payment limitation, but as long as the partnership has a tax ID number, only one application for the partnership must be filed. However, the AGI certification form must be filed by each partner.

If a general partnership includes two members, do they divide the eligible pound sold between them or do both claim all pounds sold?

The partnership has a tax ID number and therefore is only filing one application, all eligible pounds will be listed on the same application.

A joint venture with two members, do they divide the eligible pounds sold between them and file two applications or file one application with all the pounds?

If the joint venture has an ID#, one application should be filed for the total sold pounds. If the joint venture does not have an ID#, each member will file a separate application with a share of the total pounds sold.

The program only pertains to 2019 crop, correct?

Yes. Only almonds harvested in 2019 but sold/contracted during the period of January 15 through April 15 are eligible. If the almonds were sold in 2019, before January 15, 2020, or after April 15, 2020, they are not eligible.

What about 2020 crop contracted for during that timeframe?

It is not eligible.

I shipped all my almonds to my handler. Half of my almonds were sold between January 15 and April 15, 2020 and the other half is still with the handler -not sold and no firm price agreed to. Do I fill out both Box 32 and 33?

Box #32 should be completed for the portion of almonds that were sold Jan. 15 – Apr. 15. The other half, still at the handlers, would not be eligible for the program as the intent is to market and sell

these almonds at some point in the future. Box #33 is only for almonds that you shipped to the handler that will never, at any point in time, be paid for.

If my handler has not sold my almonds by April 15, can they be claimed in box 33?

No, as they may be sold at some time in the future. Box 33 only applies when you have been told the almonds will not be sold and you will not receive any payment for them.

Can you provide an example for almonds eligible for box 34?

The only situation where almonds would be included in box 34 is if you were storing almonds on your farm and during the specified time period you either dumped or donated your almonds due to a COVID related reason.

Would almonds not harvested from young trees be eligible for box 34?

No, this program is intended only for fully mature crops ready to market between Jan. 15 and Apr. 15. These almonds did not meet the window for harvesting.

Due to market disruption caused by COVID-19, I did not sell my almonds during the specified timeframe and entered into a contract after April 15. Did I miss the opportunity to participate in this program?

Yes. The program is designed for almonds sold or contracted for during the January 15-April 15 timeframe. Almonds sold or contracted for before or after that date are not eligible.

If a producer had a phone conversation with their handler and there was a price agreement for unsold almonds, but no actual contract as the office was closed, will these almonds qualify? How does the grower substantiate the agreement?

The almonds would qualify as long as the verbal agreement was reached between January 15 and April 15. The handler should provide written documentation or confirmation of the price agreement to substantiate that the almonds were contracted or sold during the eligible period.

If an LLC or corporation is owned by a trust (in whole or in part), and the trust has an adjusted gross income higher than \$900,000, will the LLC or corporation still be eligible to apply for CFAP?

Only if 75% of the income is derived from farming or ranching.

If almonds are in storage and are expected to be sold at a later date, are they eligible?

No. This program is designed for complete loss of market or reduced price during the specified time frame. If you plan to sell at any time in the future (after April 15), the almonds are not eligible for the program.

If CFAP payments are processed on a rolling basis, is there a timeline for payment?

Applications will be processed as they are received. Approved applications will be paid within 30 days after receiving all required forms. Initial payments will be for 80% of the estimated benefit amount, with the balance anticipated to be paid at a later date.

Pool Questions

I am a Call Pool grower and sold 50% of the almonds I delivered to my handler between January 15 and April 15. Am I eligible?

Yes. Those pounds of almonds would be eligible to be included in Box 32. If you did not direct your handler to sell the balance until after April 15, that volume is not eligible for the program.

For Seasonal Pool growers, can a handler use the volume they sold (contracted for or shipped) between January 15 and April 15 to determine the eligible pool percentage?

Yes, the handler can use their sales between January 15 and April 15 to arrive at the percentage of the pool sold. The handler will need to break it down for each individual producer what proportion of their pounds of almonds are included in the pool. The handler should also keep the documentation on how he reached the number should there be an audit. Alternatively, each producer should have

documents to show how many pounds were sent to the handler, then use the percentage of the pool sold to calculate the proportion of their pounds that they would report in Box 32.

Can a handler use Almond Board Position Report shipment data to arrive at the pool percent sold between January 15 and April 15?

Not currently. The grower should use information provided by their individual handler(s). If this changes, information will be provided.

If a producer sold 100,000 pounds into a pool and the handler says that they sold 50% of their pool during the specified time period, would the producer claim 50,000 pounds?

Yes, the producer could use that amount.

If a producer was part of a pool, what information do they need to get from their handler? The percentage of what was sold during that period?

The percentage must be broken down into pounds sold during that time period.

If almonds are in a pool and contracted for between Jan 15 and Apr 15, 2020, but there is still a balance owed, are they exempt?

No. If you are expecting payment, they are eligible as sold, box #32.

Pooled almonds are sold at different times. What if a producer cannot get a report telling him what part of the pool was sold during that time frame?

The producer/grower should ask his/her handler for that information.

Should there be a varietal breakdown to determine the volume by varietal category or just show total almonds regardless of variety?

Only total sold almonds, regardless of variety.

If a producer sells to more than one handler and the percentages sold are different for each one, are they listed separately?

No, the grower can consolidate the information but needs to retain documentation from both handlers to justify how he reached the number should there be an audit.

General Questions

If you participated in another program such as the Payment Protection Program or the Economic Injury Disaster Program, are you still eligible for CFAP?

Yes, you can participate in those programs and still apply for CFAP.

Do Boxes 26 and 27 need to be completed?

No. Those are not relevant to specialty crops.

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