

COSHOCTON COUNTY AGRICULTURE & NATURAL RESOURCESJune 10, 2020 Issue

CFAP Program for Beef Producers
Weather Potpourri
Court Ruling on Dicamba Products for Xtend Soybeans
Dicamba Takes Another Blow: Court of Appeal Vacates Dicamba Registration
Lower First Cutting Hay Yields Being Reported
Poison Hemlock is Blooming
Farm Office Live on June 11
Measles on Peonies?

Coshocton County Extension
724 South 7th Street, Room 110
Coshocton, Ohio 43812
Phone: 740-622-2265
Fax: 740-622-2197
Email: marrison.2@osu.edu
Web: <http://coshocton.osu.edu>

Hello, Coshocton County! Wow! What a great stretch of weather. I think we have to think hard to remember such a nice stretch of nice weather to begin June. What beautiful weather to get a lot of hay made and soybeans planted. Yes, storms are in the forecast for later tonight but after the storms pass, it looks like another great weather stretch is coming.

Enrollment for the **Coronavirus Food Assistance Program** (CFAP) continues. I have included the article which explains the beef provisions of the program (next week I will include one on the dairy program). Details about enrollment can be obtained by calling the Coshocton County FSA office at 740-622-8087.

I have also included 2 articles on the Xtend Soybean ruling for your review and also information on the "Call of the Week" which was a question about can peonies get the measles?

Stay safe.

Sincerely,

David Marrison

Coshocton County OSU Extension ANR Educator



THE OHIO STATE UNIVERSITY

COLLEGE OF FOOD, AGRICULTURAL,
AND ENVIRONMENTAL SCIENCES

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CFAP Program for Beef Producers

By: David Marrison

Source: <https://u.osu.edu/ohioagmanager/2020/06/08/cfap-program-for-beef-producers/>

Depending on size, type and marketing status, cattlemen are eligible for \$33 to \$214 payments/head from the CFAP administered through Farm Service Agency. Since the beginning of January, market prices for major commodities have fallen sharply since COVID-19 reached the United States. There have been many efforts through federal and state legislation to offset the impact of COVID-19.

Enrollment is currently being taken by the USDA Farm Service Agency (FSA) for one such program targeted to help agricultural producers. This program called the Coronavirus Food Assistance Program (CFAP) is providing financial assistance for losses experienced as a result of lost demand, short-term oversupply and shipping pattern disruptions caused by COVID-19.

The general details about the CFAP program can be found in a previous article written by the OSU Farm Office team. This article can be accessed at: <https://go.osu.edu/CFAP-2020>



CFAP can provide financial assistance to beef producers and to answer questions posed on the classification of animals. Depending on size, type and marketing status, cattlemen are eligible for \$33 to \$214 payments/head from the CFAP administered through Farm Service Agency. The complete article is attached to this newsletter or can be accessed at: <https://u.osu.edu/ohioagmanager/2020/06/08/cfap-program-for-beef-producers/>

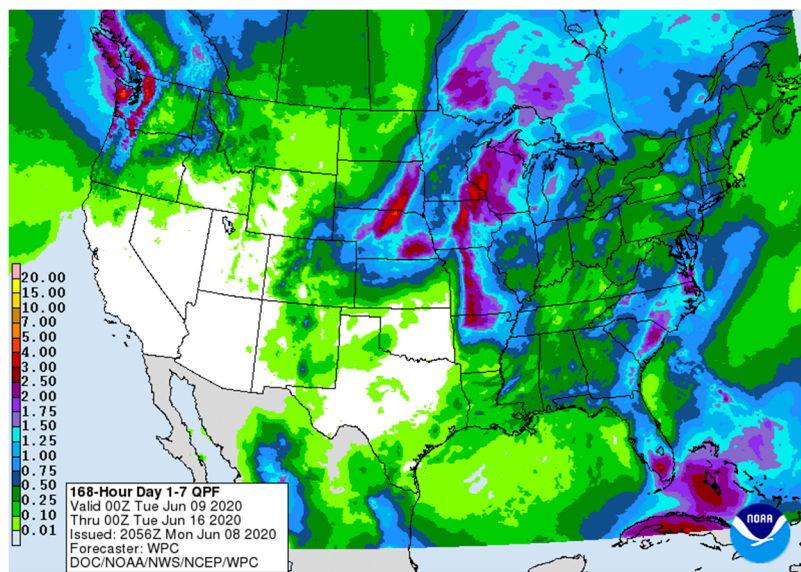
Weather Potpourri: Hot & Tropical – Turning Cooler this Weekend

By: Aaron Wilson

Source: <https://agcrops.osu.edu/newsletter/corn-newsletter/2020-17/weather-potpourri-hot-and-tropical-%E2%80%93-turning-cooler-weekend>

After a long period of cold spring temperatures, the last couple of weeks have generally been above average by a degree or two in southeast Ohio to more than four degrees above average in north-central and northeast Ohio. Precipitation has usually been light during this time as well (less than 2 inches) except in a few heavier pockets across southern and eastern Ohio. For more information on recent climate conditions, check out the Hydro-Climate Assessment from the [State Climate Office of Ohio](#).

