

**Special Provisions of Insurance**  
**2016 and Succeeding Crop Years**

Year: 2016	Commodity: Fresh Market Tomatoes (0086)	State: Pennsylvania (42)
Date: 10/18/2015	Plan: APH (90)	County: Lackawanna (069)

**Program Dates for Insurable Types and Practices**

**Sales Closing Date**  
3/15/2016

**Earliest Planting Date**  
5/1/2016

**Final Planting Date**  
6/20/2016

**Acreage Reporting Date**  
7/15/2016

**Premium Billing Date**  
8/15/2016

TP	Type	Practice
T/P 1	No Type Specified 997	No Practice Specified 997
T/P 2	No Type Specified 997	No Practice Specified (OC) 723 *6
T/P 3	No Type Specified 997	No Practice Specified (OT) 724 *6

**Statement**

**General**

The replant exclusion (RE) option factor is applicable to all producers who elect to waive their rights to replant payments provided by the policy. This election must be made on the application/policy change form by the sales closing date.

In lieu of the second sentence of Section 24(a) of the Basic Provisions, for the purpose of premium amounts owed to us or administrative fees owed to FCIC, interest will start to accrue on the first day of the month following the issuance of the notice by us, provided that a minimum of 30 days have passed from the premium billing date specified in the Special Provisions.

Direct seeded acreage will not be insurable.

Contact your agent regarding possible premium discounts, options, and/or additional coverage that may be available.

In lieu of Section 17(f)(5)(ii) of the Common Crop Insurance Basic Provisions, haying or grazing a cover crop will not impact eligibility for a prevented planting payment provided such action did not contribute to the acreage being prevented from planting.

**Practice**

\*6 Acreage and production history from certified organic or transitional acreage will be contained in separate APH databases. Each APH database will include production and acreage from any applicable buffer zone. Any yearly average APH yields, for the most recent four crop years only, from the transitional acreage database will be used in place of Transitional Yields (T-yields) to establish the certified organic APH database. A variable T-yield will be used to complete the database, if required.

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#### Price

If a contract price is available as shown in the actuarial documents, you may elect to have your price election determined in accordance with the Contract Price Addendum (CPA). If the crop provisions or special provisions provide a method to determine a contract price your price election will be determined in accordance with the crop provisions or special provisions and the CPA does not apply.

#### Premium

In lieu of section 7(h)(2)(i) of the Basic Provisions, notwithstanding section 7(h)(2) of the Basic Provisions, if you demonstrate you began farming for the first time after June 1 but prior to the beginning of the reinsurance year (July 1), you may be eligible for premium subsidy the subsequent reinsurance year without having form AD-1026 on file with FSA on or before June 1. For example, if you demonstrate you started farming for the first time on June 15, 2015, you may be eligible for premium subsidy for the 2016 reinsurance year without form AD-1026 on file with FSA.

Effective for any policy with a sales closing date on or after July 1, 2015 but not later than June 30, 2016, in lieu of sections 2(c) and (d) of the Basic Provisions, you may not cancel your policy for the initial crop year, but after the initial crop year either you or we may cancel your policy by providing written notice to the other on or before the cancellation date shown in the Crop Provisions. However, for both new and carryover policies you may cancel your policy not later than 45 days after the cancellation date if all of the following are met:

1. You request through your agent and Approved Insurance Provider to query the FSA data regarding whether you have filed an AD-1026 with FSA and such query reveals that there is no AD-1026 on file for the identification number under which you seek, or have, insurance;
2. You believe the FSA information is in error and that a valid AD-1026 is on file;
3. You make application, or elect not to cancel an existing policy, based on this belief;
4. You request review not later than 15 days after the sales closing date, via your AIP, by RMA and FSA of your records and attempt to reconcile any discrepancy; and
5. The result of such process is that you do not have a valid AD-1026 on file.

If all of these conditions are not met, you are precluded from cancelling your policy until the next crop year and you will be responsible for all premium owed.

