

Sec. 508A

75-30 - Agricultural Adjustment Act of 1938 & Federal...

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- (i) this subtitle; and
  - (ii) section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).
- (B) DE MINIMIS ACREAGE EXEMPTION.—The Secretary shall exempt areas of 5 acres or less from subparagraph (A).
- (3) APPLICATION.—Paragraph (2) may apply to native sod acreage in the Prairie Pothole National Priority Area at the election of the Governor of the respective State.

SEC. 508A. *ø7* U.S.C. 1508a<sub>ç</sub> DOUBLE INSURANCE AND PREVENTED PLANTING.

(a) DEFINITIONS.—In this section:

(1) FIRST CROP.—The term “first crop” means the first crop of the first agricultural commodity planted for harvest, or prevented from being planted, on specific acreage during a crop year and insured under this subtitle.

(2) SECOND CROP.—The term “second crop” means a second crop of the same agricultural commodity as the first crop, or a crop of a different agricultural commodity following the first crop, planted on the same acreage as the first crop for harvest in the same crop year, except the term does not include a replanted crop.

(3) REPLANTED CROP.—The term “replanted crop” means any agricultural commodity replanted on the same acreage as the first crop for harvest in the same crop year if the replanting is required by the terms of the policy of insurance covering the first crop.

(b) DOUBLE INSURANCE.—

(1) OPTIONS ON LOSS TO FIRST CROP.—Except as provided in subsections (d) and (e), if a first crop insured under this subtitle in a crop year has a total or partial insurable loss, the producer of the first crop may elect one of the following options:

(A) NO SECOND CROP PLANTED.—The producer may—

- (i) elect to not plant a second crop on the same acreage for harvest in the same crop year; and
- (ii) collect an indemnity payment that is equal to 100 percent of the insurable loss for the first crop.

(B) SECOND CROP PLANTED.—The producer may—

- (i) plant a second crop on the same acreage for harvest in the same crop year; and
- (ii) collect an indemnity payment established by the Corporation for the first crop, but not to exceed 35 percent of the insurable loss for the first crop.

(2) EFFECT OF NO LOSS TO SECOND CROP.—If a producer makes an election under paragraph (1)(B) and the producer does not suffer an insurable loss to the second crop, the producer may collect an indemnity payment for the first crop that is equal to—

(A) 100 percent of the insurable loss for the first crop;

less

(B) the amount previously collected under paragraph

(1)(B)(ii).

(3) PREMIUM FOR FIRST CROP IF SECOND CROP PLANTED.—

March 7,