

# Rules and Regulations

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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## DEPARTMENT OF AGRICULTURE

### Commodity Credit Corporation

#### 7 CFR Part 1414

[Docket ID FSA–2026–0166]

RIN 0560–A188

#### Assistance for Specialty Crop Farmers (ASCF) Program

**AGENCY:** Commodity Credit Corporation, U.S. Department of Agriculture (USDA).

**ACTION:** Final rule.

**SUMMARY:** The Commodity Credit Corporation (CCC) is issuing this rule to provide assistance to producers of eligible specialty crops through the Assistance for Specialty Crop Farmers (ASCF) Program. These one-time bridge payments will help address elevated input costs incurred by producers and market disruptions stemming from foreign competitors engaging in unfair trade practices that impede specialty crop exports.

**DATES:** This rule is effective on June 1, 2026.

**FOR FURTHER INFORMATION CONTACT:** Michael Walter; telephone: (816) 491–6934; or email: *Michael.Walter1@usda.gov*. Individuals with disabilities who require alternative means for communication should contact the USDA Target Center at (202) 720–2600 (voice and text telephone (TTY mode)) or dial 711 for Telecommunications Relay Service (both voice and text telephone users can initiate this call from any telephone).

#### SUPPLEMENTARY INFORMATION:

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#### I. Background

Section 5(b) of the CCC Charter Act provides that CCC may use its funds to “(m)ake available materials and facilities required in connection with the production and marketing of agricultural commodities (other than tobacco).” Under this authority, CCC will make approximately \$1.625 billion in assistance available for specialty crops through the ASCF Program, which will be administered by the Farm Service Agency (FSA). These one-time bridge payments will help address elevated input costs incurred by producers and pressure from weak prices, persistent inflation, tight credit markets, and ongoing trade-related uncertainty heading into the 2026 crop year. To be eligible for the ASCF Program, producers must:

- Have planted eligible specialty crops for crop year 2025;
- Have timely filed a crop acreage report for those crops with FSA by April 24, 2026; and
- Comply with other requirements specified in this rule.

Eligible producers are producers of designated specialty crops, which include eligible fruits, tree nuts, and vegetables as described below. These producers play a crucial role in providing real food that supports healthy families and communities, and they are an essential component of the Make America Healthy Again policy agenda. If producers of these specialty crops are not economically able to continue their operations, American families may see a decrease in the domestic production of wholesome and nutritious fruits and vegetables they rely on to feed their families. Fruits and vegetables are essential to real food nutrition, and randomized controlled trials in generally healthy and at-risk adults show that increasing intake of vegetables and whole fruits improves blood pressure, microvascular function, and cardiometabolic risk markers, while increasing circulating antioxidants and

decreasing inflammatory markers.<sup>1</sup> Tree nuts provide nutrients including protein, fiber, folate, magnesium, and phytonutrients.<sup>2</sup>

The ASCF Program is designed to provide financial support to allow specialty crop producers to pay for production and marketing inputs in the face of significant market disruptions during the 2025 growing season. The increasing cost of production driven by high labor costs and the increasing cost of manufactured inputs over the last 5 years eroded margins during the 2025 crop year.

#### II. Eligible Specialty Crops and Payment Rates

One of the key challenges in providing risk management for specialty crops is a lack of comprehensive data on cost of production—a challenge that is intrinsic to accurately calculating losses for the ASCF Program. Increases in the cost of production for the industry (for example, costs for labor, fertilizer, and fuel) suggest similar pressures on profitability; therefore, national average revenue per crop was used as a metric for development of ASCF Program payment groups and payment rates.

Eligible specialty crops are listed in Table 1. CCC has established three payment groups based on the average annual revenue per acre for specialty crops explicitly listed under the USDA Specialty Crop Definition, Appendix A (plants commonly considered fruits and tree nuts) and Appendix B (plants commonly considered vegetables)<sup>3</sup> and crops that are conventionally recognized as a subcategory of crops listed under, Appendices A and B, excluding beans and peas described below. The first payment group, Tier 1, has a payment rate of \$650 per acre and includes eligible specialty crops with an average annual revenue in excess of \$10,000 per acre. The second payment group, Tier 2, has a payment rate of \$225 per acre and includes eligible specialty crops with an average annual revenue in excess of \$2,300 per acre and up to \$10,000 per acre. The third payment group, Tier 3,

<sup>1</sup> USDA, The Scientific Foundation for the Dietary Guidelines for Americans, 2025–2030, p. 20, available at [https://cdn.realfood.gov/Scientific%20Report\\_508.pdf](https://cdn.realfood.gov/Scientific%20Report_508.pdf).

<sup>2</sup> *Id.* at 38.

<sup>3</sup> USDA Definition of Specialty Crops, Appendix A and B, available at <https://www.ams.usda.gov/sites/default/files/media/USDA%20Specialty%20CropDefinition.pdf>.

has a payment rate of \$65 per acre and includes eligible specialty crops with an average annual revenue of up to \$2,300 per acre.

Revenue per acre was calculated by multiplying a specialty crop's national average yield by its average price per unit. The national average yield was established for crops using the 2024 national average yield from the National Agricultural Statistics Service (NASS) as a primary source and university Extension budgets as a secondary source. The price per unit was established primarily with NASS or Agricultural Marketing Service (AMS) data for each crop. If price data for a crop was not available through NASS or AMS, AMS economists estimated the

national average price per unit using a variety of publicly available data sources including recent university Extension budgets and industry reporting.

