



Specialty Crops: 2008 Farm Bill Issues

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January 13, 2009

Congressional Research Service

7-5700

www.crs.gov

RL33520

Summary

Congress has completed action on omnibus legislation to replace expiring law governing the programs and policies of the U.S. Department of Agriculture (USDA). The new Food, Conservation, and Energy Act of 2008 (P.L. 110-246, H.R. 6124) contains provisions on marketing, crop insurance and disaster assistance, protection against pests and diseases, export promotion, research, and domestic food assistance, all of which are important to the competitiveness of the specialty crop sector of U.S. agriculture. The sector includes fruit, vegetable, tree nut, and nursery crop producers, processors, manufacturers, wholesalers, importers, and exporters.

Although specialty crops are not eligible for direct support under USDA's farm commodity price and income support programs, the policies that Congress sets for the those programs affect them. Chief among these policies is one that largely restricts commodity program participants from planting fruits and vegetables on program base acres. Specialty crop interests long have maintained that the provision is essential to protect the sector from the economic damage that could occur if additional acres of vegetables (in particular) suddenly came into production. The Food, Conservation, and Energy Act of 2008 extends the planting restriction through FY2012, but authorizes a pilot program in seven midwestern states to allow planting of fruits and vegetables—exclusively for processing—on base acres.

P.L. 110-246 also includes, for the first time in the history of the farm bill, a separate title covering horticultural (specialty) and organic crops (Title X). The title provides substantial mandatory funding over the life of the farm bill and beyond for several major new and continuing programs. The key provisions include (1) reauthorization of the program making block grants to states for research, marketing, and promotion projects benefitting specialty crops, providing \$466 million over 10 years in mandatory funds; (2) reauthorization of the program of cost-share assistance to producers for organic certification, with a one-time transfer of \$22 million in mandatory funds; (3) expansion of the current Farmers' Market Promotion Program to increase direct farmer-to-consumer marketing opportunities, providing \$33 million in mandatory funds; (4) establishment of a federal/state pest and disease detection and control program with \$377 million in mandatory funds over 10 years; and (5) creation of a network of nurseries to grow pest- and disease-free plant stocks for horticultural crops, with \$20 million in mandatory funds. The title also contains a section authorizing \$10 million annually in appropriations for research on colony collapse disorder in honeybees.

The nutrition title of P.L. 110-246 contains provisions intended to increase the availability of fresh fruits and vegetables in the school lunch and other domestic nutrition assistance programs. For greater detail on these provisions, see CRS Report RL33829, *Domestic Food Assistance: The Farm Bill and Other Legislation in the 110th Congress*, coordinated by Joe Richardson.

This report will not be updated.

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Introduction

Specialty crops (fruits, vegetables, tree nuts, and nursery crops) are not eligible for direct support under USDA's farm commodity price and income support programs. Nonetheless, the policies that Congress sets for those programs significantly affect the specialty crop sector's economic well-being. Federal policies on trade, conservation, credit, marketing programs, domestic food assistance, and research also all affect the specialty crop sector.¹

Congress sets the policies in these areas, for the most part, in an omnibus, multi-year authorizing law commonly called the "farm bill." In May 2008, Congress passed a new farm bill to replace the previous one, the Farm Security and Rural Investment Act of 2002 (P.L. 107-171), which expired in 2007 (Congress extended it until the new bill could be enacted).

Some stakeholders and policymakers called for specialty crop issues to occupy a larger role in farm bill policy discussions than in the past. They noted that the traditional farm commodity support programs are under pressure from constraints on the federal budget, as well as from developments in existing trade obligations and from negotiations on further trade agreements.² Policies covering U.S. agriculture more comprehensively could provide a way to address those pressures while increasing U.S. competitiveness, they argued.

Several major legislative proposals focusing on policies and programs of importance to the specialty crop sector were introduced in the 110th Congress in preparation for the 2007 farm bill debate. These bills included H.R. 1600 (Cardoza), the EAT Healthy America Act; H.R. 1551 (Kind)/S. 919 (Menendez), the Healthy Farms, Foods, and Fuels Act; and S. 1160 (Stabenow), the Specialty Crops Competition Act, among others. The Administration also proposed several policy reforms affecting specialty crops as part of the comprehensive 2007 farm bill proposal that it released in February 2007. A number of stakeholder groups also issued position statements concerning the specialty crops issues they wanted to see addressed in the new farm bill.

Sector Snapshot

Sales of fruits, vegetables, and tree nuts account for nearly one-third of U.S. crop cash receipts and one-fifth of U.S. agricultural exports, according to USDA's Economic Research Service (ERS). When floriculture, greenhouse, and nursery crops are included, specialty crops account for approximately 50% of all U.S. cash receipts of farm crops.³

Despite their relatively large share of crop receipts, specialty crops occupy only about 3% of U.S. harvested cropland. Although certain states and regions are predominant, nearly every state has some commercial specialty crop production within its borders. **Figure 1**, **Figure 2**, and **Figure 3** illustrate the distribution, nationwide, of areas producing fruits, vegetables, tree nuts, and nursery

¹ For background information on all federal programs affecting specialty crops, see CRS Report RL32746, *Fruits, Vegetables, and Other Specialty Crops: A Primer on Government Programs*, by Jean M. Rawson.

² For information on the relationship between international trade negotiations and U.S. farm policy, see CRS Report RS21905, *Agriculture in the WTO Doha Round: The Framework Agreement and Next Steps*, by Charles E. Hanrahan.

³ *Fruit and Vegetable Background* (USDA, Economic Research Service, April 2006) is the source for all the statistical information in this section. It is available online at <http://www.ers.usda.gov/>.

