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Subpart A—Late Planting Agreement Option; Regulations for the 1987 and Succeeding Crop Years

AUTHORITY: 7 U.S.C. 1506(l).

SOURCE: 51 FR 20246, June 4, 1986, unless otherwise noted.

§ 400.1 Availability of the late planting option.

The Late Planting Option shall be offered under the provisions contained in 7 CFR part 402, *et seq.*, within limits prescribed by and in accordance with the provisions of the Federal Crop Insurance Act, as amended (7 U.S.C. 1501 *et seq.*), only on those crops identified in § 400.4 of this subpart. All provisions of the applicable contract for the insured crop apply, except those provisions which are in conflict with this subpart.

§ 400.2 Definitions.

For the purposes of the Late Planting Option:

(a) *Final planting date* means the final planting date for the insured crop contained in the actuarial table on file in the service office.

(b) *Late Planting Agreement* means that agreement executed by the final planting date, between the FCIC and the insured whereby the insured elects, and FCIC provides, insurance on acreage planted for up to 20 days after the applicable final planting date. The production guarantee applicable on the final planting date will be reduced on the acreage planted after the final planting date by 10 percent for each 5 days that the acreage is planted after the final planting date.

(c) *Production guarantee* means the guaranteed level of production under the provisions of the applicable contract for crop insurance (sometimes expressed in amounts of insurance).

§ 400.3 Responsibilities of the insured.

The insured is solely responsible for the completion of the Late Planting Agreement and for the accuracy of the data provided on that Agreement. The provisions of this subsection shall not relieve the insured of any responsibilities under the provisions of the insurance contract.

§ 400.4 Applicability to crops insured.

The provisions of this subpart shall be applicable to the provisions of FCIC policies issued under the following regulations for insuring crops:

- 7 CFR part 416 Pea
- 7 CFR part 422 Potatoes
- 7 CFR part 425 Peanuts
- 7 CFR part 430 Sugar Beets
- 7 CFR part 433 Dry Beans
- 7 CFR part 435 Tobacco (Quota Plan)
- 7 CFR part 437 Sweet Corn (Canning and Freezing)
- 7 CFR part 447 Popcorn

[58 FR 64873, Dec. 10, 1993, as amended at 60 FR 40055, Aug. 7, 1995]

§ 400.5 The Late Planting Agreement.

The provisions of the Late Planting Agreement are as follows:

U.S. DEPARTMENT OF AGRICULTURE

FEDERAL CROP INSURANCE CORPORATION

Late Planting Agreement

Insured's Name _____

§ 400.15

7 CFR Ch. IV (1-1-99 Edition)

Contract No. _____
Address _____
Crop Year _____
Crop _____

Notwithstanding the provisions of section 2 of the policy regarding the insurability of crop acreage initially planted after the final planting date on file in the service office, I elect to have insurance provided on acreage planted for 20 days after such date. Upon my making this election, the production guarantee or amount of insurance, whichever is applicable, will be reduced 10 percent for each five days or portion thereof that the acreage is planted after the final planting date. Each 10 percent reduction will be applied to the production guarantee or amount of insurance applicable on the final planting date.

The premium will be computed based on the guarantee or amount of insurance applicable on the final planting date; therefore, no reduction in premium will occur as a result of my election to exercise this option.

If planting continues under this Agreement after the acreage reporting date on file in the service office, the acreage reporting date will be extended to 5 days after the completion of planting the acreage to which insurance will attach under this Agreement.

Insured's Signature _____
Date _____
Corporation Representative's Signature and Code Number _____
Date _____

COLLECTION OF INFORMATION AND DATA (PRIVACY ACT)

To the extent that the information requested herein relates to the information supplier's individual capacity as opposed to the supplier's entrepreneurial (business) capacity, the following statements are made in accordance with the Privacy Act of 1974, as amended (5 U.S.C. 552(a)). The authority for requesting information to be furnished on this form is the Federal Crop Insurance Act, as amended (7 U.S.C. 1501 et seq.) and the Federal Crop Insurance Corporation Regulations contained in 7 CFR chapter IV.

The information requested is necessary for the Federal Crop Insurance Corporation (FCIC) to process this form to provide insurance, determine eligibility, determine the correct parties to the agreement or contract, determine and collect premiums, and pay indemnities. Furnishing the Tax Identification Number (Social Security Number) is voluntary and no adverse action will result from the failure to furnish that number. Furnishing the information required by this form, other than the Tax Identification (Social Security) Number, is also voluntary; however, failure to furnish the correct, complete information requested may result in rejection of this form, rejection of or sub-

stantial reduction in any claim for indemnity, ineligibility for insurance, and a unilateral determination of the amount of premium due. (See the face of this form for information on the consequences of furnishing false or incomplete information.)

The information furnished on this form will be used by Federal agencies, FCIC employees, and contractors who require such information in the performance of their duties. The information may be furnished to: FCIC contract agencies, employees and loss adjusters; reinsured companies; other agencies within the United States Department of Agriculture; the Internal Revenue Service; the Department of Justice, or other Federal or State law enforcement agencies; credit reporting agencies and collection agencies; and in response to judicial orders in the course of litigation.

[51 FR 20246, June 4, 1986, as amended at 52 FR 24979, July 2, 1987]

Subpart B—Individual Yield Coverage Plan Regulations for the 1985 and Succeeding Crop Years

AUTHORITY: Sec. 508, Pub. L. 75-430, 52 Stat. 73, as amended (7 U.S.C. 1508).

SOURCE: 50 FR 32001, Aug. 8, 1985, unless otherwise noted.

§ 400.15 Availability of Individual Yield Coverage Plan.

Individual Yield Coverage Plan (IYCP) shall be offered under the provisions contained in the following regulations:

- CFR part 418Wheat Crop Insurance
CFR part 419Barley Crop Insurance
CFR part 423Flax Crop Insurance
CFR part 427Oat Crop Insurance
CFR part 428Sunflower Crop Insurance
CFR part 429Rye Crop Insurance
CFR part 431Soybean Crop Insurance
CFR part 433Dry Bean Crop Insurance

Within limits prescribed by and in accordance with the provisions of the Federal Crop Insurance Act, as amended (7 U.S.C. 1501 et seq.), only on those crops identified in this section and in those areas where the actuarial table provides that IYCP is available. (IYCP is available only on those crops and in those areas where the Corporation's Actual Production History Program has not been implemented. The Actual Production History form will be used for both programs). All provisions of