A fourth payment group with a payment rate of \$25 per acre was established for all types of beans and peas (see Table 1). Though AMS identifies certain beans and peas as specialty crops and they may not qualify for the Agricultural Risk Coverage (ARC) and Price Loss Coverage (PLC) programs, their costs of production and revenue are closer to bean and pea varieties that do fall under these farm safety net programs and the Farmer Bridge Assistance (FBA) Program.<sup>4</sup> Therefore, CCC has established the

fourth payment group, Beans and Peas, to maintain equity among the different bean and pea types. Bean and pea types that were eligible for the FBA Program are not eligible for the ASCF Program.

Eligible specialty crops include only the crops listed in Table 1 below, with the associated payment rate per acre for each payment group. Eligible beans, canberries, melons, peas, and sweet corn include only the types identified in the definitions for those crops in § 1414.103. Eligible beets do not include sugar beets, which are excluded from the USDA definition of specialty crops. Grapes are categorized as fresh or processed based on the intended use reported on FSA-578.

TABLE 1—ELIGIBLE SPECIALTY CROPS AND PAYMENT RATE PER ACRE BY PAYMENT GROUP

Payment group	Eligible specialty crops	Payment rate per acre
Tier 1 .....	Aronia (chokeberry), artichokes, blueberries (highbush), breadfruit, Brussels sprouts, cabbage (choy sum, napa), cacao, canberries, carrots, cauliflower, celery, cherimoya, cherries (sweet), chestnuts, chives (abuchoo/garlic, chives), coconuts, currants, dates, figs, garlic, gooseberries, grapes (fresh), greens (Asian, Chinese spinach/amaranth, cressie, dandelions, escarole, flowering kale, Hanover, hybrid mustard, orach, perilla/shiso, Japanese basil, rape/rapini/Chinese broccoli, Shanghai bok choy, shum choy, sorrell, suk gat, toc choy, yu choy, curly endive, frizee/Belgian endive, arugula, leaf spinach, vine spinach, water spinach), guava, horseradish, kiwiberry, kiwifruit, kohlrabi, kumquat, leeks, lemons, lettuce, limes, lychee, mangos, mushrooms, nectarines, okra, olives, onions, papaya, parsnip, passion fruits, peaches (freestone, semi-freestone cling), peppers (green bell, yellow), persimmons, pineapple, plums, pomegranates, quinces, rhubarb, rutabaga, salsify, shallots, strawberries, turnips.	\$650
Tier 2 .....	Almond, apple, apricot, asparagus, avocados, bananas, beets, blueberries (low bush, rabbiteye), broccoflower, broccoli, broccolini, broccolo-cavalo, cabbage (hybrid, open pollinated, red, savoy), celeriac, cherries (tart), Chinese bitter melon, citron, coffee, cranberries, cucumbers, dasheen, eggplant, grapefruit, grapes (processed), greens (collard, common kale, Chinese mustard, mizuna/Japanese mustard, open pollinated mustard, turnip, Swiss chard (green, red)), macadamia nuts, mandarins/tangerines, melons, melongene, orangelo/Spanish chironja, oranges, parsley, peaches (cling), pears, peppers (Anaheim, banana, cayenne, chilaca, cubanelle, fingerhots, Fresno, gourmet mini, green chili, habanero, hot cherry, Hungarian hot wax, Italian, jalapeno, long johns, mini, oriental red, oriental sweet, paprika, pepino, pimento, poblano, red chili, scratch bonnet, serrano, sport, sweet cherry, tobasco), pistachios, plantain, potatoes, prunes, pummelo, pumpkins, radishes, raisins, squash, sweet potatoes, tangelos, tangors, tangos, taro, tomatillos, tomatoes, walnuts.	225
Tier 3 .....	Cashew, cherries (chockcherry, Jamaica), sweet corn, hazelnuts, pecans .....	65
Beans and Peas	Beans, peas .....	25

As provided in § 1414.105(b), CCC may announce additional eligible specialty crops after publication of this rule if CCC determines that producers suffered decreased returns resulting from the market challenges described in section I. Any additional eligible crops will be announced on the ASCF Program web page at <https://www.fsa.usda.gov/ascf>.

**III. Eligible Acres**

Acres of eligible specialty crops reported to FSA as an initial, double-crop, repeat crop, or subsequent crop by April 24, 2026, will be used to determine ASCF Program payments.

Acres that is reported as a cover crop, prevented planted, or with an intended use of grazing, left standing, green manure, silage, forage, volunteer, or experimental will not be used to determine ASCF program payments.

For fruit and nuts acres, both bearing and non-bearing acreage are eligible for payment. Elevated input costs disproportionately affect non-bearing acres of fruit and nut trees and bushes, as specialty crop producers must continue to incur substantial expenses for irrigation, nutrient management, pest and disease control, labor, pruning, and a higher rate of maintenance especially during periods when the non-bearing

acres generate no marketable yield or revenue. Therefore, while non-bearing acreage has been ineligible for other programs, such as the Market Facilitation Program, and may not be eligible for future programs based on crop production, the high input costs faced by fruit and nut producers on non-bearing acreage warrants non-bearing acreage to be eligible in this one-time program.

Acres of eligible specialty crops that are grown in a controlled environment will not be used to determine ASCF payments with the exception of mushrooms.<sup>5</sup> For ASCF Program purposes, “controlled environment” is

<sup>4</sup> See 7 CFR part 1414, subpart A, and the FBA Program final rule published on February 23, 2026 (91 FR 8360).

<sup>5</sup> Mushrooms are excluded from the restriction on acreage of specialty crops grown in a controlled environment because the use of a controlled environment is necessary for the production of that

crop, rather than an approach chosen by some producers to provide benefits such as risk mitigation.

defined in § 1414.103 as the use of structures that allow for the manipulation of various environmental factors instead of relying on nature for any period of time during the growing season. This manipulation can be either partially or fully controlled to optimize plant growth, improve consistency, grow without soil, extend the growing period, or to reduce risks from weather, pests, and disease. Examples of such factors are control over temperature, humidity, light levels, nutrient levels, and atmospheric composition such as carbon dioxide concentration. The term “controlled environment” also excludes the use of structures to produce seedlings prior to being planted for production purposes.