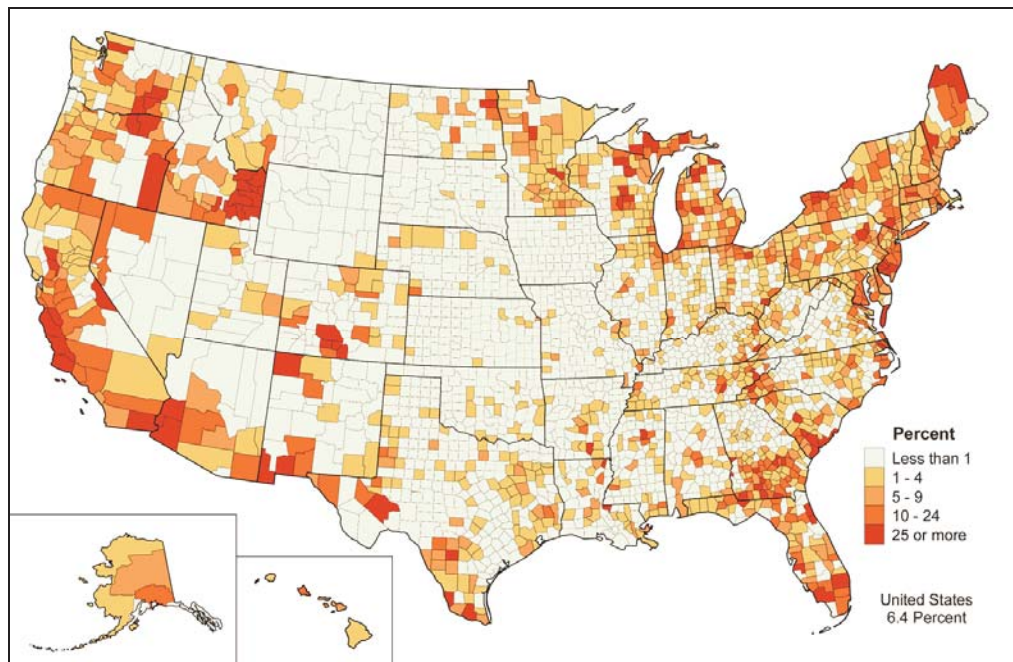
crops, shown as percentages of the total market value of agricultural products sold (including livestock).⁴

About three-fourths of growers are considered specialized, which means that they receive at least half of their gross value of production from the sale of fruits, vegetables, tree nuts or horticultural crops. According to ERS survey data, specialized farms account for 95% of the total value of U.S. specialty crop production, although more than half of them have annual sales of less than \$250,000 and identify off-farm income as their primary means of support. Specialized farms may produce one or two other commodities in addition to their specialty crop, according to ERS, and about 15% of them also participate in the major commodity support programs.

The remaining 5% of the value of U.S. specialty crop production comes from non-specialized fruit and vegetable farms, which may produce as many as four other commodities (often including livestock) besides their specialty crop. Nearly half of these farms grow one or more of the major commodity crops and participate in the price and income support programs, according to ERS.

Vegetables, dry beans, and potatoes—for processing—are grown primarily on large-acreage, non-specialized commercial farms. California is the overwhelming leader in production, but certain states in the Northeast, Central and Upper Midwest, and Pacific Northwest also are major producers.

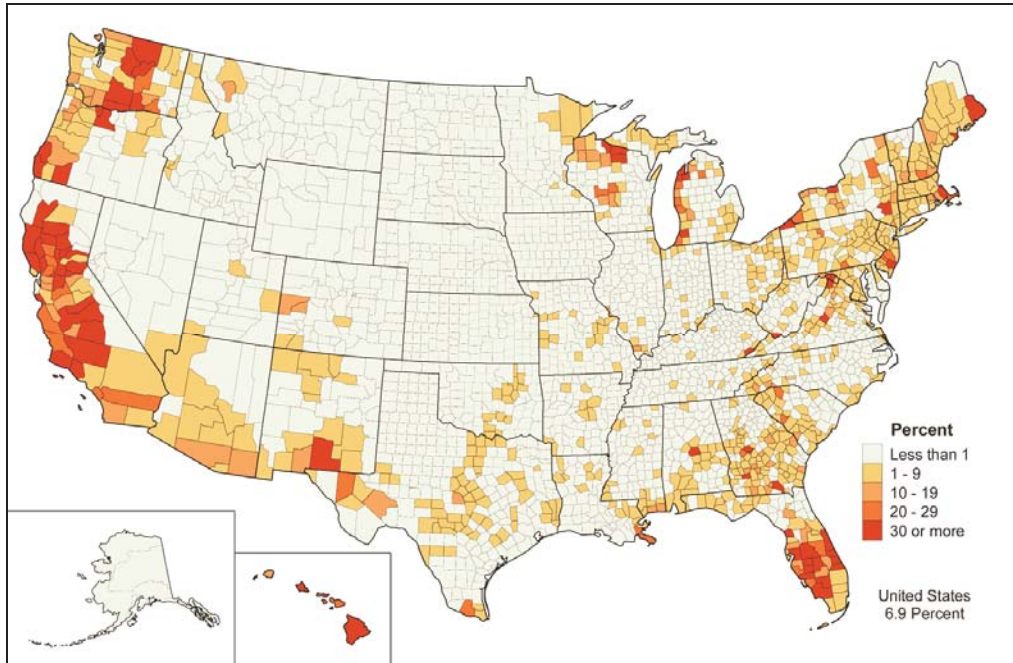
Figure 1. Value of Vegetables, Melons, Potatoes, and Sweet Potatoes as Percent of Total Market Value of Agricultural Products Sold: 2002