Tropical Storm Cristobal came ashore in Louisiana Sunday night, and the remnants of this storm are moving northward into the central U.S. This storm will turn northeastward toward the Great Lakes on Tuesday. This will lead to a hot Tuesday across the region, with much of Ohio hitting the upper-80s to perhaps mid-90s. Scattered thunderstorms are possible in the west Tuesday afternoon and evening, with a better chance of scattered storms Tuesday night and Wednesday across the state. Weather will turn fair for Thursday



Forecast precipitation for the next 7 days. Valid from 8 pm Monday June 8, 2020 through 8 pm Monday June 16, 2020.
Figure from the Weather Prediction Center
<https://www.wpc.ncep.noaa.gov/>.

through Sunday, maybe a passing shower over the weekend, as temperatures dip below average. Highs are expected to be in the 70s with lows in the upper-40s to low-50s. Overall, we are expecting light precipitation over the next seven days except in isolated locations where heavier storms occur on Wednesday.

The latest [NOAA/NWS/Climate Prediction Center](#) outlook for the 6-10 day period (June 14-18) shows a strong likelihood for below-average temperatures and below-average precipitation. Normal highs during the period should be in the upper-70s to low-80s (north to south), normal lows in the upper-50s to low-60s, with about 1.05-1.20 inches of rainfall per week. The [16-Day Rainfall Outlook from NOAA/NWS/Ohio River Forecast Center](#) strongly supports below-average precipitation over the next couple of weeks.

Court Ruling on Dicamba Products for Xtend Soybeans

By: Mark Loux

Source: <https://agcrops.osu.edu/newsletter/corn-newsletter/2020-17/court-ruling-dicamba-products-xtend-soybeans>

As most readers are probably aware, last week, the US 9th Circuit Court of Appeals issued a decision in a case concerning the use of dicamba on Xtend soybeans. This decision essentially voided the labels for XtendiMax, Engenia, and FeXapan that allows use on soybeans. Tavium was not included in this decision, because it was not approved for use when the case was initially filed. Last week's entry in the OSU Ag Law blog covers this decision well and can be found [here](#). EPA issued a statement Monday night, providing further guidance about what this decision means for the use of dicamba for the rest of this season, which can be found [here](#). The critical part of that is as follows:

Details of the Order

EPA's order addresses the sale, distribution, and use of existing stocks of the three affected dicamba products – XtendiMax with vapor grip technology, Engenia, and FeXapan.

1. Distribution or sale by any person is generally prohibited except for ensuring proper disposal or return to the registrant.
2. Growers and commercial applicators may use existing stocks that were in their possession on June 3, 2020, the effective date of the Court decision. Such use must be consistent with the product's previously-approved label, and may not continue after July 31, 2020."

The next most immediate question concerns the options for control of glyphosate-resistant weeds in Xtend soybeans, for those growers who have not already purchased their dicamba products, since the EPA info states that no additional sales can occur. Tavium, the premix of s-metolachlor and dicamba with VaporGrip, was not part of this decision and remained an option. Tavium can be applied through the V4 soybean stage, or through 45 days after planting, whichever occurs first. Aside from this option, without the availability of dicamba to use POST, the Xtend soybean becomes just an old school Roundup Ready soybean. Weeds of most significant concern here are marestail, waterhemp, Palmer amaranth, giant ragweed, and also common ragweed in NW Ohio. The primary POST option would be a mix of glyphosate with an ALS inhibitor (Classic, FirstRate, etc.) or PPO inhibitor (Flexstar and generics, Cobra/Phoenix, Ultra Blazer). However, these five weeds are mostly glyphosate and ALS resistant in Ohio, and PPO resistance is reasonably common in waterhemp and also occurs in some common ragweed and Palmer amaranth populations. None of these mixtures will be effective for marestail control. Effectiveness on the other weeds will be variable among and within fields across Ohio. Some giant ragweed populations are still partially sensitive to glyphosate, so plant size and glyphosate rate and the number of applications make a difference. We would expect a complete lack of waterhemp control in some fields. A third option would be to replant Xtend soybean fields with another type of soybean



that provides for the POST options of 2,4-D choline and/or glufosinate – Enlist, LibertyLink, or LLGT27 – should seed still be available.

