

United States  
Department of  
Agriculture



Federal Crop  
Insurance  
Corporation

Product  
Development  
Division

FCIC-24140 (03-2001)

# 2001 ORGANIC CROP INSURANCE UNDERWRITING GUIDE

ORGANIC CROP INSURANCE  
UNDERWRITING GUIDE

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U.S. DEPARTMENT OF AGRICULTURE

WASHINGTON, D.C. 20250

<b>FEDERAL CROP INSURANCE CORPORATION DIRECTIVE</b>		NUMBER: <b>FCIC-24140</b>
SUBJECT:  <b>ORGANIC CROP INSURANCE UNDERWRITING GUIDE FOR THE 2001 AND SUCCEEDING CROP YEARS</b>	DATE: <b>MARCH, 2001</b>	
	OPI: <b>PRODUCT DEVELOPMENT DIVISION</b>	
	APPROVED: <b>Signed by Phyllis W. Honor Acting Administrator, March 15, 2001</b>	

**1 PURPOSE AND OBJECTIVE**

To provide guidelines and procedures to assure the uniform delivery of insurance coverage via written agreements to producers of crops produced under organic production practices.

**2 CANCELLATION**

- A Effective Date. Upon Approval.
- B Issuance. This issuance is for the 2001 and succeeding crop years beginning with crops that have a March 15, 2001 sales closing date.

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**DISTRIBUTION**

RMA Deputy Administrators, Directors, Washington, D.C., Kansas City, RMA Regional Offices (RO) and Risk Compliance Office (RCO); National Appeals Division (NAD); Reinsured Companies, and National Crop Insurance Services (NCIS).

### 3 DEFINITIONS

Buffer zone	An area located between a certified organic or transitional production operation or portion of a production operation and an adjacent land area that is not maintained under organic management. A buffer zone must be sufficient in size or other features (e.g., windbreaks or a diversion ditch) to prevent the possibility of unintended contact by prohibited substances or contamination from a genetically modified organism with the certified organic or transitional operation.
Buffer zone acreage	Acreage of the insured crop located in a buffer zone.
Certificate	A written document issued annually that identifies the name of the person certified, effective date of certification, expiration date of certification, certificate number, types of products certified, and name and address of the certifying agency.
Certification	A determination made by a certifying agency that production or handling operation is in compliance with the certifying agency's certification standards.
Certified organic acreage	Acreage certified by a certifying agency as organic and upon which a system of organic farming practices and management is utilized in compliance with the certifying agency's organic standards.
Certifying agency (agent)	A private or government agency that issues standards and verifies products labeled as organic that have been produced, processed, handled, or imported under the certifying agency's standards. The certifying agency must be accredited by the Agricultural Marketing Service in accordance with the requirements of the Organic Foods Production Act (OFPA) of 1990 and applicable regulations.
Conventional	Any FCIC approved non-organic farming practice.
Decertified	Acreage that is originally certified and that certification is subsequently revoked by the certifying agency for the remainder of the crop year.
Genetically Modified Organism (GMO)	A living plant, animal, or microbe that has been altered by the addition or modification of a gene through the process of genetic engineering and contains genes or portions of genes from unrelated organisms.

Organic acreage	Certified or transitional acreage, either of which may also contain an amount of buffer zone acreage.
Organic farming practice	A system of plant or animal production practices in which only natural biological processes, allowable materials and control methods approved by a certifying agency are used for production purposes.
Organic Foods Production Act (OFPA)	The statute enacted in 1990 mandating the development of national standards for the production and handling of foods labeled as organic.
Organic plan	An annual, written plan that a person and certifying agency agree upon for the management of an organic crop. This plan describes the management practices and inputs the person must use, and identifies all steps the person must take to maintain compliance with the certifying agency's organic standards.
Prohibited substance	Any biological, chemical, or genetic agent or organism that can not be used on any certified organic, transitional or buffer zone acreage.
Transitional acreage	Acreage on which organic farming practices are being followed but has not met the qualifications for certified organic acreage.

#### **4 COVERAGE AVAILABILITY**

Beginning the 2001 crop year with crops having a March 15, 2001, (or later) sales closing date, the insured may request insurance coverage for organic acreage of the insurable crop by written agreement. For subsequent crop years, written agreements requested by the applicable sales closing date may be approved for county crop programs where organic coverage is not otherwise available.

