

113TH CONGRESS  
1ST SESSION

# H. R. 1610

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.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 17, 2013

Mr. RIBBLE (for himself, Mr. WALZ, Mr. GIBBS, Mr. ROKITA, Mr. PETRI, and Mr. DUFFY) introduced the following bill; which was referred to the Committee on Agriculture

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## 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 2013”.

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 2014 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 fruits and vegetables (other  
2 than potatoes) for processing;

3 “(B) agree to produce fruits and vegeta-  
4 bles (other than potatoes) as part of a program  
5 of crop rotation on the farm to achieve agro-  
6 nomic and pest and disease management bene-  
7 fits; and

8 “(C) provide evidence of the disposition of  
9 the fruits or vegetables (other than potatoes).

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

18 “(4) RECALCULATION OF BASE ACRES.—

19 “(A) IN GENERAL.—Subject to subpara-  
20 graph (B), if the Secretary recalculates the base  
21 acres for a farm, the planting of fruits and  
22 vegetables under paragraph (1) shall be consid-  
23 ered to be the same as the planting, prevented  
24 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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