



United States  
Department of  
Agriculture

Farm and Foreign  
Agricultural  
Services

Risk  
Management  
Agency

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Washington, DC  
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**BULLETIN NO.: MGR-11-007**

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

**FROM:** William J. Murphy /s/ *William J. Murphy* 6/14/2011  
Administrator

**SUBJECT:** Coverage for Cotton Planted Into 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 cotton following a small grain cover crop that has reached the headed stage (regardless of the percentage of small grain plants that reached the headed stage). The following is an example of such a SP statement:

“Insurance shall not attach or be considered to have attached on any acreage that is non-irrigated and from which, in the same calendar year: 1) a hay crop was harvested (including a harvested small grain hay crop); 2) a small grain crop reached the headed stage (regardless of the percentage of small grain plants that reached the headed stage); or 3) a crop was grazed past February 15.”

In some areas, as a normal and recognized conservation tillage practice, producers may have planted a cover crop (usually a small grain of wheat or rye) during the fall to prevent soil erosion from occurring during the winter and early spring months. This practice can often be recognized as part of a “no-till” or “minimum-till” practice recognized by agricultural experts in the area. The cover crop is then chemically terminated and the cotton is planted into the cover crop. In some situations, the cover crop may remain standing between newly planted rows of cotton to reduce wind soil erosion and damage to the cotton seedlings. While the cover crop normally dies, the new planted cotton crop emerges. This year, although herbicide practices may have been properly applied to terminate the cover crop (including more than one application), an isolated number of plants may continue to grow and ultimately produce a seed head. This may occur when



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the cover crop plants are severely stressed and do not sufficiently translocate the herbicide to cause termination. In any chemical application, it is recognized an isolated number of plants may remain and a seed head may be scattered remotely throughout the acreage, but does not significantly affect the possibility of successfully producing a subsequent crop.

**ACTION:**

Effective for the 2011 crop year, for purposes of inspection and administering the SP statement referenced above, it is recognized an isolated or small number of plants may have continued to grow and produce a seed head. This takes into account that an isolated or very small number of seed heads may be unavoidable due to extreme drought conditions preventing the herbicides from fully terminating the cover crop and the producers inability to terminate every single plant is, in essence, so minor as to be disregarded. If the policyholder did everything that was required under the policy to terminate the cover crop before it reached the heading stage, but full termination did not occur due to an insurable cause of loss, a determination that an isolated or small number of plants remaining would NOT preclude insurance for a subsequent crop, provided the policyholder meets all other requirements of the policy.

During the loss adjustment process, the loss adjuster must verify that the policyholder took appropriate, recognized measures, in accordance with agricultural expert recommendations, that would have normally achieved vegetative kill of the small grain plants preventing them from reaching the headed stage if not for the insurable cause of loss that prevented the chemical application from properly working. This means verification of the application of the correct chemical, in the proper amounts, and at the proper time to achieve termination of the crop before it reached the heading stage.

**DISPOSAL DATE:**

December 31, 2011