

For: State and County Offices

**Establishing Fruit and Vegetable (FAV) and Wild Rice Double-Cropping Regions**

Approved by: Deputy Administrator, Farm Programs



**1 Overview**

**A Background**

The Food, Conservation and Energy Act of 2008 (the 2008 Act), section 1107(b)(1) provides that the planting of the following commodities on base acres is prohibited unless the commodity is destroyed before harvest:

- fruits
- vegetables (other than mung beans and pulse crops)
- wild rice.

**Exception:** Double-cropping covered commodities or peanuts with fruits, vegetables, or wild rice is permitted in any region in which there is a history of this double-cropping.

In 1996, STC’s designated FAV double-cropping regions in which FAV’s and upland cotton, rice, corn, grain sorghum, barley, wheat, or oats met the definition of double-cropping.

The 2008 Act includes additional covered commodities with which FAV’s may be planted in a double cropping situation. Therefore, there could be an increase in the number of double-cropping regions.

Disposal Date	Distribution
July 1, 2009	State Offices; State Offices relay to County Offices

## Notice DCP-192

### 1 Overview (Continued)

#### B Purpose

This notice provides:

- definitions to be used in designating FAV and wild rice double-cropping regions
- instructions to STC's to designate FAV and wild rice double-cropping regions
- a deadline for submitting the designations to DAFP for publication in FR.

### 2 Definitions for Designating FAV and Wild Rice Double-Cropping Regions

#### A Definitions

The following definitions shall be used by STC's when designating FAV and wild rice double-cropping regions. These definitions are applicable to designating FAV and wild rice double-cropping regions **only** and shall **not** be used for any other purpose.

- **Covered commodity** means wheat, corn, grain sorghum, barley, oats, upland cotton, long grain rice, medium grain rice, dry peas, lentils, small and large chickpeas, soybeans, sunflower seed, rapeseed, canola, safflower, flaxseed, mustard seed, crambe, or sesame seed.
- **Double-cropping FAV's or wild rice with covered commodities or peanuts** means planting and harvesting of a covered commodity or peanuts in cycle with the planting and harvesting of FAV or wild rice on the same acreage in a 12-month period with the ability to plant and harvest the same 2 crops in the immediately succeeding 12-month period, under normal growing conditions.

**Note:** FAV or wild rice may be planted before or after the covered commodity to be considered double-cropped.

### 3 State Office Action

#### A Action Required

A designated FAV or wild rice double-cropping region:

- must be an entire county
- border must follow county lines
- must be determined on a county-by-county basis
- shall not be an area greater than the entire county.

A portion of a county **cannot** be designated as a region. An entire State **cannot** be designated as a region. All designated FAV double-cropping regions will be published in FR. **After STC-designated FAV and wild rice double-cropping regions are published in FR, no additional regions shall be designated.**

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3 State Office Action (Continued)

A Action Required (Continued)

**Note:** The importance of correctly designating FAV and wild rice double-cropping regions cannot be overemphasized. The designation of a county as an FAV or wild rice double-cropping region will impact payment program compliance for producers in the county.

STC's shall designate FAV and wild rice double-cropping regions according to this table.

Step	Action
1	<p>In consultation with CSREES, Land Grant Universities, and other agencies or organizations, STC's shall determine whether it is customary to plant FAV's or wild rice in a double-cropping situation with a covered commodity or peanuts.</p> <p>STC shall make the determination on a county-by-county basis using the definitions in paragraph 2.</p> <p>Counties already designated as FAV and wild rice double-cropping regions do not need to be addressed unless STC's are requesting to remove those counties as FAV and wild rice double-cropping regions. See Exhibit 1.</p> <p><b>Important:</b> Determinations shall be based on the planting history for the county before the 2008 crop year.</p>
2	<p>Designate the counties as FAV and wild rice double-cropping regions by:</p> <ul style="list-style-type: none"><li>• documenting the designated counties, and the sources used to designate the counties, in STC minutes</li><li>• submitting to DAFP, as soon as possible, but not later than August 29, 2008, the list of additional counties designated as FAV and wild rice double-cropping regions by STC.</li></ul> <p><b>Note:</b> STC shall submit designated FAV and wild rice double-cropping regions to Brent Orr by either of the following:</p> <ul style="list-style-type: none"><li>• e-mail at <a href="mailto:brent.orr@wdc.usda.gov">brent.orr@wdc.usda.gov</a></li><li>• FAX at 202-690-2130.</li></ul>

### Counties Designated FAV and Wild Rice Double-Cropping Regions

In 1996, the following counties were determined to be regions having a history of double-cropping covered commodities or peanuts with fruits, vegetables, or wild rice. STC's have established the following counties as regions within their respective States.