The Iowa State University ICM blog (June 5) covered the issue of waterhemp control in the absence of dicamba:

“Of the alternatives available, we believe a Group 14 herbicide (acifluorfen, fomesafen, lactofen) has a better chance of controlling waterhemp than glyphosate due to the greater prevalence of glyphosate-resistant waterhemp. Group 14 herbicides should be applied as soon as waterhemp is found in a field, and a Group 15 herbicide (acetochlor, dimethenamid, pyroxasulfone, S-metolachlor) should be included to provide residual control after the POST application. Glyphosate or other appropriate tank-mix partners should be included in the mix to broaden the spectrum of weeds controlled.

Preemergence herbicides appear to be providing effective control in most soybean fields at this time, but the timeliness of application of the Group 14 herbicide will be critical. Spraying waterhemp between 0.5 and 1.5 inches in height is ideal. Follow all recommendations on the Group 14 label to maximize effectiveness, including carrier volume, nozzle type, spray pressure, spray additives, and sprayer speed.”

Dicamba Takes Another Blow: Court of Appeal Vacates Dicamba Registration

By: Peggy Hall, OSU Extension

Source: <https://agcrops.osu.edu/newsletter/corn-newsletter/2020-17/dicamba-takes-another-blow-court-appeals-vacates-dicamba>

Dicamba has had its share of legal challenges, and a decision issued yesterday dealt yet another blow when the Ninth Circuit Court of Appeals vacated the product’s registration with the U.S. EPA. In doing so, the court held that the EPA’s approval of the registration violated the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act (“FIFRA”), which regulates the use of herbicides and other chemicals in the U.S. Here’s a summary of how the court reached its decision and a few thoughts on the uncertainty that follows the opinion.

The challenge: EPA’s approval of three dicamba products

We first have to step back to 2016, when the EPA approved three dicamba-based products-- Monsanto’s XTendiMax, DuPont’s FeXapan, and BASF’s Engenia--as conditional use pesticides for post-emergent applications in 34 states, including Ohio. Although dicamba has been around for years, the approval came after the companies reformulated dicamba to make it less volatile and in anticipation of the development of dicamba tolerant soybean and cotton seeds. The agency conducted a risk assessment and concluded that if used according to the label restrictions, the benefits of the dicamba products outweighed “any remaining minimal risks, if they exist at all.” The EPA also provided that the registrations would automatically expire if there was a determination of an unacceptable level or frequency of off-site dicamba damage.



Before the conditional registrations were set to automatically expire in late 2018, the EPA approved requests by Bayer CropScience (previously Monsanto), Corteva (previously DuPont) and BASF to conditionally amend the registrations for an additional two years. The approval came despite widespread concerns about dicamba drift and damage during the 2017 growing season. To address those concerns, EPA chose not to conduct a new risk assessment and instead adopted additional label restrictions that had been proposed by Monsanto/Bayer to minimize off-field movement of dicamba. Many states added restrictions for dicamba use that exceeded the label restrictions, including banning any use of the product during certain periods.

Several organizations challenged the EPA's dicamba registration approvals. The National Family Farm Coalition, Center for Food Safety, Center for Biological Diversity, and Pesticide Action Network North America filed suit against the EPA, claiming that the agency violated both FIFRA and the Endangered Species Act in approving the product registrations. Monsanto requested and was granted permission to intervene in the case.

The Ninth Circuit's review

To approve the request to amend the dicamba registrations, FIFRA required the EPA to make two conclusions: first, that the applicant had submitted satisfactory data related to the proposed additional use of the pesticide and second, that the approval would not significantly increase the risk of unreasonable adverse effects on the environment. The task before the Ninth Circuit Court of Appeals was to review the EPA's 2018 decision and determine whether there was substantial evidence to support the EPA's conclusions and amend the registrations.

The conclusion that drew the most attention from the court was the EPA's determination that amending the dicamba registrations for two years would not cause unreasonable adverse effects on the environment. The court determined that the EPA erred in making this conclusion when it substantially understated several risks of dicamba registration, such as:

- Misjudging by as much as 25% the amount of acreage on which dicamba would be used in 2018.
- Concluding that complaints to state departments of agriculture could have either under-reported or over-reported the actual amount of dicamba damage, when the record clearly showed that complaints understated the amount of damage.
- Failing to quantify the amount of damage caused by dicamba, "or even to admit that there was any damage at all," despite having information that would enable the EPA to do so.

