

117TH CONGRESS
1ST SESSION

H. R. 4580

To amend the Specialty Crops Competitiveness Act of 2004 to provide recovery payments to seasonal and perishable crop growers who experienced low prices caused by imports, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2021

Mr. RUIZ (for himself and Mr. AUSTIN SCOTT of Georgia) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Specialty Crops Competitiveness Act of 2004 to provide recovery payments to seasonal and perishable crop growers who experienced low prices caused by imports, and for other purposes.

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 “American Seasonal and
5 Perishable Crop Support Act”.

1 **SEC. 2. SEASONAL AND PERISHABLE INSURANCE PRO-**
2 **GRAMS.**

3 The Specialty Crops Competitiveness Act of 2004
4 (Public Law 108–465) is amended by adding at the end
5 the following:

6 **“TITLE V—SEASONAL AND PER-**
7 **ISHABLE INSURANCE PRO-**
8 **GRAMS**

9 **“SEC. 501. SEASONAL AND PERISHABLE CROP LOSS PRO-**
10 **GRAM.**

11 **“(a) SEASONAL AND PERISHABLE CROP LOSS.—**

12 **“(1) IN GENERAL.—**Beginning with marketing
13 year 2022, with respect to a producer of a seasonal
14 and perishable crop in geographic region described
15 in paragraph (2), the Secretary shall make crop loss
16 payments in accordance with this section for a mar-
17 keting year if the Secretary determines that—

18 **“(A)** the effective price for the seasonal
19 and perishable crop for such marketing year is
20 less than the reference price for such crop; and

21 **“(B)** the crop loss described in subpara-
22 graph (A) is caused by imports of the seasonal
23 and perishable crop.

24 **“(2) GEOGRAPHIC COVERAGE.—**A geographic
25 region described in this paragraph is a geographic
26 region for which at least 50 percent of the producers

1 that produce at least one seasonal and perishable
2 crops make a one-time election to participate in the
3 seasonal perishable crop loss payment program
4 under this section with respect to a marketing year.

5 “(3) ELECTION.—For each marketing year, the
6 Secretary shall allow producers of seasonal and per-
7 ishable crops to make a one-time election to partici-
8 pate in the seasonal and perishable crop loss pro-
9 gram under this section with respect to such mar-
10 keting year.

11 “(b) EFFECTIVE PRICE.—The effective price for a
12 seasonal and perishable crop for a marketing year shall
13 be the national average market price for the seasonal and
14 perishable crop.

15 “(c) PAYMENT RATE.—A payment under subsection
16 (a) shall be equal to the difference between—

17 “(1) the reference price for the covered seasonal
18 and perishable crop; and

19 “(2) the effective price determined under sub-
20 section (b) for the seasonal and perishable crop.

21 “(d) PAYMENT AMOUNT.—If seasonal perishable
22 crop loss program payments are required to be provided
23 under this section for the last seasonal marketing year for
24 a covered seasonal and perishable crop, the amount of the
25 seasonal perishable crop loss program payment to be paid

1 to the producers on a farm for the seasonal marketing
2 year shall be equal to the product obtained by multi-
3 plying—

4 “(1) the payment rate for the covered seasonal
5 and perishable crop under subsection (c); and

6 “(2) the previous three-year average production
7 for the seasonal and perishable crop.

8 “(e) ELIGIBILITY.—No producer may be eligible for
9 a payment under this section unless such producer—

10 “(1) has an average adjusted gross income of
11 less than \$900,000 for the 3 tax years preceding the
12 most recent tax year; and

13 “(2) derives at least 75 percent of their ad-
14 justed gross income from farming, ranching, or for-
15 estry.

16 “(f) DEFINITIONS.—In this section:

17 “(1) MARKETING SEASON.—The term ‘mar-
18 keting season’ means, with respect to a seasonal and
19 perishable crop, the season—

20 “(A) in which such crop is normally mar-
21 keted; and

22 “(B) that concludes on the date that is not
23 later than four weeks after the last day on
24 which such crops are harvested during a mar-
25 keting year.

1 “(2) **MARKETING YEAR.**—The term ‘marketing
2 year’ means, with respect to a seasonal and perish-
3 able crop, the period beginning on the date the sea-
4 sonal and perishable crop is first harvested and end-
5 ing on the last day on which such crop is marketed.

6 “(3) **REFERENCE PRICE.**—The term ‘reference
7 price’ means regional average market price received
8 by producers during the marketing season for a sea-
9 sonal and perishable crop for the period of the most
10 recent three marketing years.

11 “(4) **SEASONAL AND PERISHABLE CROP.**—The
12 term ‘seasonal and perishable crop’ means a crop
13 that is—

14 “(A) a fresh or chilled specialty crop;

15 “(B) marketed in raw form for consump-
16 tion without further processing; and

17 “(C) normally marketed not later than 4
18 weeks after harvesting.

19 “(5) **SECRETARY.**—The term ‘Secretary’ means
20 the Secretary of Agriculture.”.

○