

computations from scaled dimensions or ground measurements.

*Direct and counter-cyclical program (DCP) cropland* means land that currently meets the definition of cropland, land that was devoted to cropland at the time it was enrolled in a production flexibility contract in accordance with part 1413 of this title and continues to be used for agricultural purposes, or land that met the definition of cropland on or after April, 4, 1996, and continues to be used for agricultural purposes and not for nonagricultural commercial or industrial use.

*Division* means the division of a farm into two or more farms or parts of farms.

*Entity* means a corporation, joint stock company, association limited partnership, irrevocable trust, estate, charitable organization, or other similar organization including any such organization participating in the farming operation as a partner in a general partnership, a participant in a joint venture, a grantor of a revocable trust, or as a participant in a similar organization.

*Extra Long Staple (ELS) Cotton* means cotton that meets all of the following conditions:

(1) American-Pima, Sea Island, Sea Island, all other varieties of the Barbandense species of cotton and any hybrid thereof, and any other variety of cotton in which 1 or more of these varieties is predominant; and,

(2) The acreage is grown in a county designated as an ELS county by the Secretary; and,

(3) The production from the acreage is ginned on a roller-type gin.

*Family member* means an individual to whom a person is related as spouse, lineal ancestor, lineal descendant, or sibling, including:

- (1) Great grandparent;
- (2) Grandparent;
- (3) Parent;
- (4) Child, including a legally adopted child;
- (5) Grandchild
- (6) Great grandchildren;
- (7) Sibling of the family member in the farming operation; and
- (8) Spouse of a person listed in paragraphs (1) through (7) of this definition.

*Farm* means a tract, or tracts, of land that are considered to be a separate operation under the terms of this part provided further that where multiple tracts are to be treated as one farm, the tracts must have the same operator and must also have the same owner except that tracts of land having different owners may be combined if all owners agree to the treatment of the multiple tracts as one farm for these purposes.

*Farm inspection* means an inspection by an authorized FSA representative using aerial or ground compliance to determine the extent of producer adherence to program requirements.

*Farm number* means a number assigned to a farm by the county committee for the purpose of identification.

*Farmland* means the sum of the DCP cropland, forest, acreage planted to an eligible crop acreage as specified in 1437.3 of this title and other land on the farm.

*Field* means a part of a farm which is separated from the balance of the farm by permanent boundaries such as fences, permanent waterways, woodlands, and croplines in cases where farming practices make it probable that such cropline is not subject to change, or other similar features.

*GIS* means Geographic Information System or a system that stores, analyzes, and manipulates spatial or geographically referenced data. GIS computes distances and acres using stored data and calculations.

*GPS* means Global Positioning System or a positioning system using satellites that continuously transmit coded information. The information transmitted from the satellites is interpreted by GPS receivers to precisely identify locations on earth by measuring distance from the satellites.

*Grain sorghum* means grain sorghum of a feed grain or dual purpose variety (including any cross that, at all stages of growth, having characteristics of a feed grain or dual purpose variety) that follows the standard planting and harvesting practice for grain sorghum for the area in which the grain sorghum was planted. Sweet sorghum is not considered a grain sorghum.

*Ground measurement* means the distance between 2 points on the ground, obtained by actual use of a chain tape, GPS with an minimum accuracy level as determined by the Deputy Administrator, or other measuring device.

*Joint operation* means a general partnership, joint venture, or other similar business organization.

*Landlord* means one who rents or leases farmland to another.

*Measurement service* means a measurement of acreage or farm-stored commodities performed by a representative of FSA and paid for by the producer requesting the measurement.

*Measurement service after planting* means determining a crop or designated acreage after planting but before the

farm operator files a report of acreage for the crop.

*Measurement service guarantee* means a guarantee provided when a producer requests and pays for an authorized FSA representative to measure acreage for FSA and CCC program participation unless the producer takes action to adjust the measured acreage. If the producer has taken no such action, and the measured acreage is later discovered to be incorrect, the acreage determined pursuant to the measurement service will be used for program purposes for that program year.

*Minor child* means an individual who is under 18 years of age. State court proceedings conferring majority on an individual under 18 years of age will not change such an individual's status as a minor.

*Nonagricultural commercial or industrial use* means land that is no longer suitable for producing annual or perennial crops, including conserving uses, or forestry products.

*Normal planting period* means that period during which the crop is normally planted in the county, or area within the county, with the expectation of producing a normal crop.

*Normal row width* means the normal distance between rows of the crop in the field, but not less than 30 inches for all crops.

*Oats* means oats that follows the standard planting and harvesting practice of oats for the area in which the oats are grown.

*Operator* means an individual, entity, or joint operation who is determined by the FSA county committee to be in control of the farming operations on the farm.

*Owner* means one who has legal ownership of farmland, including:

- (1) Any agency of the Federal Government, however, such agency shall not be eligible to receive any payment pursuant to such contract;
- (2) One who is buying farmland under a contract for deed;
- (3) One who has a life-estate in the property; or
- (4) For purposes of enrolling a farm in a program authorized by chapters VII and XIV of this title:

(i) One who has purchased a farm in a foreclosure proceeding; and

(A) The redemption period has not passed; and

(B) The original owner has not redeemed the property.

(ii) One who meets the provisions of paragraph (d)(1)(i) of this definition shall be entitled to receive benefits in accordance with an agency program only to the extent the owner complies with all program requirements.