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Risk Management
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Product
Administration
and Standards
Division

FCIC-20110

PILOT BIOTECHNOLOGY ENDORSEMENT

INSURANCE STANDARDS HANDBOOK

2010 and Succeeding Crop Years

**UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250**

TITLE: Pilot Biotechnology Endorsement Insurance Standards Handbook	NUMBER: 20110
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Reason for Issuance

This handbook provides the official FCIC-approved 2010 and succeeding crop years underwriting, administration and spot-check/review standards for the Pilot Biotechnology Endorsement. All approved insurance providers electing to offer the Pilot Biotechnology Endorsement premium rate reduction must utilize these standards.

**PILOT BIOTECHNOLOGY ENDORSEMENT
INSURANCE STANDARDS HANDBOOK**

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Part 1 General Information and Responsibilities

1 General Information

A. Purpose

This handbook provides procedure for administering the Pilot BE. The Pilot BE provides insureds that meet all eligibility requirements a premium rate reduction on eligible corn acreage at the unit level.

B. Source of Authority

The Pilot BE is a privately developed product based on the FCIC Board of Directors approval of multiple submissions under Section 523(d) of the Federal Crop Insurance Act. This handbook provides the FCIC-approved procedures for administering the Pilot BE.

C. Duration

The Pilot BE will terminate at the end of the 2011 crop year, unless cancelled or extended by FCIC or no premium rate reduction is filed.

D. AIP Option to Offer

Because it is a pilot, AIPs are not required to offer the Pilot BE to insureds. Accordingly, each AIP must determine whether they will offer the Pilot BE in the pilot area. AIPs that elect to offer the Pilot BE must offer it to all eligible insureds in the pilot area, and must administer the program according to the procedures in this handbook.

E. Pilot Area

The Pilot BE is available in all counties in Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Minnesota, Nebraska, Ohio, South Dakota and Wisconsin in which an eligible policy and plan of insurance is offered.

F. Applying for Pilot BE

There is no application for the Pilot BE. Insureds do not have to submit an application or a contract change form to qualify for the Pilot BE premium rate reduction. An insured will automatically qualify for and receive the Pilot BE premium rate reduction if they meet all the eligibility criteria.

G. AIPs and Agents

For the purposes of the Pilot BE, AIPs may authorize contracted agents to perform all functions and actions provided in this handbook except for:

- determining whether to offer the Pilot BE in the pilot area according to subparagraph D
- developing BE Insured's Certification form according to paragraph 14 and exhibit 3
- any functions and actions provided in Part 3 or 4.

A. AIP Responsibilities

AIPs electing to offer the Pilot BE must:

- offer the Pilot BE to all insureds with an eligible policy and plan of insurance in the pilot area
- provide each insured wishing to receive the Pilot BE premium rate reduction a copy of the Pilot BE

Important: The Pilot BE is available at www.rma.usda.gov.

- before coding a unit as qualified for the Pilot BE premium rate reduction on an insured's acreage report:
 - determine whether the seed hybrid listed for the insured on the BE Insured's Certification form is a qualifying hybrid according to paragraph 21
 - determine whether the insured obtained a sufficient quantity of qualifying hybrids to meet the planting requirement for the applicable unit according to paragraph 21
 - ensure acreage that meets the Pilot BE eligibility requirements is accurately coded on the acreage report according to paragraph 22.
- conduct spot-checks according to Part 3.

B. Insured's Responsibilities

To be eligible for the Pilot BE premium rate reduction, insureds must:

- meet all the eligibility requirements according to Part 2
- comply with all terms and conditions of the Pilot BE and the underlying policy
- identify, on the acreage report, the acreage/unit(s) that qualifies for the Pilot BE according to paragraph 22
- when requested, identify the physical location of the corn for grain acreage planted to a qualifying hybrid, the physical location of any other corn planted and the specific seed technology(s) planted within the unit.

3-10 (Reserved)

Part 2 Eligibility

11 Pilot BE Premium Rate Reduction

A. Applicability

The Pilot BE premium rate reduction is applied at the unit level, basic, optional, enterprise or whole farm, as applicable, to all insured corn planted acreage that is not designated as high-risk in the actuarial documents.

For enterprise units, the Pilot BE premium rate reduction is applied at the enterprise unit level, not the underlying basic or optional units that comprise the enterprise unit.

For whole farm units, the Pilot BE premium rate reduction is applied only to the insured non-high-risk corn acreage planted within the whole farm unit, not the other crops within the whole farm unit or the underlying basic or optional units that comprise the whole farm unit.

For eligible policies and plans of insurance that provide revenue protection based on prices or yields, or a combination of both, the Pilot BE premium rate reduction is determined and applied to the yield risk component only.

B. Eligibility Requirements

To be eligible for the Pilot BE premium rate reduction, all of the following must be met.

- insured unit must be physically located within the pilot area
- applicable acreage must be insured under an eligible policy and plan of insurance
- at least 75 percent of the total insured corn acreage planted in the unit, including any replanted acreage but excluding acreage designated as high-risk in the actuarial documents, must be corn for grain planted to a qualifying hybrid; see paragraph 13 and Exhibit 5 for additional information and examples
- no written agreements are attached to the unit and in effect for any of the corn acreage in the unit

Exception: A unit with either or both of the following types of written agreement attached and in effect may be eligible for the Pilot BE:

- Written unit agreements (type UA)
- High-risk or rate areas (type HR).

See Exhibit 6 for examples.

B. Eligibility Requirements (continued)

- on or before the acreage reporting date, the insured must submit all of the following:
 - completed, signed and dated BE Insured's Certification form
 - copies of purchase and return seed invoices that correspond to the BE Insured's Certification form submitted
 - completed, signed and dated BE Supplemental Seed Documentation form, if the insured obtained qualifying hybrids free of charge for which there is no purchase invoice.

See paragraph 14 for additional information about required documents.

- insured must identify the corn acreage and unit(s) that qualify for the Pilot BE on the acreage report, in addition to the information required according to the Policy Provisions. See paragraph 22 for reporting acreage.

C. Prevented Planting Acreage

The Pilot BE premium rate reduction applies only to insured non-high-risk acreage planted to corn. Prevented planting acreage is **not** eligible for the Pilot BE premium rate reduction and is **not** included when determining whether the Pilot BE planting requirement is met.

Example: Scenario: An insured unit is comprised of 300 non-high-risk acres. The insured plants 210 acres to non-irrigated corn for grain planted to a qualifying hybrid, 70 acres to non-irrigated corn for grain planted to a non-qualifying hybrid, and is prevented from planting 20 acres.

Result: The 20 prevented planting acres are **not** eligible for the Pilot BE premium rate reduction, and are not used when determining whether the planting requirement is met. The insured planted a total of 280 non-high-risk acres of insured corn in the unit. At least 75 percent of the total insured non-high-risk corn acreage **planted** in the unit ($280 \times .75 = 210$) was planted to a qualifying hybrid. Therefore, the Pilot BE planting requirement is met in this example.

11 Pilot BE Premium Rate Reduction (Continued)

D. Acreage Designated as High-Risk

The Pilot BE premium rate reduction applies only to insured non-high-risk acreage planted to corn. Planted acreage designated as high-risk in the actuarial documents is **not** eligible for the Pilot BE premium rate reduction and is **not** included when determining whether the Pilot BE planting requirement is met.

Example: Scenario: An insured unit is comprised of 275 non-high-risk acres and 25 high-risk acres. The insured plants 210 of the 275 non-high-risk acres to non-irrigated corn for grain planted to a qualifying hybrid and the remaining 90 acres to non-irrigated corn for grain planted to a non-qualifying hybrid.

