UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency Washington, DC 20250

Pandemic Disaster Assistance Program	
1-PDAP	Amendment 12

Approved by: Acting Deputy Administrator, Farm Programs



Amendment Transmittal

A Reasons for Amendment

Subparagraph 15 D has been amended to update the website for PATHH Training Materials.

Subparagraph 63 E has been amended to include a note on the final payment factor.

Subparagraph 63 G has been amended to update Example 1 for final payment limitation reduction and payment factor.

Part 6 has been amended to change the title.

Subparagraph 276 B has been amended to include the specific NOFA information.

Subparagraph 276 D has been amended to remove the FSA Intranet website and add the FSCSC SharePoint site.

Subparagraph 315 has been amended to include a note for the 2023 payment factor.

Subparagraph 327 has been amended to update spot check requirements.

Part 8 has been added for the Food Safety Certification for Specialty Crops for Program Years 2024 and 2025.

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Section 1 Basic PATHH Provisions

15 General Information

A Purpose

This part provides instructions for administering PATHH.

PATHH provides assistance for timber harvesting and timber hauling businesses impacted by the effects of COVID-19 during a portion of calendar year 2020.

B Sources of Authority

Following are the sources of authority for PATHH:

- Consolidated Appropriations Act, 2021
- NOFA.

C Authority and Responsibilities

DAFP has the authority and responsibility for PATHH.

D PATHH Websites

The following websites provide information used to administer PATHH.

Website Content	Website Address
PATHH Application	https://intranet.fsa.usda.gov/fsa/applications.asp
PATHH Website	https://www.farmers.gov/pathh
FFAS Employee Forms/	http://intranet.fsa.usda.gov/dam/ffasforms/forms.html
Publications Online Website	
Notices	http://www.fsa.usda.gov/notices
eAuthentication	https://www.eauth.usda.gov/mainPages/index.aspx
FSA Box	https://nrcs.account.box.com/login
PATHH Training Materials	https://usdagcc.sharepoint.com/sites/FPAC-FSA-DAFP-
	PandemicDisasterAssistanceProgramsPDAP/SitePages/
	Home.aspx

16 **Responsibilities**

A STC Responsibilities

Within the authorities and limitations in this handbook and NOFA, STC's must:

- direct the administration of PATHH
- ensure that State and County Offices follow PATHH provisions
- thoroughly document all actions taken in the STC minutes
- handle appeals according to 1-APP
- ensure that reviews be conducted by DD and that County Offices comply with PATHH provisions according to paragraph 75

Note: STC may establish additional reviews to ensure that PATHH is administered according to these provisions.

- take any oversight actions necessary to ensure that IPIA provisions are met to prevent County Offices from issuing any improper payments
- approve or disapprove any PATHH application except those in which an STC member has a monetary interest
- comply with all PATHH provisions.

B SED Responsibilities

Within the authorities and limitations in this handbook and NOFA, SED's will:

- direct the administration of PATHH
- ensure that County Offices follow PATHH provisions
- ensure that County Office employees and COC's are adequately trained
- thoroughly document all actions taken in the STC minutes
- handle appeals according to 1-APP

Section 4 PATHH General Payment Provisions

63 General Payment Information, Rates, and Reductions

A Prevention of Improper Payments

Payment Integrity Information Act of 2019 (PIIA) requires Federal agencies to evaluate programs to determine whether internal controls are sufficient to prevent improper payments. County Offices must take all steps necessary to ensure that program and payment eligibility requirements have been met before issuing any payments.

Improper payment, as defined by OMB, means any payment that should **not** have been issued or was issued in an incorrect amount under statutory, contractual, administrative, or other legally applicable requirement.

B Equitable Relief and Finality Provisions

Equitable relief and finality provisions of 7 CFR 718, subpart D, apply to determinations under PATHH, as well as appeal regulations in 7 CFR parts 11 and 780. See 7-CP for additional information.

C Payment Calculation

For eligible applicants if gross revenue for the period January 1, 2020, through December 1, 2020, decreased by at least 10 percent compared to the gross revenue for the period January 1, 2019, through December 1, 2019, the payment calculation will be the gross revenue for the period stated previously for 2019, minus the gross revenue for the period stated previously for 2020, multiplied by 80 percent.

See subparagraph G for calculation examples.

D Initial Payment

As applications are received, FSA will issue an initial payment equal to the lesser of either of the following:

- the amount calculated from subparagraph C
- \$2,000.

63 General Payment Information, Rates, and Reductions (Continued)

E Final Payment

After the close of the application period, FSA will issue a final payment equal to the amount calculated from subparagraph C minus the amount of the applicant's initial payment. If the total calculated payments exceed the total funding available for PATHH, final payment amounts will be factored and/or the maximum payment limitation may be reduced to stay within available funding.

Exception: If the initial payment is \$2,000 or less, there will be no additional (final) payment or reduction applied.

PATHH payments are not subject to administrative offset.

--Note: The final payment limitation was reduced from \$125,000 to \$75,000 and payments were factored at 70.5 percent. The maximum payment amount an applicant could receive was \$52,875. Final PATHH payments were issued December 6, 2021.--

F Payment Calculation for New 2019 Operations or 2020 Dissolved Operations

For applicants for which the business either originated in 2019 after January 1, 2019, or dissolved in 2020 before December 1, 2020, the applicant must report the number of days they were in business during the eligible period on their application and FSA will adjust gross revenue proportionally for the purpose of the calculating the payment.

G Payment Calculation Examples

Example 1: A business that has been in operation for all of 2019 and 2020.

Timber Business N was created in 1987 and is still in operation today. The gross revenue for the business is \$600,420 for 2019 and \$235,000 in 2020. The business had a gross revenue loss of 61%.

Gross Revenue Loss = ((2019 gross revenue – 2020 gross revenue) / 2019 revenue) x 100%

Payment Calculation: (2019 Gross Revenue – 2020 Gross Revenue) **x 80%** (\$600,420 - \$235,000) **x 80%** = \$292,336

Initial Payment = **lesser of \$2,000 or the payment amount** Initial Payment = \$2,000

Final Payment = **\$292,336 - \$2,000 = \$290,336**

--Will be reduced for payment limitation and final program factor. The final payment = \$52,875.--

--Part 6 Food Safety Certification for Specialty Crops (FSCSC) for Program Years 2022 and 2023--

Section 1 Basic FSCSC Provisions

276 General Information

A Purpose

This part provides instructions for administering FSCSC.

FSCSC provides assistance to specialty crop operations that incur eligible on-farm food safety program expenses to obtain or renew a food safety certification in calendar years 2022 and 2023.

Specialty crops intended for human consumption are subject to concerns about safety, particularly since specialty crops sold as raw agricultural commodities do not undergo a "kill step" like cooking, canning, or pasteurizing used for other agricultural commodities, such as meat or dairy products. As a result, specialty crop operations face increasing demand from grocery stores, schools, and other institutional buyers and retailers to obtain certification through programs that address the safe growing, harvesting, packing, and holding of their crops. The need to develop, implement, and maintain on-farm food safety programs has resulted in additional costs for many specialty crop operations that seek alternate markets for their products because of changes in demand from traditional markets, such as restaurants and food service. As they identify new markets, many specialty crop operations also find they need to undergo food safety audits and absorb the additional costs to achieve food safety certification through a private or government-based certification program to meet buyers' requirements to sell their products.

B Sources of Authority

Following are the sources of authority for FSCSC:

- CCC Charter Act (15 U.S.C. 714c(e))
- •*--NOFA published June 21, 2022 (87 FR 36816-36820).--*

C Authority and Responsibility

DAFP has the authority and responsibility for FSCSC.

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276 General Information (Continued)

D FSCSC Websites

The following websites provide information used to administer FSCSC.

Website Content	Website Address
FSCSC Application	https://intranet.fsa.usda.gov/fsa/applications.asp
FSCSC Information	www.farmers.gov/food-safety
FFAS Employee Forms/Publications Online Website	http://intranet.fsa.usda.gov/dam/ffasforms/forms.html
Notices	https://www.fsa.usda.gov/FSA/notices?area=home&subject=l are&topic=not&setflag=FROMURL&getData=NONE
eAuthentication	https://www.eauth.usda.gov/eauth/b/usda/home
FSCSC SharePoint	https://usdagcc.sharepoint.com/sites/FPAC-FSA-DAFP- FoodSafetyCertificationforSpecialtyCropsFSCSC

277 Responsibilities

A STC Responsibilities

Within the authorities and limitations in this handbook and NOFA, STC's will:

- direct the administration of FSCSC
- ensure that State and County Offices follow FSCSC provisions
- thoroughly document all actions taken in the STC meeting minutes
- handle appeals according to 1-APP and 7 CFR Parts 11 and 780
- require reviews be conducted by STC representative according to paragraph 303 to ensure that County Offices comply with FSCSC provisions

Note: STC's may establish additional reviews to ensure that FSCSC is administered according to FSCSC provisions.

- take any oversight actions necessary to prevent County Offices from issuing any improper payments
- approve or disapprove any FSA-888 except those in which an STC member has a monetary interest
- comply with all FSCSC provisions.

315 FSCSC Payments

A Basis for Payments

FSCSC payments are calculated separately for each category of eligible costs based on the percentages and maximum payment amounts in the following table.