<b>State</b>	<b>Counties</b>
<b>Alabama</b>	Baldwin, Barbour, Butler, Chambers, Chilton, Clarke, Covington, Cullman, Geneva, Greene, Houston, Jackson, Jefferson, Lee, Madison, Mobile, Montgomery, Randolph, Sumter, Talladega, Walker, and Washington
<b>Alaska</b>	None
<b>Arizona</b>	Cochise, Graham, Greenlee, LaPaz, Maricopa, Pima, Pinal, and Yuma
<b>Arkansas</b>	Ashley, Benton, Clay, Crawford, Cross, Faulkner, Franklin, Independence, Jackson, Jefferson, Lee, Lincoln, Logan, Lonoke, Phillips, Pulaski, St. Francis, Sebastian, Woodruff, and Yell
<b>California</b>	Alameda, Amador, Butte, Colusa, Contra Costa, Fresno, Glenn, Imperial, Kern, Kings, Madera, Merced, Riverside, Sacramento, San Benito, San Joaquin, Santa Clara, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Tulare, Yolo, and Yuba
<b>Caribbean Office</b>	None
<b>Colorado</b>	None
<b>Connecticut</b>	None
<b>Delaware</b>	Kent, New Castle, and Sussex
<b>Florida</b>	All counties except Monroe
<b>Georgia</b>	All counties
<b>Hawaii</b>	None
<b>Idaho</b>	None
<b>Illinois</b>	Bureau, Calhoun, Cass, Clark, Crawford, DeKalb, Edgar, Effingham, Gallatin, Iroquois, Jersey, Kankakee, Lawrence, LaSalle, Lee, Madison, Marion, Mason, Monroe, Randolph, St. Clair, Tazewell, Union, Vermilion, White, and Whiteside
<b>Indiana</b>	Allen, Bartholomew, Gibson, Hamilton, Jackson, Knox, LaGrange, Lake, La Porte, Madison, Miami, Posey, Sullivan, Vandenberg, and Warrick
<b>Iowa</b>	Kossuth, Mitchell, Palo Alto, and Winnebago
<b>Kansas</b>	None
<b>Kentucky</b>	Daviess
<b>Louisiana</b>	Avoyelles, Franklin, Grant, Morehouse, Rapides, and West Carroll
<b>Maine</b>	None
<b>Maryland</b>	Baltimore, Calvert, Caroline, Carroll, Dorchester, Harford, Kent, Queen Anne's, St. Mary's, Somerset, Talbot, Wicomico, and Worcester
<b>Massachusetts</b>	None

## Counties Designated FAV and Wild Rice Double-Cropping Regions (Continued)

State	Counties
<b>Michigan</b>	None
<b>Minnesota</b>	Blue Earth, Brown, Carver, Cottonwood, Dakota, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Houston, Kandiyohi, Le Sueur, Martin, McLeod, Meeker, Mower, Nicollet, Olmsted, Redwood, Renville, Rice, Scott, Sibley, Steele, Waseca, Wabasha, Watonwan, and Winona
<b>Mississippi</b>	Calhoun, Carroll, Coahoma, Covington, De Soto, George, Humphreys, Jefferson Davis, Lowndes, Madison, Marshall, Monroe, Montgomery, Prentiss and Rankin
<b>Missouri</b>	Barton, Butler, Cape Girardeau, Dade, Dunklin, Jasper, Lawrence, Mississippi, New Madrid, Newton, Ripley, Scott, and Stoddard
<b>Montana</b>	None
<b>Nebraska</b>	None
<b>Nevada</b>	None
<b>New Hampshire</b>	None
<b>New Jersey</b>	Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Salem, Somerset, Sussex, and Warren
<b>New Mexico</b>	Chaves, Curry, Dona Ana, Eddy, Hidalgo, Lea, Luna, Quay, Roosevelt, San Juan, and Sierra
<b>New York</b>	Orange and Suffolk
<b>North Carolina</b>	Beaufort, Bertie, Bladen, Brunswick, Cabarrus, Camden, Carteret, Caswell, Catawba, Chatham, Chowan, Cleveland, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Edgecombe, Franklin, Gaston, Gates, Granville, Greene, Halifax, Harnett, Hertford, Hoke, Hyde, Johnston, Jones, Lee, Lenoir, Lincoln, Martin, Mecklenburg, Montgomery, Moore, Nash, New Hanover, Northampton, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Pitt, Richmond, Robeson, Rockingham, Rutherford, Sampson, Scotland, Stokes, Tyrell, Union, Wake, Warren, Washington, Wayne, Wilkes, Wilson, and Yadkin
<b>North Dakota</b>	None
<b>Ohio</b>	Champaign, Clermont, Fulton, Lucas, Miami, Morgan, Muskingum, Scioto, and Stark
<b>Oklahoma</b>	Adair, Alfalfa, Beckham, Blaine, Bryan, Caddo, Canadian, Carter, Cherokee, Cleveland, Cotton, Custer, Delaware, Dewey, Ellis, Garfield, Garvin, Grady, Grant, Greer, Harmon, Haskell, Hughes, Jackson, Jefferson, Kay, Kingfisher, Kiowa, Le Flore, Logan, Love, McClain, McIntosh, Major, Marshall, Mayes, Muskogee, Noble, Nowata, Okmulgee, Osage, Pawnee, Payne, Pittsburg, Pottawatomie, Roger Mills, Rogers, Sequoyah, Stephens, Tillman, Tulsa, Wagoner, Washita, Woods, and Woodward
<b>Oregon</b>	Benton, Clackamas, Columbia, Jackson, Josephine, Lane, Linn, Marion, Morrow, Multnomah, Polk, Umatilla, Washington, and Yamhill
<b>Pennsylvania</b>	Adams, Bucks, Centre, Chester, Clinton, Cumberland, Delaware, Franklin, Indiana, Lancaster, Montgomery, Northumberland, Schuylkill, and York
<b>Puerto Rico</b>	None
<b>Rhode Island</b>	None