Source: U.S. Department of Agriculture, National Agricultural Statistics Service (02-M021)

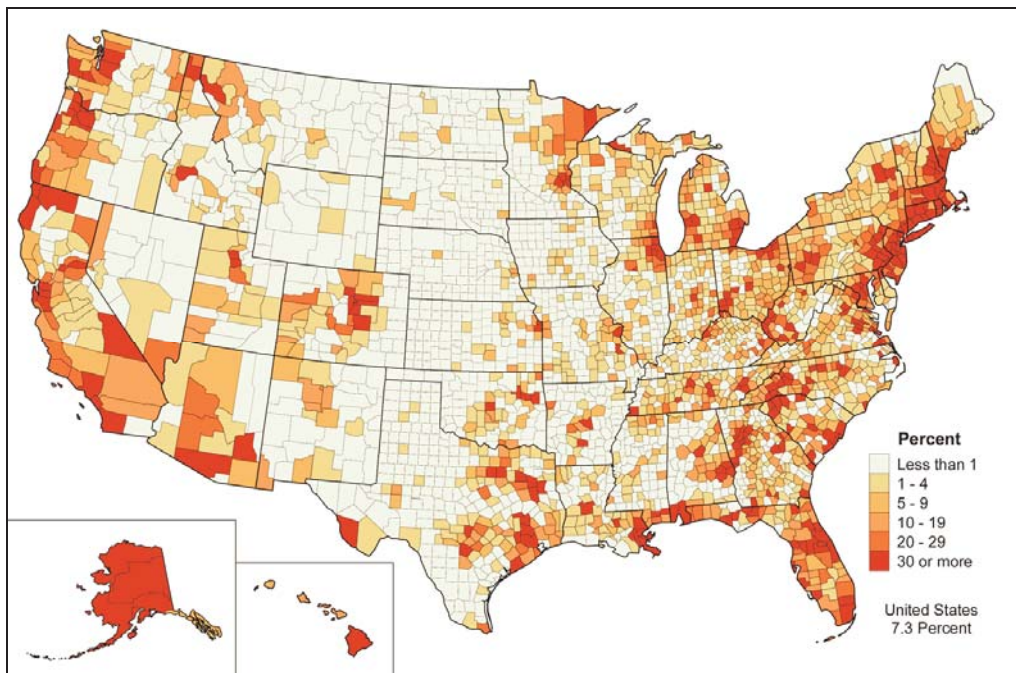
⁴ The maps show the value of specialty crops as a percent of total market value of all agricultural products sold, including livestock. Data from ERS's *Fruit and Vegetable Backgrounder*, cited above in this section, compare specialty crop values to other *crop* values.

Figure 2. Value of Fruits, Tree Nuts, and Berries as Percent of Total Market Value of Agricultural Products Sold: 2002



Source: U.S. Department of Agriculture, National Agricultural Statistics Service (02-M022)

Figure 3. Value of Nursery, Greenhouse, Floriculture, and Sod as Percent of Total Market Value of Agricultural Products Sold: 2002



Source: U.S. Department of Agriculture, National Agricultural Statistics Service (02-M023)

Selected Issues and Their Status in the Enacted 2008 Farm Bill⁵

The **Appendix** compares the horticulture and organic production policies set in the 2002 farm bill (P.L. 107-171) with the provisions in the House- and Senate-passed farm bill (H.R. 2419) and the enacted Food, Conservation, and Energy Act of 2008 (P.L. 110-246).

Planting Flexibility⁶

A persistent issue for the specialty crop industry is the status of continuation of a policy set in previous farm bills that restricts the ability of participants in the farm income and commodity price support programs to plant fruits and vegetables on acres on which they receive benefits (base acres). Congress first inserted this provision in the 1996 farm act (P.L. 104-127), after it had adopted a proposal to allow producers of program crops to respond to market signals and grow different crops on base acreage. The restriction was extended through 2007 by the 2002 farm bill.

Specialty crop producers, in general, have maintained since 1996 that allowing program crop producers to switch even small numbers of acres to fruits or vegetables would negatively affect markets, and thus growers' annual income. In 2005, a World Trade Organization (WTO) challenge to U.S. farm commodity programs raised questions concerning the use of the planting flexibility restriction under existing trade commitments.⁷ Discussion on whether to extend the restriction in the next farm bill thus has an important trade policy aspect as well as domestic market aspect.

A number of reports have been issued since late 2006 that examine the possible effects on domestic fruit and vegetable producers of eliminating the planting restriction. These analyses suggest that the adverse effects of removing the restriction likely would be small relative to the overall industry, although there could be larger impacts on individual producers, commodities, and regions.

In the Enacted Bill

The Food, Conservation, and Energy Act of 2008 (P.L. 110-246) maintains the 2002 farm bill provision restricting the planting of fruits and vegetables on base acres. However, the act authorizes a pilot project in seven midwestern states that will allow fruits and vegetables—exclusively for processing—to be planted on 75,000 base acres. USDA is required to evaluate and report to Congress on the impact the pilot project is having on the price and supply of both fresh and processed fruits and vegetables.

⁵ For a comparison of the provisions in P.L. 110-246 with the provisions in the House and Senate bills, and with previous law, see CRS Report RL34696, *The 2008 Farm Bill: Major Provisions and Legislative Action*, by Renée Johnson et al.

⁶ For detailed analysis of this issue, see CRS Report RL34019, *Eliminating the Planting Restrictions on Fruits and Vegetables in the Farm Commodity Programs*, by Renée Johnson and Jim Monke.

