



United States
Department of
Agriculture

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Farm Production
and Conservation

INFORMATIONAL MEMORANDUM

Risk
Management
Agency

TO: Approved Insurance Providers Writing in the States of Arizona, California, Hawaii and Utah

Davis Regional
Office

FROM: Jeff Yasui /s/ *Jeff Yasui*
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SUBJECT: Reinsurance Year 2019, Regional Underwriting Guidelines for Category C Crops in the Davis Region

BACKGROUND

The 2019 FCIC 18010 Crop Insurance Handbook (CIH) provides Regional Offices (ROs) with the authority to issue RO Underwriting Guidelines for regional exception(s).

These Guidelines apply to: 1) 2020 crop year Citrus, Avocados and Macadamia Nut; and 2) 2019 crop year for all other Category C crops in Arizona, California, Hawaii, and Utah.

ACTION

A. Higher Yield Requests:

CIH Par. 1881A allows the insured to request a RO Determined Yield higher than the average Actual Production History (APH) yield with reasonable cause.

1. Young Orchards/Vineyards:

Requests for higher yields will be accepted by the Davis Regional Office (DRO) for orchards/vineyards that have recently become insurable because they have met the insurability requirements within the last four years and have less than four years of actual yields in their APH Database, for:

- a. APH databases with less than or equal to one actual yield (applies only to added insurable acres, unless specified elsewhere in this guide); or
- b. APH databases with two or three actual yields: when the most recent crop year's actual yield is at least 95% of the previous crop year's actual yield.

NOTE: Young blocks commingled with an older block must meet the criteria for a higher yield for an older block.

The insured may not request a higher yield in this situation if the orchard/vineyard meets the criteria in Sections B or E of this document or had a paid claim due to a failure of the irrigation source in the previous crop year.

2. Older Orchard(s)/Vineyard(s):

Requests for higher yields will be accepted by the DRO for mature orchards/vineyards that meet one of the following conditions:

- a. Added insurable acres combined with an older unit;
- b. Orchard(s)/vineyard(s) purchased or leased from another grower; or
- c. Removal of older, unproductive block(s), or portions of block(s).
- d. Organic or transitional organic transitioning back to conventional.

In addition, the request must meet the following requirements:

- a. The most recent actual yield in the APH database must be at least 95% or more of the previous crop year's actual yield; and
- b. The insured must provide their own most recent two crop years of actual yields. These yields must exceed 125% of the average APH yield; or
- c. **Exception:** Orchard(s)/vineyard(s) purchased or leased from another grower(s), insured may use the previous owner's yield history in establishing the approved yield if the following conditions apply:
 - The insured must provide a copy of the previous insured owner's recent APH database to be used as a reference.
 - Previous insured owner's average yield exceeds 65% of the county T-Yields; and
 - Previous insured owner's average yield is within 150% of published T-Yield. Cap the yield at 150%.

Use the previous owner's average yield as an "F" yield in place of the T-Yield. The "F" yield will be coded with an "F" yield descriptor. Use a Yield Indicator "F" and a Special Case Yield Indicator "H". Use Yield Limitation Flag "01".

If these conditions are not met, the Approved Insurance Provider (AIP) must use standard APH procedures. A RO Determined Yield request will not be accepted and scored as inappropriate.

In addition, the insured may not request a higher yield in this situation if the orchard/vineyard meets the criteria in Sections B or E of this document or had a paid claim the previous year due to a failure of the irrigation source.

3. Higher Yield Requests for Almonds Only:

Requests for insuring 5th leaf orchards must be submitted to the DRO for yield approval.

AIPs are authorized to establish the approved APH yield for 6th, 7th, 8th and 9th leaf year acreage that is a separate block or unit when the requested acreage meets the requirements specified in this bulletin.

- a. Production History Requirement. Hard copy records do not need to be sent to the DRO. Insureds requesting higher yields for an APH database must provide the actual yields for that APH database. In addition, the 2018 crop year's APH actual yield in the APH database must reflect a yield that is at least 95% of the 2017 crop year's APH actual yield. For 6th leaf orchards, the insured must provide 4th and 5th leaf production on a block production worksheet to make the comparison. If 5th leaf wasn't insured, these yields do not need to be reported in the APH database. If 5th leaf was insured, then include only 5th leaf production in the APH database. If these conditions are not met, the AIP must use standard APH procedures.

Exception: AIPs may not establish a higher yield if the insured meets the criteria in Sections B or E in this document or had a paid claim the previous year due to a failure of the irrigation source.

b. Approving a Higher Yield.