Result: The 25 planted acres designated as high-risk are **not** eligible for the Pilot BE premium rate reduction, and are not used when determining whether the planting requirement is met. The insured planted a total of 275 non-high-risk acres of insured corn in the unit. At least 75 percent of the total insured non-high-risk corn acreage planted in the unit ($275 \times .75 = 206.3$) was planted to a qualifying hybrid. Therefore, the Pilot BE planting requirement is met in this example.

12 Qualifying Hybrids

A. Vary by State and Practice

Qualifying hybrids vary by State and practice, as specified in the following table. See Exhibit 7 for a map of the Pilot BE States and qualifying hybrids.

Hybrid	Practice	Counties
<p>Corn hybrids that contain one of only the following specific trait combinations:</p> <ol style="list-style-type: none"> 1. YieldGard[®] Rootworm, YieldGard[®] Corn Borer and Roundup Ready[®] Corn 2, marketed under the trade name YieldGard[®] Plus with Roundup Ready[®] Corn 2; 2. YieldGard VT Rootworm/RR2[®] and YieldGard[®] Corn Borer, marketed under the trade name YieldGard VT Triple[®]; 3. YieldGard VT Rootworm/RR2[®] and YieldGard VT PRO[™], marketed under the trade name Genuity[™] VT Triple PRO[™]; 4. YieldGard VT Rootworm/RR2[®], YieldGard VT PRO[™], HERCULEX[®] I Insect Protection and HERCULEX[®] RW Rootworm Protection marketed under the trade name Genuity[™] SmartStax[™] or SmartStax[™]; 5. HERCULEX[®] I Insect Protection and HERCULEX[®] RW Rootworm Protection, marketed under the trade name HERCULEX[®] XTRA Insect Protection; or 	Non-irrigated and Irrigated	All counties in Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Minnesota, Nebraska, Ohio, South Dakota and Wisconsin.

12 Qualifying Hybrids (Continued)

A. Qualifying Hybrids (continued)

Hybrid	Practice	Counties
6. HERCULEX [®] I Insect Protection, HERCULEX [®] RW Rootworm Protection and Roundup Ready [®] Corn 2, marketed under the trade name HERCULEX [®] XTRA Insect Protection with Roundup Ready [®] Corn 2.		
<p>Corn hybrids that contain one of only the following specific trait combinations:</p> <p>1. Agrisure[®] CB/LL, Agrisure[®] RW and Agrisure[®] GT, marketed under the trade name Agrisure[®] 3000GT; or</p> <p>2. Agrisure[®] CB/LL and Agrisure[®] RW, marketed under the trade name Agrisure[®] CB/LL/RW.</p>	Non-irrigated and Irrigated	All counties in Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Minnesota, Nebraska, Ohio, South Dakota and Wisconsin.

The actual practice utilized, irrigated or non-irrigated, shall be used when determining whether a hybrid is a qualifying hybrid. The actual practice utilized may not be how the corn acreage is insured.

Examples: Scenario 1: Insured A has acreage planted to corn for grain in a county where the only insurable practice is non-irrigated. Insured A irrigated all the corn for grain acreage; however, the crop is insured as non-irrigated.

Result: When determining whether the seed planted is a qualifying hybrid, all the acreage shall be considered irrigated.

Scenario 2: Insured B plants an 80 acre field to corn for grain in a county where both irrigated and non-irrigated are insurable practices. There is a center pivot irrigation system in the field; however, the irrigation water does not reach the corners of the field. The entire field is planted using one planting pattern, and there are 3 non-irrigated acres in each corner of the field. Insured B insures all 80 acres as irrigated.

Result: When determining whether the seed planted is a qualifying hybrid, the 68 acres under the center pivot irrigation system shall be considered as irrigated and the 12 acres the center pivot does not reach shall be considered as non-irrigated.

12 Qualifying Hybrids (Continued)

B. Obtained for Planting in Year Premium Rate Reduction Requested

To be a qualifying hybrid the corn hybrid planted must have been obtained for planting in the crop year in which the Pilot BE premium rate reduction will be applied. Corn hybrids obtained for planting in a prior crop year do not qualify as a qualifying hybrid for the current crop year.

Example: Corn hybrids obtained for planting in the 2009 crop year, but not planted, carried over and planted in the 2010 crop year do not meet the definition of a qualifying hybrid and cannot be used to obtain the Pilot BE premium rate reduction for the 2010 or subsequent crop year.

13 Planting Requirement

A. Insured Unit

To be eligible for the Pilot BE, at least 75 percent of the total insured corn acreage planted in the insured unit, including any replanted acreage but excluding acreage designated as high-risk in the actuarial documents, must be corn for grain planted to a qualifying hybrid.

The following table provides how the planting requirement is applied based on the type of unit insured.

Insured Unit	Requirement
Basic or Optional Unit	At least 75 percent of the total insured corn acreage planted in the insured unit, including any replanted acreage but excluding acreage designated as high-risk in the actuarial documents, must be corn for grain planted to a qualifying hybrid.
Enterprise Unit	At least 75 percent of the total insured corn acreage planted in the enterprise unit, including any replanted acreage but excluding acreage designated as high-risk in the actuarial documents, must be corn for grain planted to a qualifying hybrid. The insured unit is the enterprise unit, not the underlying basic or optional units that comprise the enterprise unit. The planting requirement applies to the enterprise unit, not the individual underlying basic or optional units that comprise the enterprise unit.
Whole Farm Unit	At least 75 percent of the total insured corn acreage planted in the whole farm unit, including any replanted acreage but excluding any acreage designated as high-risk in the actuarial documents, must be corn for grain planted to a qualifying hybrid. The insured unit is the whole farm unit, not the underlying basic or optional units that comprise the whole farm unit. The planting requirement applies to the total insured corn acreage planted in whole farm unit, not the individual underlying basic or optional units that comprise the whole farm unit.

13 Planting Requirement (Continued)

B. Determination Based on How Acreage Insured

How the corn acreage is insured, not how it is harvested, shall be used when determining whether the Pilot BE planting requirement is met.

Example: Insured A insures all 100 acres in a basic unit as corn for grain, and meets all other Pilot BE eligibility requirements. Because of adverse weather, Insured A elects to harvest 40 acres of the corn as silage.

Eligibility for the Pilot BE is based on how the acreage is insured, not on how it is harvested. Harvesting some or all of the corn for grain acreage used to qualify for the Pilot BE as silage does not, by itself, affect the eligibility for the Pilot BE.

See Exhibit 5 for planting requirement examples.

14 Required Documents

A. Documents Required

To be eligible for the Pilot BE premium rate reduction, the insured must submit all of the following to the AIP on or before the acreage reporting date:

- completed, signed and dated BE Insured's Certification form
- completed, signed and dated BE Supplemental Seed Documentation form, if the insured obtained qualifying hybrids free of charge for which there is no purchase invoice
- copies of purchase and return seed invoices that correspond to the insured's BE Insured's Certification form.

B. BE Insured's Certification Form

Separate BE Insured's Certification forms must be completed for each separate policy under which the insured wishes to receive the Pilot BE premium rate reduction. Accordingly, only the qualifying hybrids planted on the acreage under the policy identified on the BE Insured's Certification form are to be listed on that form.

Example: Producer A purchases 150 bags of qualifying hybrids. All 150 bags are identified on one seed purchase invoice. Producer A insures acreage physically located in 3 separate counties under 3 separate policies, and wishes to participate in the Pilot BE on all 3 policies. Producer A must complete a separate BE Insured's Certification form for each policy. A copy of the seed purchase invoice must be attached to each of the 3 BE Insured's Certification forms; however, only the qualifying hybrids planted on the specific acreage under each policy will be listed on the BE Insured's Certification form for that policy. Accordingly, not all 150 bags of qualifying hybrids will be listed on each of the insured's BE Insured's Certification form.