#### **5 GENERAL INFORMATION**

Insurance coverage recognizing organic farming practices as a "good farming practice" is available only by written agreement in accordance with the following rules and guidelines.

- A Organic acreage will be reported and insured under the conventional practice or type for the crop shown on the actuarial documents, i.e., irrigated, non-irrigated, summer fallow, not intertilled between row (NIBR), etc. See section 12 for acreage reporting instructions.

- B Organic crop producers insured under a written agreement must follow recognized good organic farming practices and any good conventional farming practices that do not conflict with such practices.
- C Written agreements for organic acreage are NOT available for pilot crops (except as permitted by the crop provisions), Catastrophic Risk Protection, Income Protection, and Revenue Assurance Plans of insurance.

NOTE: Organic acreage is insurable under the Adjusted Gross Revenue (AGR) and Group Risk Plan (GRP) and Group Risk Income Protection (GRIP) policies. A written agreement is not required.

- D Organic acreage for crop producers who do not request or do not qualify for a written agreement is insurable under standard policy provisions. Any loss of production caused by failure to follow **all** good farming practices, including necessary pesticide applications to control insects, disease, or weeds, will result in an appraisal for uninsured causes. Refer to section 14 and the Loss Adjustment Manual (LAM).
- E ALL rules and guidelines contained in the FCIC 24020, Written Agreement Handbook, FCIC 18010, Crop Insurance Handbook, LAM, and other applicable procedures that are not in conflict with this guide will apply.
- F Basic Requirements for Certified Organic and Transitional Acreage.

The insured, on the final acreage reporting date, must have:

- (1) An approved written agreement.
- (2) For certified organic acreage, a written certification (certificate) in effect from a certifying agency indicating the name of the person certified, effective date of certification, expiration date of certification, certificate number, types of commodities certified, and name and address of the certifying agency.

NOTE: A certificate issued to a tenant may be used to qualify a landlord or similar arrangement.

- (3) For transitional acreage, a certificate as described in F(2) above, or written documentation from a certifying agency that indicates an organic plan is in effect for the acreage.

NOTE: Transitional acreage may be certified but it is not considered certified organic acreage.

- (4) Records from the certifying agency showing the exact location of each field of certified organic, transitional, buffer zone acreage and conventional acreage not maintained under organic management.

- G Certified Organic and Transitional Acreage not meeting applicable requirements.
- (1) If the requirements of F above are not met, any certified organic or transitional acreage will be insured under the provisions of the standard policy and applicable rates and coverages for the conventional practice or type that were in effect for the crop on the final acreage reporting date.
  - (2) If the requirements of F above are met, either of the following actions may occur after the final acreage reporting date without limiting the organic coverage for the reported organic acreage:
    - (a) Certified organic or certified transitional acreage is decertified, or
    - (b) Transitional acreage (not certified) is no longer considered as transitional acreage by the certifying agency or does not comply with the organic plan.

In either case, the certified organic and transitional acreage reported on the acreage report will continue to be insured on an organic basis in accordance with the provisions of the approved written agreement and standard policy and this guide.

## 6 DEADLINES AND DOCUMENTATION REQUIREMENTS

NOTE: Refer to the applicable crop provisions or county actuarial table for information in regards to sales closing, acreage reporting, and other important dates.

- A Requests to insure the organic acreage must be signed, dated, and submitted in writing to the agent no later than the sales closing date deadline and postmarked to the Regional Office (RO) within 20 days of such date and received in the RO no later than 10 days thereafter. If a written agreement for organic acreage is not requested or approved, standard policy provisions and current loss adjustment procedures will apply for an organically grown crop (i.e., appraisals for uninsured causes for uncontrolled disease, insect, weed damage, or other uninsured damage).
- B If the insured produces the insured crop using both organic and conventional farming practices, separate records of acreage and production for each farming practice must be maintained.
- C The insured must provide separate records of organic acreage and production for certified organic or transitional acreage in the unit (except for new producers, added land, or an added organic farming practice which has **initially** qualified as transitional acreage and where organic acreage and production records do not exist).