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#### Insurance Availability

In accordance with section 9(a)(1)(iv) in the Common Crop Insurance Policy Basic Provisions (Basic Provisions), acreage that has not been planted and harvested or insured (including insured acreage that was prevented from being planted) in at least one of the three previous crop years or acreage where the only crop that has been planted and harvested in one of the three previous crop years was a cover, hay, or forage crop (hereinafter referred to as new breaking acreage) is insurable at 80 percent of the applicable published county T-Yield in the actuarial documents without a written agreement if all of the following requirements 1 through 4 below are met. New breaking acreage is insurable at 65 percent of the applicable published county T-Yield in the actuarial documents without a written agreement if only requirements 1, 2, and 4 below are met.

1. The policyholder must provide documentation that 75 percent or more of the new breaking acreage by field (or within an existing field if only a portion of the field is new breaking acreage) is composed of soil types defined as Capability Class I, II, III, or IV as determined by the Natural Resources Conservation Service (NRCS) Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>);
2. The policyholder must certify that the new breaking acreage was broken out or chemically destroyed prior to planting;
3. The policyholder must provide documentation that the new breaking acreage has been previously broken and planted to a crop. Examples of documentation include but are not limited to: a FSA-578 document showing the prior crop that the new breaking acreage was planted to, a prior crop year's FSA-578 document showing that the new breaking acreage is classified as cropland, receipts/invoices from custom planters or custom harvesters detailing the fields that were planted or harvested, etc.; and
4. If NRCS requires a Conservation Plan on the new breaking acreage, the policyholder must provide documentation that one is, or will be, in place. If NRCS does not require a Conservation Plan on the new breaking acreage, the producer must certify that one is not required.

Up to and including 320 acres of new breaking acreage per county (on a whole field basis), that meet the requirements above, may be insurable under this Special Provisions statement for the policyholder/entity per each sales closing date (for example, a total of 320 acres or less of new breaking acreage for crops with a September 30 sales closing date and total of 320 acres or less of new breaking acreage for crops with a March 15 sales closing date). Any new breaking acreage (on a whole field basis) that meets the requirements above and exceeds the 320-acre limitation will require a written agreement to establish insurability (only the acreage that exceeds 320 acres requires a written agreement, up to 320 acres may be approved under this Special Provisions statement even if the producer has more than 320 new breaking acres in the county).

#### Underwriting Standards:

The producer must provide the applicable documentation and certification described in requirements 1 through 4 above to the Approved Insurance Provider (AIP) on or before the acreage reporting date for insurability of such new breaking acreage. If the above requirements are met and the described documentation and certification is provided to the AIP by the acreage reporting date, the new breaking acreage will be insurable using the appropriate percentage (65 percent or 80 percent) applied to the applicable published county T-Yield in the actuarial documents (simple average T-Yields, new producer T-Yields, and variable T-Yield percentages do not apply). A separate APH Database must be established for this new breaking acreage the initial crop year it is insured (in subsequent crop years standard APH procedure will apply provided the acreage is insurable under the terms of the Basic Provisions). Additionally, new breaking acreage will not be eligible for prevented planting coverage the initial crop year it is insured under this Special Provisions statement.

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Insurance shall attach to a crop following a cover crop when the cover crop meets the definition provided in the Basic Provisions, was planted within the last 12 months, and is managed and terminated according to NRCS guidelines. If growing conditions warrant a deviation from the guidelines, producers should contact either Extension or the local NRCS for management guidance. For information on cover crop management and termination guidelines, refer to the Cover Crop Termination Guidelines published at <http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/landuse/crops/>.

In lieu of the provisions contained in the Insured Crop section of the Crop Provisions prohibiting insurance on a crop that is planted into an established grass or legume, insurance shall attach to a crop planted into an established grass or legume when the grass or legume is a cover crop and meets the definition provided in the Basic Provisions, was planted within the last 12 months, and is managed and terminated according to NRCS guidelines.