ERP *De Minimis* letter (all letters will be mailed on official FSA County Office letterhead)

OMB Number: 0560-0316
Expiration Date: ##/##/####

[Date]

Producer Name
Producer Street Address
City, State Zip Code

Dear **[Producer Name]**:

Our records indicate your ERP 2022 Track 2 payment was initially calculated using a 90 percent ERP factor, which FSA later adjusted to 70 percent due to the identification of uninsured or uncovered eligible crop acreage. Uninsured and uncovered eligible crops include crops that were not insured under Federal Crop Insurance or were not covered by the Noninsured Crop Disaster Assistance Program (NAP). If your revenue loss for uninsured and uncovered eligible crops meets the new *de minimis* provision, you are eligible to retain the full ERP 2022 Track 2 payment calculated with a 90 percent ERP factor.

The Full-Year Continuing Appropriations and Extensions Act, 2025 (Pub. L. 119-4) allows eligible producers to retain ERP 2022 Track 2 payments not to exceed 90 percent of their revenue losses if losses attributable to uninsured and uncovered crops are a *de minimis* amount of a producer's total revenue loss. A **"*de minimis* amount"** means a producer's revenue loss attributable to crops for which the producer did not insure or obtain NAP coverage is **less than or equal to 10 percent** of the total revenue loss for all eligible crops reported on the producer's ERP 2022 Track 2 application. More information and example calculations are included in the *Federal Register* notice available at https://www.fsa.usda.gov/resources/disaster-recovery/emergency-relief-program-erp or from your FSA county office.

If you are eligible to retain your full ERP 2022 Track 2 payment under the *de minimis* provision, you must:

- Complete the enclosed **FSA-524-C**, certifying that your revenue losses for uninsured and uncovered eligible crops do not exceed 10 percent of your total revenue loss for all eligible crops included on your original ERP 2022 Track 2 application; and
- Return the completed FSA-524-C to the **[Insert Recording County Office Name]** within **60 calendar days** from the date of this letter.

If your revenue loss does not meet the definition of a *de minimis* amount, do not complete FSA-524-C. If you do not return the completed FSA-524-C by **[insert deadline of 60 days from date above]**, or if your revenue loss exceeds the *de minimis* amount, the previous adjustment of the ERP factor from 90 percent to 70 percent will apply.

If you have any questions or need assistance completing the FSA-524-C, please do not hesitate to contact [Insert County Office Name]. We are here to assist you.

Sincerely,

Farm Service Agency

Public Burden Statement (Paperwork Reduction Act): *According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of* *information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0560-0316. The time required to complete this information collection is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden by emailing to:* askusda@usda.gov *(OMB No. 0560-0316).*

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