	Payment Amount	of Eligible Costs
Category of Eligible Expenses	Historically Underserved Farmer or Rancher	All Other Applicants
Food safety certification	75 percent, up to a maximum of \$2,000	50 percent, up to a maximum of \$2,000
Development of a Food Safety Plan for first-time certification	75 percent (no maximum)	50 percent (no maximum)
Maintaining or updating a Food Safety Plan	75 percent, up to a maximum of \$375	50 percent, up to a maximum of \$250
Certification upload fees	75 percent, up to a maximum of \$375	50 percent, up to a maximum of \$250
Microbiological testing – products	75 percent, up to 5 tests	50 percent, up to 5 tests
Microbiological testing – soil amendments	75 percent, up to 5 tests	50 percent, up to 5 tests
Microbiological testing – water	75 percent, up to 5 tests	50 percent, up to 5 tests
Training	100 percent, up to a maximum of \$300	100 percent, up to a maximum of \$200

B Program Factor

FSCSC payments are subject to the availability of funds. Payments will be issued nightly after FSA-888 approval for program year 2022 and after the application period ends for program year 2023. If calculated payments exceed the amount of available funding, payments will be factored for 2023.

--Note: No payment factor was applied for program year 2023.--

C Payment Calculation

FSCSC payments are calculated by multiplying:

- the applicant's eligible expenses by
- the percentage for the applicable category in the table in subparagraph A.

Note: The amount of the applicant's FSCSC payment plus the reported additional cost share assistance cannot exceed the total amount of eligible expenses for each category.

*--316 FSCSC Payment Examples

A Payment Example 1

A representative of Pumpkins Inc. submits FSA-888 for expenses for certification upload fees in the amount of \$1,000. That is the only category included on FSA-888. The corporation does not meet the requirements for socially disadvantaged, limited resource, beginning, or veteran farmer or rancher.

 $1,000 \ge 50\% = 500$ (maximum payment amount for this category is 250) Total Payment = 250

B Payment Example 2

Fruity Farms LLC has submitted CCC-860 certifying its status as a socially disadvantaged farmer or rancher, and certifies to the following expenses on FSA-888:

- \$5,000 for the food safety certification
- \$3,000 for development of a Food Safety Plan for the first time
- \$1,000 for certification upload fees
- \$500 for training.

\$5,000 x 75% = \$3,750 (maximum payment amount for this category is \$2,000) \$3,000 x 75% = \$2,250 \$1,000 x 75% = \$ 750 (maximum payment amount for this category is \$375) \$ 500 x 100% = \$ 500 (maximum payment amount for this category is \$300) **Total Payment = \$4.925**

C Payment Example 3

Veggie Farms Partnership, which does not meet the definition of a socially disadvantaged, limited resource, beginning, or veteran farmer or rancher, certified to the following expenses:

- \$1,000 for maintaining a Food Safety Plan, with \$500 reimbursement received from another source
- \$800 for certification upload fees, with \$600 reimbursement received from another source
- \$500 for 3 water tests.

 $1,000 \ge 50\% = 500$ (maximum payment for this category is 250)

- $800 \times 50\% = 400$ (maximum payment for this category is 250)
- $500 \times 50\% = 250$ --*

327 FSCSC Spot Checks

A Spot Checks

--FSCSC spot checks can be conducted during or after the signup period by the COC, State Office, or National Office.--

B Supporting Documentation

If requested by FSA, applicants are responsible for providing additional documentation to support the information on their FSA-888.

Examples of supporting documentation that may be used to support their FSA-888 include the following:

- Food Safety Certification
- Food Safety Plan
- paid invoices
- test results
- training certificates
- audit report
- proof of payment
- statement of audit charges.

If supporting documentation is requested, the information must be submitted to FSA within 30 calendar days from the date of request or FSA-888 will be disapproved by FSA.

C Spot Check Adjustments

If adjustments are determined to be needed on FSA-888 as a result of a spot check, enter adjusted expenses in FSA-888, item 10D or 10F. These adjustments must be loaded in the automated software and the payment will be recalculated. The County Office must issue a letter to the applicant with applicable appeal rights for any adjustments made.--*

328-345 (Reserved)

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405 Recording SMHPP Payments

A Recording Payments

The County Office for the recording State and county for the producer will complete the SMHPP payment.

Note: The recording State and county for a producer is identified in the Subsidiary Eligibility System.

406-419 (Reserved)

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*--Part 8 Food Safety Certification for Specialty Crops (FSCSC) for Program Years 2024 and 2025

Section 1 Basic FSCSC Provisions

420 General Information

A Purpose

This part provides instructions for administering FSCSC.

FSCSC provides assistance to specialty crop operations that incur eligible on-farm food safety program expenses to obtain or renew a food safety certification in calendar years 2024 and 2025.

Specialty crops intended for human consumption are subject to concerns about safety, particularly since specialty crops sold as raw agricultural commodities do not undergo a "kill step" like cooking, canning, or pasteurizing used for other agricultural commodities, such as meat or dairy products. As a result, specialty crop operations face increasing demand from grocery stores, schools, and other institutional buyers and retailers to obtain certification through programs that address the safe growing, harvesting, packing, and holding of their crops. The need to develop, implement, and maintain on-farm food safety programs has resulted in additional costs for many specialty crop operations that seek alternate markets for their products because of changes in demand from traditional markets, such as restaurants and food service. As they identify new markets, many specialty crop operations also find they need to undergo food safety audits and absorb the additional costs to achieve food safety certification through a private or government-based certification program to meet buyers' requirements to sell their products.

B Sources of Authority

Following are the sources of authority for FSCSC:

- CCC Charter Act (15 U.S.C. 714c(e))
- NOFA published June 26, 2024.

C Authority and Responsibility

DAFP has the authority and responsibility for FSCSC .--*

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*--420 General Information (Continued)

D FSCSC Websites

The following websites provide information used to administer FSCSC.

Website Content	Website Address
FSCSC Application	https://intranet.fsa.usda.gov/fsa/applications.asp
FSCSC Information	www.farmers.gov/food-safety
FFAS Employee	http://intranet.fsa.usda.gov/dam/ffasforms/forms.html
Forms/Publications	
Online Website	
Notices	https://www.fsa.usda.gov/FSA/notices?area=home&subject=l
	are&topic=not&setflag=FROMURL&getData=NONE
eAuthentication	https://www.eauth.usda.gov/eauth/b/usda/home
FSCSC SharePoint	https://usdagcc.sharepoint.com/sites/FPAC-FSA-DAFP-
	FoodSafetyCertificationforSpecialtyCropsFSCSC

421 **Responsibilities**

A STC Responsibilities

Within the authorities and limitations in this handbook and NOFA, STC's will:

- direct the administration of FSCSC
- ensure that State and County Offices follow FSCSC provisions
- thoroughly document all actions taken in the STC meeting minutes
- handle appeals according to 1-APP and 7 CFR Parts 11 and 780
- require reviews be conducted by STC representative according to paragraph 303 to ensure that County Offices comply with FSCSC provisions

Note: STC's may establish additional reviews to ensure that FSCSC is administered according to FSCSC provisions.

- take any oversight actions necessary to prevent County Offices from issuing any improper payments
- approve or disapprove any FSA-888-1 except those in which an STC member has a monetary interest
- comply with all FSCSC provisions.--*

B SED Responsibilities

Within the authorities and limitations in this handbook, SED's will:

- ensure that County Offices follow FSCSC provisions
- ensure that County Office employees and COC's are adequately trained
- thoroughly document all actions taken in the STC minutes
- handle appeals according to 1-APP
- handle requests for equitable relief according to 7-CP
- ensure that STC representatives conduct reviews according to paragraph 447

Note: SED may establish additional reviews to ensure that FSCSC is administered according to FSCSC provisions.

- ensure that FSCSC provisions are publicized
- immediately notify the National Office of problems, incomplete or incorrect procedures, specific problems, or findings
- take any oversight actions necessary to ensure that IPIA provisions are met to prevent County Offices from issuing any improper payments
- comply with all FSCSC provisions.

C DD Responsibilities

Within the authorities and limitations in this handbook and NOFA, DD's will:

- ensure that COC's and CED's follow FSCSC provisions
- ensure that CED's review the first 5 completed FSA-888-1's and other required documents for completeness and accuracy from each county to confirm:
 - signatures are included
 - values on FSA-888-1 are correct in the software based on the producer's certification
 - eligibility requirements are understood and met--*

C DD Responsibilities (Continued)

- based on the review documentation received, provide COC or CED authority to complete approvals and actions in the software upon completing review of the first five FSA-888-1's
 - **Note:** If the initial documentation received contains evidence of misunderstood policy, DD will provide clarification of that policy to the County Office employees and withhold authority until authorization to approve FSA-888-1's is warranted.
- conduct reviews as determined by SED according to paragraph 447

Note: DD may establish additional reviews to ensure that FSCSC is administered according to these provisions.

- load the results of FSCSC reviews on the SharePoint site, according to paragraph 447, no later than 30 workdays after FSA-888-1 is reviewed for FSCSC
- ensure that all County Offices publicize FSCSC provisions
- immediately notify the State Office specialist responsible for FSCSC of software problems, incomplete or incorrect procedures, specific problems, or findings
- take any oversight actions necessary to ensure that IPIA provisions are met to prevent County Offices from issuing any improper payments.