(1) At least 3 years of acceptable records of organic acreage and production must be provided for certified organic acreage in the unit (or applicable certification documentation if the acreage was not in production for one or more crop years during the 3-year certification period). These records may represent one or more crops which may or may not be insurable. For example:

(a) Organic corn produced in 1998-99; organic soybeans produced in 2000, or

(b) Only vegetable crops produced on the certified organic acreage.

In these or similar cases, such records can be used to qualify the person for a written agreement even though they may not be used to determine coverage for the insured crops.

(2) For transitional acreage in the unit, the insured must provide records of organic acreage and production for each crop year the acreage qualifies as transitional acreage. (Instructions regarding other appropriate documentation or acreage and production history contained in (1) above also apply for transitional acreage requests.)

D Buffer zone acreage and production of the crop will be included with the certified organic or transitional acreage of which it is a part.

## **7 UNIT DETERMINATION**

Organic acreage may qualify for a separate optional unit. See provisions of the standard policy and Exhibit 2, Attachment A for unit division guidelines and requirements.

## **8 YIELD DETERMINATIONS**

Crop Insurance Handbook (FCIC-18010 (6-99), 18010-01 (6-00)) procedures are applicable with the following additional instructions.

A Separate (100%) T-Yields used to establish APH yields for certified organic or transitional acreage will be provided on the written agreement.

B As required, use the variable T-Yield (established on a crop basis) for the certified organic or transitional acreage in the unit to complete the applicable database.

C Any acreage and production records of the insured crop from transitional acreage will be used to establish the certified organic approved APH yield when such acreage initially qualifies as certified organic acreage. A certified organic variable T-Yield will be used to complete the database, if required.



- D Yield floors and limitations do not apply the first year the unit becomes certified organic acreage.
- E For crops that qualify for master yields, a separate certified organic or transitional master yield must be determined if master yields are elected by the insured.

## **9 PRICE ELECTIONS, DOLLAR AMOUNTS OF INSURANCE, AND PREMIUM DETERMINATION**

- A The price elections or dollar amounts of insurance for organic crops (certified or transitional) will be the applicable price elections or dollar amounts of insurance for the crop shown on the actuarial documents.
- B The premium for the conventional practice or type determined in accordance with the policy and actuarial documents, will be multiplied by an organic premium factor issued by the Risk Management Agency (RMA) to determine the premium for certified organic or transitional acreage.

NOTE: Any acreage planted to the insured crop in a buffer zone will be insured using the price election or dollar amount of insurance and organic premium factor applicable to the certified organic or transitional acreage of which it is a part.

## **10 QUALITY ADJUSTMENT**

There will be **no** additional quality adjustment for certified organic or transitional acreage. The quality adjustment procedures that apply to conventional acreage will also apply to certified organic, transitional, or buffer zone acreage. Refer to the basic provisions, applicable crop provisions and special provisions (if applicable) for information on quality adjustment.

## **11 PREVENTED PLANTING**

- A Prevented planting coverage will not be provided for any acreage grown under an organic farming practice in excess of the number of acres shown on the records required in section 5F.
- B Any prevented planting acreage in a field that contains planted acreage grown using conventional farming practices, will be considered as organic acreage if such prevented planting acreage is identified as certified organic, transitional, or buffer zone acreage in the organic plan.

## **12 ACREAGE REPORTING INSTRUCTIONS**

Standard acreage reporting procedures apply with the following additional instructions.

- A Separate line entries for certified organic and transitional acreage for the unit, by practice or type (conventional), are required.

- B Buffer zone acreage will be included in the organic acreage of the unit it buffers (either certified organic or transitional acreage) and will be reported on the same basis.
- C Any acreage reported on the acreage report that did not qualify as certified organic acreage or transitional acreage on the final acreage reporting date will require a revised acreage report. Such acreage will be insured under the provisions of the standard policy and applicable rates and coverages for the conventional practice or type in effect on the final acreage reporting date.
- D The acreage report will not be revised to limit the organic coverage provided by written agreement if, after the final acreage reporting date:
  - (1) Any reported certified organic or certified transitional acreage is decertified, or
  - (2) Transitional acreage (not certified) is no longer considered transitional by the certifying agency or does not comply with the organic plan.