B. BE Insured's Certification Form (continued)

AIPs are responsible for developing the BE Insured's Certification form using the required elements and standards in Exhibit 3.

AIPs are NOT authorized to modify or delete any of the required elements. In addition, AIPs are NOT authorized to add any elements to the BE Insured's Certification form or collect any additional information from the insured using the BE Insured's Certification form unless approved by RMA and the pilot submitters.

See Exhibit 8 for an example of a BE Insured's Certification form and a description of each of the required elements.

C. BE Supplemental Seed Documentation Form

In certain limited situations, insureds may obtain qualifying hybrids at no charge from a representative of the specific seed company, Dow AgroSciences, Monsanto Company, Pioneer Hi-Bred or Syngenta Seeds, or from a specific seed dealer. In these situations the qualifying hybrids are generally **not** included on any seed invoice; however, the insured may wish to use the acreage planted to the qualifying hybrids to qualify for the Pilot BE.

The BE Supplemental Seed Documentation form is used in-lieu of a seed invoice to accurately identify qualifying hybrids obtained from a representative of the specific seed company or seed dealer at no charge for which there is no seed invoice.

AIPs have **no** responsibility for the development, duplication or distribution of the BE Supplemental Seed Documentation form. The specific seed company will provide a BE Supplemental Seed Documentation form only to their representatives or seed dealer representatives who indicate they have provided qualifying hybrids to an insured at no charge for which there is no seed invoice.

The representative who provided the qualifying hybrids to the insured at no charge is responsible for completing, signing and dating the BE Supplemental Seed Documentation form. The specific seed company will provide the representative instructions for completing the form and the circumstances under which the form may be used. Both the BE Supplemental Seed Documentation form and instructions will be printed on letterhead of the specific seed company that issued the form.

It is the insured's responsibility to submit the completed, signed and dated BE Supplemental Seed Documentation form to AIP on or before the acreage reporting date. The form is used in the same manner as a purchase invoice and must be attached to the insured's BE Insured's Certification form. The qualifying hybrids listed on the BE Supplemental Seed Documentation form must be listed on the BE Insured's Certification form.

C. BE Supplemental Seed Documentation Form (continued)

Example: Producer A obtained 5 bags of a qualifying hybrid free of charge that he wishes to use to qualify for the Pilot BE. The 5 bags of qualifying hybrids are not included on any of Producer A's seed invoices. The seed company representative that provided the 5 bags of qualifying hybrids obtains a BE Supplemental Seed Documentation form from the applicable specific seed company, and completes, signs and dates the form. Producer A lists the 5 bags of qualifying hybrids on his BE Insured's Certification form along with the other qualifying hybrids he obtained for which he has a purchase invoice. Producer A must submit the completed, signed and dated form to his AIP on or before the acreage reporting date. The BE Supplemental Seed Documentation form is used to support the information on the BE Insured's Certification form in the same manner as the seed invoice.

D. Purchase and Return Seed Invoices

Copies of purchase and return seed invoices that correspond to and support the information on the insured's BE Insured's Certification form must be submitted to AIP on or before the acreage reporting date and attached to the form.

15-20 (Reserved)

21 Identifying Seed Hybrid and Determining Sufficient Quantity

Before coding an insured's acreage report indicating the insured is eligible for the Pilot BE premium rate reduction on a unit, AIP must ensure the insured has received a copy of the Pilot BE, and determine both of the following:

- whether the seed hybrid(s) listed on the BE Insured's Certification form is a qualifying hybrid according to subparagraph A
- whether the amount of qualifying hybrid corn seed the insured obtained is sufficient to meet the Pilot BE planting requirement for each applicable unit according to subparagraph B.

A. Identification of Seed Hybrid

AIPs must determine whether the seed hybrid(s) listed on the BE Insured's Certification form is a qualifying hybrid. To determine whether the seed hybrid(s) listed on the BE Insured's Certification form is a qualifying hybrid, AIPs shall confirm the seed hybrid is listed as a qualifying hybrid on RMA's Biotechnology Endorsement Qualifying Hybrids website at www.rma.usda.gov.

The data on the website is provided as a tool to assist in the administration of the Pilot BE program. However, the eligibility of corn hybrids for the Pilot BE premium rate reduction is based solely on whether the hybrid meets the definition of a qualifying hybrid.

If AIP does not have access to the internet, has difficulty utilizing the website, or has questions regarding the information on the website, AIPs may use the following contact information to receive assistance from the applicable seed company.

Seed Company	Contact Information
Monsanto	phone 1-888-852-8522 or email biotechnology.endorsement@monsanto.com
Pioneer Hi-Bred	phone 1-877-746-6337 or email biotechnologyendorsementsupport@pioneer.com
Dow AgroSciences	phone 1-877-487-2487 or email info@dow.com
Syngenta Seeds	phone 1-877-476-2676 or email kelly.kuball@syngenta.com

The following table provides procedure when some or all of the hybrids listed on the BE Insured's Certification form are **not** qualifying hybrids.

IF ...	THEN ...
none of the seed hybrids listed on the BE Insured's Certification form are qualifying hybrids	insured is not eligible for Pilot BE premium rate reduction on any unit under the applicable policy.
some but not all of the seed hybrids listed on the BE Insured's Certification form are not qualifying hybrids	AIP shall take both the following actions: <ul style="list-style-type: none"> • line through the non-qualifying hybrids/amounts and initial and date • not use the non-qualifying hybrids in the calculation to determine whether the insured obtained a sufficient quantity of qualifying hybrids to meet the Pilot BE planting requirement.

21 Identifying Seed Hybrid and Determining Sufficient Quantity (Continued)

B. Determining Sufficient Quantity

AIPs must determine whether the quantity of qualifying hybrids obtained by the insured, as provided on the BE Insured’s Certification form, is a sufficient quantity to meet the Pilot BE planting requirement on each unit the insured indicates is eligible for the Pilot BE premium rate reduction. See subparagraph 11B for the planting requirement of the Pilot BE.

The following table provides instructions for determining whether an insured obtained a sufficient quantity of qualifying hybrids to meet the Pilot BE planting requirement.

Step	Action	Result
1	<p>Determine the net number of units of qualifying hybrid seed obtained by the insured.</p> <p>Using the seed invoices attached to the BE Insured’s Certification form, subtract the number of units of qualifying hybrid seed returned from the number of units of qualifying hybrid seed purchased.</p> <p>Important: Qualifying hybrids vary by State and practice. Ensure only qualifying hybrids are identified on the seed invoices.</p> <p>Using the BE Supplemental Seed Documentation form attached to the BE Insured’s Certification form, if such form is attached, add the number of units of qualifying hybrid seed listed on the BE Supplemental Seed Documentation form to the number of units of qualifying hybrid seed determined from the seed invoices.</p> <p>Important: Ensure the insured did not return any of the qualifying hybrid seed listed on the BE Supplemental Seed Documentation form.</p> <p>If the net number of units of qualifying hybrid seed obtained by the insured is:</p> <ul style="list-style-type: none"> • equal to or greater than the total number of units of qualifying hybrids seed listed in item 9 of the BE Insured’s Certification form, go to step 2 • less than the total number of units of qualifying hybrid seed listed in item 9 BE Insured’s Certification form, the information on the BE Insured’s Certification form is not supported by the attached documents. Do not go to step 2 and do not code any acreage on the insured’s acreage report as eligible for the Pilot BE. The insured must correct the incorrect information on the applicable document(s) to be eligible for the Pilot BE. 	<p>Net number of units of qualifying hybrids obtained by insured.</p>