D COC Responsibilities

Within the authorities and limitations in this handbook and NOFA, COC's will:

- fully comply with all FSCSC provisions
- ensure that CED's direct the County Office to follow all FSCSC provisions
- handle appeals according to 1-APP--*

D COC Responsibilities (Continued)

• review and take action on FSA-888-1's

Note: COC may redelegate authority to CED to review and approve routine FSA-888-1's. Redelegation of authority must be documented in the COC minutes. All adverse actions must go to COC for review.

- thoroughly document all actions taken in the COC minutes
- ensure that the County Office publicizes FSCSC provisions
- take any oversight actions necessary to ensure that IPIA provisions are met to prevent County Offices from issuing any improper payments
- ensure that FSA assists persons by providing program information as it becomes available, using a variety of methods.
 - **Note:** Publication of program information may or may not be direct mail or on an individual basis. FSA meets its publication responsibilities by making broad program announcements in press releases, print and electronic media, Federal Register documents, radio and television announcements, and through posting program information in USDA Service Centers.

COC will ensure that program provisions are publicized and that the County Office maintains a record of all publicity efforts, including postings in Service Centers.

The FSCSC Fact Sheet:

- may be used to provide general program information
- is available at www.farmers.gov/food-safety.--*

E CED Responsibilities

CED's will:

- fully comply with all FSCSC provisions
- ensure that County Office employees are adequately trained and fully comply with all FSCSC provisions
- follow procedure in subparagraph 448 B for redelegation of authority
- review the first 5 completed FSA-888-1's and other required documents for completeness and accuracy and send to DD to obtain authority for approval
- if so delegated, promptly review and approve routine FSA-888-1's

Notes: All adverse actions **must** go to COC for review.

CED **may not** redelegate authority to review and approve routine FSA-888-1's for any other County Office employees.

- handle appeals according to 1-APP
- thoroughly document all actions taken in the COC minutes
- ensure that producers receive complete and accurate FSCSC information
- immediately notify SED, through DD, of problems and incomplete or incorrect procedures
- take any oversight actions necessary to ensure that PIIA provisions are met to prevent County Offices from issuing any improper payments.

F PT Responsibilities

Within the authorities and limitations in this handbook and NOFA, PT's will:

- fully comply with all FSCSC provisions
- immediately notify CED of problems, including incomplete or incorrect procedures
- ensure that all program eligibility requirements have been met by producers and completeness of FSA-888-1's for accuracy before submitting to CED
- ensure that producers receive complete and accurate FSCSC information.--*

G Applicant Responsibilities

The applicant is responsible for being aware of program provisions and accurately reporting all required information, as applicable, on FSA-888-1.

Applicants who are approved for participation in FSCSC are required to retain documentation in support of their FSA-888-1 for 3 years after the date of approval. Applicants receiving FSCSC payments or any other person who provides this information to USDA must permit authorized representatives of USDA, OIG, or GAO, during regular business hours, to enter the agricultural operation and inspect, examine, and allow representatives to make copies of books, records, or other items for the purpose of confirming the accuracy of the information provided by the applicant.

Programs administered by DAFP require accurate information from the applicant. Participants must understand that failure to provide complete and accurate information and records could result in any or all the following:

- FSA-888-1 for FSCSC assistance being disapproved, COC adjusted, or approved but ineligible for payment
- participant or participants being determined ineligible for FSA programs for the applicable program year or multiple years
- participant or participants being liable under any civil or criminal fraud statue or any statute or provision of law.

422 FSCSC General Provisions and Policies

A Definitions

<u>Certification upload fee</u> means the fee paid by a specialty crop operation to upload reports and other documentation to a commercial database.

<u>Certifier</u> means either a private entity accredited for the purpose of providing food safety certification or a government-based certifier.

<u>Food safety certification</u> means certification that a specialty crop operation meets regulatory or market-driven food safety standards.

<u>Food safety management system</u> means a documented system developed by a group of specialty crop operations to obtain food safety certification, also referred to as a "quality management system".

<u>Food Safety Plan</u> means a documented plan implemented by a specialty crop operation to obtain food safety certification.--*

*--422 FSCSC General Provisions and Policies (Continued)

A Definitions (Continued)

FSMA means the FDA Food Safety Modernization Act (Pub. L. 111-353).

<u>Medium Size Business</u> means a farm that had an average annual monetary value of specialty crops the farm sold during the 3-year period preceding the program year of at least \$500,001 but no more than \$1,000,000.

<u>Monetary Value</u> means the amount that would be paid in cash for a specialty crop if it were to be sold to a third party. In the annual calculation of total produce sales, include the following:

All produce sold, not just produce covered by the Produce Safety Rule:

- produce that was purchased or otherwise obtained and then resold
- produce sold directly to consumers or online
- produce sold at farmers' markets or to grocery stores
- produce sold by a third-party on the applicant's behalf, such as through a cooperative that takes possession, but not ownership, of applicants produce
- retail sales, wholesale sales, intrastate sales, and interstate sales (including produce offered for import to the U.S. or exported from the U.S.).

Do not include the following in the calculation:

- produce for which no payment was received (i.e., produce held without sale, or produce donated)
- the value of produce from other entities when a third-party is selling produce on the applicant's behalf along with produce from other entities.

Example: When produce is sold by a cooperative, along with produce from other growers, the applicant should only consider the value from the produce sales.

<u>Produce Safety Rule</u> means the final rule titled "Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption" published on November 27, 2015 (80 FR 74353-74668).

<u>Program year</u> means the calendar year in which the applicant's food safety certification is issued; that is, 2024 or 2025.

*--422 FSCSC General Provisions and Policies (Continued)

A Definitions (Continued)

<u>Raw agricultural commodity</u> means any food in its raw or natural state, including all fruits that are washed, colored, or otherwise treated in their unpeeled natural form before marketing.

<u>Small business</u> means an applicant that had an average annual monetary value of specialty crops the applicant sold during the 3-year period preceding the program year of no more than \$500,000.

Specialty crop means any fruit or vegetable (including mixes of intact fruits and vegetables) and includes mushrooms, sprouts (irrespective of seed source), tree nuts, and herbs. A fruit is the edible reproductive body of a seed plant or tree nut (such as apple, orange, and almond), such that fruit means the harvestable or harvested part of a plant developed from a flower. A vegetable is the edible part of an herbaceous plant (such as cabbage or potato) or fleshy fruiting body of a fungus (such as white button or shiitake) grown for an edible part, such that vegetable means the harvestable or harvested part of any plant or fungus whose fruit, fleshy fruiting bodies, seeds, roots, tubers, bulbs, stems, leaves, or flower parts are used as food and includes mushrooms, sprouts, and herbs (such as basil or cilantro). "Specialty crop" does not include peanuts or food grains, meaning the small, hard fruits or seeds of arable crops, or the crops bearing these fruits or seeds, that are primarily grown and processed for use as meal, flour, baked goods, cereals, and oils rather than for direct consumption as small, hard fruits or seeds (including cereal grains, pseudo cereals, oilseeds, and other plants used in the same fashion). Examples of food grains include barley, dent- or flint-corn, sorghum, oats, rice, rye, wheat, amaranth, quinoa, buckwheat, and oilseeds (for example, cotton seed, flax seed, rapeseed, soybean, and sunflower seed).

<u>Specialty crop operation</u> means a farming operation that produces specialty crops that are raw agricultural commodities. It includes both individuals and legal entities.

B AGI Requirements

AGI requirements do not apply to FSCSC payments.

C Direct Attribution and Common Attribution

Direct attribution and common attribution do not apply to FSCSC payments .--*

*--422 FSCSC General Provisions and Policies (Continued)

D Payment Limitation

FSCSC does not have an overall maximum payment limitation. Payments are calculated separately by category. For 2024 and 2025 calendar years, assistance will be reimbursed as follows.

Category of Eligible Expenses	Payment Amount of Eligible Cost
Food safety certification	75 percent, up to a maximum of \$2,000
Development of a food safety plan for first-time	75 percent (no maximum)
certification	
Maintaining or updating a food safety plan	75 percent, up to a maximum of \$675
Certification upload fees	75 percent, up to a maximum of \$375
Microbiological testing – products	75 percent, up to 5 tests
Microbiological testing – soil amendments	75 percent, up to 5 tests
Microbiological testing – water	75 percent, up to 5 tests
Training	100 percent, up to a maximum of \$500

Note: 5-PL substantive change requirements do not apply to FSCSC.

E Administrative Offset

FSCSC payments issued by FSA are subject to administrative offsets.

F Assignments and Joint Payments

An applicant entitled to an FSCSC payment may:

- assign the payment according to 63-FI
- use joint payment authorizations according to 63-FI.

The code for FSCSC is "**XXFSCSC**".

G Obtaining FSA-325 for Deceased, Disappeared, or Incompetent Producers

Follow 1-CM provisions for persons who have died, disappeared, or been declared incompetent.

H Sequestering FSCSC Payments

Sequestration does not apply .--*

*--423 Customer Records for FSCSC Applicants

A Overview

All applicants seeking FSCSC benefits must have a customer record established in Business Partner that includes a valid taxpayer identification number.

B Collecting Customer Data

An applicant that is a new customer must complete AD-2047 to provide information that positively identifies the customer.

Applicants that are existing customers may update their profile by completing AD-2047, as needed.

The customer information must be recorded in Business Partner according to 11-CM.

