

Draft Policy Language

1. Definitions

Practical to replant - Our determination, after loss or damage to the insured crop, based on all factors, including, but not limited to moisture availability, marketing window, condition of the field, and time to crop maturity, that replanting the insured crop will allow the crop to attain maturity prior to the calendar date for the end of the insurance period. It will be considered to be practical to replant through the final planting date or late planting period, unless we determine it is mechanically impossible to replant acreage or there is no chance of seed emergence, regardless of availability of seed or plants, or the input costs necessary to produce the insured crop such as those that would be incurred for seed or plants, irrigation water, etc.

15. Production Included in Determining an Indemnity and Payment Reductions.

- (h) You may receive a full indemnity, or a full prevented planting payment for a first insured crop when a second crop is planted on the same acreage in the same crop year, regardless of whether or not the second crop is insured or sustains an insurable loss, if each of the following conditions are met:
- (1) It is a practice that is generally recognized by agricultural experts or organic agricultural experts for the area to plant two or more crops for harvest in the same crop year;
 - (2) The second or more crops are customarily planted after the first insured crop for harvest on the same acreage in the same crop year in the area;
 - (3) Additional coverage insurance offered under the authority of the Act is available in the county on the two or more crops that are double cropped;
 - (4) You provide records acceptable to us of acreage and production that show:
 - (i) show you have double cropped acreage in at least two of the last four crop years in which the first insured crop was planted, or that show the applicable acreage was double cropped in at least two of the last four crop years in which the first insured crop was grown on it; or
 - (ii) The number of acres of the first insured crop that were planted in at least two of the last four crop years and the number of these acres that were double cropped; and
- (5) If you do not have records of production to qualify for double cropping as specified in section 15(h)(4) and your records of production from double cropped acreage was not kept separate from non-double cropped acreage, we may allocate such first and second crop production to the acreage in proportion to the liability for the acreage that was and was not double cropped; and
- (5) In the case of prevented planting, the second crop is not planted on or prior to the final planting date or, if applicable, prior to the end of the late planting period for the first insured crop.
- (i) If you provided records in accordance with section 15(h)(4)(i), the receipt of a full indemnity or prevented planting payment on both crops that are double cropped is limited of the number of acres for which you can demonstrate you have double cropped or that have been historically double cropped as specified in section 15(h):
- (1) If the records you provided are from acreage you double cropped in at least two of the last four crop years, you may apply your history of double cropping to any acreage of the insured crop in the county (e.g., if you have double cropped 100 acres of wheat and soybeans in the county and you acquire an additional 100 acres in the county, you can apply that history of double cropped acreage to any of the 200 acres in the county as long as it does not exceed 100 acres); or
 - (2) If the records you provided are from acreage that another producer double cropped in at least two of the last four crop years, you may only use the history of double cropping for the same physical acres from which double cropping records were provided (e.g., if a neighbor has double cropped 100 acres of wheat and soybeans in the county and you acquire your neighbor's 100 double cropped acres and an additional 100 acres in the county, you can only apply your neighbor's history of double cropped acreage to the same 100 acres that your neighbor double cropped); or
- (j) If you provided records in accordance with section 15(h)(4)(ii), the receipt of a full indemnity or prevented planting payment on both crops that are double cropped is limited to the percentage of

the first insured crop acres you can demonstrate you double cropped or that have been historically double cropped. The number of acres qualifying acres is calculated as follows:

- (1) Determine the number of acres of the first insured crop that were double cropped in each of the years for which records are provided in accordance with section 15(h)(4)(ii);
- (2) Divide each result of section 15(j)(1) by the number of acres of the first insured crop that were planted in each respective year;
- (3) Add the results of section 15(j)(2) and divide by two; and
- (4) Multiply the result of 15(j)(3) by the number of insured acres of the first insured crop (e.g., records are provided showing: 100 acres of wheat planted in 2014, 50 of which were double cropped with soybeans; and 100 acres of wheat planted in 2015, 70 of which were double cropped with soybeans. In this case, 50 percent of the first insured crop acres were double cropped in 2014 and 70 percent were double cropped in 2015 which is an average of 60 percent. Therefore, 60 percent of the wheat acres insured in 2016 would be eligible for a full indemnity or prevented planting payment on both crops).