⁷ For more detailed information and analysis of this issue, see CRS Report RS22187, *Brazil's WTO Case Against the U.S. Cotton Program: A Brief Overview*, by Randy Schnepf and CRS Report RL33697, *Potential Challenges to U.S. Farm Subsidies in the WTO*, by Randy Schnepf.

Government Purchases for Nutrition Programs

USDA directly purchases and then donates a variety of non-price supported commodities, including fruit, vegetable, and tree nut products, for consumption through domestic nutrition and food assistance programs. These purchases and donations help groups of nutritionally vulnerable recipients (such as low-income school children, participants at family child care homes, and others) to eat a healthy diet and avoid hunger, while also helping to balance supply and demand for various commodities.

In the Enacted Bill

Section 10603 requires USDA to purchase additional fruits, vegetables, and nuts for nutrition assistance programs, above the traditional purchases of \$200 million per year. USDA must purchase an additional \$190 million in FY2008; \$193 million in FY2009; \$199 million in FY2010; \$203 million in FY2011; and \$206 million in FY2012 and thereafter. Section 10101 requires the Secretary to arrange for an independent evaluation of USDA's purchasing process in order to ensure that the funds are principally devoted to procuring fresh fruits and vegetables.

The enacted bill also creates a new program to provide fresh fruits and vegetables to elementary schools, replacing a program that began as a pilot project in a limited number of states. The new program will operate in all states, in those elementary schools that the state designates. The act provides mandatory funding of \$40 million in October 2008; \$65 million in July 2009; \$101 million in July 2010; and \$150 million in July 2011. Funding in future years will be indexed for inflation. Half of the annual funding will be divided equally among the states, and the remaining half will be allocated under a formula based on population.

Market Expansion Through Promotion Programs

A key provision of the Specialty Crops Competitiveness Act of 2004 (P.L. 108-465), which was the first law that Congress passed on specialty crop policies specifically, was the authorization, through FY2009, of a program of block grants to states to support projects in research, marketing, education, pest and disease management, production, and food safety. In most states, the state department of agriculture administers this program. The act authorized \$44.5 million in annual appropriations for the program; Congress appropriated \$7 million in each of FY2006-FY2008.

Expansion of this program and an effort to provide mandatory funding for it was a major focus in the farm bill debate. Specialty crop interests have consistently urged Congress to provide mandatory funds for the block grant program, arguing that the government should increase its investment in the sector in light of its value to U.S. agriculture as a whole. However, producer groups and lawmakers from states where commodity crops predominate were not in favor of redirecting money to support other programs if it meant reducing the current level of support for the commodity programs.

In the Enacted Bill

Title X of P.L. 110-246 extends the program of block grants to states and provides mandatory funding for the program totaling \$224 million over the five-year farm bill period. Congress did not redirect commodity program funds to support the block grant program. The House bill would

have provided \$365 million in mandatory funding; the Senate bill would have provided \$270 million from FY2008 through FY2011.

The rural development title of P.L. 110-246 reauthorizes and provides \$15 million in mandatory funding for the Value-Added Producer Grants program that was created by the Agricultural Risk Protection Act of 2000 (P.L. 106-224). The program makes planning grants and provides working capital for marketing value-added agricultural products. The new act stipulates that 10% of the funding be set aside for beginning and socially disadvantaged farmers and ranchers, and that another 10% be reserved to help small and medium-sized farm operations make marketing alliances with other segments of the supply chain. Organic producers also are eligible to receive these grants.

The trade title of the conference agreement provides \$37 million in mandatory funding over a five-year period for Technical Assistance for Specialty Crops (TASC), a program that helps exporters of U.S. specialty crops overcome other countries' non-tariff trade barriers, particularly those associated with plant pest and disease concerns.

The trade title also maintains mandatory funding for the Market Access Program (MAP) at \$200 million annually, and specifies that organically produced commodities are eligible for marketing assistance. MAP is a cost-share program between USDA and commodity organizations or agribusinesses to promote U.S. agricultural products overseas.

Disease and Pest Protection

Stakeholders traditionally have expressed the concern that efforts to identify and mitigate the effects of existing pest and disease threats and to prevent the importation of new ones need to be strengthened. H.R. 1600 (the EAT Healthy America Act, introduced in early 2007) included provisions to establish a new program of cooperative agreements with states to conduct early pest detection activities, and to return the import and entry agricultural inspection functions to USDA from the Department of Homeland Security, where they were transferred in 2003. The latter provision was dropped in both the House and Senate bills, but other significant pest and disease provisions were retained in the conference agreement.

In the Enacted Bill

Title X of P.L. 110-246 establishes a cooperative federal-state program for early pest detection and surveillance and for threat identification and mitigation. The act provides mandatory funding of \$12 million for FY2009, \$45 million in FY2010, and \$50 million annually in FY2011 and FY2012. Bill language prohibits USDA from considering the availability of non-federal funds in the states' applications for federal funds.

Title X contains additional provisions relating to pest and disease control. Section 10202 provides \$5 million annually in mandatory funds over four years to establish a National Clean Plant Network to grow pest- and disease-free planting stock for the specialty crop industry. Section 10203 amends the Plant Protection Act (PPA; 7 U.S.C. 7701 et seq.), the act authorizing USDA's Animal and Plant Health Service's activities on the plant health, to increase the penalties for violating the PPA, expand the violations for which penalties are assessed, and clarify subpoena authorities under the PPA.

Research

In hearings before the farm bill debate, specialty crops producers and trade associations argued strongly in favor of increasing federal expenditures for specialty crop research. They maintained that research provides critical support for the industry, without risking challenges under international trade rules. The EAT Healthy America Act (H.R. 1600) and the Administration's farm bill proposal called for using mandatory funds to substantially increase agricultural research on the production and economics of specialty crops.