C Farm Record

An applicant is not required to be associated with a farm to be eligible for FSCSC .--*

424-433 (Reserved)

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*--Section 2 FSCSC Eligibility Policy and Provisions

434 FSCSC Program Eligibility Requirements

A Program Eligibility

To be eligible for FSCSC, the applicant must meet all of the following:

- be a specialty crop operation
- be a small business or medium size business
- have obtained or renewed either of the following:
 - 2024 food safety certification that was issued between June 26, 2024, and December 31, 2024
 - 2025 food safety certification issued during the 2025 calendar year
- have paid eligible expenses
- be located in the 50 United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the U.S. Virgin Islands, or the Commonwealth of the Northern Mariana Islands.

Note: Applicants do not have to be U.S. citizens to participate.

B Ineligible Applicants

The following applicants are ineligible for FSCSC:

- an applicant that does not meet the definition of small business or medium size business
- an operation that is not located in the 50 United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the U.S. Virgin Islands, or the Commonwealth of the Northern Mariana Islands
- an applicant that has not paid eligible expenses related to a 2024 or 2025 food safety certification.--*

*--434 FSCSC Program Eligibility Requirements (Continued)

C Specialty Crop List

The following is a list of examples of specialty crops that applicants may produce. For crops not listed, contact the National Office to verify eligibility.

- Abiu
- Acerola (Barbados Cherry)
- Achachairu
- Alfalfa Sprouts
- Almonds
- Aloe Leaves
- Aloe Vera
- Anise
- Antidesma
- Apples
- Apricots
- Aronia (Chokeberry)
- Artichokes
- Arugula (Greens)
- Asparagus
- Atemoya (Custard Apple)
- Avocados
- Babaco Papayas
- Bamboo Shoots
- Bananas
- Basil (Herb)
- Batatas
- Bean Sprouts
- Beans (Including Dry Edible) •
- Beets
- Bitter Gourd
- Bitter Melons
- Blueberries
- Bok Choy
- Boniato
- Boysenberries
- Breadfruit
- Broccoflower
- Broccoli

7-9-24

• Broccolini

- Broccolo-Cavalo
- Brussel Sprouts
- Cabbage
- Cacao
- Cailang
- Caimito
- Calabaza Melon
- Calaboose
- Callaloo
- Canary Melon
- Canary Seed
- Caneberries
- Caneberries Blackberries
- Caneberries Raspberries
- Canistel
- Cantaloupes
- Carambola (Star Fruit)
- Cardoon
- Carob
- Carrots
- Casaba Melon
- Cascadeberries
- Cashew
- Cassava
- Cauliflower
- Celeriac
- Celeriac (Celery Root)
- Celery
- Chayote
- Cherimoya (Sugar Apple)
- Cherries
- Chervil, French Pastry (Herb) •

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- Chestnuts
- Chickpea (See Beans, Garbanzo)

- Chicory
- Chinese Bitter Melon
- Chinese Cabbage
- Chinese Mustard
- Chinese Water Chestnuts
- Chives
- Chu
- Cilantro/Coriander (Herb)
- Citron
- Citron Melon
- Coconuts
- Coffee
- Collard Greens
- Coriander
- Corn, Sweet
- Crabapples
- Cranberries
- Crenshaw Melon
- Cucumbers
- Currants
- Curry Leaves
- Cushaw
- Daikon (Radish)
- Dandelion Greens
- Dasheen (Taro Root, Malanga)

Donaqua (Winter Melon)

Dragon Fruit (Red Pitaya)

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• Dates

Dunga

Durian

Elut--*

Eggplant

Elderberries

• Dill

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*--434 FSCSC Program Eligibility Requirements (Continued)

C Specialty Crop List (Continued)

- Endive
- Escarole
- Etou
- Feijoas
- Figs
- Frisee
- Gailon (Gai Lein, Chinese Broccoli)
- Galanga
- Garlic
- Genip
- Ginger
- Ginseng
- Gooseberries
- Gourds
- Grapefruit
- Grapes
- Greens
- Greens Others Not Listed
- Ground Chery
- Guanabana (Soursop)
- Guava
- Guavaberry
- Hazel Nuts
- Honeyberries
- Honeydew
- Hops
- Horseradish
- Huckleberries
- Israel Melons
- Iychee
- Jack Fruit
- Jerusalem Artichokes (Sunchoke)
- Jicama
- Jojoba
- Jujube
- Juneberries
- Kale
- Kenya
- Kiwiberry

- Kiwifruit
- Kohlrabi
- Korean Golden Melon
- Kumquats
- Langsat
- Leeks
- Lemons
- Lentils
- Lettuce
- Limequats
- Limes
- Lobok
- Loganberries
- Longan
- Loquats
- Lotus Root
- Lychee (Litchi)
- Macadamia Nuts
- Mamey
- Mandarins
- Mangos
- Mangosteen
- Maple Sap
- Mar Bub
- Marionberries
- Marjoram (Herb)
- Mayhaw Berries
- Melongene
- Mesculun Mix
- Mesple
- Microgreens
- Mint (Herb)
- Mizuna
- Mongosteen
- Moqua
- Moringa
- Mulberries
- Murcotts
- Mushrooms
- Mustard (Greens)

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- Nectarines
- Noni

- Okra
- Olallieberries

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- Olives
- Onions
- Opo
- Oranges
- Oregano (Herb)
- Papaya
- Parsley, Other (Herb)
- Parsnip
- Passion Fruits
- Pawpaw
- Peaches

Pecans

Peppers

• Pears

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• Peas (Including Dry Edible)

Persian Melon

Persimmon

Pimentos

Pine Nuts

Pineapple

Pistachios

Plantain

Plumcots

Potatoes

Prunes

Pummelo

Pumpkins

Radicchio

Rambutan--*

Page 8-41

Radishes

Raisins

Ouinces

Pomegranates

Potatoes Sweet

Plums

Pitaya (Dragon Fruit)

Pejibaye (Heart of Palm)

*--434 FSCSC Program Eligibility Requirements (Continued)

C Specialty Crop List (Continued)

- Rape Greens
- Rapini
- Recao
- Rhubarb
- Rosemary (Herb)
- Rutabaga
- Sage (Herb)
- Salsify (Oyster Plant)
- Santa Claus Melon
- Saodilla
- Sapote
- Savory (Herb)
- Scallions
- Schizandra Berries
- Seaweed
- Seed Vegetable
- Shallots
- Shiso
- Snake Gourd
- Sorrel (Greens)
- Spearmint (Herb)

- Spinach
- Sprite Melon
- Squash
- Star Gooseberry
- Strawberries
- Sugarcane (Table)
- Suk Gat
- Swiss Chard
- Tangelos
- Tangerines
- Tangors
- Tangos
- Taniers
- Tapioca
- Taro
- Tau Chai
- Tea Camellia Sinensis
- Teff
- Thyme (Herb)
- Tindora

- Tomatillos
- Tomatoes
- Truffles
- Turmeric (Herb)
- Turnip Top (Greens)
- Turnip Tops (Green)
- Turnips
- Upland/Winter Cress
- Vanilla
- Walnuts
- Wampee
- Watermelon
- Wax Jamboo Fruit
- White Sapote
- Wintercress
- Wolfberry (Goji)
- Yam
- Yam Yu Choy
- Yautia (Malanga)
- Yuca (Cassava)

435 Eligible Expenses

A Program Year Expenses

FSCSC eligibility is based on the date the certification is effective, rather than on the date the expenses are paid.

Eligible expenses include **only** expenses that are **paid** related to certifications effective from:

- June 26, 2024, through December 31, 2024, for the 2024 program year
- January 1, 2025, through December 31, 2025, for the 2025 program year.
- **Note:** Expenses that have been **incurred** but **not paid** by the applicant are **not eligible** for cost share assistance.
- **Example:** An operation is inspected by their certifying agent on December 1, 2024, and receives a bill from the certifier on December 15, 2024, indicating the amount due for certification services. The producer pays all expenses related to their certification on January 5, 2025. The producer receives their Food Safety Certification dated April 6, 2025. The producer may apply for cost share assistance for these expenses for the 2025 program year.--*

Par. 434

*--435 Eligible Expenses (Continued)

B Eligible Expenses

For FSCSC purposes, the following are considered eligible expenses.

- Development of a Food Safety Plan for first-time food safety certification. The specialty crop operation may develop its own plan, or it may hire a consultant, or a combination of both. FSCSC will cover a percentage of all approaches. For specialty crop operations that develop their own plans, FSCSC will cover a percentage of the costs of seminars and tools used to create a Food Safety Plan. For those that hire a consultant, FSCSC will cover a percentage of the consulting fees and other associated expenses. For specialty crop operations certified through a group, this category of expenses will cover a percentage of their share of the cost for developing a food safety or quality management system for the group.
- Maintaining or updating an existing Food Safety Plan. These are the costs of maintaining and updating existing Food Safety Plans. For specialty crop operations certified through a group, this category of expenses will cover a percentage of their share of the cost for maintaining or updating an existing food safety management system for the group.
- Food safety certification. This is the cost of obtaining food safety certification issued by a certifier, including application fees, inspection costs, inspection fees (including travel costs and per diem for certifiers), and user fees or certifier sales assessments.
- Certification upload fees. This is the cost to upload audit reports and certification documentation into commercial audit databases, which may be required by buyers of specialty crops.
- **Microbiological testing.** Microbiological testing is for products, soil amendments, and water as specified by a Food Safety Plan or food safety management system.
- **Training.** This is the cost of food safety training for the specialty crop operation.