21 Identifying Seed Hybrid and Determining Sufficient Quantity (Continued)

B. Determining Sufficient Quantity (continued)

Step	Action	Result
	<p>Example: Insured A provides AIP with a properly completed signed and dated BE Insured’s Certification form. The form has seed purchase and return invoices and a properly completed, signed and dated BE Supplemental Seed Documentation form attached. AIP determines all the seed hybrids listed on all invoices and the BE Supplemental Seed Documentation form are qualifying hybrids based on the state where the planted acreage is physically located and the practice used by the insured.</p> <p>Insured A’s BE Insured’s Certification form, item 9, indicates 255 total units of qualifying hybrids were planted.</p> <p>The seed purchase invoices indicate there were 255 units of qualifying hybrids purchased. The seed return invoices indicate there were 10 units of qualifying hybrids returned. The BE Supplemental Seed Documentation form indicates Insured A received 10 units of qualifying hybrids at no charge, and Insured A indicates none of the 10 free units of seed were returned.</p> <p>AIP subtracts the number of units of qualifying hybrids returned from the number of units of qualifying hybrids purchased, then adds the number of qualifying hybrids from the BE Supplemental Seed Documentation form ($255 - 10 + 10 = 255$).</p> <p>AIP compares the calculated number of qualifying hybrids (225 units) to the total number of qualifying hybrid units listed on the BE Insured’s Certification form, item 9 (255 units). Because the determined net number of units of qualifying hybrids equals the number of qualifying hybrids listed on the form, AIP proceeds to step 2.</p>	
2	<p>Obtain the total number of acres listed in item 11 of the BE Insured’s Certification form.</p> <p>Example: The BE Insured’s Certification form, item 11, provides that Insured A obtained enough qualifying hybrids and planted at a seeding rate to result in 714 acres planted to qualifying hybrids for policy number xx-yyy-zzzzzzzz.</p>	Total number of acres the insured could have planted to qualifying hybrids for the applicable policy.
3	<p>From the insured’s acreage report, select the first unit the insured indicates meets the Pilot BE planting requirement and sum the number of insured non-high-risk acres planted to corn within the unit. All non-high-risk acres planted to corn must be summed, regardless of practice, type, or variety. Do not include prevented planting acres or planted acres that are designated as high-risk in the calculation.</p>	Total number of insured non-high-risk acres planted to corn within the unit selected.

21 Identifying Seed Hybrid and Determining Sufficient Quantity (Continued)

B. Determining Sufficient Quantity (continued)

Step	Action	Result
	<p>Example: Insured A has 3 units (00100, 00200, and 00300). None of the acres are designated high-risk in the actuarial documents. Insured A indicated that units 00100 and 00300 meet the Pilot BE planting requirement, and reported the following:</p> <ul style="list-style-type: none"> • for unit 00100, 190 acres non-irrigated corn for grain, 20 acres non-irrigated corn for silage, 40 acres irrigated corn for grain, and 10 acres prevented planting corn • for unit 00300, 700 acres non-irrigated corn for grain. <p>AIP selects unit 00100 and sums the insured non-high-risk acres planted to corn within that unit, which is 250 acres (190 + 20 + 40 = 250).</p>	
4	<p>Multiply the result of step 3 times .75.</p> <p>Example: The total number of insured non-high-risk acres planted to corn within Insured A’s unit 00100 is 250 acres. 75 percent of 250 acres is 187.5 acres (250 x .75 = 187.5).</p>	75 percent of the total insured non-high-risk acres planted to corn within the unit selected.
5	<p>Subtract the result of step 4 from the result of step 2. If the result is:</p> <ul style="list-style-type: none"> • zero or greater, the insured obtained a sufficient quantity of qualifying hybrids to meet the Pilot BE planting requirement for the unit selected • less than zero, the insured did not obtain a sufficient quantity of qualifying hybrids to meet the Pilot BE planting requirement for the unit selected, and is not eligible for the Pilot BE premium rate reduction on that unit. <p>Example: Insured A obtained an amount of qualifying hybrids sufficient to plant 714 acres (step 2). 75 percent of the total insured non-high-risk acres planted to corn in unit 00100 is 187.5 acres (step 4). Insured A obtained a sufficient quantity of qualifying hybrids to meet the planting requirement on unit 00100 (714 – 187.5 = 526.5).</p> <p>The result of this step only indicates whether the insured obtained a sufficient quantity of qualifying hybrids to meet the Pilot BE planting requirement for the unit. It does not indicate whether any acres were actually planted to a qualifying hybrid. Insureds eligible for the Pilot BE are subject to spot-check, at any time, to test for the presence of the required trait combinations and verify the planting requirement is met.</p>	Determines (1) whether the insured obtained a sufficient quantity of qualifying hybrids to meet the Pilot BE planting requirement on the unit selected; and (2) the number of acres, if any, that could be planted with the remaining qualifying hybrids.

21 Identifying Seed Hybrid and Determining Sufficient Quantity (Continued)

B. Determining Sufficient Quantity (continued)

Step	Action	Result
6	<p>If the insured indicates there is another unit under the same policy that meets the planting requirement of the Pilot BE, enter the result of step 5 as the result of step 2 and repeat steps 3 through 5 for the applicable unit.</p> <p>Example: Insured A obtained an amount of qualifying hybrids sufficient to plant 714 acres (step 2), and planted 250 acres of corn on unit 00100 (step 3). To be eligible for the Pilot BE on unit 00100, at least 187.5 acres (step 4) of the corn planted on unit 00100 must be corn for grain planted to a qualifying hybrid. Insured A did obtain a sufficient amount of qualifying hybrids to meet the planting requirement for unit 00100 (714 – 187.5 = 526.5), and have qualifying hybrids remaining.</p> <p>Insured A indicates he has another unit (00300) that is eligible for the Pilot BE. To determine whether Insured A obtained a sufficient amount of qualifying hybrids for unit 00300, enter 526.5 acres as the result of step 2, and repeat steps 3 through 5 for unit 00300.</p>	

22 Acreage Report

To receive the Pilot BE premium rate reduction, **ALL planted** non-high-risk acres reported as corn within the applicable unit qualifying for the Pilot BE must be identified as “BE”.

If all of the following are met, AIP must identify **ALL** non-high-risk acres reported as **planted** corn within the unit qualifying for the Pilot BE as “BE”.

- all eligibility requirements of subparagraph 11B are met
- seed hybrid(s) was determined to be a qualifying hybrid according to paragraph 21
- a sufficient quantity of qualifying hybrids was obtained according to paragraph 21.

Corn acres planted to non-qualifying hybrids and corn acres planted to qualifying hybrids within a unit that qualifies for the Pilot BE do not have to be reported as separate line items on the acreage report, unless otherwise required, such as irrigated and non-irrigated acres or corn for grain acres and corn for silage acres.

Examples: Scenario 1: Insured A has a basic unit comprised of 400 non-high-risk acres. Insured A plants 320 acres to non-irrigated corn for grain planted to a qualifying hybrid, and 80 acres of non-irrigated corn for silage planted to a non-qualifying hybrid. Insured A reports the 320 acres of non-irrigated corn for grain and the 80 acres of non-irrigated corn for silage as two line items on the acreage report.

Result: Provided all eligibility requirements are met, each line item (320 acres corn for grain and 80 acres corn for silage) is identified as “BE”, and Insured A will receive the Pilot BE premium rate reduction on all 400 of the corn acres in the unit.

Scenario 2: Insured B has an enterprise unit comprised of 300 non-high-risk acres. Insured B plants 240 acres to non-irrigated corn for grain planted to a qualifying hybrid, and 60 acres of non-irrigated corn for grain planted to a non-qualifying hybrid. Insured B reports all 300 acres of non-irrigated corn for grain as one line item on the acreage report.

