

106TH CONGRESS
1ST SESSION

H. R. 2237

To authorize the Secretary of Agriculture to provide emergency assistance to apple producers and onion producers in the State of New York who incurred extensive crop losses in 1998.

IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 1999

Mr. GILMAN (for himself, Mr. WALSH, Mr. McHUGH, and Mrs. KELLY) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To authorize the Secretary of Agriculture to provide emergency assistance to apple producers and onion producers in the State of New York who incurred extensive crop losses in 1998.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. EMERGENCY CROP LOSS ASSISTANCE FOR NEW**
4 **YORK APPLE PRODUCERS.**

5 (a) ASSISTANCE AUTHORIZED.—In addition to other
6 authorities available to the Secretary of Agriculture to
7 provide assistance to apple producers who incur crop
8 losses, the Secretary may provide assistance under this

1 section to apple producers in the State of New York who
2 incurred losses in 1998 to apple crops due to damaging
3 weather or related conditions.

4 (b) SPECIAL RULES.—In providing assistance to
5 apple producers under this section, the Secretary shall cal-
6 culate the amount of a apple producer's payment in a
7 manner that—

8 (1) does not discount excess juice production;

9 (2) allows producers in 1998 to use their histor-
10 ical production as a yield basis;

11 (3) ensures that losses in each marketing cat-
12 egory (primary, secondary, and tertiary) are only
13 added together, and not subtracted as currently pro-
14 posed by the Department of Agriculture; and

15 (4) uses the 5-year average market price for ap-
16 ples in New York as established by the National Ag-
17 riculture Statistics Service.

18 (c) MAXIMUM PAYMENT LIMITATION.—In providing
19 assistance to apple producers under this section, the max-
20 imum payment limitation per farm shall be equal to the
21 higher of—

22 (1) \$80,000; or

23 (2) the product of \$1,350 and the total farm
24 orchard acreage.

1 (d) IMPLEMENTATION.—The Secretary shall issue
2 guidelines for the provision of assistance under this sec-
3 tion, which shall be available to affected apple producers
4 not later than 30 days after the date of the enactment
5 of this Act. Subject to the availability of funds for this
6 purpose, the Secretary shall make payments available
7 under this section in an expeditious time frame in order
8 to alleviate the severe financial strain of New York State
9 apple producers.

10 **SEC. 2. EMERGENCY CROP LOSS ASSISTANCE FOR NEW**
11 **YORK ONION PRODUCERS.**

12 (a) ASSISTANCE AUTHORIZED.—In addition to other
13 authorities available to the Secretary of Agriculture to
14 provide assistance to onion producers who incur crop
15 losses, the Secretary may provide assistance under this
16 section to onion producers in the State of New York who
17 incurred losses in 1998 to onion crops due to damaging
18 weather or related conditions.

19 (b) ELIGIBILITY REQUIREMENTS.—To be eligible for
20 assistance under this section, the Secretary must conclude
21 that, because of damaging weather or related condition in
22 1998, the total quantity of the 1998 onion crop that a
23 New York onion producer was able to harvest was less
24 than 65 percent of the producer's historical yield. The Sec-
25 retary may accept information provided by insurance ad-

1 justors or the Cooperative Extension Service to verify a
2 producer's loss in yield.

3 (c) CALCULATION OF PAYMENT.—

4 (1) PAYMENT FORMULA.—In providing assist-
5 ance to an eligible onion producer under this section,
6 the per acre amount of the producer's payment shall
7 be equal to the product of—

8 (A) .65;

9 (B) the applicable annual percentage his-
10 tory; and

11 (C) payment rate.

12 (2) ANNUAL PERCENTAGE HISTORY.—For pur-
13 poses of paragraph (1)(B), a producer may select as
14 the producer's annual percentage history either the
15 producer's own historical yield before 1996, per hun-
16 dredweight, or the New York State average of 298
17 cwt.

18 (3) PAYMENT RATE.—For purposes of para-
19 graph (1)(C), the Secretary shall use the 5-year av-
20 erage market price for yellow onions of \$15.00 cwt.

21 (d) IMPLEMENTATION.—The Secretary shall issue
22 guidelines for the provision of assistance under this sec-
23 tion, which shall be available to affected onion producers
24 not later than 30 days after the date of the enactment
25 of this Act. Subject to the availability of funds for this

1 purpose, the Secretary shall make payments available
2 under this section in an expeditious time frame in order
3 to alleviate the severe financial strain of New York State
4 onion producers.

5 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

6 There is authorized to be appropriated \$40,000,000
7 to carry out this Act.

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