

**PART 400—GENERAL
ADMINISTRATIVE REGULATIONS**

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

AUTHORITY: 7 U.S.C. 1506(1), 1506(p).

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§ 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