Result: Provided all eligibility requirements are met, the one line item (300 acres corn for grain) is identified as “BE”, and Insured B will receive the Pilot BE premium rate reduction on all 300 of the corn acres in the unit. The corn acres planted to a non-qualifying hybrid do not have to be reported as a separate line item on the acreage report.

Scenario 3: Insured C has a basic unit in Kansas comprised of 300 non-high-risk acres. Insured C plants 140 acres to non-irrigated corn for grain planted to a qualifying hybrid, 100 acres irrigated corn for grain planted to a qualifying hybrid, and 60 acres of non-irrigated corn for grain planted to a non-qualifying hybrid. Insured C reports all 200 acres of non-irrigated corn for grain as one line item and all 100 acres of irrigated corn for grain as another line item on the acreage report.

Result: Provided all eligibility requirements are met, each line item (200 acres non-irrigated corn for grain and 100 acres irrigated corn for grain) is identified as “BE”, and Insured C will receive the Pilot BE premium rate reduction on all 300 corn acres in the unit. The non-irrigated corn acres planted to a non-qualifying hybrid and the non-irrigated corn acres planted to a qualifying hybrid do not have to be reported as separate line items on the acreage report.

Prevented planting acreage and acreage designated as high-risk in the actuarial documents is **not** eligible for the Pilot BE premium rate reduction. Accordingly, acreage reported as prevented planting and acreage designated as high-risk in the actuarial documents shall **never** be identified as “BE” on the acreage report.

Example: Scenario 1: Insured D has a basic unit comprised of 500 non-high-risk acres. Insured D plants 300 non-irrigated corn for grain acres planted to a qualifying hybrid, 100 non-irrigated corn for grain acres planted to non-qualifying hybrids, and was prevented from planting 100 acres. Insured D reports the 400 non-irrigated corn for grain acres and the 100 prevented planting acres as two separate lines on the acreage report.

Result: Provided all eligibility requirements are met, the line item for the 400 acres of non-irrigated corn for grain is identified as “BE”. The line item for the 100 prevented planted acres shall **not** be identified as “BE”.

22 **Acreage Report (Continued)**

Scenario 2: Insured E has a basic unit comprised of 300 acres. 40 of the 300 acres are designated as high-risk in the actuarial documents. Insured E plants all 300 acres to non-irrigated corn for grain planted to a qualifying hybrid. Insured E reports the 260 acres of non-high-risk acres and the 40 acres designated as high-risk as two separate line items on the acreage report.

Result: Provided all eligibility requirements are met, the line item for the 260 acres of non-high-risk corn for grain is identified as “BE”. The line item for the 40 high-risk acres shall **not** be identified as “BE”.

23-30 (Reserved)

Part 3 Spot-Checks
Section 1 Required Spot-Check of Randomly Selected Policies

31 General Information

The Pilot BE provides that spot-checks and reviews may be conducted at any time to verify both the following:

- compliance with the terms and conditions of the Pilot BE, including conducting spot-checks to test plants for the presence of the required trait combinations
- the information contained on the BE Insured's Certification form, including whether the amount of qualifying hybrid seed obtained is sufficient to meet the Pilot BE planting requirement.

A. Required Spot-Checks

AIPs must spot-check all of the following to verify compliance with the terms and conditions of the Pilot BE:

- 2.5 percent of all policies identified as eligible for the Pilot BE premium rate reduction that have a total liability for all insured corn under the policy of less than \$500,000
- 5 percent of all policies identified as eligible for the Pilot BE premium rate reduction that have a total liability for all insured corn under the policy of \$500,000 or more
- all policies identified as eligible for the Pilot BE premium rate reduction that have loss claims in excess of \$100,000.

See paragraph 32 for randomly selecting the 2.5 and 5 percent of applicable policies for spot-check. See Section 2 for spot-checking applicable policies that have loss claims in excess of \$100,000.

AIPs may at any time perform a spot-check on any policy eligible for the Pilot BE premium rate reduction if AIP has reason to believe the insured is not in compliance with the Pilot BE terms and conditions. Such spot-checks will not count towards the random 2.5 or 5 percent required spot-checks.

B. Deadline to Complete Spot-Checks of Randomly Selected Policies

All spot-check activities for the policies randomly selected according to paragraph 32 must be completed on or before September 15 of the crop year. The September 15 deadline does **not** apply to spot-check of policies with loss claims in excess of \$100,000.

C. Purpose of Random Spot-Checks

The purpose of the spot-check is to determine whether the insured is in compliance with the Pilot BE terms and conditions by verifying all of the following:

- the corn seed obtained is a qualifying hybrid
- the amount of qualifying hybrids the insured obtained is sufficient to meet the Pilot BE planting requirement for the unit(s) identified
- the presence of the required trait combinations in selected plants.

32 AIP Spot-Check Activities for Randomly Selected Policies

A. Random Selection of Policies

The random selection of policies for spot-check shall be based on the associated acreage reports and total liability for all insured corn under the policy. See paragraph 22 for information on acreage reports for the Pilot BE.

AIPs shall randomly select both of the following:

- 2.5 percent of all policies identified as eligible for the Pilot BE that have a total liability for all insured corn under the policy of less than \$500,000
- 5 percent of all policies identified as eligible for the Pilot BE premium that have a total liability for all insured corn under the policy of \$500,000 or more.

Important: The total liability for all insured corn acres under the policy shall be used to determine whether the policy is part of the 2.5 percent or 5 percent spot-checks.

AIPs must ensure all policies eligible for the Pilot BE are subject to the random selection process and that the policies selected for spot-check represent a random sample from all policies eligible for the Pilot BE.

AIPs shall randomly select and spot-check applicable policies at specific intervals. Randomly selecting and spot-checking policies at the specific intervals ensures:

- all applicable policies are subject to the random selection process
- a viable green plant tissue sample will be available for trait expression testing
- AIPs can manage their resources and workload to meet the September 15 deadline
- the approved laboratory(s) can timely and efficiently test submitted samples.

A. Random Selection of Policies (continued)

AIPs shall **not** spot-check a majority of policies for which an acreage report was received early to meet the minimum percentage spot-check requirements, then not subject subsequent policies to the selection process.

Example: An AIP estimates there will be 1,000 policies eligible to receive the Pilot BE premium rate reduction. By July 15, AIP has received 400 acreage reports indicating at least one unit as eligible for the Pilot BE. AIP shall **not** select a large percentage of the policies from the acreage reports received by July 15, and then not select any further policies from acreage reports received after July 15. AIP must subject all applicable policies to the random selection process.

On each of the following dates, AIPs shall randomly select 2.5 percent of all applicable policies that have a total liability for all insured corn under the policy of less than \$500,000, and 5 percent of all applicable policies that have a total liability for all insured corn under the policy of \$500,000 or more:

- July 15
- August 1
- August 15
- September 5.

Only those policies for which an acreage report was received since the last interval date shall be subject to random selection. If less than 40 acreage reports containing at least one unit identified as eligible for the Pilot BE are received for an interval, AIP shall randomly select one of the applicable policies received during that interval.

Example: On July 15, AIP randomly selects 2.5 percent of all applicable policies with total liability for all insured corn under the policy of less than \$500,000, and 5 percent of all applicable policies with total liability for all insured corn under the policy of \$500,000 or more from acreage reports received by July 14 and begins to spot-check those policies. On August 1, AIP repeats the process using acreage reports received from July 15 through July 31. On August 15, AIP repeats the process again using acreage reports received from August 1 through August 14. On September 5, AIP selects repeats the process again using acreage reports received from August 15 through September 4.

