



July 21, 2020

Mr. Martin R. Barbre
Administrator, Risk Management Agency
Manager, Federal Crop Insurance Corporation
US Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250-0801

Dear Martin:

Let me begin by saying again what a great pleasure it was to have you visit North Carolina last February and deliver keynote remarks at our association annual meeting. It is interesting that during your visit in early February we were just beginning to learn about COVID 19 and speculating how, or if it would impact American agriculture.

I am writing to you today to share a few updates and to describe to you one of the adverse impacts this virus is beginning to have on our family farms. The issue we seek your guidance and response on relates to the displacement of the labor force at a critical time in the harvesting phase. Certainly, our North Carolina tobacco farmers are not unique to the situation. However, the timing of the effect on our workers could not happen at time in the production and harvest cycle more critical than mid-July.

TGANC is hearing from an increasing number of its membership regarding what appears to be an alarming amount of spread of the virus on farms. Today we heard from two farmers located near one another and both have experienced a recent outbreak. One in fact, has two employees that required hospitalization. The remaining workers have been, or are being tested; more than 50% complained of flu like symptoms, etc. In an abundance of caution the famers have asked the workers to quarantine until test results are known. In the cases of positive tests, the employees are absolutely required to quarantine.

In these scenarios the farm is absent a majority, if not all its available workforce. I know you are familiar with how the H2A guest worker program functions, so I will not go into detail except to say there is no immediate source of replacement workers. And if there were, we still have the consequences of dealing with and managing the virus being present on the farm.

Our farmers are following all the necessary and require protocols to avoid, manage and mitigate these on farm circumstances. Per the department of labor and the Fair Labor Standards Act, farmers must pay these displaced workers the minimum threshold during the quarantine period. Wages that will accumulate to significant volumes for which zero productivity will occur.

The more impactful point of consideration is the effect to our crops that require daily manual labor tasks to manage the sufficient production practices of things such as sucker control, weed control and harvest which has begun in earnest across North Carolina this week. The crop is undoubtedly going to suffer. This is particularly true for organic producers that are regimented to using even more labor tasks where conventional resources are prohibited such as herbicides and systemic sucker controls.

The question we seek your guidance on, or perhaps an evaluation and determination is one that relates to Multi-Peril Crop Insurance (MPCI). It seems reasonable to our farmers that this unprecedented global pandemic is itself a crop risk peril. COVID 19 is a major peril in the sense that it has the ability to eliminate the labor force necessary to manage the crop appropriately. Like a hurricane, no one predicted the severity and destruction that potentially could be left in the wake of COVID 19. The inability for a farmer to implement the best farm management practices due to his loss of workforce will no doubt leave devastating impacts on the crop in terms of quality and yield.

We ask you to please review the following:

1. Does a global pandemic that has states and the nation operating under major restrictions such as social distance and quarantine, qualify as a natural disaster eligible for MPCI consideration?
2. If an outbreak occurs on a farm and results in major numbers of workers and even the farmer himself having to quarantine, is he extended relief from Best Management Practices (BMP) and therefore not guilty of crop abandonment?
3. If a farmer experiences cumulative yield reduction due to loss of labor force, will he be eligible for a MPCI claim?
4. If a farmer is under order by the State or County Health Department to quarantine for an extended period of time, can that farmer call for a notice of damage on the crop and possibly file a harvest loss claim?

Martin, thank you for all you do to serve the needs of American farmers. And thank you in advance for consider the points of view described in this letter regarding this unprecedented set of circumstances. TGANC is ready and available to meet with you and discuss how we respond to the COVID 19 impact to our farmers and try to determine how to assist them.

Sincerely,


Steve Griffin
President