- 1) The 2018 crop year's actual yield in the APH database must be at least 95% of the 2017 crop year's actual yield.
- 2) Determine the age of the acreage to be insured for the current crop year.
- 3) Determine the calculated yield as follows:
 - a) If 6th leaf, multiply the 5th leaf production by 1.15 to determine the calculated yield.
 - b) If 7th leaf, apply the applicable calculation:
 - Use the 6th leaf year production. Multiply the result by 1.10 to determine the calculated yield.
 - If 5th leaf was insured, then use the two-year average (5th and 6th). Multiply the result by 1.10 to determine the calculated yield.
 - c) If 8th leaf, apply the applicable calculation:
 - Use the two-year average of 6th and 7th leaf year production. Multiply the average by 1.10 to determine the calculated yield.
 - If 5th leaf year was insured, then use the three-year average (5th, 6th and 7th). Multiply the average by 1.10 to determine the calculated yield.
 - d) If 9th leaf, apply the applicable calculation:
 - Use the three-year average of 6th, 7th, and 8th leaf production. Multiply the average by 1.10 to determine the calculated yield.
 - If 5th leaf was insured, use standard APH procedures on the four years of production (5th, 6th, 7th, and 8th) provided to determine the Approved APH yield.
 - If the three-year average exceeds the maximum yield, use the three-year average to determine the approved APH yield.

- 4) The Approved APH yield is **the LOWER** of either the calculated yield in b.3 or the maximum yield allowed in the table below:

Maximum F Yield Allowed			
Age	Region I (Butte, Colusa, Glenn, Solano, Sutter, Tehama, Yolo and Yuba counties)	Region II (Merced, San Joaquin and Stanislaus counties)	Region III (Fresno, Kern, Kings, Madera and Tulare counties)
6 th leaf	2850	2900	3350
7 th leaf	2900	3200	3650
8 th leaf	3050	3400	3700
9 th leaf	3350	3700	4100

Note: AIP-established Approved APH yields must be submitted to RMA using a Yield Indicator “F” and Special Case Yield Indicator “H” [see Para. 1881A of the CIH]. Use a yield limitation flag of “01”.

Example 1.

An insured in Fresno County has an orchard that was planted in 2012. The first year of insurance is 6th leaf. The orchard produced 2,400 lbs. /acre in 6th leaf; and 2,800 lbs. /acre in 7th leaf. The insured requests a higher yield for their 8th leaf orchard.

1. The 7th leaf actual yield (2,800 lbs. /acre) is higher than 6th leaf actual yield (2,400 lbs. /acre).
2. It is determined that the orchard will be 8th leaf in 2019. $[(2019 - 2012) + 1]$.
3. The average yield is 2,600 lbs. /acre $((2,400 + 2,800)/2)$.
4. The average yield (2,600 lbs.) times the multiplicative factor (1.10) equals 2,860.
5. The orchard is in region III.
6. The maximum yield allowed is 3,700.
7. The calculated yield of 2,860 is less than the maximum yield of 3,700.
8. Use 2,860 lbs. /acre as the Approved APH Yield.
9. Use a Yield Indicator “F”, a Special Case Yield Indicator “H”, and a yield limitation flag “01”.

Year	Yield	Yield Descriptor
2015	2542	T
2016	2542	T
2017	2400	A
2018	2800	A
Average Yield	2571	

Rate Yield: 2571

Approved Yield: 2860

Example 2. Same scenario as example 1 but 6th leaf actual yield is 2,800 lbs. /acre and 7th leaf yield is 2,400 lbs. /acre.

1. The 7th leaf actual yield (2,400 lbs. /acre) is not within 95% of 6th leaf's actual yield (2,800 lbs. /acre).
2. Use standard APH procedures.

Example 3. An insured in Fresno County has an orchard that was planted in 2011. The acreage was insured in 5th leaf. In 5th leaf, it produced 2,400 lbs. /acre. The orchard produced 2,800 lbs. /acre in 6th leaf; 3,000 lbs. /acre in 7th leaf; and 3,200 lbs. /acre in 8th leaf.

1. It is determined that the orchard will be 9th leaf in 2019. $[(2019 - 2011) + 1]$.
2. No multiplicative factor will be used since there are four years of actual yield history.
3. The four-year average yield is 2,450 lbs. /acre $[(2,400 + 2,800 + 3,000 + 3,200) / 4]$.
4. The approved yield is 2,450 lbs. /acre.