Acres of crops grown in a controlled environment are excluded from the ASCF Program because producing crops in a controlled environment can extend the growing season compared to field-grown crops, which mitigates market risk for the producer. A controlled environment allows specialty crop growers to optimize high-quality, marketable production, allowing growers to sustain existing markets while exploring alternative markets. Examples of controlled environments include, but are not limited to, greenhouses; high and low tunnels; hoop houses; indoor vertical farms; growth chambers; and hydroponic, aquaponic, and aeroponic systems. Practices that allow some control over factors such as temperature but do not use structures, such as the use of plastic film to increase soil temperature for germination or weed control, are not considered controlled environments.

Producers must enter the acres of any eligible specialty crops that were grown under conditions that meet the definition of controlled environment on their ASCF Program application so that those acres can be excluded from the producer’s eligible acres when calculating a payment.

#### IV. How To Apply

FSA will prepare a CCC–556, Assistance for Specialty Crop Farmers (ASCF) Program Application, for each eligible producer using the acreage timely reported for each eligible specialty crop in all states and counties. FSA will use the persons identified as producers on FSA–578, Report of Acreage, and the respective percentages of interest in the eligible specialty crop. Potential program participants will obtain their pre-filled CCC–556 from FSA through the electronic portal, which can be accessed through the ASCF Program web page at <https://www.fsa.usda.gov/ascf>, or by contacting

any local FSA county office. The application period begins on June 1, 2026, for producers applying through the electronic portal, and June 8, 2026, for all other producers. Persons who believe that their interest in an eligible specialty crop is not accurately reflected in current FSA records must contact FSA to provide any information that the person believes is relevant to correcting this information. Form CCC–556 must be returned to FSA by August 7, 2026.

Producers must also submit the following eligibility forms to FSA by August 9, 2027, if not already on file with FSA for the 2025 program year:

- CCC–901, Member Information for Legal Entities, if applicable;
- CCC–902, Farm Operating Plan;
- CCC–941, Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information, for individuals, legal entities, and members of legal entities, excluding joint ventures and general partnerships; and
- AD–1026 Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification, for the producer and affiliated persons, as specified in 7 CFR 12.8.

Producers who file the required eligibility forms after the deadline will not receive an ASCF Program payment.

Participants are not required to purchase crop insurance or Noninsured Crop Disaster Assistance Program (NAP) coverage to be eligible for the ASCF Program; however, USDA strongly urges producers to take advantage of the new One Big Beautiful Bill Act risk management tools to best protect against price risk and volatility in the future.

#### V. Payments

A producer’s ASCF Program payment will be equal to the payment rate for an eligible specialty crop multiplied by the producer’s eligible acres of that crop. CCC will issue payments as applications are approved. CCC intends to issue ASCF Program payments to eligible producers beginning in June 2026.

#### VI. Payment Limitation and Payment Eligibility

The total amount of ASCF Program payments received, directly or indirectly, by a person or legal entity (except a joint venture or general partnership) may not exceed \$250,000. The total amount of ASCF payments received, directly or indirectly, by a public school may not exceed \$250,000 per public school. Total payments to all public schools within a State where the State population exceeds 1,500,000, according to the most recent U.S. Census Bureau estimate, cannot exceed \$500,000. In addition, a person or legal

entity, other than a joint venture or general partnership, is ineligible for ASCF Program payments, directly or indirectly, if the person’s or legal entity’s average adjusted gross income (AGI), using the average of the adjusted gross incomes for the 2021, 2022, and 2023 tax years, exceeds \$900,000.

FSA will administer the payment limitation, payment eligibility, and average AGI limitation according to the regulations set forth at 7 CFR part 1400 as in effect for program year 2025 on June 1, 2026, except that the actively engaged provisions (Subparts C and G) and foreign person eligibility provisions (Subpart E), do not apply to the ASCF Program.

#### VII. Regulatory Analyses

##### A. Notice and Comment and Effective Date

The Administrative Procedure Act (APA, 5 U.S.C. 553(a)(2)) provides that the notice and comment requirements and 30-day delay in the effective date provisions of that Act do not apply when the rule involves specified actions, including matters relating to loans, grants, benefits, and contracts. This rule falls within this exemption.

This rule is exempt from the regulatory analysis requirements of the Regulatory Flexibility Act (5 U.S.C. 601–612), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), because it involves matters relating to benefits. The requirements for the regulatory flexibility analysis in 5 U.S.C. 603 and 604 are specifically tied to the requirement for a proposed rule by section 553 or any other law; in addition, the definition of “rule” in 5 U.S.C. 601 is tied to the publication of a proposed rule.

The Office of Management and Budget (OMB) found this rule meets the criteria in 5 U.S.C. 804(2) of the Congressional Review Act (CRA), which would ordinarily necessitate delaying its effective date for 60 days (5 U.S.C. 801(a)(3)(A)). However, the CRA, at 5 U.S.C. 808(2), allows an agency to make such regulations effective immediately if the agency finds there is good cause to do so. CCC has determined that such good cause exists here as benefits made by this rule are critical to the financial stability of producers who participate in this program and this assistance is necessary to help those producers sustain their normal business operations. CCC further believes that good cause exists because notice and comment is not legally required, and thus unnecessary, for this action as described above. Therefore, CCC is not

required to delay the effective date for 60 days from the date of publication to allow for Congressional review. Accordingly, this rule is effective upon publication in the **Federal Register**.

