



United States  
Department of  
Agriculture

Farm and Foreign  
Agricultural  
Services

Risk  
Management  
Agency

P.O. Box 419205  
Kansas City,  
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June 9, 2011

**INFORMATIONAL MEMORANDUM: PM-11-025**

TO: All Approved Insurance Providers  
All Risk Management Agency Field Offices  
All Other Interested Parties

FROM: Tim B. Witt /s/ *Tim B. Witt*  
Deputy Administrator

SUBJECT: Prevented Planting Coverage for Crops Following a Cover Crop

**BACKGROUND:**

Cover crops are used primarily to benefit the soil and/or other crops to be planted on the acreage, but are not intended to be harvested for feed or sale. Some primary benefits from cover crops include: soil quality improvements, erosion control, fertility improvements, weed suppression, and insect control. However, cover crops can, in some cases, have an impact on the insurability of the crop planted following the cover crop. The Special Provisions (SP) in some county/crop programs contain a statement limiting insurance for certain crops following another crop that has reached the headed or budded stage and/or that has been harvested in the same calendar year. The following is an example of the referenced SP statement:

“Insurance shall not attach or be considered to have attached without a written agreement on any acreage from which, in the same calendar year: 1) a perennial hay crop was harvested; or 2) another crop has reached the headed or budded stage (regardless of the percentage of plants that reached the headed or budded stage) or has been harvested. Contact your crop insurance agent by the sales closing date to determine eligibility requirements.”

Some producers have recently been affected by poor planting conditions due to extreme wet weather, leaving the producers unable to terminate the cover crop. Questions have been raised whether acreage with cover crop growth that is not terminated before reaching the headed or budded stage due to adverse weather conditions is eligible for prevented planting coverage.

In accordance with section 11 of the Common Crop Insurance Basic Provisions (Basic Provisions), with the exception of prevented planting coverage, insurance attaches on the date the insured crop is planted. The SP statement referenced above gives additional insurability requirements for insurance to attach to a planted crop (e.g. corn, cotton, grain sorghum, etc.) following a cover crop that has reached the headed stage. If the requirements are not met, the crop is not insurable due to soil moisture depletion or erosion control issues.



The Risk Management Agency Administers  
And Oversees All Programs Authorized Under  
The Federal Crop Insurance Corporation

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If a policyholder was unable to destroy the cover crop before it reached the headed stage due to an insured cause of loss and has been prevented from planting due to an insured cause of loss, the acreage would be eligible for prevented planting coverage regardless of whether the cover crop remains on the acreage. Because the producer was unable to terminate the cover crop due to an insurable cause of loss that occurred during the prevented planting insurance period, the SP statement referenced above would NOT preclude those who planted the cover crop from receiving a prevented planting payment, provided the policyholder meets all other requirements of the policy and was prevented from planting by an insured cause of loss.

**DISPOSAL DATE:**

December 31, 2011