In this case, the four-year average yield is the Approved APH Yield.

B. Almonds - Change in Practice or Production Methods for Post-Harvest Irrigation:

The Producers Pre-Acceptance Worksheet (PAW) is an insured's self-certification of the planting and other conditions of the perennial crop. The PAW is used by the AIP to determine insurability and other policy requirements. If the insured did not post-harvest irrigate using at least the same amount of water used to establish the yield in the APH database, the insured should mark "YES" on the PAW question:

"Have Practices or Production Methods (e.g., Removal, Dehorning, Grafting, Transitioning to or from Organic) been Performed that Will Reduce the Insured Crop's Production from Previous Crop Years?"

If the insured marks "YES" on this question for any reason other than post-harvest irrigation, a Perennial Crop Pre-Acceptance Inspection Report (PAIR) and subsequent RO Determined Yield is required, see CIH Para. 1823.

When the insured applied less water throughout the year due to a shortage of water, the AIP must follow Section F of this bulletin.

If the insured marks “YES” to the PAW question only because of the insured not post-harvest irrigating the same amount of water used to establish the yield in the APH database and applied their normal allocation during the remainder of the growing season, then the AIP must use the following **Table** to determine the approved APH yield.

Almond Post Harvest Irrigation APH Adjustment

% of Post-Harvest (PH) Irrigation			% of Average APH Yield
0%	to	9%	50%
10%	To	19%	55%
20%	to	29%	60%
30%	to	39%	65%
40%	to	49%	70%
50%	to	59%	75%
60%	to	69%	80%
70%	to	79%	85%
80%	to	89%	90%
90%	To	100%	100%

Calculations: $[(2018 \text{ PH Irrigation Amount}) / (\text{Normal PH Irrigation Amount})] \times 100 = \% \text{ of PH Irrigation (Round to whole number)}$

Example 1. An insured normally applies 16 inches of water to the orchard at post-harvest (PH). For 2018, the insured is only able to apply 7 inches of water post-harvest. The Average APH Yield is 2800.

1. $7/16 \times 100 = 44\%$ of PH Irrigation.
2. Per Table, 44% of PH Irrigation = 70% of Average APH Yield.
3. The approved APH yield is: $(2800 \times .70) = 1,960$.

The AIP enters the approved APH yield of 1,960 with a Yield Indicator “F” Special Case Yield Indicator “N”. Use a Yield Limitation Flag of “11”. Rate Yield equals approved yield.

C. High Variability – Downward trending:

Paragraph 1862 APH Database Tests for High Variability of Actual Yields of the CIH provides procedure and formulas designed to identify alternate bearing and downward yield trending for Category C crop yields.

1. If the APH database meets the downward trend test in paragraph E (2), then these additional tests are required:
 - a. The previous two most recent crop years actual yields in the APH database are less than 75% of the Average APH Yield;
 - b. Three or more crop years actual yields in the APH database are less than 75% of the Average APH Yield in the last four or five years; or
 - c. One or more crop years in the most recent five crop years contains an Assigned Yield (P Yield Type).
2. If the APH database does not meet any of the criteria in 1a., b., or c., it is not considered a downward trend. Paragraph E (1) applies. The AIP approves the average yield and submits the APH database using Special Case Yield Indicator “D”. The AIP may use yield adjustment (YA) procedures if selected by the insured, see CIH Part 15, Sect. 3. If YA is applicable, AIPs must identify this option code ONLY on the P11 acreage record and must use yield limitation flag “12” on the P15 yield record when submitting to RMA. Rate yield equals average yield.
3. When an APH database meets the criteria in 1. a., b., or c., Paragraph E (2) DOES NOT APPLY as far as determining the approved yield. The AIP must determine the Approved APH yield as follows:
 - a. Determine the Downward Trend Factor (DTF) by dividing the most recent three-year average contained in the APH database by the Average APH Yield.
 - b. Find the DTF in the table below.
 - c. Find the Yield Adjustment Factor (YAF) in the following table that corresponds to the DTF.
 - d. Use the YAF to determine the Approved APH Yield.

Downward Trend Factor and Yield Adjustment Factor

Approved APH Yield = Average APH Yield x YAF	
Downward Trend Factor*	YAF
0.75 - 1.00	1.00
0.65 - 0.74	0.80
0.55 - 0.64	0.70
0.45 - 0.54	0.60
0.35 - 0.44	0.50
0.25 - 0.34	0.40
0.00 - 0.24	0.30

*Round to the nearest 100th

- e. AIPs must submit the APH database with Yield Indicator “F” and a Special Case Yield Indicator “F” and YA does not apply. Use Yield Limitation Flag “11”. Rate yield equals approved yield.
- f. If the insured can demonstrate that the high variability yield adjustment was not appropriate, a RO Determined Yield may be requested.