*B. Executive Orders 12866, 13563, and 14192*

Executive Order 12866, "Regulatory Planning and Review," and Executive Order 13563, "Improving Regulation and Regulatory Review," direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasized the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. Executive Order 14192, "Unleashing Prosperity Through Deregulation," announced the Administration policy to significantly reduce the private expenditures required to comply with Federal regulations to secure America's economic prosperity and national security and the highest possible quality of life for each citizen and to alleviate unnecessary regulatory burdens placed on the American people. In line with the Executive Order requirements, CCC will use existing information available to CCC to maximize benefits and minimize burden on American producers. This rule is not an Executive Order 14192 regulatory action because it does not impose any more than de minimis regulatory costs.

The Office of Management and Budget (OMB) designated this rule as economically significant under Executive Order 12866, section 3(f)(1), and therefore, OMB has reviewed this rule. The costs and benefits of this rule are summarized below. The Cost Benefit Analysis is available on [regulations.gov](https://www.regulations.gov).

*C. Cost Benefit Analysis Summary*

CCC will make \$1.625 billion available in one-time bridge payments to U.S. farmers through the ASCF Program in response to temporary market disruptions and increased production costs. The ASCF Program provides broad relief to U.S. farmers who produce specialty crops that are recognized directly by AMS Specialty Crop definition, Appendices A and B, as fruits, tree nuts, or vegetables or types of fruits, tree nuts, or vegetables. Crops included in Appendices A or B that are eligible for the FBA Program are not eligible for the ASCF Program. The final cost will depend on the number of

applications that are submitted and approved.

*D. Environmental Review*

The environmental impacts have been considered in a manner consistent with the provisions of the National Environmental Policy Act (NEPA, 42 U.S.C. 4321–4347) and the USDA regulation for compliance with NEPA (7 CFR part 1b).

There are no actions under this rule that have the potential to impact the human environment. Accordingly, the actions under this rule are covered by the FSA Categorical Exclusions specified in 7 CFR 1b.4(c)(16)(viii) that apply to individual farm participation in FSA programs where no ground disturbance or change in land use occurs as a result of the proposed action or participation, and 7 CFR 1b.(c)(16)(ix) that applies to safety net programs.

No Extraordinary Circumstances (§ 1b.3(f)) exist because this is an administrative payment program. The ASCF Program does not constitute a major Federal action that would significantly affect the quality of the human environment, individually or cumulatively. Therefore, CCC will not prepare an environmental assessment or environmental impact statement for this action and, consistent with § 1b.3(g), this document serves as the programmatic finding of applicability and no extraordinary circumstance (FANEC) for this Federal action.

*E. Executive Order 13175*

This rule has been reviewed in accordance with the requirements of Executive Order 13175, "Consultation and Coordination with Indian Tribal Governments." Executive Order 13175 requires Federal agencies to consult and coordinate with Tribes on a Government-to-Government basis on policies that have Tribal implications, including regulations, legislative comments or proposed legislation, and other policy statements or actions that have substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

CCC has assessed the impact of this rule on Indian Tribes and determined that this rule does not, to our knowledge, have Tribal implications that require Tribal consultation at this time. If a Tribe requests consultation in the future, FSA will work with the Office of Tribal Relations to ensure meaningful consultation is provided.

*F. Unfunded Mandates Reform Act*

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA, Pub. L. 104–4) requires Federal agencies to assess the effects of their regulatory actions on State, local, and Tribal governments or the private sector. Agencies generally must prepare a written statement, including cost benefit analysis, for proposed and final rules with Federal mandates that may result in expenditures of \$100 million or more in any 1 year for State, local or Tribal governments, in the aggregate, or to the private sector. UMRA generally requires agencies to consider alternatives and adopt the more cost effective or least burdensome alternative that achieves the objectives of the rule. This rule contains no Federal mandates, as defined in Title II of UMRA, for State, local and Tribal governments or the private sector. Therefore, this rule is not subject to the requirements of sections 202 and 205 of UMRA.

*G. Paperwork Reduction Act Requirements*

The Paperwork Reduction Act of 1995 (44 U.S.C. Chap. 35; see 5 CFR part 1320), requires that OMB approve all collections of information by a Federal agency from the public before they can be implemented. Respondents are not required to respond to any collection of information unless it displays a current valid OMB control number. The USDA intends to use the OMB approved information collection under the control number of 0503–0028; Expiration Date: 10/31/2027 for the purposes of this regulation.

FSA will issue payments to producers using the following forms: CCC–556, CCC–901, CCC–902E, CCC–902I, CCC–941, and AD–1026. The AD–1026 is exempt as specified in the Agricultural Act of 2014 (Pub. L. 113–79, Title II, Subtitle G, Funding and Administration). The CCC–556 is the only new data collection activity associated with this request. The total annual burden hours for this information collection are 30,320 hours. See table below for the breakout. This final rule is a one-time announcement of Federal financial assistance funding for the ASCF Program.

*For Further Information Contact:* Requests for additional information or copies of this information collection should be directed to Michael Walter; telephone: (816) 491–6934 ; or email: [Michael.Walter1@usda.gov](mailto:Michael.Walter1@usda.gov).

*Title:* Assistance for Specialty Crop Farmers (ASCF) Program.

*Form Numbers:* CCC–556, CCC–901, CCC–902E, CCC–902I, CCC–941, and AD–1026.

OMB Number: 0503–0028.  
 Expiration Date: 10/31/2027.  
 Type of Request: Information Collection.

Abstract: As authorized by Section 5(b) of the CCC Charter Act (15 U.S.C. 714c(b)), CCC is administering the ASCF Program to provide up to \$1.625 billion in one-time payments to producers of eligible specialty crops in response to elevated input costs and market losses resulting from foreign competitors engaging in unfair trade practices that impede exports.