In the Enacted Bill

The research title of P.L. 110-246 (Title VII) provides \$230 million in mandatory funds for a specialty crop research initiative over the five-year farm bill period and also authorizes annual appropriations of \$100 million. This amount is greater than that provided in the House and Senate bills (\$215 million and \$80 million, respectively.) Five subject areas for research—crop improvement, identification of pest and disease threats, production efficiency, improved technologies, and prevention and detection of food safety hazards—are identified to each receive at least 10% of the grant funds. Recipients must commit to providing a 100% match, either in funds or in-kind support.

Organic Agriculture

The National Organic Certification Cost-Share Program, which was established by the 2002 farm bill, authorized a one-time, mandatory transfer of \$5 million from the Commodity Credit Corporation (CCC) with which USDA helped to defray the costs of producers and handlers seeking organic certification. There was a \$500 maximum on the amount a producer could receive, and the federal share could not account for more than 75% of a producer's total costs. The transfer occurred in FY2002 and remained available until fully expended, which was in fall 2006. Certain of the farm bill proposals that were introduced or released early in 2007 called for a substantial expansion of this program. Some early farm bill proposals also contained a provision to make technical assistance available to farmers wanting to convert their operations from conventional to organic practices, and to reimburse transition costs up to \$10,000 per farm or handling operation.

In the Enacted Bill

Section 10301 extends the certification cost-share program, provides a one-time transfer of \$22 million in mandatory funds to be available until expended, and raises the maximum amount that a producer or handler can receive to \$750. Conferees deleted the requirement that the federal share of a producer or handler's certification not exceed 75%. The enacted bill also provides \$5 million in mandatory funding to improve USDA's collection of segregated data and survey information about the price, production, and marketing of major organically produced commodities. The bill contains a detailed list of required data sets, studies, and market surveys, and authorizes an additional \$25 million in appropriations over the five-year farm bill period to maintain support for these activities.

The enacted bill adds language to the conservation title (Title II) to establish that producers are eligible for technical assistance under the Environmental Quality Incentives Program (EQIP) for

converting their farm to organic production. Efforts to authorize a \$50 million program in the farm bill specifically for this purpose were not successful. The bill increases mandatory funding for all activities under EQIP by \$3.4 billion.

The 1990 farm bill established an organic agriculture research and extension initiative supported by \$3 million annually in mandatory funding. The enacted bill provides \$78 million in mandatory funds over the FY2009-FY2012 period for this initiative, and also authorizes annual appropriations of \$25 million.

Additional Provisions

The enacted bill contains a number of provisions addressing other issues of importance to the horticulture and organic agriculture communities. Among these are provisions to:

- increase the amount that orchardists and nursery tree growers can receive in payments for weather-related losses under the Tree Assistance Program from \$75,000 to \$100,000;
- authorize increasing appropriations for USDA's National Organic Program Office, starting at \$5 million in FY2008 and rising to \$11 million in FY2012, for the purpose of improving program efficiency and regulatory oversight activities;
- expand the Farmers' Market Promotion Program with \$33 million in mandatory funds over the five-year term of the farm bill;
- establish a Healthy Food Enterprise Development Center with \$5 million in mandatory funds to make competitive grants to entities that will increase low-income families' access to healthy affordable foods;
- authorize \$1 million in annual appropriations for a program to educate consumers and handlers of fresh produce on science-based sanitary handling methods;
- authorize \$9 million in annual appropriations to support market news and price information on specialty crops; and
- authorize \$10 million in annual appropriations for grants to conduct research on honeybee colony collapse disorder.

Appendix. Major Provisions of the Enacted 2008 Farm Bill (P.L. 110-246) Compared with Previous Law and House- and Senate-Passed Bills (H.R. 2419)

Prior Law/Policy	House-Passed Bill (H.R. 2419)	Senate-Passed Substitute Amendment (H.R. 2419)	Enacted 2008 Farm Bill (P.L. 110-246)
"Farm Security and Rural Investment Act of 2002" [7 U.S.C. 7901 note]	"Farm, Nutrition, and Bioenergy Act of 2007" [Sec. 1]	"Food and Energy Security Act of 2007" [Sec. 1]	"Food, Conservation, and Energy Act of 2008" [P.L. 110-246]
Title X: Horticulture and Organic Production			
Marketing and Trade Promotion, Consumer Access			
No comparable provision.	No comparable provision.	Sets definitions to apply throughout one of the bill's subtitles the terms "specialty crop," "state," and "state department of agriculture." [Sec. 1801]	Adopts Senate provision with an amendment to remove the definition of the term "State." [Sec. 10001]
No comparable provision.	Requires an independent evaluation of the commodity purchasing processes and the importance of increasing purchases of specialty crops. [Sec. 10104]	No comparable provision.	Adopts House provision with changes to require the Secretary to arrange an independent evaluation of the purchasing processes used by USDA to implement the requirement that funds available under Section 32 be principally devoted to perishable agricultural commodities. [Sec. 10101]
The Specialty Crops Competitiveness Act of 2004 [P.L. 108-465, 7 U.S.C. 1621 note] established a program of block grants to states to support projects in marketing, research, pest management, and food safety, among other purposes. Authorizes \$44.5 million annually through FY2009.	Reauthorizes the block grant program through FY2012 and provides mandatory funding starting at \$60 million in FY2008, rising to \$95 million in FY2012. Increases the number of U.S. insular areas eligible to receive grants. [Sec. 10102]	Contains an identical provision, except that funding ends after FY2011. Specifies that turfgrass sod and herbal crops also are specialty crops. [Sec. 1841]	Adopts House provision with changes to specify that any funds made available for a fiscal year under the program that are not expended by certain date, to be determined by USDA, will be reallocated to other States; change the minimum grant amount to \$100,000 or one-third of 1% of the overall funding allocated to the program in a given fiscal year (whichever is higher). Provides mandatory funding: \$10 million (FY2008); \$49 million (FY2009); and \$55 million annually (FY2010-2012). [Sec. 10109]
The Farmer-to-Consumer Direct Marketing Act established a Farmers' Market Promotion Program to promote farmers' markets, authorizing	Expands types of activities eligible for funding. Renames program the Farmer Marketing Assistance Program. Provides annual mandatory funds of \$5 million	Reauthorizes the Farmers' Market Promotion Program and provides mandatory funds of \$5 million annually in FY2008-FY2011, and \$10 million in	Adopts Senate provision with an amendment to specify that 10% of the funds available to carry out the program be used to implement electronic benefit transfer systems at

