

price loss coverage payments or agriculture risk coverage payments if the sum of the base acres on the farm is 10 acres or less, as determined by the Secretary.

**(2) Exceptions**

Paragraph (1) does not apply to a producer that is—

(A) a socially disadvantaged farmer or rancher (as defined in section 2003(e) of this title); or

(B) a limited resource farmer or rancher, as defined by the Secretary.

**(e) Effect of planting fruits and vegetables**

**(1) Reduction required**

In the manner provided in this subsection, payment acres on a farm shall be reduced in any crop year in which fruits, vegetables (other than mung beans and pulse crops), or wild rice have been planted on base acres on a farm.

**(2) Price loss coverage and county coverage**

In the case of price loss coverage payments and agricultural risk coverage payments using county coverage, the reduction under paragraph (1) shall be the amount equal to the base acres planted to crops referred to in such paragraph in excess of 15 percent of base acres.

**(3) Individual coverage**

In the case of agricultural risk coverage payments using individual coverage, the reduction under paragraph (1) shall be the amount equal to the base acres planted to crops referred to in such paragraph in excess of 35 percent of base acres.

**(4) Reduction exceptions**

No reduction to payment acres shall be made under this subsection if—

(A) cover crops or crops referred to in paragraph (1) are grown solely for conservation purposes and not harvested for use or sale, as determined by the Secretary; or

(B) in any region in which there is a history of double-cropping covered commodities with crops referred to in paragraph (1) and such crops were so double-cropped on the base acres, as determined by the Secretary.

(Pub. L. 113-79, title I, §1114, Feb. 7, 2014, 128 Stat. 666.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (d)(1), was in the original “this title”, meaning title I of Pub. L. 113-79, Feb. 7, 2014, 128 Stat. 658, which is classified principally to this chapter. For complete classification of title I to the Code, see Tables.

**§ 9015. Producer election**

**(a) Election required**

For the 2014 through 2018 crop years, all of the producers on a farm shall make a 1-time, irrevocable election to obtain—

(1) price loss coverage under section 9016 of this title on a covered commodity-by-covered-commodity basis; or

(2) agriculture risk coverage under section 9017 of this title.

**(b) Coverage options**

In the election under subsection (a), the producers on a farm that elect under paragraph (2)

of such subsection to obtain agriculture risk coverage under section 9017 of this title shall unanimously select whether to receive agriculture risk coverage payments based on—

(1) county coverage applicable on a covered commodity-by-covered-commodity basis; or

(2) individual coverage applicable to all of the covered commodities on the farm.

**(c) Effect of failure to make unanimous election**

If all the producers on a farm fail to make a unanimous election under subsection (a) for the 2014 crop year—

(1) the Secretary shall not make any payments with respect to the farm for the 2014 crop year under section 9016 or 9017 of this title; and

(2) the producers on the farm shall be deemed to have elected price loss coverage under section 9016 of this title for all covered commodities on the farm for the 2015 through 2018 crop years.

**(d) Effect of selection of county coverage**

If all the producers on a farm select county coverage for a covered commodity under subsection (b)(1), the Secretary may not make price loss coverage payments under section 9016 of this title to the producers on the farm with respect to that covered commodity.

**(e) Effect of selection of individual coverage**

If all the producers on a farm select individual coverage under subsection (b)(2), in addition to the selection and election under this section applying to each producer on the farm, the Secretary shall consider, for purposes of making the calculations required by subsections (b)(2) and (c)(3) of section 9017 of this title, the producer’s share of all farms in the same State—

(1) in which the producer has an interest;

and

(2) for which individual coverage has been selected.

**(f) Prohibition on reconstitution**

The Secretary shall ensure that producers on a farm do not reconstitute the farm to void or change an election or selection made under this section.

(Pub. L. 113-79, title I, §1115, Feb. 7, 2014, 128 Stat. 667.)

**§ 9016. Price loss coverage**

**(a) Price loss coverage payments**

If all of the producers on a farm make the election under subsection (a) of section 9015 of this title to obtain price loss coverage or, subject to subsection (c)(1) of such section, are deemed to have made such election under subsection (c)(2) of such section, the Secretary shall make price loss coverage payments to producers on the farm on a covered commodity-by-covered-commodity basis if the Secretary determines that, for any of the 2014 through 2018 crop years—

(1) the effective price for the covered commodity for the crop year; is less than

(2) the reference price for the covered commodity for the crop year.

**(b) Effective price**

The effective price for a covered commodity for a crop year shall be the higher of—