To apply for the ASCF Program, producers must execute a CCC–556, which will be pre-filled with the

producer’s reported planted acreage for the 2025 crop year. Producers will use one application for all eligible specialty crop acreage nationwide. Producers must also submit the following eligibility forms if not already on file with FSA due to participation in other programs: CCC–901, Member Information for Legal Entities, if applicable; CCC–902, Farm Operating Plan, for an individual or legal entity as provided in 7 CFR part 1400; CCC–941, Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information, for individuals, legal entities, and members of legal entities, excluding joint ventures and

general partnerships; and AD–1026, Highly Erodible Land Conservation (HELCL) and Wetland Conservation (WC) Certification, for the participant and applicable affiliates.

Affected Public: Farms or businesses for profit (Agricultural producers).

Estimated Number of Respondents: 60,000.

Estimated Number of Responses per Respondent: 1.79333333.

Estimated Number of Total Annual Responses: 107,600.

Estimated Time per Respondent: 0.28178439 hours.

Estimated Total Annual Burden on Respondents: 30,320 burden hours.

Burden activity or form	Number of respondents	Number of responses per respondent	Total annual responses	Hours per response	Total hours per year
CCC–556, Assistance for Specialty Crop Farmers (ASCF) Program Application .....	60,000	1	60,000	0.1670	10,020
CCC–901, Member Information for an Entity .....	600	1	600	0.5	300
CCC–902E, Farm Operating Plan for an Entity .....	10,000	1	10,000	0.5	5,000
CCC–902I, Farm Operating Plan for an Individual .....	10,000	1	10,000	0.5	5,000
CCC–941, Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information .....	20,000	1	20,000	0.5	10,000
AD–1026, Highly Erodible Land Conservation (HELCL) and Wetland Conservation (WC) Certification .....	7,000	1	7,000	0.0835	EXEMPT
Total Estimates .....	60,000	1.79333333	107,600	0.28178439	30,320

There are an estimated 60,000 respondents anticipated for this data collection. The total estimated “Number of Respondents” is not a sum of respondents for all burden activities and forms. It represents the same respondents submitting responses related to different activities for this data collection; therefore, these respondents are not double counted.

*H. E-Government Act Compliance*

CCC is committed to complying with the E-Government Act of 2002, to promote the use of the internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

**Federal Assistance Programs**

The title and number of the Federal assistance program, as found in the Assistance Listing, to which this document applies are 10.991—Assistance for Specialty Crop Farmers (ASCF).

**List of Subjects in 7 CFR Part 1414**

Agricultural commodities, Cotton, Feed grains, Fruits, Nuts, Oilseeds, Peanuts, Reporting and recordkeeping requirements, Rice, Vegetables, Wheat.

For the reasons discussed above, Commodity Credit Corporation amends 7 CFR chapter XIV as follows:

**PART 1414—BRIDGE ASSISTANCE**

■ 1. The authority for part 1414 continues to read as follows.

Authority: 15 U.S.C. 714, *et seq.*

■ 2. Add subpart B to read as follows.

**Subpart B—Assistance for Specialty Crop Farmers Program**

- Sec.
- 1414.101 Applicability.
- 1414.102 Administration.
- 1414.103 Definitions.
- 1414.104 Eligible producer.
- 1414.105 Eligible specialty crops and payment rates.
- 1414.106 Eligible acres.
- 1414.107 Time and method of application.
- 1414.108 Payment calculation.
- 1414.109 Payment eligibility and limitation.
- 1414.110 General provisions.

**Subpart B—Assistance for Specialty Crop Farmers Program**

**§ 1414.101 Applicability.**

The regulations in this subpart are applicable to producers participating in the Assistance for Specialty Crop Farmers (ASCF) Program. Producers who participate in the ASCF Program will receive payments from the Commodity Credit Corporation (CCC) to

assist them in the production and marketing of agricultural commodities. Payments will be based on 2025 planted and timely reported acreage of eligible specialty crops and on payment rates determined by CCC.

**§ 1414.102 Administration.**

(a) The regulations in this subpart will be administered under the general supervision and direction of the Executive Vice President, CCC. In the field, the regulations in this subpart will be administered by the Farm Service Agency (FSA) State and county committees (referred to as “State committee” and “county committee,” respectively).

(b) State executive directors, county executive directors, and State and county committees do not have authority to modify or waive any of the provisions of this subpart.

(c) The State committee may take any action authorized or required by this subpart to be taken by the county committee that has not been taken by the county committee. The State committee may also:

- (1) Correct or require a county committee to correct any action taken by the county committee that is not in accordance with this subpart; or

(2) Require a county committee to withhold taking any action that is not in accordance with this subpart.

(d) No delegation in this subpart to a State or county committee precludes the Executive Vice President, CCC or a designee, from determining any question arising under this subpart or from reversing or modifying any determination made by a State or county committee.

#### § 1414.103 Definitions.

The definitions in this section are applicable for all purposes of administering this subpart. The terms defined in 7 CFR parts 718 and 1400 are also applicable, except where those definitions conflict with the definitions specified in this section. Where there is a conflict or a difference in definitions specified in this subpart and 7 CFR parts 718 and 1400, the regulations in this subpart will apply.

*CCC-556* means Form CCC-556, Assistance for Specialty Crop Farmers (ASCF) Program Application.

*Beans* means only the following types of beans: Adzuki, Anasazi, baby lima, black turtle, butter, Canario, Chinese string, cranberry, dark red kidney, fava, flat small white, green garbanzo chickpeas, great northern, green, green baby French (petite), Jacob's cattle, Kentucky blue, kintoki, lablab (hyacinth), large lima, light red kidney, long, lupine, marrow, mayocoba, myothe, mung, October, papadi valor, pea, pink, pinto, pole, pole columbus, roma, shelli, small red, small white navy, snap wax, soldier, sulfur, tebo, tiger eye kidney, velvet, white adzuki, white half runner, white kidney, wing, yardlong, and yellow eye.

