



United States
Department of
Agriculture

Farm Production
And Conservation

Risk
Management
Agency

1400
Independence
Avenue, SW
Stop 0801
Washington, DC
20250-0801

BULLETIN NO.: MGR-18-004

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

FROM: Martin R. Barbre /s/ Heather Manzano, for. 5/11/2018
Administrator

SUBJECT: Deviations from NRCS Cover Crop Termination Guidelines

BACKGROUND:

The Risk Management Agency (RMA) allows for deviations from the Natural Resources Conservation Service (NRCS) Cover Crop Termination Guidelines (NRCS Guidelines) via a Special Provisions statement, which states:

“Insurance shall attach to a crop following a cover crop when the cover crop meets the definition provided in the Basic Provisions, was planted within the last 12 months, and is managed and terminated according to NRCS guidelines. **If growing conditions warrant a deviation from the guidelines, producers should contact either Extension or the local NRCS for management guidance.** For information on cover crop management and termination guidelines, refer to the Cover Crop Termination Guidelines published at <http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/landuse/crops/>.”
[Emphasis added]

RMA has received questions regarding the process for requesting a deviation from the NRCS Guidelines, because the Special Provisions statement does not explain how to obtain a deviation once the insured receives management guidance from their Extension or local NRCS office to deviate from the NRCS Guidelines.

ACTION:

Beginning with the 2018 crop year, Approved Insurance Providers (AIP) will accept a deviation from the NRCS Guidelines to an insured when the insured provides a written and signed document from at least two agricultural experts (Extension or the local NRCS or other agricultural expert as defined by the Good Farming Practice Handbook) that meet RMA requirements. This documentation must specify why a deviation is warranted and why the cover crop management used will not adversely affect the yields or quality of the insured crop, allow the insured crop to make normal progress toward maturity, and produce at least the yield used to determine the production guarantee or amount of insurance. When a termination deviation is documented as described above, AIPs will consider the crop insurable and advise insureds to adhere to the Good Farming Practices as defined in the policy in order to maintain insurability.

Two distinct NRCS experts qualify as two agricultural experts as long as they are at different management levels and do not serve the same district. A deviation from the NRCS Guidelines should be provided on a case by case basis and specific to the growing conditions of the insured's farming operation. Insureds must provide the deviation and documentation to the AIP on or before the acreage reporting date. Even under the different termination management practice, as set forth in the deviation, cover crops must be terminated no later than emergence of the insured crop.

Further information can be found in the Frequently Asked Questions published on RMA's website here: <https://www.rma.usda.gov/help/faq/covercrops2016.html>.

DISPOSAL DATE:

December 31, 2018