Insurance coverage for the certified organic or transitional acreage reported on the acreage report will continue on an organic basis in accordance with the provisions of the approved written agreement and standard policy and this guide.

### 13 DATA AUTOMATION SYSTEM (DAS) REPORTING REQUIREMENTS

The following fields must be used when transmitting data to DAS:

- A Written agreement number - enter the request number contained on the agreement.
- B Written agreement type code - enter the type code (OC) contained on the agreement.
- C An approved written agreement provides coverage for the insured organic crop which may include either or both certified organic and transitional acreage. In these cases, the ability to report separate production history, APH yields, and acreage report and claims data for each type of acreage is needed. For this purpose, different **written agreement processing flags** have been established. These flags are:
  - (1) Use RC (certified organic acreage) and RT (transitional acreage) if a reference county applies.
  - (2) Use NC (certified organic acreage) and NT (transitional acreage) if a reference county does NOT apply.

### 14 LOSS ADJUSTMENT INSTRUCTIONS

- A The General Loss Adjustment Manual Standards, FCIC 25010 and individual crop handbooks that apply to conventional acreage will also apply to certified organic, transitional, and buffer zone acreage.
- B In addition to the information contained in the LAM, the loss adjuster must:
- (1) Verify the cause of loss to determine if the loss is insurable.
  - (2) Verify the production records and unit division reported for certified organic, transitional, buffer zone and conventional acreage.
  - (3) Verify the insured used organic farming practices and all good farming practices in accordance to the certifying agency standards.
  - (4) Verify the requirements specified in section 5F were met.
  - (5) Use separate line entries for certified organic and transitional acreage in the unit (and conventional acreage when insured in the same unit) on the claim form.
  - (6) See section 12 of this guide for instructions for revising the acreage report during loss adjustment, if required.

## **EXHIBIT SECTION**

**EXHIBIT 1**  
**Example of a Certificate**

ABC CERTIFYING AGENCY

**Certified Organic**

ABC Certifying Agency  
1234 Anytown, Anystate, XXXXX  
(123) 456-7890

**Certification Acknowledgment**

This is to certify that

**I. M. INSURED Orchards / I. M. INSURED**  
is a grower certified by ABC Certifying Agency CERTIFIED ORGANIC (1234)

**CLASS O -- Organically Grown**  
Certification Number 1234

The Grower has complied with the Standards and Guidelines set by (1234) for Class O, Certified Organically Grown on 29 acres of land on field 1A Tract 1552. The crops grown on that land and harvested during the stated year are the following:

**Pear (Red and Green Bartlett, Bosc, Red and Green Comice, Green and Red D'Anjou)**

**CLASS T -- Transitional**  
Certification Number 1134

The Grower has complied with the Standards and Guidelines set by (1234) for Class T, Certified Transitionally Grown on 9 acres of land. The crops grown on that land and harvested during the stated year are:

**Pear (Bosc, Green D'Anjou, Red and Green Bartlett)**

The farm has been visited during the crop year by an agent of the ABC Certifying Agency Certified Organic Program to verify that, to the best of our knowledge, the standards and guidelines have been met.

Issued : July 31, 2000

Expires : July 31, 2001

[Signature]

I. M. Director  
Executive Director

**EXHIBIT 2**  
**Written Agreement (For Organic Crops)**

Preparation and Distribution	
1-2	Enter state and county where crop to be insured is located.
3	Enter request number
4,6,7,8	Enter name, address, social security number and/or employer identification number of applicant/insured as shown on the application for insurance and the crop year.
5	Enter policy number if known.
9,10	List request type, crop and code(s).
11	Enter policy form(s) affected (if applicable, attach appropriate forms).
12	Complete an insuring statement with terms of the written agreement which describe the basis for the rate and coverage.
13-17	These statements are required for all organic written agreements.  NOTE: For item 13, the narrative of the written agreement table will specify certified organic or transitional acreage for the applicable T-Yield.  For item 14, the Rate column of the written agreement table is left blank.
18	Enter the expiration date. A written agreement issued 30 calendar days or more before sales closing remains a valid offer until 11:59 p.m. on the day of sales closing.
19	This statement is required for all written agreements.
20	This statement is required for crops that are eligible for the High Risk Land Exclusion Option.
21-22	Signature and date of insured accepting terms of written agreements.
23-26	Company name and address, signature of authorized company representative, date, and company code.
27	Enter name of RO providing authorization for the written agreement.
28-29	Date and signature of Senior Risk Management Specialist that approved the written agreement.
*	<b>Enter the following statement:</b> RMA authorizes the use of this written agreement. Any modifications to the written agreement voids RMA authorization.
30	Distribution: Original to the Insurance Provider. Copy to agent, insured, and RO file [see section 3J(1) and (2)].