If the date to randomly select policies for spot-check is a holiday or weekend, AIP shall make the selection the next business day.

B. Obtaining Collection and Shipping Material

AIPs must request the materials needed for collection, identification and submission of plant tissue samples from an approved supplier. RMA will notify AIPs of approved suppliers and the associated contact information. AIPs will not be charged for the collection and shipping materials.

AIPs must provide the approved supplier with both of the following when requesting the materials needed for collection and submission of the plant tissue samples:

- mailing address where the materials are to be delivered
- name and phone number of contact person for AIP.

In addition to the collection/shipping materials, AIPs may request a DVD detailing how to collect and submit the required plant tissue samples.

C. Notification to Insured of Selection for Spot-Check

AIPs must notify each insured selected for spot-check of all the following:

- their policy has been randomly selected for spot-check to verify compliance with the Pilot BE
- **ALL** units the insured identified as eligible for the Pilot BE premium rate reduction under the policy selected will be spot-checked
- the insured must identify and provide to AIP the physical location of the corn for grain acreage planted to qualifying hybrids, and the physical location of any other corn planted within the applicable unit(s)
- if applicable, the insured must identify and provide to AIP any planting pattern where corn for grain planted to a qualifying hybrid and any other corn is planted in an alternating pattern, such as every 10th and 11th row of corn in a field is planted to a non-qualifying hybrid
- the insured must identify the specific seed technology(s) planted within the applicable unit(s), using the trade name of the hybrid(s) planted. The trade names of the qualifying hybrids under the Pilot BE are YieldGard[®] Plus with Roundup Ready[®] Corn 2, YieldGard VT Triple[®], Genuity[™] VT Triple PRO[™], Genuity[™] SmartStax[™], HERCULEX[®] XTRA Insect Protection, HERCULEX[®] XTRA Insect Protection with Roundup Ready[®] Corn 2, SmartStax[™], Agrisure[®] 3000GT and Agrisure[®] CB/LL/RW.

D. Performing Spot-Check Activities

To ensure the best opportunity to collect green plant tissue samples and allow the approved laboratory to test the submitted samples in a timely manner, AIPs should start the spot-check process immediately after the policy is selected for spot-check. However, all spot-check activities for all policies randomly selected must be completed on or before September 15 of the crop year.

The following table provides instructions for completing the required spot-check activities for the randomly selected policies.

Step	Action						
1	Obtain a copy of the insured’s BE Insured’s Certification form, the associated seed purchase and return invoices and the insured’s BE Supplemental Seed Documentation form, if applicable.						
2	<p>Contact the seed dealer listed on the seed purchase and return invoice(s) and verify the invoice(s) submitted by the insured represent all the qualifying hybrids purchased and returned for the insured.</p> <p>Contact the company representative listed on the BE Supplemental Seed Documentation form and verify the quantity and kind of hybrids listed on the form were provided to the insured.</p> <table border="1" data-bbox="250 926 1458 1304"> <thead> <tr> <th data-bbox="250 926 883 1094">IF the seed hybrid and/or number of units of qualifying hybrids listed for the insured on the BE Insured’s Certification form or BE Supplemental Seed Documentation form is incorrect and AIP determines ...</th> <th data-bbox="883 926 1458 968">THEN AIP shall ...</th> </tr> </thead> <tbody> <tr> <td data-bbox="250 1094 883 1234">there was no fraud or intentional misrepresentation by the insured</td> <td data-bbox="883 1094 1458 1234"> <ul style="list-style-type: none"> • note the correct hybrid/amount on the applicable form • use the correct hybrid/amount when completing steps 3 and 4. </td> </tr> <tr> <td data-bbox="250 1234 883 1304">fraud or intentional misrepresentation on the part of the insured</td> <td data-bbox="883 1234 1458 1304">void the policy according to the Biotechnology Endorsement.</td> </tr> </tbody> </table>	IF the seed hybrid and/or number of units of qualifying hybrids listed for the insured on the BE Insured’s Certification form or BE Supplemental Seed Documentation form is incorrect and AIP determines ...	THEN AIP shall ...	there was no fraud or intentional misrepresentation by the insured	<ul style="list-style-type: none"> • note the correct hybrid/amount on the applicable form • use the correct hybrid/amount when completing steps 3 and 4. 	fraud or intentional misrepresentation on the part of the insured	void the policy according to the Biotechnology Endorsement.
IF the seed hybrid and/or number of units of qualifying hybrids listed for the insured on the BE Insured’s Certification form or BE Supplemental Seed Documentation form is incorrect and AIP determines ...	THEN AIP shall ...						
there was no fraud or intentional misrepresentation by the insured	<ul style="list-style-type: none"> • note the correct hybrid/amount on the applicable form • use the correct hybrid/amount when completing steps 3 and 4. 						
fraud or intentional misrepresentation on the part of the insured	void the policy according to the Biotechnology Endorsement.						
3	<p>Determine whether the seed hybrid(s) obtained by the insured is a qualifying hybrid by confirming the seed hybrid is listed as a qualifying hybrid on RMA’s Biotechnology Endorsement Qualifying Hybrids website.</p> <p>The data on the website is provided as a tool to assist in the administration of the Pilot BE program. However, the eligibility of corn hybrids for the Pilot BE premium rate reduction is based solely on whether the hybrid meets the definition of a qualifying hybrid.</p> <p>If the hybrid is not listed on the website, AIP may contact the applicable seed company using the contact information in subparagraph 21A.</p> <p>If none of the seed hybrids obtained by the insured are qualifying hybrids, the insured is not in compliance with the Pilot BE, and AIP is not required to complete steps 4 or 5 of this table. See Part 4 when an insured is not in compliance with the Pilot BE.</p>						

32 AIP Spot-Check Activities for Randomly Selected Policies (Continued)

D. Performing Spot-Check Activities (continued)

Step	Action
4	<p>For each unit the insured indicated as eligible for the Pilot BE premium rate reduction, verify the quantity of qualifying hybrids obtained by the insured is sufficient to meet the Pilot BE planting requirement by following the procedure in subparagraph 21B.</p> <p>If a sufficient amount of qualifying hybrids was not obtained to meet the Pilot BE planting requirement for a unit identified as eligible for the Pilot BE, the insured is not in compliance with the Pilot BE on ANY unit, and AIP is not required to complete step 5 of this table. See Part 4 when an insured is not in compliance with the Pilot BE.</p>
5	Collect and mail the required plant tissue samples according to paragraph 33.

33 Collecting and Shipping Plant Tissue Samples

A. Trait Expression Testing

A trait expression test is performed to determine both of the following:

- whether the plant tissue sample tested contains the required trait combinations
- whether the Pilot BE planting requirement was met for the unit.

The presence of the required trait combinations must be determined by the designated laboratory using plant tissue samples obtained from the applicable unit(s). The shipping materials provided to AIP will include the mailing address of the designated laboratory that will test the plant tissue samples for the required trait combinations.

B. Determining Units/Fields and Identifying the Seed Technology

The Pilot BE premium rate reduction is applied at the unit level. Accordingly, for each randomly selected policy, plant tissue samples from each unit identified as eligible for the Pilot BE premium rate reduction must be tested for the required trait combinations.

For each unit identified as eligible for the Pilot BE premium rate reduction, the insured must identify all the acreage/fields planted to qualifying hybrids used to meet the Pilot BE planting requirement and identify the specific seed technology(s) planted within the applicable unit. If only a part of the field is planted to qualifying hybrids, the insured must identify the physical location of the corn for grain acreage planted to qualifying hybrids and the physical location of any other corn planted within the field. If the qualifying hybrids and any other corn are planted in an alternating pattern, such as every 10th and 11th row of corn in the field is planted to a non-qualifying hybrid, the insured must identify the specific planting pattern.

