

Congress of the United States
Washington, DC 20515

Bill Summary: H.R. 4226 - To Provide Relief for Farmers Impacted by the Oriental Fruit Fly

Overview: H.R. 4226 would amend the Agriculture Act of 2014 to provide supplemental disaster assistance to producers who have incurred market and production losses of their crop due to a federal or state government quarantine to control the Oriental Fruit Fly.

Purpose of Legislation: 98 square-miles in South Miami-Dade County, Florida, have been quarantined by state and federal officials to control and eradicate an infestation of the devastating invasive species, the Oriental Fruit Fly. The Fly was first discovered on August 26, 2015 and the quarantine quickly went into place on October 1, 2015. There have been no new Fly discoveries since October 10, 2015, and the quarantine is expected to last until late February 2016, or when the Secretary decides to lift the embargo.

The Oriental Fruit Fly is a very destructive pest and has been known to infest over 430 varieties of fruits and vegetables. Farmers in the quarantined area are unable to bring their crops to market for fear of potentially spreading the Fly throughout Florida and other parts of the country, devastating our nation's agriculture community. **Crop insurance or similar products do not cover market losses due to a state or federal quarantine.**

Legislative Summary: This bill would direct the USDA Secretary to make mandatory funds available from the Commodity Credit Corporation, a wholly owned government corporation that has the legal authority to borrow from the U.S. Treasury. Congress authorizes mandatory spending from CCC for a number of production support programs, including but not limited to disaster assistance programs to farmers. Funds in H.R. 4226 would be made available to reimburse eligible producers that have incurred losses because of an inability to ship their crops to market, or by being prevented from even planting and growing their crop due to the quarantine. Several caps have been established in this bill to ensure an appropriate rate is paid to farmers while keeping costs of the disbursement as low as possible:

- Those farmers receiving payment must have been subjected to quarantine between the dates of **August 15, 2015 – March 31, 2016** – narrowly prescribed to ensure just those farmers in South Florida are eligible for funds under this bill.
- No payment to an eligible farmer shall exceed a rate of **70% of the market value** of the affected crop. The market value shall be determined using the “rolling average” of the crop in the quarantined area during the preceding five years, excluding the highest and lowest years.
- Payments to an eligible farmer shall cease as soon as possible once the farmer is able to resume selling their crop.
- Any farmer receiving a payment from this legislation will be required to purchase crop insurance or a similar product for **two years** following payment, to ensure participation in agriculture protection programs.
- Payments to any eligible farmer **cannot exceed \$125,000**, as described in 7 USC 9081, the supplemental agriculture disaster assistance section, and assistance would be reduced by any federal or state compensation received in association with the loss covered in this legislation.

If you have any questions regarding this bill, please contact Adam.Wolf@mail.house.gov in Rep. Curbelo's office or Jessie.Andrews@mail.house.gov in Rep. Graham's office for more information.