STATE: (1) _____ [ ]	COUNTY: (2) _____ [ ]
REQUEST NO#: (3) _____	
INSURED: (4) _____	POLICY NO: (5) _____
ADDRESS: (6) _____	
SSN/EMPLOYER ID NO. (7) _____	CROP YEAR: (8) _____

**ACCEPTANCE:** I certify that I have carefully reviewed this endorsement and agree to its terms and conditions. I further agree and understand that nothing contained herein will otherwise change any of the other terms or conditions of the policy.

(21) _____	(22) ____/____/____
(INSURED'S SIGNATURE)	(DATE)
(23) _____	(24) _____
(COMPANY NAME)	(SIGNATURE OF COMPANY REP.)
_____	(25) ____/____/____
(COMPANY ADDRESS)	(DATE)
_____	(26) _____
(COMPANY ADDRESS)	(COMPANY CODE)

**Authorized by:** RISK MANAGEMENT AGENCY \_\_\_\_\_ (27) \_\_\_\_\_ RO

**Approved by:**

(28) _____	(29) ____/____/____
SENIOR RISK MANAGEMENT SPECIALIST	(DATE)

\* **Enter the statement from the instruction page here.**

(30) DISTRIBUTION: Original to the Insurance Provider. Copy to the insured, agent, and RO file.



## Attachment A

### Definitions and Additional Terms and Conditions

#### DEFINITIONS

**Buffer zone** - An area located between a certified organic or transitional production operation or portion of a production operation and an adjacent land area that is not maintained under organic management. A buffer zone must be sufficient in size or other features (e.g., windbreaks or a diversion ditch) to prevent the possibility of unintended contact by prohibited substances or contamination from a genetically modified organism with the certified organic or transitional operation.

**Buffer zone acreage** - Acreage of the insured crop located in a buffer zone.

**Certificate** - A written document issued annually that identifies the name of the person certified, effective date of certification, expiration date of certification, certificate number, types of products certified, and name and address of the certifying agency.

**Certification** - A determination made by a certifying agency that production or handling operation is in compliance with the certifying agency's certification standards.

**Certified organic acreage** - Acreage certified by a certifying agency as organic and upon which a system of organic farming practices and management is utilized in compliance with the certifying agency's organic standards.

**Certifying agency (agent)** - A private or government agency that issues standards and verifies products labeled as organic that have been produced, processed, handled, or imported under the certifying agency's standards. The certifying agency must be accredited by the Agricultural Marketing Service in accordance with the requirements of the Organic Foods Production Act (OFPA) of 1990 and applicable regulations.

**Conventional** - Any FCIC approved non-organic farming practice.

**Decertified** - Acreage that is originally certified and that certification is subsequently revoked by the certifying agency for the remainder of the crop year.

**Genetically modified organism** - A living plant, animal, or microbe that has been altered by the addition or modification of a gene through the process of genetic engineering and contains genes or portions of genes from unrelated organisms.

**Good farming practices** - The cultural practices generally in use in the county, including sustainable farming practices, for the crop to make normal progress toward maturity and produce at least the yield used to determine the production guarantee or amount of insurance, and are those recognized by the Cooperative State Research, Education, and Extension Service as compatible with agronomic and weather conditions in the county.

**Organic acreage** - Certified or transitional acreage, either of which may also contain an amount of buffer zone acreage.

**Organic farming practice** - A system of plant or animal production practices in which only natural biological processes, allowable materials and control methods approved by a certifying agency are used for production purposes.

**Organic Foods Production Act (OFPA)** - The statute enacted in 1990 mandating the development of national standards for the production and handling of foods labeled as organic.

**Organic plan** - An annual, written plan that a person and certifying agency agree upon for the management of an organic crop. This plan describes the management practices and inputs the person must use, and identifies all steps the person must take to maintain compliance with the certifying agency's organic standards.