Each expense submitted for assistance must be categorized according to the 6 categories in this subparagraph.

Note: Any associated postage is eligible and should be included with the category of expense for which it was incurred.--*

*--435 Eligible Expenses (Continued)

C Ineligible Expenses

For FSCSC purposes, the following are considered ineligible expenses:

- infrastructure improvements, such as improvements to buildings, cold storage, flooring, restrooms, and handwashing stations
- supplies, such as sanitation and cleaning supplies and personal protective equipment
- equipment, such as grading or packing lines and sanitation equipment
- salaries and benefits of employees or other costs for labor, except for expenses for consultants described in subparagraph B
- fees or penalties for late payment.

D Group Certifications

Specialty crop operations that obtain certification through a group model are eligible to apply for assistance for their share of eligible expenses paid by the group, in addition to any eligible expenses they incur individually. The applicant should obtain an invoice or other documentation from the group that indicates the applicant's share of the expenses for each eligible category.--*

436-444 (Reserved)

*--Section 3 Application Process

445 Signup

A FSCSC Signup

Applicants can apply for FSCSC benefits at any County Office nationwide. The applicant must complete FSA-888-1 to receive a payment.

The signup period for FSCSC is as follows.

Program Year	Certification Date	Application Period
2024	June 26, 2024, through	July 1, 2024, through
	December 31, 2024	January 31, 2025
2025	January 1, 2025, through	January 1, 2025, through
	December 31, 2025	January 31, 2026

B Application Package

A complete application package includes the following:

- FSA-888-1
- AD-2047, if not previously filed
- SF-3881, if not previously filed.
 - **Note:** The policy allowing hardship waivers of the EFT requirement applies to FSCSC. See 63-FI.--*

*--445 Signup (Continued)

C Submitting FSA-888-1

For each program year, applicants will submit one FSA-888-1 per operation nationwide to any County Office:

- in person
- by mail
- electronically by:
 - FAX
 - emailed with a scanned or photocopy of signed FSA-888-1 attached
 - Box or OneSpan
- online application at https://apps.fsa.usda.gov/fscsc/index.jsp
 - **Note:** Submitting FSA-888-1 online requires an active Level 2 eAuthentication account. Individual producers can register for a Level 2 eAuthentication account at **www.eauth.usda.gov**. A fillable format of FSA-888-1 will also be available to sign and submit by 1 of the methods in this subparagraph.

D Incomplete FSA-888-1's

COC cannot act on FSA-888-1 until the applicant has completed FSA-888-1 and signed Part C.

Note: Incomplete FSA-888-1's or FSA-888-1's that are not signed do not require action by FSA. Applicants will receive decisions by FSA only on complete FSA-888-1's.

County Offices will notify an applicant that their application package is incomplete and give the applicant 30 calendar days from the date of notification to submit any additional required documentation before disapproving FSA-888-1.--*

*--445 Signup (Continued)

E Late-Filed Provisions

DAFP has the authority to waive or modify application deadlines and other requirements or program provisions not specified in law, in cases where DAFP determines it is equitable to do so and where the lateness or failure to meet these other requirements or program provisions do not adversely affect the operation of FSCSC.

DAFP has delegated this authority to STC. COC does not have authority to approve programmatic relief for late-filed FSA-888-1's. However, a late-filed FSA-888-1 will be reviewed according to the following table.

Note: Neither COC nor STC are under any obligation to recommend relief. COC is not required to submit cases to STC that COC believes do not warrant relief, nor is STC required to approve cases that STC believes do not warrant relief. If relief is not recommended by either COC or STC, the late-filed FSA-888-1 will be disapproved, and the County Office will notify the participant in writing of the decision on the participant's request for programmatic relief with appropriate appeal rights according to 1-APP (based on the reviewing authority's decision that FSA-888-1 was late and that relief was not appropriate). Cases do not have to be submitted to STC or DAFP for disapproval of relief.

Producer Action	County Office and/or COC Action	STC Action
FSA-888-1 is submitted after the application deadline but is not accompanied with a written explanation as to why the deadline was not met.	 Issue a letter to the participant: explaining that FSA received FSA-888-1 but cannot process FSA-888-1 because it was filed after the deadline 	No actions are needed.
	• requesting a written explanation of why the deadline was not met if the producer wishes to have FSA-888-1 considered.	

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*--445 Signup (Continued)

E Late-Filed Provisions (Continued)

	County Office and/or	
Producer Action	COC Action	STC Action
FSA-888-1 is submitted after the application deadline and	Review for programmatic relief consideration.	
is accompanied with a written explanation as to why the deadline was not met.	If COC determines circumstances merit programmatic relief, complete FSA-321 and forward all documents to STC.	 Review FSA-321, FSA-888-1, and written explanation to determine whether programmatic relief should be granted. If yes, STC will approve and sign on behalf of DAFP. Then send it back to COC for approval or disapproval of FSA-888-1. If no, STC will take no action and send it back to COC to issue a letter that FSA-888-1 has been reviewed and FSA cannot process since FSA-888-1 was late-filed. COC will disapprove and notify the applicant with appeal rights included in the letter.
	If COC determines circumstances do not merit programmatic relief, issue a letter to the applicant stating that FSA-888-1 and written explanation have been reviewed and considered late and have been disapproved with appeal rights included in the letter.	No actions are needed.

Par. 446 *--446 FSA-888-1, Food Safety Certification for Specialty Crops Program (FSCSC) for Program Years 2024 and 2025

A Completing FSA-888-1

The FSA representative will complete FSA-888-1, items 1, 2, 4, 10D, 10F, and 14A through 14D.

The applicant applying for FSCSC will complete FSA-888-1, items 3, 5 through 10C, 10E, and 11 through 13C.

Item	Instruction			
1	Enter the applicant's recording State name and code.			
2	Enter the applicant's recording county name and code.			
3	Enter the program year for which the applicant is applying for benefits.			
	The program year is based on the calendar year in which the certification is received:			
	• program year 2024: June 26, 2024, through December 31, 2024			
	• program year 2025: January 1, 2025, through December 31, 2025.			
	Note: Separate FSA-888-1's must be completed for each program year.			
4	This will be automatically populated. Leave blank if a manual form.			
	Part A – Applicant Information			
5	Enter the applicant's name.			
	Note: The applicant's name in item 5 must match the person or entity listed on the applicant's food safety certification or plan.			
6	Enter the applicant's address, including ZIP Code.			
7	Check "YES" or "NO" to indicate whether the applicant has recently participated			
	in FSA programs.			
	If " NO " is selected, the applicant must also submit a completed AD-2047 and SF-3881 to receive payment.			
8	Enter the applicant's telephone number, including the area code.			
9	Enter the applicant's email address.			

*--446 FSA-888-1, Food Safety Certification for Specialty Crops Program (FSCSC) for Program Years 2024 and 2025 (Continued)

A Completing FSA-888-1 (Continued)

Item	Instruction	
	Part B – Certification Information & Expenses	
10A	Check the appropriate box or boxes to indicate the category of expenses for which the applicant is applying.	
	• The Food Safety Certification category includes the cost of obtaining the certification issued by a certifier, including application fees, inspection costs and fees, and user fees or certifier sales assessments.	
	• The Food Safety Plan Development category is only available for the first year an operation or group undergoes a formal food safety certification or plan. Costs include seminars, tools used to create a Food Safety Plan, consulting fees, and other associated expenses.	
	• The Maintaining or updating Food Safety Plan category includes costs of maintaining and updating existing Food Safety Plans.	
	• The Certification Upload Fees category includes costs to upload audit reports and certification documentation into commercial audit databases.	
	• The Testing categories include the cost of the tests for microbiological, soil amendments, and water. This is the total dollar amount for all tests of a specific category.	
	• The Training category includes the cost of food safety training for the applicant.	
10B	Enter the associated costs for each selected category.	
	For costs that apply to more than 1 category, divide the amount by the number of all categories for which the cost was incurred.	
10C	Enter the number of tests associated for the category selected.	
10D	COC Use Only – Enter the amount of expenses as determined by COC.	
10E	Enter the amount received as reimbursement from other sources for each category. If zero, leave blank.	
10F	COC Use Only – Enter the adjusted amount of reimbursement for expenses received as determined by COC.	
11	Check " YES " or " NO " to indicate if the applicant meets the definition of a small business.	
	A small business is an average annual monetary value of specialty crops the farm sold during the 3-year period preceding the program year of no more than \$500,000.	