Prior Law/Policy	House-Passed Bill (H.R. 2419)	Senate-Passed Substitute Amendment (H.R. 2419)	Enacted 2008 Farm Bill (P.L. 110-246)
annual appropriations for grants to local governments and nonprofit organizations. [7 U.S.C. 3005]	(FY2008-FY2010) and \$10 million (FY2011-FY2012). [Sec. 10404]	FY2012. [Sec. 1812]	farmers' markets; and to specify mandatory funding: \$3 million (FY2008); \$5 million annually (FY2009-FY2010); \$10 million annually (FY2011-FY2012). [Sec. 10106]
No comparable provision.	Authorizes grants to a variety of public and private entities to improve transporting specialty crops to markets.	Similar to the House bill, but with minor technical differences. [Sec. 1842]	Adopts House provision with changes to allow national/state/regional organizations of producers, shippers or carriers to be eligible for grants. [Sec. 10403]
No comparable provision.	No comparable provision.	Requires the Government Accountability Office (GAO) to investigate the impact on specialty crops of lowering foreign trade barriers and to prepare a strategy for addressing the issue. [Sec. 1831]	Deletes Senate provision.
No comparable provision.	No comparable provision.	Encourages USDA and the U.S. Trade Representative to increase attention to sanitary and phytosanitary trade issues, and to develop a strategic risk management framework. [Sec. 1833]	Deletes Senate provision.
No comparable provision.	Establishes a grant program entitled the Healthy Food Urban Enterprise Program to support feasibility studies on improving the access of underserved communities to affordable, locally produced, nutritious food. Authorizes annual appropriations for this purpose. [Sec. 10405]	Authorizes a grant program to establish a Healthy Food Enterprise Development Center, providing information and technical assistance to entities to make affordable, locally produced, nutritious food available in underserved communities. Provides \$1 million in mandatory funds (FY2009); \$2 million annually (FY2010-12). [Sec. 1843]	Adopts Senate provision with changes to place language for the Healthy Urban Food Enterprise Development Center within the Community Food Projects statute. Clarifies that subgrants may be used to establish and facilitate enterprises that process, distribute, aggregate, store, and market healthy affordable foods. Limits allocations for administrative expenses. Provides \$1 million in funding annually (FY2009-2011) and authorizes \$2 million (FY2012). [Sec. 4402]
Organic Agriculture Production			
The 2002 farm bill established a cost-share program to help producers and handlers of organic products obtain certification under the National Organic Program (NOP), and provided a one-time transfer of \$5 million in mandatory crop insurance funds. [7	Provides a one-time transfer (FY2008) of \$22 million in mandatory funds to continue the cost-share program, caps the federal share of certification cost at no more than 75%, and raises the maximum amount a producer can receive from \$500 to \$750. [Sec.	Similar to the House bill, and requires an annual report to the House and Senate Agriculture Committees on cost-share expenditures in each state. [Sec. 1823]	Adopts Senate provision but deletes the cap on the federal cost share. [Sec. 10301]

Prior Law/Policy	House-Passed Bill (H.R. 2419)	Senate-Passed Substitute Amendment (H.R. 2419)	Enacted 2008 Farm Bill (P.L. 110-246)
<p><i>U.S.C. 1524]</i></p> <p>The 2002 farm bill required USDA to keep segregated data on organic production and marketing. <i>[7 U.S.C. 5925c]</i></p>	<p><i>10301]</i></p> <p>Provides \$3 million in mandatory CCC funds to support data collection and analysis on organic production, marketing, pricing, and crop loss risk. <i>[Sec. 10302]</i></p>	<p>Similar to the House bill and provides a one-time transfer of \$5 million for segregated data collection and analysis. <i>[Sec. 1821]</i></p>	<p>Adopts Senate provision with changes to clarify USDA's data collection, analysis, and survey development requirements, and to specify the contents of USDA's report to the House/Senate Agriculture Committees. Provides \$5 million in mandatory funding, with an additional authorization of appropriations of \$25 million (FY2008-2012), further specifying that \$3.5 million in funding be allocated to AMS to collect and distribute comprehensive reporting of prices relating to organically produced agricultural products. <i>[Sec. 10302]</i></p>
<p>No comparable provision.</p>	<p>Authorizes \$50 million subject to appropriations over the life of the farm bill to provide technical assistance and cost-sharing grants to producers seeking to convert from conventional to organic production. <i>[Sec. 10303]</i></p>	<p>Provides for technical assistance and cost-sharing under the Environmental Quality Incentives Program (EQIP) to producers seeking to convert to organic production. <i>[Sec. 2361]</i> Authorizes grants for this purpose under the Beginning Farmer and Rancher Development Program. <i>[Sec. 7309]</i></p>	<p>Deletes House provision, but includes language addressing the goal of providing technical assistance to farmers transitioning to organic farming under the EQIP program <i>[Sec. 2501]</i> of the conservation title.</p>
<p>Assessments are exempted under marketing orders for conventionally-grown fruits and vegetables, for producers whose operations are 100% organic. <i>[7 U.S.C. 7401]</i></p>	<p>No comparable provision.</p>	<p>Allows producers who have part of their farm certified organic under the NOP to receive the exemption. <i>[Sec. 1822]</i></p>	<p>Deletes Senate provision.</p>
<p>The Organic Foods Production Act of 1990 authorizes appropriations of such sums as necessary for the National Organic Program. <i>[7 U.S.C. 6522]</i></p>	<p>No comparable provision.</p>	<p>Specifies increased authorized annual funding levels for the NOP, starting at \$5 million in FY2008 and rising to \$11 million in FY2012. <i>[Sec. 1824]</i></p>	<p>Adopts Senate provision with changes to provide such additional sums as are necessary. <i>[Sec. 10303]</i></p>
<p>No comparable provision.</p>	<p>Provides grants using Section 32 funds (7 U.S.C. 612c) to help urban gardening and greenhouse projects to purchase and operate organic fruit and vegetable gardens and greenhouses. <i>[Sec. 10103A]</i></p>	<p>No comparable provision.</p>	<p>Deletes House provision.</p>

