

**§ 458.3 OMB control numbers.**

The OMB control numbers are contained in subpart H of part 400, Title 7 CFR.

**§ 458.4 Creditors.**

An interest of a person in an insured crop existing by virtue of a lien, mortgage, garnishment, levy, execution, bankruptcy, involuntary transfer or other similar interest shall not entitle the holder of the interest to my benefit under the contract.

**§ 458.5 Good faith reliance on misrepresentation.**

Notwithstanding any other provision of the Special California citrus insurance contract, whenever:

(a) An insured under a contract of crop insurance entered into under these regulations, as a result of a misrepresentation or other erroneous action or advice by an agent or employee of the Corporation:

(1) Is indebted to the Corporation for additional premiums; or

(2) Has suffered a loss to a crop which is not insured or for which the insured is not entitled to an indemnity because of failure to comply with the terms of the insurance contract, but which the insured believed to be insured, or believed the terms of the insurance contract to have been complied with or waived; and

(b) the Board of Directors of the Corporation, or the Manager in cases involving not more than \$100,000.00 finds that:

(1) An agent or employee of the Corporation did in fact make such misrepresentation or take other erroneous action or give erroneous advice;

(2) Said insured relied thereon in good faith; and

(3) To require the payment of the additional premiums or to deny such insured's entitlement to the indemnity would not be fair and equitable, such insured shall be granted relief the same as if otherwise entitled thereto. Requests for relief under this section must be submitted to the Corporation in writing.

**§ 458.6 The contract.**

The insurance contract shall become effective upon the written acceptance

on the Corporation's form by the insured of the Corporation's insurance offer. Said offer will be extended only after receipt by the corporation of an application for insurance on a form prescribed by the Corporation and inspection of the grove by the Corporation. The applicant will have 15 calendar days from the date the insurance offer is tendered to accept such offer. The offer will be withdrawn thereafter if not accepted. The contract shall cover the citrus crop as provided in the policy. The contract shall consist of the application, the insurance offer, the acceptance, the policy, an annual field inspection report, and the county actuarial table. Any changes made in the contract shall not affect its continuity from year to year. The forms referred to in the contract are available at the applicable services offices.

**§ 458.7 The application and policy.**

(a) Application for insurance on a form prescribed by the Corporation may be made by any person to cover such person's share in the citrus crop as landlord, owner-operator, or tenant. The application shall be submitted to the Corporation at any designated service office on or before the applicable sales closing date.

(b) The Corporation may discontinue the acceptance of applications in any county upon its determination that the insurance risk is excessive, and also, for the same reason, may reject any individual application. The Manager of the Corporation is authorized in any crop year to extend the closing date for submitting applications in any county, by placing the extended date on file in the applicable service offices and publishing a notice in the FEDERAL REGISTER upon the Manager's determination that no adverse selectivity will result during the extended period.

However, if adverse conditions should develop during such period, the Corporation may discontinue the acceptance of applications.

The provision of the Special California Insurance Policy for the 1992 through 1994 crop years are as follows:

*Special California Citrus Crop Insurance Policy*

(This is a three (3) year term contract. Refer to Section 15.)