A Completing FSA-888-1 (Continued)

Item	Instruction				
12	Check "YES" or "NO" to indicate if the applicant meets the definition of a				
	medium size business.				
	A medium size business is an average annual monetary value of specialty crops the				
	farm sold during the 3-year period preceding the program year of at least \$500,001				
	but no more than \$1,000,000.				
	Part C – Applicant Certification Statement				
13A	Applicant will sign.				
15/1	Approant win sign.				
	Print FSA-888-1 and have the applicant manually sign. If FSA-888-1 is approved				
	for electronic transmission and the applicant has established credentials with				
	USDA to submit forms electronically, use the buttons provided on FSA-888-1 for				
13B	transmitting FSA-888-1 to the USDA servicing office.				
130	Enter the applicant's representative title or relationship to the entity or individual.				
	Note: If the applicant is not signing in the representative capacity, this field				
	should be left blank.				
13C	Enter the date FSA-888-1 is signed (MM-DD-YYYY).				
	Part D – County Committee (COC) Determination				
14A	COC or designee will sign.				
14B	Enter the title of representative or designee.				
14C	Enter the date the representative or designee signs FSA-888-1.				
14D	COC or their representative will check either "APPROVED" or				
	"DISAPPROVED".				
	Important: FSA-888-1 will be approved or disapproved as certified by the				
	producer after applicable COC adjustment fields are completed.				
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B Example of FSA-888-1

Following is an example of FSA-888-1.

SA-888-1 05-28-24)		U.S. DEPARTMENT OF AGR Farm Service Agency (Commodity Credit Corpo	FSA)	1.	Recording State Name/Code	Expiration Date: 12/31/202 2. Recording County Name/Code
		(CERTIFICATION FOR CSC) FOR PROGRAM			Program Year	4. Application No.
will be used to determine Tribal agencies, and nor	the applicant's ability to par governmental entities that h	ticipate in and receive benefits under the Fo ave been authorized access to the informati	ood Safety Certification for Specie ion by statute or regulation and/o.	alty Crops Program. The information or r as described in applicable Routine U	ollected on this form may be disclosed ses identified in the System of Records	etion Charter Act (15 U.S.C. 714c(e)). The information to other Federal, State, and Local government agencies Notice for USDA/FSA-2, Ferm Records File fits under the Food Safety Certification for Specialty
number. The valid OMB sources, gathering and r Department of Agricultur	control number for this inform naintaining the data needed, e, Desk Clearance Officer, C	nation collection is 0560-0311 . The time req and completing and reviewing the collection DIRM (OMB NO. 0560-0311), Washington, L	uvired to complete this information n of information. Send comments 5.C. 20250.	n collection is estimated to average 60 s regarding this burden estimate or an	minutes per response, including the lin other aspect of this collection of inform	of information unless it displays a valid OMB control re for reviewing instructions, searching existing data ration, including suggestions for reducing this burden, to
PART A – APPLICANT I		d other statutes may be applicable to the inf	ormation provided. RETURN TH	S COMPLETED FORM TO YOUR CO	DUNTY FSA OFFICE.	
. Applicant's Name		6. Address (City, State and Inclu	ide Zip Code) 7	. Have you participated in FS		ne Number (Including Area code)
				YES	0.00	il Address
				(If "NO", please fill out AD-2	2047 and SF-3881) 9. Ema	II Address
ART B – CERTIFICATI	ON INFORMATION	& EXPENSES				
0. Category of Expenses (0	heck all that apply) a	nd Expenses (applicant complete	es columns 10A, 10B, 10	C, and 10E):		
10A. Category of Ex	penses	10B. Expenses	10C. Number of Tests	10D. COC Adjustment o Expenses	f Other Reimbursem Expenses Recei	
Food Safety Certification	í	s		\$	\$	\$
Food Safety Plan Develo	opment (1 st time)	s		\$	\$	S
Maintaining or updating	Food Safety Plan	\$		\$	\$	\$
Certification Upload Fee	s	s		\$	\$	\$
Microbiological Testing -	- products	\$		\$	\$	\$
Microbiological Testing -	- soil amendments	\$		\$	\$	\$
Microbiological Testing -	water	s		\$	\$	\$
Training		\$		\$	\$	\$
 Are you a small busines ear of no more than \$500,0 Are you a medium size I he program year of at least 	00.) Dusiness? YES	NO (Medium size business n				he 3-year period preceding the program m sold during the 3-year period preceding
997 BUA 508						DATE STAMPED

B Example of FSA-888-1 (Continued)

3. 4.	Agrees to comply with, and acknowledges the applicant is subject to, all provisions of FSCSC as published in the applicable Notice of Funds Availability published in the Federal Register, and all applicable rules and regulations; Understands that FSCSC payments are subject to the availability of funding and are subject to proration if total calculated payments to all eligible applicants exceed available				
5.	funds. Further understands that late-filed applications receiv Acknowledges that, if determined eligible and funding is ava entered in Item 10 to reflect the eligible expenses as verified	ailable, the applicant's expenses may be adjusted, as dete		ittee, from the amounts	
ļ	Acknowledges that FSA will issue payments for the 2024 pr percent as applications are processed and approved, with the payments are subject to proration.				
ce	ertify that:				
	The above information provided by me, or my legal represer	ntative is true and correct.			
	I understand that failure to provide true and correct informat	ion may result in the invalidation of this application a de	termination of noncompliance or i	in all all liter an ath an	
	remedies or sanctions. By signing this form, I further ackno but not limited to, those under 18 U.S.C. 1001.				
3.	remedies or sanctions. By signing this form, I further ackno	wledge and understand that any false representation or cl g more than 100% of cost for the same eligible expenses	aims are subject to civil and crimit	nal penalties including,	
5.	remedies or sanctions. By signing this form, I further ackno but not limited to, those under 18 U.S.C. 1001. I understand that I may not receive duplicate benefits totalin	wledge and understand that any false representation or cl g more than 100% of cost for the same eligible expenses	aims are subject to civil and crimin and program year from multiple a	nal penalties including,	
3A	remedies or sanctions. By signing this form, I further ackno but not limited to, those under 18 U.S.C. 1001. I understand that I may not receive duplicate benefits totalin If it is determined that I have received duplicate benefits, I h Applicant's Signature (By)	wledge and understand that any false representation or cl g more than 100% of cost for the same eligible expenses ave no right to retain those payments.	aims are subject to civil and crimin and program year from multiple a	nal penalties including, gencies, including FSA.	
3A	remedies or sanctions. By signing this form, I further ackno but not limited to, those under 18 U.S.C. 1001. I understand that I may not receive duplicate benefits totalin If it is determined that I have received duplicate benefits, I h	wledge and understand that any false representation or cl g more than 100% of cost for the same eligible expenses ave no right to retain those payments.	aims are subject to civil and crimin and program year from multiple a	nal penalties including, gencies, including FSA.	

A CED Reviews

The purpose of this review is to ensure that FSA-888-1's and eligibility forms are completed correctly and demonstrate that the County Office understands program policy and is implementing it correctly. CED is required to review **completed FSA-888-1's** from the **first 5 producers per Service Center** as part of their supervisory responsibility to ensure that program integrity and accountability requirements are met. Only one FSA-888-1 per producer counts towards the first five.

The initial review completed by CED must include all documents required to issue payments, including eligibility documents. If the eligibility documentation is not available for 1 or more of the first 5 producers, CED will select the next available completed FSA-888-1 until five FSA-888-1's are available for review.

During the initial review, CED will:

- ensure that FSA-888-1 is completed properly
- review all signatures obtained, including representative signature authorities
- ensure that FSA-888-1 is qualified to be paid without errors.

Upon completion, CED will certify to the DD/State Office designee that the first 5 completed FSA-888-1's have been reviewed and provide the application package for DD/State Office designee review. The County Office or COC may **not** approve any FSA-888-1's until written approval is received from the DD/State Office designee.

Note: CED does not have to wait until all five FSA-888-1's have been reviewed to submit to DD. For the first five FSA-888-1's, approvals can be completed upon DD review and approval of each one. Once the first five FSA-888-1's have been reviewed and approval has been authorized by DD, all additional FSA-888-1's may be processed by the County Office unless otherwise directed by DD.---*

*--447 Internal Controls (Continued)

A CED Reviews (Continued)

The following questions are for CED when reviewing the first five FSA-888-1's before approval.

Sta		
Pro	ducer Name:Program Year:	
Ap	plication Number:	
	Application Questions	-
1.	Is Recording State, Recording County, Program Year, and Application No. completed at the top of the FSA-888-1?	Yes or No
2.	Has part A been completed on the FSA-888-1?	Yes or No
3.	Is the FSA-888-1 complete with all the certifications and expenses relevant to the producer's request identified on the form? (It may be difficult to determine reasonableness of the certification values; however, if something appears unreasonable or questionable, do not ignore it.)	Yes or No
4.	Did the producer certify more than 5 tests per category in item 10C?Note: If yes, ensure that COC has adjusted the expense in item 10D for that category.	Yes, No, or Not Applicable
5.	Did the producer answer "yes" to item 11 or 12 of the FSA-888-1?	Yes or No
	Has the FSA-888-1 been date stamped?	Yes or No
7.	Did the producer sign the application in item 13A of the FSA-888-1?	Yes or No
8.	Was valid signature authority on file for the producer who signed in item 13A of the FSA-888-1, if applicable?	Yes, No, or Not Applicable
9.	For purposes of the CED review, have the following forms been received and accurately recorded in the applicable software for the producer, as required?	
	FSA-888-1, FSCSC Application	Yes or No
	AD-2047, Customer Data Worksheet, if applicable	Yes, No, or Not Applicable
Co	ounty Executive Director Review:	
	ounty Executive Director Completion Date	
CI	ED Notes:	*

*--447 Internal Controls (Continued)

B DD/State Office Designee Reviews

DD or other employee designated by SED will review FSA-888-1's from the first 5 producers filed in a Service Center to verify that:

- a signed FSA-888-1 was filed by the person or authorized representative of a legal entity
- categories of expenses are completed correctly
- the applicant meets the requirement of being either a small business or medium size business.