*Caneberries* means only the following types of caneberries: Apache, Arapaho, black raspberries, blackberries, boysenberries, cascadeberries, Chester blackberries, Chickasaw, Doyle blackberries, Estrella/yellow, evergreen blackberries, Kiowa/Ouachita, Kotata blackberries, loganberries, Maravilla, marionberries, Natchez, Navaho, olallieberries, Osage, Prime Ark 45, Prime-Jan, Prime-Jim, red raspberries, tayberries, and triple crown blackberries.

*Controlled environment* means the use of structures that allow for the manipulation of various environmental factors instead of relying on nature for any period of time during the growing season. This manipulation can be either partially or fully controlled to optimize

plant growth, improve consistency, grow without soil, extend the growing period, or to reduce risks from weather, pests, and disease. Examples of such factors are control over temperature, humidity, light levels, nutrient levels, and atmospheric composition such as CO<sub>2</sub> concentration. The term "controlled environment" excludes the use of structures to produce seedlings prior to planting for production purposes.

*Crop year* means:

(1) For crops other than mushrooms, the calendar year in which a specialty crop, or the majority of a specialty crop, was intended for harvest; and

(2) For mushrooms, October 1 through September 30.

*Determined acres* means that acreage established by an FSA representative by using official acreage, digitizing areas on a photograph or other imagery, or computations from scaled dimensions or ground measurements.

*Eligible producer* means a producer of an eligible specialty crop who timely filed Form FSA-578 with FSA and who complies with all provisions of this subpart.

*FSA-578* means Form FSA-578, Report of Crop Acreage.

*Melons* means only the following types of melons: canary, cantaloupe, Crenshaw, honeydew, Israel, kiwano (horned), Korean golden, and watermelon.

*Peas* means only the following types of peas: arvika/4010, black eye, butter, caley, China, cow, cream, crowder, English or garden, flat, marrowfat, mini, partridge, pigeon, pink eyed, purple hull, rondo, snap, snow, southern acre, speckled or colored, sugar, and Umattilla.

*Sweet corn* means only the following types of corn: sweet bicolor, sweet white, sweet yellow/golden early, and sweet yellow/golden late.

#### § 1414.104 Eligible producer.

(a)(1) To be eligible for payment under this subpart, a producer must have timely filed an FSA-578 with FSA for their acreage of each eligible specialty crop for which a payment under this subpart is requested.

(2) Federal agencies are not eligible to participate in the ASCF Program.

(b) An eligible producer is a:

(1) Citizen of the United States;

(2) Resident alien, which for purposes of the ASCF Program, means "lawful alien" as defined in 7 CFR part 1400;

(3) Partnership organized under State law consisting solely of citizens of the United States or resident aliens;

(4) Corporation, limited liability company, or other organizational structure organized under State law consisting solely of citizens of the United States or resident aliens; or

(5) Indian Tribe or Tribal organization, as defined in section 4(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(c)(1) A State, political subdivision, or agency thereof, is eligible for a payment under this subpart if:

(i) The land for which payments are received is owned by the State, political subdivision, or agency thereof; and

(ii) The payments are used solely for the support of public schools.

(2) The total of payments to the State, political subdivision, or agency thereof cannot exceed \$500,000 annually, except for States with a population less than 1,500,000, as established by the most recent U.S. Census Bureau annual estimate of the State's resident population. This limitation is in addition to the limitation per person or legal entity described in § 1414.9. States with a population of less than 1,500,000 are subject to the regular per person or entity limit in § 1414.9.

(d) To be eligible for assistance under this subpart, a producer must be in compliance with the provisions of 7 CFR part 12 and the provisions of 7 CFR 718.6, which address ineligibility for benefits for offenses involving controlled substances.

(e) A receiver or trustee of an insolvent or bankrupt debtor's estate, an executor or an administrator of a deceased person's estate, a guardian of an estate of a ward or an incompetent person, and trustees of a trust are considered to represent the insolvent or bankrupt debtor, the deceased person, the ward or incompetent, and the beneficiaries of a trust, respectively. The production of the receiver, executor, administrator, guardian, or trustee is considered to be the production of the person or estate represented by the receiver, executor, administrator, guardian, or trustee.

#### § 1414.105 Eligible specialty crops and payment rates.

(a) Table 1 lists the payment groups, eligible specialty crops, and payment rates for the ASCF Program.