But that's not all. The court pointed out that the agency had also "entirely failed to acknowledge other risks, including those it was statutorily required to consider," such as:

- The risk of substantial non-compliance with label restrictions, which the court noted became "increasingly restrictive and, correspondingly, more difficult to follow" and to which even conscientious applicators could not consistently adhere.
- The risk of economic costs. The court stated that the EPA did not take into account the "virtually certain" economic costs that would result from the anti-competitive effect of continued dicamba registration, citing evidence in the record that growers were compelled to adopt the dicamba products just to avoid the possibility of damage should they use non-dicamba tolerant seed.
- The social costs of dicamba technology to farming communities. The court pointed out that a farmer in Arkansas had been shot and killed over dicamba damage, that dicamba had "pitted neighbor against neighbor," and that the EPA should have identified the severe strain on social relations in farming communities as a clear social cost of the continued registration of the products.

Given the EPA's understatement of some risks and failure to recognize other risks, the Court of Appeals concluded that substantial evidence did not support the agency's decision to grant the conditional registration of the dicamba products. The EPA "failed to perform a proper analysis of the risks and resulting costs of the uses," determined the court. The court did not address the Endangered Species Act issue.

What remedy?

A critical point in the decision is the court's determination of the appropriate remedy for the EPA's unsupported approval of the dicamba products. The EPA and Monsanto had asked the court to utilize its ability to "remand without vacatur," or to send the matter back to the agency for reconsideration. The remedy of "vacatur," however, would vacate or void the product registrations. The court explained that determining whether vacatur is appropriate required the court to weigh several criteria, including:

- The seriousness of the agency's errors against the disruptive consequences of an interim change that may itself be changed,
- The extent to which vacating or leaving the decision in place would risk environmental harm, and
- Whether the agency would likely be able to offer better reasoning on remand, or whether such

fundamental flaws in the agency's decision make it unlikely that the same rule would be adopted on remand.

The court's weighing of these criteria led to its conclusion that vacating the registrations of the products was the appropriate remedy due to the "fundamental flaws in the EPA's analysis." Vacating the registrations was not an action taken lightly by the court, however. The judges acknowledged that the decision could have an adverse impact on growers who have already purchased dicamba products for the current growing season and that growers "have been placed in this situation through no fault of their own." Clearly, the court places the blame for such consequences upon the EPA, reiterating the "absence of substantial evidence" for the agency's decision to register the dicamba products.

What now?

The court raised the issue we're all wondering about now: can growers still use the dicamba products they've purchased? Unfortunately, we don't have an immediate answer to the question, because it depends largely upon how the EPA responds to the ruling. We do know that:

- FIFRA § 136a prohibits a person from distributing or selling any pesticide that is not registered.
- FIFRA § 136d allows the EPA to permit continued sale and use of existing stocks of a pesticide whose registration is suspended or canceled. The EPA utilized this authority in 2015 after the Ninth Circuit Court of Appeals vacated the EPA's registration of sulfoxaflor after determining that the registration was not supported by substantial evidence. In that case, the EPA allowed continued use of the existing stocks of sulfoxaflor held by end-users provided that the users followed label restrictions. Whether the agency would find similarly in regards to existing stocks of dicamba is somewhat unlikely given the court's opinion, but remains to be seen. The EPA's 2015 sulfoxaflor cancellation order is [here](#).
- While the U.S. EPA registers pesticides for use and sale in the U.S., the product must also be registered within a state in order to be sold and used within the state. The Ohio Department of Agriculture oversees pesticide registrations within Ohio, and also regulates the use of registered pesticides.
- If the EPA appeals the Ninth Circuit's decision to the U.S. Supreme Court, the agency would likely include a request for a "stay" that would delay enforcement of the court's Order.
- Bayer strongly disagrees with the decision but has paused its sale, distribution and use of XtendiMax while assessing its next step and awaiting EPA direction. The company states that it will "work quickly to minimize any impact on our customers this season." Bayer also notes that it is already working to obtain a new registration for XtendiMax for the 2021 season and beyond, and hopes to obtain the registration by this fall. See Bayer's information at: <https://www.roundupreadyxtend.com/Pages/xtendimax-updates.aspx>
- BASF and Corteva have also stated that they are awaiting the EPA's reaction to the decision, and will "use all legal remedies available to challenge this Order."
- Syngenta has clarified that its Tavium Plus VaporGrip dicamba-based herbicide is not part of the ruling and that the company will continue selling that product.

