

2018 Farm Bill Highlights

Title I – Commodities

- Language from the 2014 Farm Bill that ensures hybrid seed producers are eligible for commodity programs was maintained in the 2018 Farm Bill.

Title II – Conservation

- **Conservation Reserve Program**
 - Maximum acreage increase to 27 million acres (formerly capped at 24 million acres).
 - Payments capped at 85 percent of local rental rates for general signup acreage and 90 percent for land enrolled through continuous signup.
 - Cost share for seeds in CRP is capped at 50 percent. The original House language capped cost share for seeds at 25%, which ASTA strongly opposed.
 - Language from Conference report: *Furthermore, the Managers are concerned that the complexity and expenses associated with seed mixes under CRP have led to frustration on the part of landowners, a waste of taxpayer dollars, and in some cases inferior cover on the ground if the mix fails to take root. The Managers hope that USDA will consider the hardiness and suitability of seed mixtures when recommending multiple species blends, and consider seed mixtures that contain fewer, hardier species and provide adequate cover for wildlife and pollinators on sites where cover is difficult to establish or maintain.*
- **Soil Health and Income Protection Program (SHIPP)**
 - A pilot program was created to allow farmers to take land out of production under shorter contracts than currently permitted by CRP.
 - Limited to 50,000 acres in 6 states: SD, ND, MT, NE, IA, and MN.
 - Contracts limited to 5 years.
- **Conservation Stewardship Program (CSP)**
 - Remains a standalone program (House bill proposed to merge CSP and EQIP).
 - Expiring CSP contracts are no longer eligible for automatic renewal.
 - Funding reduced from \$1.8 billion per year to no more than \$1 billion per year.
 - Savings from CSP used to fund expanded EQIP, RCPP, and ACEP (Agricultural Conservation Easement Program).
- **Environmental Quality Incentives Program (EQIP)**
 - Funding increased over life of bill to reach levels of \$2.025 billion by 2023 (final year of bill).
- **Regional Conservation Partnership Program (RCPP)**
 - Funded at \$300 million/year.
 - Moved from a “companion program” to a standalone program with separate rules from other Title II programs.

Title III – Trade

- **USDA Cooperator Programs (MAP, FMD, TASC, EMP)**
 - Four individual programs consolidated under one umbrella – the Agricultural Trade Promotion and Facilitation Program. Language provides \$255 million annually in mandatory funding for the four programs, to be divided as such:
 - Market Access Program – no less than \$200 million annually
 - Foreign Market Development program – no less than \$34.5 million annually
 - Technical Assistance for Specialty Crops – \$9 million annually

- Emerging Markets Program – no more than \$8 million annually

Title VII – Research

- **National Strategic Germplasm and Cultivar Collection Assessment and Utilization Plan**
 - Language directs USDA to develop, publish, and implement a national strategic germplasm and cultivar collections assessment and utilization plan of the National Plant Germplasm System.
- **High Priority Research and Extension Initiatives**
 - Language from Conference report: *The Managers are aware that pollinators are responsible for the production of one-third of the U.S. food supply, but that managed honey bees continue to die off in alarming numbers, resulting in steady annual input cost increases to maintain sufficient managed colony numbers to pollinate America's crops. Because of the importance of pollinators in the production of the nation's food supply and their impact on the stability of our agricultural economy, the Managers have included additional honeybee and pollinator research requirements. Specifically, the Managers have included provisions to facilitate coordination of honeybee and pollinator research efforts USDA-wide and ensure adequate input from the pollinator, beekeeper, grower, and scientific communities. To further address the protection of pollinators, the Managers encourage the continuation of government-wide collaboration and policy development through the Pollinator Health Task Force.*
- **Organic Agriculture Research and Extension Initiative**
 - Language provides OREI funding at the following levels: \$20 million for 2019 and 2020, \$25 million for 2021, \$30 million for 2022 and \$50 million for 2023.
- **Urban and Indoor Agriculture**
 - The bill provides \$4 million in mandatory funding for research grants to enhance urban, indoor, or other emerging agricultural production methods. It requires USDA to conduct a census of urban, indoor, and other emerging agricultural production and provides a separate authorization of an additional \$14 million for the period of fiscal years 2019 through 2021 to carry out this census.
- **Foundation for Food and Agriculture Research**
 - The Foundation is funded at \$185 million, but FFAR must first provide Congress a detailed plan that includes a plan for soliciting additional resources. (The 2014 Farm Bill established the foundation with \$200 million)

Title X – Horticulture

- **Organic Certification**
 - The Farm Bill provides USDA with \$5 million to collect data on the organic sector, in an effort to crack down on the importation of fraudulent organic products. The bill also contains language making minor modifications to the National Organic Standards Board.
- **Plant Variety Protection**
 - Language is included in the Farm Bill modifying the Plant Variety Protection Act and expanding its scope to incorporate asexually propagated plants. The bill defines the term “asexually reproduced”; adds asexual multiplication as an act constituting infringement of plant variety protection; and protects asexual reproducible plant material from certain acts in connection with the sale, offering for sale or the advertising of such material.
 - Language from Conference report: *The Managers recognize the importance of expanding the scope of the Plant Variety Protection Act to provide the same rights and protections provided to breeders of asexually propagated plants. The Managers expect the Department of Agriculture to promulgate the necessary rules and guidance to implement these amendments to the Plant Variety Protection Act no later than 1 year after the date of enactment of this Act.*

- **Hemp Production**
 - The bill contains language which authorizes states or tribes to regulate the production of industrial hemp. It further defines hemp as “as the plant *cannabis sativa* L, or any part of that plant, including seeds, derivatives, and extracts, with a delta-9 tetrahydrocannabinol (THC) concentration of not more than 0.3 percent on a dry weight basis.”
 - Clarifies information sharing between USDA, HHS, and FDA regarding hemp and hemp products.
- **Plant Biostimulants**
 - The bill authorizes a report on plant biostimulants and allows USDA to conduct a study on the definition of a plant biostimulant.
 - For the purpose of the study, a plant biostimulant is defined as “a substance or micro-organism that, when applied to seeds, plants, or the rhizosphere, stimulates natural processes to enhance or benefit nutrient uptake, nutrient efficiency, tolerance to abiotic stress, or crop quality and yield.” The bill gives USDA the flexibility to modify that definition, as appropriate.
 - Language from Conference report: *The Managers recognize the importance of plant biostimulants as an emerging technology for production agriculture. The Managers intend for the Secretary of Agriculture, in consultation with Administrator of the EPA, States, and relevant stakeholders, to provide a report to Congress that identifies any potential regulatory, nonregulatory, and legislative recommendations, including the appropriateness of any definitions for plant biostimulants. The Managers intend for this report to facilitate the regulatory framework for plant biostimulant products and ensure the efficient and appropriate review, approval, uniform national labeling, and availability of these products to agricultural producers.*

Title XI – Crop Insurance

- **Cover Crops**
 - The bill has language codifying the regulations between RMA and NRCS regarding crop insurance. While the Senate bill included similar language, the Senate language referred to all voluntary conservation practices – the conference report language has been modified to refer solely to cover crops.
 - Language from Conference report: *The Managers note that producers considering voluntary conservation practices like cover crops, whether directly through a USDA conservation program or informally according to USDA’s recommended procedures, should have confidence that following the program guidance, procedures or advice will not impact their insurability or protection under Federal Crop Insurance. The Managers expect USDA to coordinate internally and provide clear guidance to farmers, agents and loss adjustors to ensure that guidance, procedures, or advice regarding voluntary conservation practices from one part of USDA does not potentially put other USDA benefits at risk.*