Prior Law/Policy	House-Passed Bill (H.R. 2419)	Senate-Passed Substitute Amendment (H.R. 2419)	Enacted 2008 Farm Bill (P.L. 110-246)
Pest and Disease Control			
No comparable provision.	Establishes a cooperative program with state agriculture departments to conduct early pest detection and surveillance activities and create action plans, among other things. Provides mandatory funds starting at \$10 million (FY2008), rising to \$70 million (FY2012). [Sec. 10201]	Similar to the House bill, with technical differences. Provides mandatory funds starting at \$10 million (FY2008), rising to \$64 million (FY2012). [Sec. 12101(f)]	Adopts Senate provision with changes to describe the application process; prohibit USDA from considering nonfederal funds; direct USDA to consider risk factors when considering an application; and express disapproval of a cost-sharing rule for animal and health emergency programs. Specifies mandatory funds: \$12 million (FY2009); \$45 million (FY2010); \$50 million (FY2011); and \$50 million (FY2012). [Sec. 10201]
No comparable provision.	Authorizes the appropriation of \$15 million for the construction of a sterile fruit fly rearing facility in Waimanalo, Hawaii, and the appropriation of \$1 million annually thereafter. [Sec. 10202]	No comparable provision.	Deletes House provision.
No comparable provision.	Authorizes the appropriation of necessary funds through FY2012, in addition to \$20 million annually in mandatory funds, to create a National Clean Plant Network where the specialty crop industry can obtain pest- and disease-free planting stock. [Sec. 10404]	Similar to the House bill, with technical differences. [Sec. 1851]	Adopts Senate provision with an amendment to add NLGCA institutions to the list of entities that USDA shall consult with to carry out the program. Specifies mandatory funding: \$5 million annually (FY2009-2012). [Sec. 10202]
The Plant Protection Act (PPA) [7 U.S.C. 7701 et seq.] authorizes USDA's Animal and Plant Health Inspection Service (APHIS) to cooperate with states, localities and others to prevent the spread of and eradicate invasive pests and diseases.	No comparable provision.	Modifies penalties in the PPA as follows: \$500,000 for each violation adjudicated in a single proceeding; \$1,000,000 for each violation adjudicated in a single proceeding involving a genetically modified organism. Requires an action, suit or proceeding regarding a violation of the PPA to be considered no later than 5 years after the date the violation is initially discovered by USDA. [Sec. 11017]	Adopts Senate provision with changes to strike the change to the statute of limitations, to expand the penalties to cover any willful violation of the PPA, and to clarify subpoena authorities of USDA under the PPA. Modifies the ability of the executive branch to delay the provision of compensation for economic losses. [Sec. 10203]. Identical amendments were made to the Animal Health Protection Act in the livestock title. [Sec. 11012]
The PPA [7 U.S.C. 7701 et seq.] authorizes USDA's activities under the	No comparable provision.	Requires USDA, no later than 18 months after enactment, to take action on each	Adopts Senate provision, with modification. [Sec. 10204]