For now, all eyes are on the U.S. EPA's reaction to the Ninth Circuit's decision, and we also need to hear from the Ohio Department of Agriculture. Given the current state of uncertainty, it would be wise for growers to wait and see before taking any actions with dicamba products. We'll keep you posted on any new legal developments. Read the court's decision in National Family Farm Coalition et al v. U.S. EPA at:

https://farmoffice.osu.edu/sites/aglaw/files/site-library/Ninth_Circuit_Dicamba_Registration_Petition.pdf

Lower First Cutting Hay Yields Being Reported

By: Mark Sulc

Source: <https://agcrops.osu.edu/newsletter/corn-newsletter/2020-17/lower-first-cutting-hay-yields-being-reported>

We are hearing reports from forage producers around Ohio that first cutting yields are lower than usual. Forages took a hit from the late freezes and overall cold weather this spring, which arrested or even set back their development. Another factor reducing yields is that many producers cut earlier than usual because of the recent stretch of good hay-making weather.

I observed noticeable differences in first cut yield among forage stands that differed in soil fertility status, cutting management history, and age of the stand. Yields were higher where stands were younger, pH and fertility were at recommended levels, and proper cutting schedules had been followed in prior years. The history of appropriate management and younger stand life improved the ability of the plants to withstand and recover from the weather stress this spring.



The good news is that forage quality is expected to be higher than usual for first cutting here in Ohio. This should improve animal performance on those forages compared with our regular, more mature first cutting forage in Ohio.

If you are concerned about forage supplies this year, Chris Penrose has some excellent suggestions to consider in an article that previously appeared in the OSU Beef Newsletter and is repeated here. Below are additional resources we shared last year that can be applied this year, where forage supplies are expected to be short. More details about the various options for boosting forage supplies with annual forages are discussed.

- Emergency forages to plant for mechanical harvest: <https://forages.osu.edu/news/emergency-forages-plant-yet-year-mechanical-harvest>
- Emergency forages to plant for grazing: <https://forages.osu.edu/news/emergency-forages-plant-yet-year-grazing>

Short season forages for dairy farms: [https://forages.osu.edu/sites/forages/files/imce/DIBS31-16 Short Season Forages to Fill Supply Gaps for Dairy Farms.pdf](https://forages.osu.edu/sites/forages/files/imce/DIBS31-16%20Short%20Season%20Forages%20to%20Fill%20Supply%20Gaps%20for%20Dairy%20Farms.pdf)

Poison Hemlock is Blooming

By: [Christine Gelley](#), Agriculture and Natural Resources Educator, Noble County, OSU Extension

Source: <https://u.osu.edu/beef/2020/06/10/poison-hemlock-is-blooming/>

Poison hemlock is up and actively growing right this minute. It is already prevalent on roadsides in Noble County. If you stand next to poison hemlock it will feel like you are in that scene from “Alice in Wonderland” where the flowers are giant, and she is tiny. It looks like Queen Anne’s Lace, but much larger. It blooms earlier and it has distinct purple spots on the stem.



All parts of the poison hemlock plant are poisonous to people and livestock, wet or dry. This can be an extremely concerning weed in hay fields. You won't have to look hard to find it. If you come across it in bloom, you can mow it down to prevent seed production, but it will come back to haunt you later. A similar look alike is wild parsnip, which is in the same family, causes additional concerns for skin rash, and has yellow flowers. We have yet to see giant hogweed in Noble County, but it is another look alike that can be found in other parts of Ohio with similar concerns.

Control on poison hemlock is most effective when the plants are small (less than six inches tall), but some are already 6 feet tall and flowering. Most people do not notice they have it until it is flowering, which happens in year two of growth, making control challenging. If you are wondering if 2020 is the year for action on poison hemlock, the answer is "yes." For the longer we wait to take action to control this weed, the greater impact it will have on overall production and the more difficult they will be to treat in both hayfields and grazed pastures.

A recent article written by Joe Boggs of OSU says that: "Wild parsnip and poison hemlock are both susceptible to non-selective post-emergent herbicides such as glyphosate (e.g. Roundup). However, "non-selective" means all plants – both good and bad – may be killed and there is a considerable downside to killing the competition as well as the targeted weeds.



Poison hemlock in short pastures pose the greatest risk to grazing livestock as they are more likely to consume the plant in the absence of more desirable forage.

Post-emergent herbicides do not affect seeds. Thus, "herbicide openings" that occur when all plants are killed provide the perfect opportunity for more wild parsnip and/or poison hemlock to spring forth from previously deposited seed. Thus, it's important to have a plan for establishing competitive plants after the wild parsnip dies off such as over-seeding with grasses."

The decision of how and when to wage war on damaging weeds is one based on many factors. Extension always recommends utilizing an integrated pest management program to control pests and weeds. The most effective programs are a combination of cultural, mechanical, and chemical control.

Weeds are a symptom of site weaknesses. These could be related to soil moisture, pH, fertility, erosion, compaction, or poor harvest methods. In order to make progress on weed treatment, we have to strengthen the health of our soils and desired species.