TABLE 1 TO PARAGRAPH (a)—ASCF PROGRAM PAYMENT GROUPS, ELIGIBLE SPECIALTY CROPS, AND PAYMENT RATES

Payment group	Eligible commodity	Payment rate per acre
Tier 1 .....	Aronia (chokeberry), artichokes, blueberries (highbush), breadfruit, Brussels sprouts, cabbage (choy sum, napa), cacao, caneberries, carrots, cauliflower, celery, cherimoya, cherries (sweet), chestnuts, chives (abuchoo/garlic, chives), coconuts, currants, dates, figs, garlic, gooseberries, grapes (fresh), greens (Asian, Chinese spinach/amaranth, cressie, dandelions, escarole, flowering kale, Hanover, hybrid mustard, orach, perilla/shiso, Japanese basil, rape/rapini/Chinese broccoli, Shanghai bok choy, shum choy, sorrell, suk gat, yu choy, curly endive, frizee/Belgian endive, arugula, leaf spinach, vine spinach, water spinach), guava, horseradish, kiwiberry, kiwifruit, kohlrabi, kumquat, leeks, lemons, lettuce, limes, lychee, mangos, mushrooms, nectarines, okra, olives, onions, papaya, parsnip, passion fruits, peaches (freestone, semi-freestone cling), peppers (green bell, yellow), persimmons, pineapple, plums, pomegranates, quinces, rhubarb, rutabaga, salsify, shallots, strawberries, turnips.	\$650
Tier 2 .....	Almond, apple, apricot, asparagus, avocados, bananas, beets, blueberries (low bush, rabbiteye), broccoflower, broccoli, broccolini, broccolo-cavalo, cabbage (hybrid, open pollinated, red, savoy), celeriac, cherries (tart), Chinese bitter melon, citron, coffee, cranberries, cucumbers, dasheen, eggplant, grapefruit, grapes (processed), greens (collard, common kale, Chinese mustard, mizuna/Japanese mustard, open pollinated mustard, turnip, Swiss chard (green, red)), macadamia nuts, mandarins/tangerines, melons, melongene, orangelo/Spanish chironja, oranges, parsley, peaches (cling), pears, peppers (Anaheim, banana, cayenne, chilaca, cubanelle, fingerhots, Fresno, gourmet mini, green chili, habanero, hot cherry, Hungarian hot wax, Italian, jalapeno, long johns, mini, oriental red, oriental sweet, paprika, pepino, pimento, poblano, red chili, scratch bonnet, serrano, sport, sweet cherry, tobasco), pistachios, plantain, potatoes, prunes, pummelo, pumpkins, radishes, raisins, squash, sweet potatoes, tangelos, tangors, tangos, taro, tomatillos, tomatoes, walnuts.	225
Tier 3 .....	Cashew, cherries (chokcherry, Jamaica), sweet corn, hazelnuts, pecans .....	65
Beans and Peas	Beans, peas .....	25

(b) Eligible beets do not include sugar beets, which are not considered a specialty crop and are ineligible for the ASCF Program.

(c) Grapes are categorized as fresh or processed based on the intended use reported by the producer on FSA-578.

(d) CCC may announce additional eligible specialty crops if CCC determines that producers suffered decreased returns resulting from the market challenges considered when determining the eligibility of the specialty crops listed in paragraph (a) of this section. CCC will announce the eligibility of any additional eligible specialty crops on the ASCF web page at <https://www.fsa.usda.gov/ascf>.

**§ 1414.106 Eligible acres.**

(a) Eligible acres under this subpart include 2025 crop year acres planted in the United States to an eligible specialty crop, excluding acreage reported as a cover crop, prevented planted, or with an intended use of grazing, left standing, green manure, silage, forage, volunteer, or experimental. To be eligible for payment under this subpart, producers must have reported the acreage planted to these crops to FSA on FSA-578 by April 24, 2026.

(b) ASCF Program payments will be based on timely reported acres. If reported acres have determined acres present, determined acres will be used.

(c) In situations where a producer planted both an initial crop and a subsequent crop on the same acreage for the 2025 crop year, both the initial crop and the subsequent crop will be eligible

for the ASCF Program if they were eligible specialty crops.

(d) If a producer has repeated plantings of an eligible specialty crop on the same acreage during the 2025 crop year, all plantings of that crop are eligible for payment under this subpart.

(e) Acres grown in a controlled environment, excluding acreage of mushrooms, are not eligible for payment under this subpart.

**§ 1414.107 Time and method of application.**

(a) Producers must obtain their pre-filled CCC-556 from FSA and submit this form to any FSA county office by August 7, 2026. Applicants will submit one application that includes all eligible acreage in all counties nationwide.

(b) The date to apply for payments under this program may be extended and the extended date will be set forth at <https://www.fsa.usda.gov/ascf>. Producers may also obtain that information from any FSA county office.

(c) Producers must also submit the following eligibility forms to FSA by August 9, 2027, if not already on file with FSA for the 2025 program year:

- (1) CCC-901, Member Information for Legal Entities, if applicable;
- (2) CCC-902, Farm Operating Plan;
- (3) CCC-941, Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information, for individuals, legal entities, and members of legal entities, excluding joint ventures and general partnerships; and

(4) AD-1026 Highly Erodible Land Conservation (HELCL) and Wetland

Conservation (WC) Certification, for the producer and affiliated persons, as specified in 7 CFR 12.8.

**§ 1414.108 Payment calculation.**

Payments will be determined by multiplying the eligible acres of an eligible specialty crop by the payment rate for such specialty crop. Payment rates are specified in table 1 to § 1414.105(a).

**§ 1414.109 Payment eligibility and limitation.**

(a) A person, legal entity, or member of a joint venture or general partnership, as determined in 7 CFR part 1400 in effect for program year 2025 on June 1, 2026, cannot receive, directly or indirectly, more than \$250,000 under this subpart. The regulations set forth in 7 CFR part 1400 will be used to administer this limitation.

(b) A person or legal entity with an average adjusted gross income that exceeds \$900,000, as determined in accordance with 7 CFR part 1400, subpart F, will not be eligible to receive benefits, directly or indirectly, under this subpart.

**§ 1414.110 General provisions.**

(a) All information provided to FSA for program eligibility and payment calculation purposes is subject to spot check. Participants are required to retain documentation in support of their application for 3 years after the date of approval, including verifiable evidence of planted acres of eligible specialty crops. Participants receiving ASCF

Program payments or any other person who furnishes such information to the U.S. Department of Agriculture (USDA) must permit authorized representatives of USDA or the Government Accountability Office, during regular business hours, to enter the operation and to 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 participant.

(b) If an ASCF Program payment resulted from erroneous information provided by a participant, or any person acting on their behalf, the payment will be recalculated and the participant must refund any excess payment to FSA with interest calculated from the date of the disbursement of the payment. If FSA determines that the applicant intentionally misrepresented information included on their application, the application will be disapproved and the applicant must refund the full payment to FSA with interest from the date of disbursement.