Upon completing the reviews, the DD/State Office designee will provide written approval to the County Office for approvals to be completed.

Note: Review may be completed and authority to process FSA-888-1 provided to CED, 1 producer at a time, until at least 5 have been reviewed.

See subparagraph C for instructions for loading DD/State Office designee first reviews on the FSA Pandemic Assistance Internal Control SharePoint.--*

447 Internal Controls (Continued)

B DD/State Office Designee Reviews (Continued)

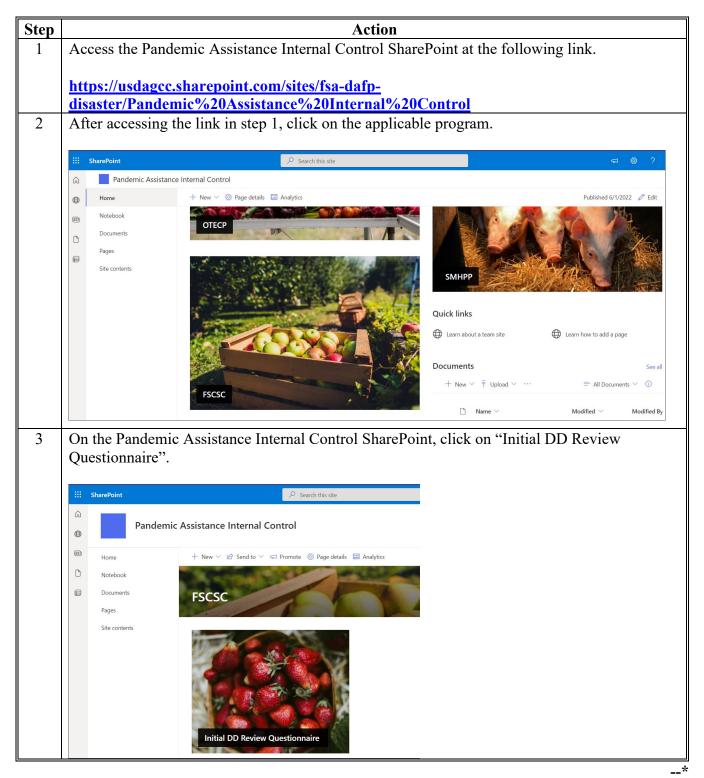
The following questions are to be answered by the DD/State Office designee to complete the first 5 reviews before certifying and signing payments in NPS.

State: County:	
Producer Name: Program Year:	
Application Number:	
Application Questions	
1. Did the CED complete a review for this producer?	Yes or No
2. Is Recording State, Recording County, Program Year, and Application No. completed at the top of the FSA-888-1?	Yes or No
3. Is the FSA-888-1 complete with all the certifications relevant to the producer's request identified on the form? (It may be difficult to determine reasonableness of the certification values; however, if something appears unreasonable or questionable, do not ignore it.)	Yes or No
 4. Did the producer certify more than 5 tests per category in item 10C? Note: If yes, ensure that COC adjusted the expense in item 10D for that category. 	Yes, No, or Not Applicable
5. Did the producer answer "yes" to item 11 or 12 of the FSA-888-1?	Yes or No
6. Was the FSA-888-1 date stamped?	Yes or No
7. Did the producer sign the application in item 13A of the FSA-888-1?	Yes or No
8. Was valid signature authority on file for the producer who signed in item 13A of the FSA-888-1, if applicable?	Yes, No, or Not Applicable
District Director Review:	
District Director Completion Date	
DD Notes:	*

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C Recording DD/State Office Designee Reviews

DD's or State Office designee must enter the results of FSCSC reviews on the Pandemic Assistance Internal Control SharePoint within 30 calendar days of completing the review according to the following table.



7-9-24

*--447 Internal Controls (Continued)

C Recording DD/State Office Designee Reviews (Continued)

Step		Action
4		applicable program's Initial DD Review Questionnaire will be displayed. Complete the
	quest	tionnaire for each of the first five FSA-888-1's reviewed.
		B Save X Cancel ☉ Copy link X
	F	SCSC DD Questionnaire
	*	Application Number
	*	Last Name/Entity Name
		First Name
	*	State
	*	County
		Autauga
	*	Did CED complete a review on this applicant?
		Find items
	*	Is the Recording State, Recording County, Program Year, and Application No. completed at the top of the FSA-888-
	ĥ	1?
		Find items
		*

*--448 Processing FSA-888-1

A Reviewing and Processing FSA-888-1

County Offices will process FSA-888-1 for each eligible applicant according to the following table.

Step	Action			
1	Confirm that the applicant has submitted the following, either with FSA-888-1 or			
	previously on file:			
	AD 2017			
	• AD-2047			
	• SF-3881.			
2	See 1-CM for applicant signature on FSA-888-1.			
3	COC will determine applicant overall eligibility according to Part 6.			
4	COC will:			
	• act on FSA-888-1 according to subparagraph 304D			
	• sign and date Part D of the FSA-888-1.			
5	Retain a copy of the completed FSA-888-1.			
6	If FSA-888-1 has been adjusted or disapproved, provide a written determination			
	according to subparagraph 448F.			

B Delegation of Authority

The authority to approve routine FSA-888-1's prepared according to this handbook may be redelegated, in writing according to 16-AO, by COC to CED, except forms and documents in which CED has a monetary interest.

The following table provides the delegated authority for approval of FSA-888-1's.

IF the producer is	THEN the approval authority is
a Federal or non-Federal, State, or County	CED.
Office employee	
COC member	
DD	
SED	
STC member	
CED	COC.
any producer in a recording county	

Note: Questionable cases may be referred to the next higher authority for determination. Any employee serving as Acting CED is viewed as CED.--*

C COC Adjustments

COC should make any adjustments to expenses or other reimbursements for expenses received before taking action on FSA-888-1.

- **Example:** FSA-888-1 was submitted for \$1,000 for 10 water tests. The maximum number of tests per category is 5; this expense will need to be reduced by COC. The average cost per test is \$100 and COC would enter \$500 in FSA-888-1, item 10D.
- **Note:** If adjustments are made on FSA-888-1, the applicant must be notified in writing of the adjustment with the COC determination and appeal rights included.

D FSA-888-1 Approval or Disapproval

COC is responsible for acting on all FSA-888-1's. This authority may be delegated to CED to approve FSA-888-1's with the delegation recorded in the COC minutes. FSA-888-1 will **not** be approved until a complete application package has been submitted and Internal Control reviews are completed. COC **must** act on **all** completed and signed FSA-888-1's.

Important: No entries will be made on FSA-888-1 by FSA employees, except entries designated for CCC representative use **after** the applicant signs FSA-888-1. Any additions or corrections **must** be initialed and dated by the applicant.

If FSA-888-1 is disapproved, County Offices **must** immediately notify the applicant in writing of the disapproval. See subparagraph F for an example notification letter. The letter to the applicant **must** include the following:

- notification that FSA-888-1 was disapproved
- the reason or reasons for disapproval
- applicable appeal rights according to 1-APP.
- **Notes:** COC will **not** make any determinations about whether an applicant is following the requirements of the Food Safety Plan. If a County Office employee suspects that an applicant is violating Food Safety Plan requirements, they should contact their State Office for guidance.

Within 30 calendar days of FSA-888-1 being submitted, COC's should take action and County Offices should load the determination in the automated software.

E Amending or Withdrawing FSA-888-1

FSA-888-1's may be amended or withdrawn at any time until the end of the application period; however, copies of all submitted FSA-888-1's **must** be kept in the file. Applicants may, at any time during the application period, amend FSA-888-1 to:

- add additional categories and/or expenses
- remove categories and/or expenses from FSCSC.

Note: Any revision to a previously approved FSA-888-1 that would change the calculated payment amount requires a new signature and approval.--*

*--448 Processing FSA-888-1 (Continued)

F Letter Notifying Applicant of Disapproval

The following is an example of a letter to an applicant notifying them that their FSA-888-1 has been disapproved and providing appeal rights. A Microsoft Word version of this letter is available as a template at <u>https://usdagcc.sharepoint.com/sites/FPAC-FSA-DAFP-FoodSafetyCertificationforSpecialtyCropsFSCSC</u>.

United States Department of Agriculture	Farm Production and Conservation	Farm Service Agency	Any County FSA Office 1235 Street Name. City, State 11111 Voice: 123-456-7891 FAX: 444-789-4656	
Insert date here				
Mr. Specialty Producer 123 Tomato Lane Pineapple, TX 77553				
Dear Mr. Producer,				
This letter is in response to your Food Safety Certification for Specialty Crops Program (FSCSC) application for the [insert year] program year.				
FSA has reviewed your application and has disapproved it due to [insert description of basis for disapproval].				
If you believe we have not properly reviewed your application, you may appeal this determination to the County Committee by filing a written request no later than 30 calendar days after you receive this notice in accordance with the FSA appeal procedures found at 7 CFR Part 780. If you appeal to the County Committee, you have the right to an informal hearing which you or your representative may attend either personally or by telephone. If you appeal this determination to the County Committee, you may later appeal an adverse determination of the County Committee to the FSA State Committee or the National Appeals Division or request mediation. To appeal, write to the County Committee at the following address and explain why you believe this determination is erroneous.				
Any County FSA Comm 1235 Street Name. City, State 11111	nittee			
			, this shall be the final administrative with regulations at 7 CFR Part 780 and 7	
Sincerely,				
Sharina Farmer County Executive Direc	tor			
	USDA is an equal opp	ortunity provider,	employer, and lender.	
			*	

449-458 (Reserved)

Page 8-86 (through 8-112)

*--Section 4 Payment Provisions

459 FSCSC Payments

A Basis for Payments

FSCSC payments are calculated separately for each category of eligible costs based on the percentages and maximum payment amounts in the following table.

