D. Mutual Consent Cancellation (New Insureds)

(1) A new insured may, with the consent of the AIP, cancel a crop policy if either of the following are met:

(a) the approved APH yield computed for any unit of the crop is less than 95 percent of the preliminary yield computed for the unit; or

(b) a preliminary yield was not calculated for a unit of the crop and the approved APH yield is not acceptable to the new insured.

An AIP's consent to cancel the policy is at the discretion of the AIP. The opportunity to cancel a policy according to this paragraph applies to new insureds only.

(2) Requests to cancel a policy must be filed within 30 calendar days of the date the approved APH yield was mailed or otherwise made available to the new insured.

A request to cancel a policy will be considered filed on the day the request is personally delivered to the AIP or the postage date on a properly addressed envelope/package.

(3) When the AIP denies a request to cancel a policy, the new insured may request mediation or arbitration of the decision according to [Part 3].

234 Insurance Choices

Coverage is determined by the insurance plan, level of coverage, and price. The insurance plan, level of coverage and price is chosen at the time the Application, or the Policy Change form in subsequent years, is completed. The level of coverage and price elected may be changed if requested in writing on or before the applicable SCD for the insured crop.

The same plan of insurance, level of coverage, and percentage of the available price election or projected price must be selected for the crop for all insurable acreage in the county unless one or more of the following exceptions apply.

(1) The applicable CP/SP allows an exception by individual crop or type (e.g., price elections by dry bean type shown in the actuarial documents, coverage levels by grape type in the SP, plan election for specialty types of barley);

(2) High-risk land excluded from an additional coverage policy and insured separately under a CAT policy;

(3) Hybrid Seed Corn or Hybrid Sorghum Seed grown under contract with more than one seed company insured under separate policies; or

234 Insurance Choices (Continued)

(4) The insured has additional coverage for the crop in the county and the actuarial documents provide for separate additional coverage levels by irrigated and non-irrigated practice for the crop. The insured may select one coverage level for all irrigated acreage and one coverage level for all non-irrigated acreage. The insured can have an additional coverage policy with a HRLE CAT policy for high-risk land and still elect separate coverage levels for irrigated and non-irrigated acreage under the additional coverage policy.

Example: The insured may choose a 65 percent coverage level for all irrigated acreage, regardless of specific practice (i.e., both soybean IRR and certified organic irrigated practices), and an 80 percent coverage level for all non-irrigated acreage, regardless of practice (i.e., both soybean NI and transitional organic non-irrigated practices).

If the CP allow the option to have different coverage levels by crop type or variety (e.g., Dry Peas, Apples), and the actuarial documents also provide for separate coverage levels by irrigated and non-irrigated practice, the insured may select different coverage levels by irrigated and non-irrigated practice for each separate type or variety.

Electing separate coverage levels by irrigation practice does not create separate crop insurance policies so separate administrative fees do not apply.

Except as stated herein, if the above requirements are met, separate administrative fees may be required. [See Para. 208 for administrative fee schedule].

235 Plans of Insurance

The BP provides coverage for multiple plans of insurance, which vary by crop and are identified in the actuarial documents. Plans of insurance include:

(1) Actual Production History Plan provides protection from loss of production for crops for which revenue protection is not available.

(2) Revenue Protection Plan provides protection for loss of revenue and/or production for certain crops with revenue protection selected. This plan replaced Crop Revenue Coverage, and Revenue Assurance With Fall Harvest Option Plans.

(3) Revenue Protection with Harvest Price Exclusion provides protection for loss of revenue and/or production for certain crops and excludes the use of the harvest price in the determination of the revenue protection guarantee. This plan replaced Income Protection, Indexed Income Protection, and Revenue Assurance Without the Fall Harvest Price Option.

(4) Yield Protection Plan provides protection from loss of production for crops with revenue protection available but not selected.

(5) Dollar Amount of Insurance Plan(s) provides protection for certain crops against declining value due to damage that causes a yield shortfall; and

235 Plans of Insurance (continued)

(6) Other Plans of Insurance available for specific crops, i.e., Pecan Revenue, Nursery, etc.

[See Exh. 2 for a detailed list of plans of insurance by crop].

236 Levels of Coverage

A. Coverage Levels by Crop/County

A crop may be insured at a percentage of the approved APH yield or amount of insurance. All acreage of the insured crop within a county must be insured at the same level unless the exceptions listed in Para. 234 apply and/or if the CP specifies otherwise. Levels of coverage include CAT or additional. [See Table in Para. 237 for available coverage levels, if indicated on the actuarial documents.]

B. Coverage Levels By Irrigated and Non-Irrigated Practice

An insured can elect coverage levels by irrigated and non-irrigated practice when both practices are offered in the actuarial documents provided both elections are at the additional coverage levels. An insured must elect coverage levels by irrigated and non-irrigated practice on the Application or Policy Change form. Even though different additional coverage levels may be elected by irrigated and non-irrigated practice, all irrigated practices must be insured at the same coverage level and all non-irrigated practices must be insured at the same coverage level.

Example: A crop/county offers IRR, SF, and CC practices. An insured elects 75 percent coverage level on irrigated wheat and 65 percent coverage level on non-irrigated wheat. If the insured plants using all three practices offered in the actuarial documents, the IRR practice is insured at 75 percent and the SF and CC practices, which are both non-irrigated, are insured at 65 percent.

If coverage levels for both irrigation practices are not specified separately on the Application or Policy Change form, then the coverage level will default to the lowest coverage level on the Application or Policy Change form for the crop.

If the CP allow the option to have different coverage levels by crop type or variety (e.g., Dry Peas, Apples), and the actuarial documents provide separate coverage levels by irrigated and non-irrigated practice, the insured may select different coverage levels by irrigated and non-irrigated practice for each separate type or variety.

Example: An insured may choose the 65 percent coverage level for processing type apples with an irrigated practice and the 70 percent coverage level for processing type apples with a non-irrigated practice. The producer may also choose a 70 percent coverage level for fresh type apples with an irrigated practice and a 75 percent coverage level for fresh type apples with a non-irrigated practice.