B. Determining Units/Fields and Identifying the Seed Technology (continued)

Example: Insured A's policy was randomly selected for spot-check. Insured A has three optional units, and identified two of those units, 00101 and 00103, as eligible for the Pilot BE.

There are four fields in unit 00101 and three fields in unit 00103. Insured A identified three of the four fields in unit 00101 and all three fields in unit 00103 as being corn for grain planted to qualifying hybrids used to meet the Pilot BE planting requirement.

Plant tissue samples must be obtained from the three fields identified in unit 00101 and all three fields in unit 00103.

Plant tissue samples shall not be obtained from the third optional unit because Insured A did not identify it as eligible for the Pilot BE premium rate reduction. Plant tissue samples shall not be obtained from the fourth field in unit 00101 because Insured A indicated that field was not used to meet the Pilot BE planting requirement.

Once the insured has identified the applicable acreage/fields, AIP shall randomly select 10 corn plants located throughout each unit identified as eligible for the Pilot BE and collect one plant leaf from each plant, according to subparagraph D.

For each unit identified as eligible for the Pilot BE, the insured must identify the specific seed technology(s) within the unit, using the trade name of the hybrid(s) planted. See subparagraph 32C for the trade names of the qualifying hybrids.

C. Timing of Collecting and Shipping Plant Tissue Samples

The amount of time between when a plant leaf is removed from the plant and when it arrives at the testing laboratory is important to maintaining the integrity of the program and ensuring the accuracy to the trait expression test. Plant leaves exposed to an uncontrolled environment, such as heat, for a certain amount of time may begin to degrade.

To maintain the integrity of the plant leaves collected for trait expression testing and maintain the integrity of the pilot:

- plant leaves shall **not** be collected or mailed on Fridays, Saturdays or Sundays
- plant leaves shall be mailed, using next day delivery, within 24 hours of being removed from the plant
- if plant leaves are mailed on a Thursday, they must be guaranteed to arrive at the designated laboratory the next day before 4:30 EST.

C. Timing of Collecting and Shipping Plant Tissue Samples (continued)

The laboratory will **not** test plant leaves received when any of the following apply:

- the plant leaves were removed from the plant more than 48 hours before being received at the laboratory
- the plant leaves have insufficient green tissue for testing
- laboratory determines the plant leaves have degraded to the point that the accuracy of the trait expression test could be compromised.

AIPs will be required to collect and submit new plant leaves anytime the plant leaves initially submitted are unacceptable for trait expression testing.

D. Collection and Shipment of Plant Tissue Samples for Laboratory Testing

A plant leaf must be obtained from 10 separate corn plants located within each insured unit identified as eligible for the Pilot BE premium rate reduction.

If the insured unit is an enterprise or whole farm unit, a plant leaf must be obtained from 10 separate corn plants located within the insured unit, not 10 plant leaves from each of the underlying optional or basic units that comprise the enterprise or whole farm unit.

Example: Insured A has an enterprise unit that is comprised of four optional units. The insured unit is the enterprise unit. The policy for insured A's enterprise unit is selected for spot-check. A plant leaf must be obtained from 10 separate corn plants located within the enterprise unit, not 10 plant leaves from each of the underlying optional units.

The plant leaves must be obtained from the acreage/fields identified by the insured according to subparagraph B.

Each plant leaf must represent a different location within the unit/field. When combined, the 10 plant leaves selected must be representative of the entire acreage identified by the insured as corn for grain planted to a qualifying hybrid.

D. Collection and Shipment of Plant Tissue Samples for Laboratory Testing (continued)

The following table provides instructions for collecting and shipping plant leaves for laboratory testing.

Step	Action
1	<p>For each unit identified as eligible for the Pilot BE premium rate reduction, randomly select 10 separate plants within the acreage/field(s) identified by the insured according to subparagraph B.</p> <p>Each plant selected must represent different locations within the unit/field and must meet both of the following:</p> <ul style="list-style-type: none"> • 100 feet or more from the edge of the field • separated by at least 100 feet. <p>Important: If the insured indicated the field was planted to both qualifying hybrids and other corn seed in an alternating pattern, AIP must ensure the plant selected is within the qualifying hybrid portion of the planting pattern.</p> <p>If the unit has 10 or less fields the insured identified as planted to qualifying hybrids used to meet the Pilot BE planting requirement, at least one plant in each field must be selected. The remaining plants, to reach a total of 10, may be randomly selected from any of the identified fields.</p> <p>If the unit has more than 10 fields the insured identified as planted to qualifying hybrids used to meet the Pilot BE planting requirement, randomly select 10 of the fields and select one plant in each of those fields.</p>
2	<p>For each of the plants selected in item 1, locate and remove the greenest plant leaf that is located directly above the highest corn ear. If the plant does not have a corn ear, locate and remove the greenest leaf on the plant.</p> <p>See paragraph 34 when there is no or insufficient green plant leaves to collect.</p>
3	<p>Place the removed plant leaf in a separate sample collection bag. Each plant leaf must be placed in a separate sample collection bag to prevent cross contamination.</p> <p>All required bags will be included in the materials provided.</p>

D. Collection and Shipment of Plant Tissue Samples for Laboratory Testing (continued)

Step	Action
4	<p>Once all 10 plant leaves for the unit have been collected and placed in separate sample collection bags, place all 10 sample collection bags together in one large bag.</p> <p>All required bags will be included in the materials provided.</p>
5	<p>Complete a BE Compliance Sample Information form for the unit and place the completed form in the large bag containing the 10 smaller collection bags. Place the large bag in the shipping container.</p> <p>A separate BE Compliance Sample Information form must be completed for each insured unit. Listing more than one unit number on a BE Compliance Sample Information form will delay the testing process and may require AIP to collect new plant leaves.</p> <p>BE Compliance Sample Information forms and shipping containers will be included in the material provided.</p>
6	<p>Repeat steps 1 through 5 for each unit the insured identified as eligible for the Pilot BE premium rate reduction under the policy selected.</p>
7	<p>Once all plant leaves from all applicable units of the policy have been collected, the BE Compliance Sample Information form completed for each applicable unit and all the large bags for the unit(s) placed in the shipping container, place the mailing label on the outside of the shipping container, properly seal the shipping container and mail it to the designated laboratory within 24 hours of removing the plant leaves.</p> <p>The plant tissue samples must be mailed to the designated laboratory within 24 hours of the plant leaves being removed from the plant. See subparagraph C.</p> <p>Shipping labels with the designated laboratory address information completed will be included in the material provided. The plant leaves must be mailed to the laboratory designated on the mailing label provided.</p>

34 Insufficient Plant Tissue Available

If there is no or insufficient green plant leaves available to collect for submission to the approved laboratory, AIP shall take **all** the following actions:

- thoroughly document the reason why sufficient green plant leaves are not available, such as the plants were stripped of leaves by a hailstorm, the crop was chopped or harvested, the crop was under water due to severe flooding, or the crop had matured to the point there is no green plant leaves left on any standing corn plant, etc.
- maintain the documentation for 3 years
- randomly select another policy to spot-check
- spot-check the newly selected policy according to this Part.

35 Laboratory Trait Expression Testing and Results

A. Trait Expression Testing Process

As soon as the testing laboratory receives acceptable plant leaves they will be stored in a controlled environment to prevent any degradation.

The laboratory will randomly select three of the 10 plant leaves for each unit and perform trait expression tests to determine whether the required trait combinations for the seed technology(s) identified by the insured are present. For a unit to receive a positive test result, at least two of the three plant leaf tested must contain the required trait combinations.