Step one is always to address soil fertility. Step two is species I.D. Step three is deciding on a treatment method. Some weeds are simply annoying, while others can be seriously hazardous for animals and people. Before attempting a treatment, get a confirmed I.D.

Contact your Extension office to set up arrangements for I.D. and to conduct a site management plan specific to your situation if you have poison hemlock, wild parsnip, or any other concerning weed.

The recent article by Joe Boggs can be read online at: <https://bygl.osu.edu/index.php/node/1598>.

Farm Office Live Session Slated for Thursday, June 11 from 9:00 to 10:30 a.m.

OSU Extension is pleased to be offering the a "Farm Office Live" session on Thursday morning, June 11 from 9:00 to 10:30 a.m. Farmers, educators, and ag industry professionals are invited to log-on for the latest updates on the issues impact our farm economy.

The session will begin with the Farm Office Team answering questions asked over the past two weeks. Topics to be highlighted include: Updates on the CARES Act, Payroll Protection Program, Economic Injury Disaster Loan (EIDL), and Coronavirus Food Assistance Program (CFAP) Update

Plenty of time has been allotted for questions and answers from attendees. If you miss the on-line office hours, the session recording can be accessed at farmoffice.osu.edu the following day. Participants can pre-register or join in on Thursday morning at <https://go.osu.edu/farmofficelive>

Measles on my Peonies?

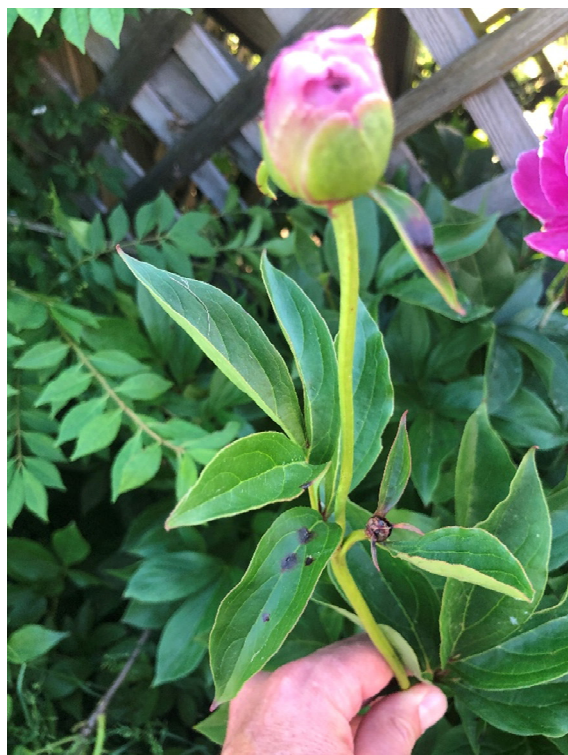
And finally, the call of the week---Do my peonies have the measles? A few residents have noticed purple spots on their peonies over this past week. In fact as I was inspecting one of our flower beds at home I noted these purple spots as well. So, what is causing them?

Well, it is not the measles but rather a fungal disease (*cladosporium paeoniae*) known as Peony leaf blotch. This blotch causes peonies to look like they have the measles as they will have red to purple spots on the upper sides of leaves and brown spots on the lower side. You may also notice red to purple streaks on stems.

These measles most likely will not kill the peonies but will reduce their vigor. Gardeners can reduce disease by:

- Increasing plant spacing to improve air circulation and keep humidity lower,
- prune away shading vegetation from nearby trees and shrubs,
- avoid getting foliage wet when watering,
- remove and destroy diseased foliage and blighted stems in the fall.

There are fungicides available for home gardeners to use to help prevent this disease; however many of these need to be sprayed early in the spring to be effect. Check fungicide labels for timing and rates to use for peony diseases. Learn more about how to control at: <https://bygl.osu.edu/node/863>



*News from The Farm Office
June 9, 2020*

CFAP Program for Beef Producers

By David Marrison, OSU Extension, marrison.2@osu.edu
For Ohio Beef Cattle Letter & Ohio Ag Manager

Since the beginning of January, market prices for major commodities have fallen sharply since COVID-19 reached the United States. There have been many efforts through federal and state legislation to offset the impact of COVID-19.

Enrollment is currently being taken by the USDA Farm Service Agency (FSA) for one such program targeted to help agricultural producers. This program called the **Coronavirus Food Assistance Program (CFAP)** is providing financial assistance for losses experienced as a result of lost demand, short-term oversupply and shipping pattern disruptions caused by COVID-19.