(c) Any payment under this subpart will be made without regard to questions of title under State law and without regard to any claim or lien. The regulations governing offsets in 7 CFR part 3 apply to ASCF Program payments.

(d) In either applying for or participating in the ASCF Program, or both, the applicant is subject to laws against perjury (including, but not limited to, 18 U.S.C. 1621). If the applicant willfully makes and represents as true any verbal or written declaration, certification, statement, or verification that the applicant knows or believes not to be true, in the course of either applying for or participating in the ASCF Program, or both, then the applicant may be found to be guilty of perjury. Except as otherwise provided by law, if guilty of perjury the applicant may be fined, imprisoned for not more than 5 years, or both, regardless of whether the applicant makes such verbal or written declaration, certification, statement, or verification within or outside the United States.

(e) For the purposes of the effect of a lien on eligibility for Federal programs (28 U.S.C. 3201(e)), USDA waives the restriction on receipt of funds under this subpart but only as to beneficiaries who, as a condition of the waiver, agree to apply ASCF Program payments to reduce the amount of the judgment lien.

(f) In addition to any other Federal laws that apply to the ASCF Program,

the following laws apply: 18 U.S.C. 286, 287, 371, and 1001.

**William Beam,**

*Executive Vice President, Commodity Credit Corporation.*

[FR Doc. 2026–10930 Filed 5–29–26; 8:45 am]

**BILLING CODE 3411–E2–P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 9 CFR Part 201

[Doc. No. AMS–FTPP–22–0046]

RIN 0581–AE54

#### Poultry Grower Payment Systems and Capital Improvement Systems; Delay of Effective Date

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Final rule; delay of effective date.

**SUMMARY:** The Agricultural Marketing Service (AMS or the Agency) is delaying the effective date of the “Poultry Grower Payment Systems and Capital Improvement Systems” final rule (Payment Systems rule or final rule), which was published in the **Federal Register** on January 16, 2025, to allow time for further consideration of actions that may be taken regarding the disposition of the rule. The current effective date of the Payment Systems rule is July 1, 2026. With this action, AMS is delaying the effective date to December 31, 2027.

**DATES:** As of July 1, 2026, the effective date of the final rule published January 16, 2025 (90 FR 5146) is delayed until December 31, 2027.

**FOR FURTHER INFORMATION CONTACT:** Jeana Harbison, Acting Director, Packers and Stockyards Division, USDA, AMS, Fair Trade Practices Program, 1400 Independence Ave. SW, Washington, DC 20250; telephone: 202–720–7051; email: [PSDWashingtonDC@usda.gov](mailto:PSDWashingtonDC@usda.gov).

#### SUPPLEMENTARY INFORMATION:

##### A. Background and Basis for Delay

On January 16, 2025, AMS published the final rule, “Poultry Grower Payment Systems and Capital Improvement Systems” (Payment Systems rule or final rule) (90 FR 5146, January 16, 2025), to amend 9 CFR part 201 of its regulations under the Packers and Stockyards Act (P&S Act) (7 U.S.C. 181 *et seq.*). The final rule was promulgated in support of Executive Order 14036 (86 FR 36987, July 14, 2021), which Executive Order 14337 revoked on

August 13, 2025 (90 FR 40227, August 19, 2025).

The Payment Systems rule addresses the relationship between live poultry dealers (LPDs) and the poultry growers under contract with them. The rule: (1) prohibits LPDs from reducing a grower’s compensation based on the grower’s ranking under a poultry grower ranking system (9 CFR 201.106); (2) establishes a presumptive violation of the P&S Act by LPDs when aggregate gross annual payments based upon a grower’s ranking under a poultry grower ranking system exceeds a certain threshold (§ 201.106); (3) holds LPDs to a duty of fair comparison when designing and operating their poultry grower ranking system and requires documentation of compliance with that duty (§ 201.110); and (4) requires LPDs to provide certain disclosures when requesting or requiring that broiler growers make additional capital investments (§ 201.112).

At the time of publication, AMS estimated that the Payment Systems rule would result in significant costs to both LPDs and poultry growers with no quantifiable benefits.<sup>1</sup> AMS acknowledged it could not rule out the possibility of increased compliance costs, fewer growers participating in the market, and/or reduced production efficiencies, all of which could lead to higher consumer prices.<sup>2</sup>

In the explanatory statement accompanying the Continuing Appropriations, Agriculture, Legislative Branch, Military Construction and Veterans Affairs, and Extensions Act, 2026 (Pub. L. 119–37),<sup>3</sup> Congress encouraged the Department to delay implementation of the final rule.<sup>4</sup>

On March 18, 2026, AMS published a proposed rule, “Poultry Grower Payment Systems and Capital Improvement Systems; Delay of Effective Date” (the Proposed Delay), proposing to delay the effective date of

<sup>1</sup> See “Poultry Grower Payment Systems and Capital Improvement Systems,” 90 FR 5146, 5196, 5201, January 16, 2025.

<sup>2</sup> See *id.* at 5198–9.

<sup>3</sup> Continuing Appropriations, Agriculture, Legislative Branch, Military Construction and Veterans Affairs, and Extensions Act, 2026, Public Law 119–37, 139 Stat. 495 (November 12, 2025).

<sup>4</sup> 171 Cong. Rec. S8047 (daily ed. November 9, 2025) (Explanatory Statement Submitted by Ms. Collins, Chair of the Senate Committee on Appropriations, Regarding H.R. 5371, the Continuing Appropriations, Agriculture, Legislative Branch, Military Construction and Veterans Affairs, and Extensions Act, 2026) (“The agreement encourages the Department to delay implementation of the final rule entitled ‘Poultry Grower Payment Systems and Capital Improvement Systems’, published by the Department of Agriculture in the **Federal Register** on January 16, 2025 (90 FR 5146 *et seq.*).”)