## Counties Designated FAV and Wild Rice Double-Cropping Regions (Continued)

State	Counties
<b>South Carolina</b>	All counties
<b>South Dakota</b>	None
<b>Tennessee</b>	Bledsoe, Cannon, Cocke, Coffee, Crockett, Dickson, Dyer, Fayette, Gibson, Giles, Greene, Grundy, Hardeman, Haywood, Jefferson, Knox, Lake, Lauderdale, Lawrence, Lincoln, Madison, Maury, Obion, Overton, Pickett, Rhea, Robertson, Rutherford, Sumner, Unicoi, VanBuren, Warren, Washington, Wayne, White, Williamson, and Wilson
<b>Texas</b>	Atascosa, Bailey, Baylor, Brooks, Cameron, Castro, Cochran, Cottle, Dallam, Dawson, Deaf Smith, Dimmit, Duval, Floyd, Foard, Frio, Gaines, Hale, Hartley, Haskell, Hidalgo, Hockley, Jim Wells, Kleberg, Knox, Lamb, LaSalle, Lubbock, Lynn, Maverick, Medina, Moore, Parmer, Presidio, San Patricio, Sherman, Starr, Swisher, Terry, Uvalde, Webb, Willacy, Wilson, Yoakum, and Zavala
<b>Utah</b>	None
<b>Vermont</b>	None
<b>Virginia</b>	Accomack, Albemarle, Alleghany, Amelia, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Brunswick, Buchanan, Buckingham, Campbell, Caroline, Carroll, Charles City, Charlotte, Chesapeake, Chesterfield, Clarke, Craig, Culpeper, Cumberland, Dickenson, Dinwiddie, Essex, Fairfax, Fauquier, Floyd, Fluvanna, Franklin, Frederick, Giles, Gloucester, Goochland, Grayson, Greene, Greensville, Halifax, Hanover, Henrico, Henry, Highland, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, Lee, Loudoun, Louisa, Lunenburg, Madison, Mathews, Mecklenburg, Middlesex, Montgomery, Nelson, New Kent, Northampton, Northumberland, Nottoway, Orange, Page, Patrick, Pittsylvania, Powhatan, Prince Edward, Prince George, Prince William, Pulaski, Rappahannock, Richmond, Roanoke, Rockbridge, Rockingham, Russell, Scott, Shenandoah, Smyth, Southampton, Spotsylvania, Stafford, Suffolk, Surry, Sussex, Tazewell, Virginia Beach, Warren, Washington, Westmoreland, Wise, Wythe, and York
<b>Washington</b>	Yakima
<b>West Virginia</b>	None
<b>Wisconsin</b>	Adams, Calumet, Columbia, Dane, Dodge, Dunn, Fond du Lac, Green, Green Lake, Iowa, Kenosha, Milwaukee, Portage, Racine, Richland, Rock, St. Croix, Sauk, Walworth, Waukesha, Waushara, and Winnebago
<b>Wyoming</b>	None