## Attachment A

**Prohibited substance** - Any biological, chemical, or genetic agent or organism that can not be used on any certified organic, transitional or buffer zone acreage.

**Sustainable farming practice** - A system or process for producing an agricultural commodity recognized by the Natural Resources Conservation Service (NRCS) or a successor agency as likely to conserve or enhance natural resources and the environment.

**Transitional acreage** - Acreage on which organic farming practices are being followed but has not met the qualifications for certified organic acreage.

### TERMS AND CONDITIONS

- (a) The following acreage is insurable under the written agreement as provided in section 8(b)(1) of the basic provisions if all other terms and conditions of the basic provisions, crop provisions, special provisions, and actuarial documents are met:
  - (1) Certified organic acreage;
  - (2) Transitional acreage that is farmed in accordance with an organic plan; and
  - (3) Buffer zone acreage.
- (b) On the date you report your acreage (including any revised acreage reports) but not later than the final acreage reporting date, you must have:
  - (1) An approved written agreement.
  - (2) For certified organic acreage, a written certification (certificate) in effect from a certifying agency indicating the name of the person certified, effective date of certification, expiration date of certification, certificate number, types of commodities certified, and name and address of the certifying agency (a certificate issued to a tenant may be used to qualify a landlord or other similar arrangement);
  - (3) For transitional acreage, a certificate as described in (b)(2) above, or written documentation from a certifying agency indicating that an organic plan is in effect for the acreage; and
  - (4) Records from the certifying agency showing the specific location of each field of certified organic, transitional, buffer zone, and acreage not maintained under organic management.
- (c) If you claim a loss on any acreage insured under an organic farming practice, you must provide us with copies of the records required in (b) above.
- (d) If any acreage qualifies as certified organic or transitional acreage on the date you report such acreage, and such certification is subsequently revoked by the certifying agency, or the certifying agency no longer considers the acreage as transitional acreage for the remainder of the crop year, that acreage will remain insured under the organic farming practice for which it qualified at the time the acreage was reported.
- (e) Organic farming practices will be considered to be good farming practices if they are recommended for use in the area for the crop to make normal progress toward maturity and produce at least the yield used to determine the production guarantee or amount of insurance, and are those recommended by a certifying agency, the Cooperative State Research, Education, and Extension Service (CSREES) or other sources recommended by CSREES for the production of organic crops as compatible with agronomic and weather conditions in the area.
- (f) Any loss of production or value due to the intentional or unintentional contact of a prohibited substance or contamination from a genetically modified organism with your certified organic, transitional, or buffer zone acreage that is caused by you or a third party is not insured.

## Attachment A

- (g) In addition to the provisions contained in section 17(f) of the basic provisions, prevented planting coverage will not be provided for any acreage based on an organic farming practice in excess of the number of acres that will be grown under an organic farming practice and shown as such in the records required in (c) above.
- (h) In lieu of the provisions contained in section 17(f)(1) of the basic provisions that specify prevented planting acreage within a field that contains planted acreage will be considered to be acreage of the same practice that is planted in the field, prevented planting acreage will be considered as organic acreage if it is identified as certified organic, transitional, or buffer zone acreage in the organic plan.
- (i) Any acreage planted to the insured crop in a buffer zone will be insured on the same basis, either certified organic or transitional, as the organic acreage it buffers. The buffer acreage and production will be combined with the acreage and production for the certified organic or transitional acreage for the unit to calculate the actual yield for the crop year.
- (j) In addition to, or instead of, the provisions contained in section 34 of the basic provisions for establishing optional units by section, section equivalent or FSA farm serial number, or irrigated and non-irrigated acreage, or as otherwise provided by individual crop provisions, separate optional units may be established for acreage grown and insured under an organic farming practice. To qualify as a separate optional unit, there must be a clear and discernable border between the acreage insured using an organic farming practice and other acreage of the insured crop. Certified organic, transitional and buffer zone acreages do not individually qualify as separate units.
- (k) Production to count will be adjusted for quality in accordance with the basic provisions, applicable crop provisions, applicable special provisions, or other endorsement or option that is in effect, unless otherwise specified in the actuarial documents.