Special Provisions

2023 and Succeeding Crop Years

Year: 2023 | Commodity: Fresh Market Tomatoes (0086) | State: Pennsylvania (42)

Date: 11/16/2022 | Plan: APH (90) | County: Luzerne (079)

Program Dates for Insurable Types and Practices

Sales Closing Date	Earliest Planting Date	Final Planting Date	End of Late Planting Period Date	Acreage Reporting Date	Premium Billing Date	End of Insurance Date
3/15/2023	5/1/2023	6/20/2023		7/15/2023	8/15/2023	

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
T/P 3	No Type Specified 997	No Practice Specified (OT) 724

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.

Direct seeded acreage will not be insurable.

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

In addition to the production reporting requirements in section 3(f) of the Basic Provisions, you must report, as specified in FCIC procedures, your current year's production on our form on the same basis used to establish your approved yield(s). The current year's production must be reported by one year (366 days) following the production reporting date contained in the actuarial documents. This production report will be used to meet the production reporting requirements in section 3(f) of the Basic Provisions for the following crop year, if there are no changes in the basis used to establish your approved yield. Your current year's production report is also subject to section 3(g) of the Basic Provisions.

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.

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.

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 Cover Crop Termination Guidelines. The Guidelines include information on cover crops and crop insurance, Good Farming Practices for cover crops, and termination information and exceptions, which can be found at https://www.rma.usda.gov/en/Topics/Cover-Crops.