The general details about the CFAP program can be found in a previous article written by the OSU Farm Office team. This article can be accessed at:
<https://go.osu.edu/CFAP-2020>

Purpose:

The purpose of this article is to describe how CFAP can provide assistance to beef producers and to answer questions posed on the classification of animals. Complete details about the livestock portion of CFAP can be found on the Farm Service Agency's website at [farmers.gov/cfap/livestock](https://www.farmers.gov/cfap/livestock) or https://www.farmers.gov/sites/default/files/documents/FSA_CFAP_ForLivestock_Fact-Sheet.pdf

Eligibility:

To be eligible for CFAP, a producer must have shared in the risk of producing an agricultural commodity which suffered a five percent or greater price decline or who had losses due to market chain disruptions due to COVID-19. The decline for the beef industry over this time period was over 25% thus making it an eligible commodity.

Producers do not have to have prior program participation in a federal farm program in order to participate in CFAP. However, new applicants must complete a farm operating plan and complete additional eligibility paperwork such as citizen status, farm operating structure, adjusted gross income verification, and highly erodible land and wetland certification. Producers who have previously participated in FSA programs will have most of these forms on record at their local FSA office.

CFAP payments are subject to payment limitations of \$250,000 per person. This limit is the sum of all eligible commodity payments paid to a person or entity. Special payment limitations (maximum of \$750,000) will be applied to participants that are corporations, LLCs, and limited partnerships classified as corporate entities. As applications are approved, 80% of the payment will be released with the remaining 20% held and paid at a later date if adequate funds remain.

Livestock Program:

Funding for CFAP originates from both the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Commodity Credit Corporation (CCC). Because of this, payment rates are split in two parts for the livestock (and non-specialty crops) program. Eligible livestock include cattle, sheep (yearlings and lambs only), pigs, and hogs.

The CARES portion is intended to provide producers with financial assistance to “help offset sales losses and increased marketing expenses associated with the COVID-19 pandemic.” Meanwhile, the CCC funding “is based on projected costs that are likely to be incurred by cattle producers for marketing their 2020 inventory due to unexpected surplus and disrupted markets”. The support from CFAP is to assist producers with losses, but not intended to cover total losses.

Cattle producers can participate in either or both components of the program. All sales and inventory of livestock must have been subject to price risk as of January 15, 2020. A contract grower who does not own the livestock is eligible if the contract allows the grower to have price risk in the livestock. Any livestock subject to an agreed upon price in the future through a forward contract, agreement, or similar binding document as of January 15, 2020 is ineligible.

A single payment will be calculated using the sum of two parts:

Part 1: Livestock sales (number of head) between January 15, 2020 and April 15, 2020 multiplied by the corresponding animal species CFAP Act payment rate per head. See CARES Act payment rate in Table 1.

Part 2: The highest amount of livestock inventory (number of head) on any day between April 16, 2020 and May 14, 2020 multiplied by the corresponding species CCC payment rate per head. See CCC payment rate in Table 1.

Separate payment rates exist for cattle of different size and age classifications: slaughter cattle-mature cattle, slaughter cattle-fed cattle, feeder cattle less than 600 pounds, feeder cattle 600 pounds or more; and all other cattle.

Table 1: Payment rates for non-specialty crops, dairy, and livestock			
Commodity	Unit	CARES Act Payment Rate (\$/unit)	CCC Payment Rate (\$/unit)
Slaughter Cattle-Mature cattle	head	\$92	\$33
Slaughter Cattle-Fed cattle	head	\$214	\$33
Feeder cattle less than 600 pounds	head	\$102	\$33
Feeder cattle 600 pounds or more	head	\$139	\$33
All other cattle	head	\$102	\$33

Example:

An example of the payment which a beef producer may receive is as follows:

Background Information:

A cattle producer sold 50 head of feeder cattle on 3/20/2020 which weighed more than 600 pounds
The highest number of cattle on-hand was 100 head of "other cattle" on 5/1/20

Livestock formula

Animals (head) sold 1/15/20-4/15/20 * CARES Rate

(50 head * CFAP Payment Rate of \$139) = \$6,950

+

(Head of unpriced animals 4/16/20-5/14/20 * CCC Rate)

(100 head * CCC Payment Rate of \$33) = \$3,300

Equals

Total Payment of \$10,250 (80% or \$8,200 will be paid initially)

Classification of Cattle:

In the initial days of CFAP enrollment, questions have arisen regarding how to classify different beef animals and how to track sales and inventory. This is especially important when classifying animals marketed between January 15 and April 15, 2020 as the CARES Act part 1 payment rate is different between cattle classifications (range of \$92 to \$215). To help producers, the FSA has published a classification of cattle table (see Table 2).