Example: An insured submits the following APH database, which meets the criteria for High Variability of Actual Yields. Using the Downward Trend Factor and YAF, the following approved APH Yield was determined and submitted to RMA with the Yield Indicator “F”, Special Case Yield Indicator “F”, and a Yield Limitation Flag “11”.

Year	Yield	Calculations
2013	1,500	Simple Average Yield: 950
2014	1,800	Low Years $950 \times .75 = 713$, 3 years in 6 years
2015	500*	Three-year average = 633
2016	1,250	Trend Factor = $633/950 = .67$
2017	550*	Use a YAF = .80
2018	100*	$950 \times .80 = 760$ F
Approved Yield = 760F		Rate Yield equals approved yield

D. Policy Exceptions for Grapes and Stonefruit:

The Grape crop provisions (CP) Section 7(e), acreage insurability requires the crop to: *“have produced an average of at least two tons of grapes per acre (or as otherwise provided in the Special Provisions) in at least one of the three crop years immediately preceding the insured crop year, unless we inspect and allow insurance on acreage that has not produced this amount.”*

The Stonefruit CP Section 6(b)(5), acreage insurability requires the crop to: *“have produced at least 200 lugs of fresh market production per acre, or at least 2.2 tons per acre for processing crops, in at least one of the four most recent actual production history crop years, unless we inspect such acreage and give our approval in writing”*

For Grape and Stonefruit APH databases that have not met the minimum production requirement and have had an inspection completed by the AIP, then the AIP may issue the simple average as the approved APH yield provided in the APH database when:

1. The APH Database contains 4 – 10 years of actual production history; and
2. Does not meet the criteria for the high variability of actual yields (Paragraph 1862).

Exception: 4th leaf Grapes that have produced a minimum of 1.5 tons per acre in 3rd leaf, the AIP may issue an approved yield of 2.0 tons per acre.

AIPs must submit the APH database to RMA using the Yield Indicator “F”, Special Case Indicator “M”, and a Yield Limitation Flag “11”. YA’s are not authorized. Rate Yield equals approved yield.

E. Producer’ Pre-Acceptance Worksheet (PAW) – CIH Par. 1823

A PAW triggers a PAIR and a RO Determined Yield when the insured answers: YES, to whether “...*practices or production methods (e.g. removal, dehorning, grafting, transitioning to or from organic) been performed that will reduce the insured crop’s production from previous crop years?*” For example, if an insured experienced a shortage of water in the 2018 Reinsurance Year (RY), there is a possibility that the orchard/vineyard will experience reduced productivity. In this situation, the AIP must submit a RO Determined Yield request. The request must include the following additional information:

1. Average rainfall (inches/acre) in a normal year (2012).
2. List all water sources used for the unit/block in 2018 RY.
3. Amount of water (inches/acre) applied in a normal year (2012) for the unit/block.
4. Amount of rainfall (inches/acre) in 2018 RY for the unit/block.
5. Amount of water (inches/acre) applied from all sources in 2018 RY.

If the insured answers NO to if “... *the current water supply (surface allotment/well) adequate to produce a normal crop for the crop year being certified above?*” For example, the insured has received information from their irrigation district that indicates they will have insufficient water for the 2019 RY. In this situation, the AIP must submit to the RO a determined yield request. The request must include the following additional information:

1. Amount of rainfall (inches) received in the 2018 RY for the unit/block.
2. List all water sources for the unit/block.
3. Amount of water from all sources (inches/acre) other than rainfall applied in the 2018 RY for the unit/block.
4. Amount of water (inches/acre) applied in a normal year (2012 CY) for the unit/block.
5. Amount of water insured expects to receive for the 2019 RY.
6. Documentation from the insured’s irrigation district supporting a reduction in the water supply for the 2019 RY.

F. Revisions to the Insured’s APH Database.

Procedure requires the insured to submit a RO Determined Yield request to remove yield history from the APH database. In the following situations, the AIP may remove the production and acreage from the APH database:

1. When there is prior uninsurable production and acreage; or
2. When there is prior production and acreage from a previous owner.

For further information, please contact the Davis Regional Office.

DISPOSAL DATE

August 31, 2019