

112TH CONGRESS
1ST SESSION

H. R. 2675

To amend the Food, Conservation, and Energy Act of 2008 to authorize producers on a farm to produce fruits and vegetables for processing on the base acres of the farm.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2011

Mr. RIBBLE (for himself, Mr. WALZ of Minnesota, Mr. PENCE, Ms. BALDWIN, Mr. HULTGREN, Mr. STUTZMAN, Mr. SCHILLING, Mr. KIND, Mr. PETRI, Mr. DONNELLY of Indiana, and Mr. DUFFY) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Food, Conservation, and Energy Act of 2008 to authorize producers on a farm to produce fruits and vegetables for processing on the base acres of the farm.

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. SHORT TITLE.**

4 This Act may be cited as the “Farming Flexibility
5 Act of 2011”.

1 **SEC. 2. PRODUCTION OF FRUITS AND VEGETABLES FOR**
2 **PROCESSING ON COVERED COMMODITY BASE**
3 **ACRES.**

4 (a) MUNG BEANS AND PULSE CROPS.—Section
5 1107(b)(3)(B) of the Food, Conservation, and Energy Act
6 of 2008 (7 U.S.C. 8717(b)(3)(B)) is amended by striking
7 “(other than mung beans and pulse crops)”.

8 (b) AUTHORITY FOR PRODUCTION OF FRUITS AND
9 VEGETABLES FOR PROCESSING.—Section 1107(d) of the
10 Food, Conservation, and Energy Act of 2008 (7 U.S.C.
11 8717(d)) is amended to read as follows:

12 “(d) AUTHORITY FOR PRODUCTION OF FRUITS AND
13 VEGETABLES FOR PROCESSING.—

14 “(1) PLANTING AUTHORIZED.—Beginning with
15 the 2012 crop year, notwithstanding paragraphs (1)
16 and (2) of subsection (b) and in addition to the ex-
17 ceptions provided in subsection (c), producers on a
18 farm may reduce the base acres for any covered
19 commodity for the farm for a crop year by one acre
20 for each acre used for the planting and production
21 of fruits or vegetables (other than potatoes) for
22 processing.

23 “(2) CONTRACT AND MANAGEMENT REQUIRE-
24 MENTS.—Producers on a farm shall—

25 “(A) demonstrate to the Secretary that the
26 producers on the farm have entered into a con-

1 tract to produce a crop of a commodity speci-
2 fied in paragraph (1) for processing;

3 “(B) agree to produce the crop as part of
4 a program of crop rotation on the farm to
5 achieve agronomic and pest and disease man-
6 agement benefits; and

7 “(C) provide evidence of the disposition of
8 the crop.

9 “(3) REVERSION TO COVERED COMMODITY
10 BASE ACRES.—Each acre of a farm devoted to the
11 planting and production of fruits or vegetables under
12 paragraph (1) shall be included in the base acres for
13 the covered commodity for the subsequent crop year,
14 unless the producers on the farm make the election
15 described in paragraph (1) for the subsequent crop
16 year.

17 “(4) RECALCULATION OF BASE ACRES.—

18 “(A) IN GENERAL.—Subject to subpara-
19 graph (B), if the Secretary recalculates the base
20 acres for a farm, the planting of fruits and
21 vegetables under paragraph (1) shall be consid-
22 ered to be the same as the planting, prevented
23 planting, or production of a covered commodity.

1 “(B) PROHIBITION.—Nothing in this para-
2 graph provides authority for the Secretary to
3 recalculate base acres for a farm.”.

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