Category of Eligible Expenses	Payment Amount of Eligible Costs	
Food safety certification	75 percent, up to a maximum of \$2,000	
Development of a food safety plan for first-time	75 percent (no maximum)	
certification		
Maintaining or updating a food safety plan	75 percent, up to a maximum of \$675	
Certification upload fees	75 percent, up to a maximum of \$375	
Microbiological testing – products	75 percent, up to 5 tests	
Microbiological testing – soil amendments	75 percent, up to 5 tests	
Microbiological testing – water	75 percent, up to 5 tests	
Training	100 percent, up to a maximum of \$500	

B Program Factor

FSCSC payments are subject to the availability of funds. Payments will be issued nightly after FSA-888-1 approval for program year 2024 at 100 percent of the calculated amount. FSA will issue 50 percent of the calculated amount for 2025 program year payments as applications are processed and approved, and an additional payment after the end of the 2025 application period. If calculated payments exceed the amount of available funding, payments will be factored for 2025.

C Payment Calculation

FSCSC payments are calculated by multiplying:

- the applicant's eligible expenses by
- the percentage for the applicable category in the table in subparagraph A.

Note: The amount of the applicant's FSCSC payment plus the reported additional cost share assistance cannot exceed the total amount of eligible expenses for each category.--*

A Payment Example 1

A representative of Pumpkins Inc. submits FSA-888-1 for expenses for certification upload fees in the amount of \$1,000. That is the only category included on FSA-888-1.

 $1,000 \ge 75\% = 750$ (maximum payment amount for this category is 375) Total Payment = 375

B Payment Example 2

Fruity Farms LLC has certified to the following expenses on FSA-888-1:

- \$5,000 for the food safety certification
- \$3,000 for development of a Food Safety Plan for the first time
- \$1,000 for certification upload fees
- \$500 for training.

\$5,000 x 75% = \$3,750 (maximum payment amount for this category is \$2,000) \$3,000 x 75% = \$2,250 \$1,000 x 75% = \$ 750 (maximum payment amount for this category is \$375) \$ 500 x 100% = \$ 500 (maximum payment amount for this category is \$500) **Total Payment = \$5,125**

C Payment Example 3

Veggie Farms Partnership certified to the following expenses:

- \$1,000 for maintaining a Food Safety Plan, with \$500 reimbursement received from another source
- \$800 for certification upload fees, with \$600 reimbursement received from another source
- \$500 for 3 water tests.
- $1,000 \ge 75\% = 750$ (maximum payment for this category is \$675)
- $800 \times 75\% = 600$ (maximum payment for this category is 375)
- $500 \times 75\% = 375$ --*

*--460 FSCSC Payment Examples (Continued)

C Payment Example 3 (Continued)

The amount of the FSCSC payment plus the other reimbursement cannot equal more than 100 percent of the expenses for a category; therefore, the payment amount for the food safety plan and certification upload fees will be reduced.

Food Safety Plan = \$500 (\$1,000 - \$500 = \$500 maximum available for payment) Certification upload fees = \$200 (\$800 - \$600 = \$200 maximum available for payment) Water tests = \$375 **Total Payment = \$1,075--***

461-470 (Reserved)

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471 FSCSC Spot Checks

A Spot Checks

FSCSC spot checks can be conducted during or after the signup period by the COC, STO, or National Office.

B Supporting Documentation

If requested by FSA, applicants are responsible for providing additional documentation to support the information on their FSA-888-1.

Examples of supporting documentation that may be used to support their FSA-888-1 include the following:

- Food Safety Certification
- Food Safety Plan
- paid invoices
- test results
- training certificates
- audit report
- proof of payment
- statement of audit charges.

If supporting documentation is requested, the information must be submitted to FSA within 30 calendar days from the date of request or FSA-888-1 will be disapproved by FSA.

C Spot Check Adjustments

If adjustments are determined to be needed on FSA-888-1 as a result of a spot check, enter adjusted expenses in FSA-888-1, item 10D or 10F. These adjustments must be loaded in the automated software and the payment will be recalculated. The County Office must issue a letter to the applicant with applicable appeal rights for any adjustments made.--*

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Reports, Forms, Abbreviations, and Redelegations of Authority

Reports

None.

Forms

This table lists all forms referenced in this handbook.

		Display	Dí
Number	Title	Reference	
AD-1026	Highly Erodible Land Conservation (HELC) and		Text
	Wetland Conservation (WC) Certification		
AD-2047	Customer Data Worksheet		Text
AD-2106	Form to Assist in Assessment of USDA Compliance With Civil Rights Laws		33, 135
AD-3114	Coronavirus Food Assistance Program (CFAP) Application		122, 136
AD-3117	Coronavirus Food Assistance Program 2 (CFAP 2) Application		122, 136
CCC-36	Assignment of Payment		Text
CCC-37	Joint Payment Authorization		Text
CCC-860	Socially Disadvantaged, Limited Resource, Beginning and Veteran Farmer or Rancher Certification		Text
CCC-901	Member's Information		Text
CCC-902	Farm Operating Plan for Payment Eligibility 2009 and Subsequent ProgramYears		Text
CCD-902E	Farm Operating Plan for an Entity		176, 370
CCC-902I	Farm Operating Plan for an Individual		176, 370
CCC-903	Worksheet for Payment Eligibility and Payment Limitation Determinations		33, 106, 176, 370
CCC-941	Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information		Text
CCC-942	Certification of Income From Farming, Ranching and Forestry Operations		93
FSA-321	Finality Rule and Equitable Relief		301
FSA-325	Application for Payment of Amounts Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent		Text
FSA-578	Report of Acreage		193,
FSA-620	Pandemic Livestock Indemnity Program (PLIP)	122	Text
	Application		2
FSA-850	Environmental Screening Worksheet	2.02	3
FSA-883	Organic and Transitional Education and Certification Program (OTECP)	262	Text
FSA-888	Food Safety Certification for Specialty Crops Program (FSCSC)	302	Text

Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

Forms (Continued)

Number	Title	Display Reference	Reference
FSA-888-1	Food Safety Certification for Specialty Crops		
	Program (FSCSC) for Program Years 2024 and		
	2025	446	Part 8
FSA-940	Spot Market Hog Pandemic Program (SMHPP)	388	Part 7
	Application		
FSA-1118	Pandemic Assistance for Timber Harvesters and	50	Text
	Haulers (PATHH) Program Application		
FSA-1122	Pandemic Assistance Revenue Program (PARP)	197	Part 4
	Application		
FSA-1122A	Continuation Sheet for Pandemic Assistance	197	Part 4
	Revenue Program (PARP) Adjusted Revenue		
FSA-1123	Certification of 2020 Adjusted Gross Income (AGI)	173, 367	Text
SF-3881	ACH Vendor/Miscellaneous Payment Enrollment		Text
	Form		

Abbreviations Not Listed in 1-CM

The following abbreviations are not listed in 1-CM.

Approved		
Abbreviation	Term	Reference
CFAP	Coronavirus Food Assistance Program	Text
CPA	certified public accountant	367, 370
DBA	Doing Business As	246
EIN	employer identification number	365
ERP	Emergency Relief Program	Part 4
FPAC	Farm Production and Conservation	47, 150
FSCSC	Food Safety Certification for Specialty Crops	Parts 6 and 8
ITIN	individual taxpayer identification number	365
LMR	Livestock Mandatory Reporting	383, 385
NAICS	North American Industry Classification System	30, 46-48, 50
NOFA	Notice of Funds Availability	Text
NOP	National Organic Program	Part 5, Ex. 2
OCCSP	Organic Certification Cost Share Program	Part 5
OTECP	Organic and Transitional Education and Certification Program	Part 5
OTIS	Outreach Tracking Information System	2
PARP	Pandemic Assistance Revenue Program	Part 4
PATHH	Pandemic Assistance for Timber Harvesters and Haulers	Part 2, Ex. 2
PIIA	Payment Integrity Information Act of 2019	Part 7
PLIP	Pandemic Livestock Indemnity Program	Part 3
SMHPP	Spot Market Hog Pandemic Program	Part 7
SND	Safety Net Division	1,91
VMR	value member relationship	383

Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

Redelegations of Authority

This table lists the redelegations of authority in this handbook by program.

Redelegation	Reference
Food Safety Certification for Specialty Crops	277, 448
Organic and Transitional Education and Certification Program	263
Pandemic Assistance for Timber Harvesters and Haulers	51
Pandemic Assistance Revenue Program	150
Pandemic Livestock Indemnity Program	121
Spot Market Hog Pandemic Program	346

Definitions of Terms Used in This Handbook

This handbook provides policy and procedures for multiple programs. Definitions of terms may vary for each program; therefore, the definitions of terms applicable to each program are in the part of this handbook that provides the policy for the applicable program.

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