Table 2: Classification of Cattle		
Cattle Common Name	Description	CFAP Category
Newborn Calf	Calves from birth to days old	Feeder Cattle: < 600 lbs
Calf	Calves still nursing the cow, animals that generally weigh less than 500 pounds	Feeder Cattle: < 600 lbs
Bucket Calf	Orphan or newborn calf normally purchased when they are 1 to 10 days old	Feeder Cattle: < 600 lbs
Heiferette	A female bovine animal that has not calved and weighs more than 500 pounds; OR a heifer placed on feed following the loss of a calf or an open heifer placed on feed following the breeding season	Feeder Cattle: < or > 600 lbs, as applicable
Steer	A castrated male bovine animal that generally weighs more than 500 pounds	Feeder Cattle: < or > 600 lbs, as applicable

Weaner or Weaned Calf	Animal between 105 and 355 days coming from cow-calf	Feeder Cattle: < or > 600 lbs, as applicable
Backgrounded Cattle	Steers and heifers that are fed a warm up or conditioning ration are normally fed to approximately 700 pounds, and then sold as feeders or shipped to another feedlot to be finished for the slaughter market	Feeder Cattle: < or > 600 lbs, as applicable
Stockers/Feeders/Feeder Calves	Young weaned steers or heifers, weighing approximately 400-800 pounds usually grazing on pasture and/or feed ration to prepare for shipment to feeders intended for slaughter or selected for replacement stock	Feeder Cattle: < or > 600 lbs, as applicable
Yearlings	Calves between 1 and 2 years of age	Feeder Cattle > 600 lbs
Open Heifer	Non-pregnant female bovine	Feeder Cattle: < or > 600 lbs, as applicable
Replacement Heifers	A heifer that has been selected to be bred and placed in the beef herd	All Other Cattle
Bred Heifers	A female bovine that is pregnant with her first calf	All Other Cattle
First Calf Heifers	A young female that has had only one calf	All Other Cattle
Bred Cows	A female bovine animal that has borne at least one calf	All Other Cattle
Open Cows - Retained in Herd	(Non-pregnant) cows at the end of the breeding season	All Other Cattle
Open Cows – Slaughter	(Non-pregnant) cows at the end of the breeding season	Slaughter Cattle: Mature
Cows-Culled (Beef and Dairy)	A cow that is removed from the main breeding herd or dairy production for one or more reasons (i.e., age, poor production, physical ailment, poor disposition, genetic selection, etc.) and is generally sold for slaughter and not destined to be a replacement	Slaughter Cattle: Mature
Herd Bulls-Culled (Beef and Dairy)	A mature (approximately 24 months of age or older) uncastrated, male bovine removed from the main breeding herd sold for slaughter and not destined to be replacement	Slaughter Cattle: Mature
Herd Bulls (Breeding-Beef only)	A mature (approximately 24 months of age or older) uncastrated, male bovine used for breeding purposes	All Other Cattle
Finished Cattle (1200 lbs or more)	Cattle that have reached the optimal weight and conditions ready for slaughter	Slaughter Cattle: Fed
Fat Steer/Heifer (1200 lbs or more)	Cattle that have reached the optimal weight and conditions ready for slaughter	Slaughter Cattle: Fed

Source: <https://www.farmers.gov/cfap/livestock>

Proof of Sales & Inventory:

Producers self-certify when they apply for CFAP. To complete the CFAP application, producers will need sales receipts and inventory records. However, since CFAP is a self-certification program, this documentation will not need to be submitted with the application. Producers may be asked for additional documentation to support their certification. Supporting documentation should be kept for a minimum of three years. It is recommended producers contact their local FSA office to determine what types of records are acceptable for proof of livestock marketed (CARES Act part 1 payment) and for on-hand inventory (between April 16, 2020 and May 14, 2020).

CFAP Payment Calculator:

The Farm Service Agency has developed a CFAP Excel payment spreadsheet which allows producers to input information specific to their farm to determine estimated payments. It can also be used to populate the application form to submit to your local FSA office. Producers can download the spreadsheet and other eligibility forms from farmers.gov/cfap

Enrolling in CFAP:

Eligible producers can sign up for assistance at their local Farm Service Agency office. Producers can find the local FSA Service Center contact information by visiting this link: <https://offices.sc.egov.usda.gov/locator/app> Currently, due to COVID-19 restrictions, FSA Service Centers are open for business by phone appointment only. The FSA has streamlined the sign-up process and will be working with producers via phone and using e-mail, fax, mail, and online tools to accept applications. Sign up concludes at close of business on August 28, 2020.

References:

Coronavirus Food Assistance Program, <https://www.farmers.gov/cfap>

Livestock and the Coronavirus Food Assistance Program,
<https://www.farmers.gov/cfap/livestock>

Sign up for USDA-CFAP Direct Support to Begin May 26, 2020, OSU Extension,
<https://go.osu.edu/CFAP-2020>