Prior Law/Policy	House-Passed Bill (H.R. 2419)	Senate-Passed Substitute Amendment (H.R. 2419)	Enacted 2008 Farm Bill (P.L. 110-246)
Federal Coordinated Framework for the Regulation of Biotechnology. APHIS regulated the importation, interstate movement, and field testing of genetically engineered organisms that may pose a plant risk.		issue identified in the document “Lessons Learned and Revisions under Consideration for APHIS’ Biotechnology Framework,” dated October 4, 2007; and as USDA considers appropriate, to promulgate regulations to improve the management and oversight of articles regulated under the PPA, among other specified action items. [Sec. 11077]	
Food Safety Provisions			
The Agricultural Adjustment Act governs the terms and conditions of marketing orders applicable to specified commodities. [7 U.S.C. 608c(6)]	Authorizes the implementation of quality-related food safety programs under marketing orders for specialty crops. [Sec. 10106]	No comparable provision.	Deletes House provision.
No comparable provision.	Authorizes appropriation of necessary sums to implement a program to educate fresh produce industry personnel and consumers about ways to reduce pathogens in fresh produce. [Sec. 10110]	Similar to the House bill, and authorizes \$1 million in annual appropriations for that purpose. [Sec. 1813]	Adopts Senate provision, authorizing appropriations of \$1 million annually (FY2008-2012) to remain available until expended. [Sec. 10105]
Disaster Assistance			
The 2002 farm bill established the Tree Assistance Program to compensate commercial orchardists for losses due to natural disasters and authorized annual appropriations for the program. [7 U.S.C. 8201]	Makes nursery tree growers eligible for disaster assistance under the program, increases the limitation on annual assistance from \$75,000 to \$150,000, and continues appropriations authority. [Sec. 10101]	Makes nursery tree growers eligible for disaster assistance, increases the limit on annual assistance to \$100,000, adds reimbursement for orchard management to repair losses, and provides necessary mandatory funding over the life of the farm bill. [Sec. 1210(e)]	Adopts Senate provision with changes to modify the reimbursement cost of replanting trees lost from a natural disaster; amend the Federal Crop Insurance Act with a provision identical to that in the Trade Act of 1974; and to make other technical changes. The Manager’s report clarifies the insurance requirement for eligibility applies only to insurance on crops and not underlying vines/trees. [Secs. 12033 and 15101]
Specialty Crop Sector Data Collection			
No comparable provision.	Authorizes necessary funds through FY2012 to support the collection and dissemination of market news for	Authorizes \$9 million annually in funds to support market news and price information on specialty crops. [Sec. 1811]	Adopts Senate provision with changes to authorize appropriations \$9 million annually (FY2008-2012) to remain available until expended, in addition to available annual

Prior Law/Policy	House-Passed Bill (H.R. 2419)	Senate-Passed Substitute Amendment (H.R. 2419)	Enacted 2008 Farm Bill (P.L. 110-246)
The 1997 Census of Agriculture Act (P.L. 105-113) authorizes a Census of Agriculture to be taken every 5 years. [7 U.S.C. 2204g(a)]	specialty crops. [Sec. 10402] Amends the 1997 law to include a census of specialty crops as part of the Census of Agriculture. [Sec. 10107]	Allows USDA to include a census of specialty crops in the Census or to conduct a separate census of specialty crops not later than the end of FY2008 and every 5 years thereafter. [Sec. 1814]	appropriations for market news services. [Sec. 10107] Adopts House provision. [Sec. 10103]
Other Commodity-Specific Provisions			
No comparable provision.	Requires USDA to submit a report on the investigation of honey bee colony collapse disorder and strategies to combat the problem. [Sec. 10001]	No comparable provision.	Deletes House provision.
The Honey Research, Promotion, and Consumer Information Act (P.L. 98-590), as amended, provides for coordinated research, promotion, and consumer information to expand their markets for honey. [7 U.S.C. 4601 note]	No comparable provision.	Amends the Honey Research, Promotion, and Consumer Information Act with provisions regarding the Honey Board and referenda on the honey research and promotion order. [Sec. 1854]	Adopts Senate provision with changes to discontinue the current Honey Board after USDA conducts a referendum for honey producers or honey packers, importers and handlers. Requires USDA to act as a fiduciary in conducting the referenda. [Sec. 10401]
No comparable provision.	No comparable provision.	Amends 7 U.S.C. 1622(h) to require the USDA grading or inspection mark be located close to the country of origin label on packaged honey. [Sec. 1855]	Adopts Senate provision with changes to specify that violations of the labeling requirements of this section, with respect to honey, may be deemed by USDA as sufficient cause for debarment from the benefits of the Agricultural Marketing Act of 1946. [Sec. 10402]
The Agricultural Adjustment Act requires that imported commodities that are under marketing orders in the U.S. meet the order's standards. [7 U.S.C. 608e-1(a)]	Adds clementines to the list of commodities to which this requirement applies. [Sec. 10105]	Similar to the House bill. [Sec. 3207]	Adopts the House and Senate provision. [Sec. 10102]
The Agricultural Marketing Act of 1946 governs research and marketing programs for agricultural products. [7 U.S.C. 1641]	Adds a section to the 1946 act to regulate the minimum maturity of all Hass avocados sold in the United States. [Sec. 10108]	Authorizes USDA to initiate the process of establishing a marketing order regulating the grades and standards of Hass avocados, if a U.S. organization submits such a proposal. [Sec. 1856]	Adopts Senate provision. [Sec. 10108]

Prior Law/Policy	House-Passed Bill (H.R. 2419)	Senate-Passed Substitute Amendment (H.R. 2419)	Enacted 2008 Farm Bill (P.L. 110-246)
A 1990 law contains the terms and conditions of the mushroom marketing order. [7 U.S.C. 6104]	Makes changes to the geographic composition of the Mushroom Board, and other provisions. [Sec. 10109]	Similar to the House bill, with technical differences. [Sec. 1853]	Adopts House provision with changes to clarify that the mushroom council may develop and propose to USDA programs for good agricultural and good handling practices and related activities for mushrooms. [Sec. 10104]
No comparable provision.	No comparable provision.	Establishes a program to compensate asparagus growers for losses in 2004-2007 due to imports. Provides \$15 million in mandatory funds for this purpose. [Sec. 1852]	Adopts Senate provision. [Sec. 10404]
The 2002 farm bill did not include a separate title for horticultural products or organic production.	Creates new farm bill title, Horticulture and Organic Agriculture (Title X).	No new title; includes most horticulture and organic agriculture provisions as part of the Commodity Title I.	Creates new farm bill title, Horticulture and Organic Agriculture (Title X).

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Acknowledgments

This report is an updated and revised version of a report originally written by former CRS specialist Jean M. Rawson.