If the trait expression test for the unit is negative, meaning the required trait combinations were not present in at least two of the three plant leaves tested, the laboratory will immediately retest the same three plant leaves to ensure the accuracy of the first test.

The laboratory will complete the trait expression tests and provide the test results to the applicable AIP representative within 10 business days of receiving viable plant leaves and an accurately completed BE Compliance Sample Information form. If the test results are not provided within 12 business days of mailing the plant leaves, AIP shall contact RMA through email at directorpdd@rma.usda.gov.

AIPs shall not contact the designated laboratory. All questions and inquires shall be directed to RMA.

B. Maintaining Trait Expression Test Results

AIP shall maintain the laboratory trait expression test results for each policy for 3 years.

36 Notification to Insured of Trait Expression Test Results

A. Positive Test Result

If the result of the trait expression test for a unit is positive, meaning the required trait combinations were present in at least two of the three plant leaves tested, AIP may notify the insured of the test result; however, notification of a positive test result is not required.

B. Negative Test Result

If the result of the trait expression test for a unit is negative, meaning the required trait combinations were not present in at least two of the three plant leaves tested, AIP must notify the insured of all of the following:

- the trait expression test performed on the plant leaves from the applicable unit(s) indicate the plants were not qualifying hybrids and the Pilot BE planting requirement was not met on that unit(s)
- they may request an additional 10 plant leaves be collected from the applicable unit(s) and be submitted for trait expression testing
- approval of any request for the collection of a second set of 10 plant leaves for trait expression testing is at the discretion of AIP.

Because green plant leaf is required for trait expression testing, AIPs must require insureds to submit requests for additional trait expression testing within a short but reasonable timeframe to ensure that acceptable plant leaves may be obtained.

Important: See paragraph 37 when the insured requests additional plant leaves be collected and tested for the required trait combinations.

See paragraph 38 when AIP does not approve a request for additional plant leaves to be tested or when the insured does not make such a request.

37 Insured Requests Additional Plant Tissue Samples Tested

A. Reasonable Explanation

When the trait expression test result of the initial set of plant leaves for a unit is negative, the insured may request AIP collect an additional 10 plant leaves from the applicable unit(s) and submit them for trait expression testing. See subparagraph 36B.

A. Reasonable Explanation (continued)

AIP must determine whether the insured has a reasonable explanation why the trait expression test result of the initial set of plant leaves may not be valid. If AIP determines the insured has a reasonable explanation, AIP must collect an additional 10 plant leaves from the applicable unit(s) according to subparagraph B.

Important: See paragraph 38 when AIP determines the insured does **not** have a reasonable explanation as to why the trait expression test results for the initial set of plant leaves may not be valid.

B. Collecting, Shipping and Testing Additional Plant Leaves

When AIP determines the insured has a reasonable explanation according to subparagraph A, AIP must collect 10 additional plant leaves from the applicable unit(s) using the procedures in subparagraph 33D.

AIP must collect the 10 additional plant leaves from the same fields/acreage as the initial set of plant leaves, except when the insured has a reasonable explanation that they made an error in identifying the acreage for the initial selection. Further, AIP must submit the additional plant leaves to the same laboratory that performed the trait expression tests on the initial plant leaves.

The laboratory will conduct trait expression testing on the additional plant leaves and notify AIP of the test result using the procedures in subparagraph 35A.

C. Insufficient Plant Tissue

If there is insufficient plant tissue available to collect 10 additional plant leaves for the additional trait expression test, the results of the initial trait expression test shall be final.

D. Positive Test Results and Insured Notification

If the result of the trait expression test of the additional plant leaves for the unit is positive, meaning the required trait combinations were present in at least two of the three plant leaves tested, AIP must notify the insured of the test result.

E. Negative Test Results and Insured Notification

If the result of the trait expression test of the additional plant leaves for a unit is negative, meaning the required trait combinations were **not** present in at least two of the three plant leaves tested, **no further testing of plant leaves is authorized.**

37 Insured Requests Additional Plant Tissue Samples Tested (Continued)

E. Negative Test Results and Insured Notification (continued)

AIP must notify the insured of both of the following:

- the trait expression test performed on the additional plant leaves from the applicable unit(s) indicate the plants were not qualifying hybrids and the Pilot BE planting requirement was not met on that unit(s)
- they are not in compliance with the Pilot BE.

See Part 4 when an insured is determined to not be in compliance with Pilot BE.

38 AIP Disapproves Request for Additional Testing or No Request Submitted

A. No Reasonable Explanation

When the trait expression test result of the initial set of plant leaves for a unit is negative, the insured may request AIP collect an additional 10 plant leaves from the applicable unit(s) and submit them for trait expression testing. See subparagraph 36B.

AIP must determine whether the insured has a reasonable explanation why the trait expression test result of the initial set of plant leaves may not be valid. When AIP determines the insured does **not** have a reasonable explanation, AIP must notify the insured, in writing:

- their request to collect additional plant leaves is disapproved
- the reason why the request was disapproved
- they have been determined not to be in compliance with the Pilot BE.

See Part 4 when an insured is determined to not be in compliance with Pilot BE.

B. No Request Submitted

When the insured does not request AIP to collect an additional 10 plant leaves from the applicable unit(s), AIP must notify the insured they have been determined not to be in compliance with the Pilot BE.

See Part 4 when an insured is determined to not be in compliance with Pilot BE.

39-50 (Reserved)

Section 2 Required Spot-Checks of Policies with Loss Claims in Excess of \$100,000

51 Verification of Seed Hybrid and Sufficient Quantity

The Pilot BE provides that spot-checks and reviews may be conducted at any time to verify both the following:

- compliance with the terms and conditions of the Pilot BE, including conducting spot-checks to test plants for the presence of the required trait combinations
- the information contained on the BE Insured's Certification form, including verifying the amount of qualifying hybrid seed obtained is sufficient to meet the Pilot BE planting requirement.

A. Policies with Loss Claims in Excess of \$100,000

In addition to the required spot-checks of randomly selected policies according to Section 1, AIPs must spot-check ALL policies that meet both of the following:

- are eligible for the Pilot BE
- have loss claims in excess of \$100,000.

Important: The total loss claims, including revenue losses, for the corn crop policy shall be used to determine whether the policy must be spot-checked.

Example: Insured A has five different units planted to corn. Three of the units qualify for the Pilot BE. Insured A has loss claims of \$150,000 for the insured corn. Insured A's policy must be spot-checked. The loss claim amount of each of the individual units is not relevant. The total loss claims, including revenue losses, for the insured corn under the policy is used to determine whether the policy must be spot-checked

The spot-check requirements in this section are in addition to those provided in the Standard Reinsurance Agreement for policies with loss claims in excess of \$100,000.

If loss claims in excess of \$100,000 are filed for a policy that was previously spot-checked according to the procedures of Section 1, no further spot-check is required for the purposes of the Pilot BE.

B. AIP Verification of Seed Hybrid and Sufficient Quantity

The following table provides instructions for completing the required spot-check activities for policies with loss claims in excess of \$100,000. See Part 4 when an insured is determined not to be in compliance with the Pilot BE.

51 Verification of Seed Hybrid and Sufficient Quantity (Continued)

B. AIP Verification of Seed Hybrid and Sufficient Quantity (continued)

Step	Action						
1	Obtain a copy of the insured’s BE Insured’s Certification form, the associated seed purchase and return invoices and the insured’s BE Supplemental Seed Documentation form, if applicable.						
2	<p>Contact the seed dealer listed on the seed purchase and return invoice(s) and verify the invoice(s) submitted by the insured represent all qualifying hybrids purchased and returned for the insured.</p> <p>Contact the company representative listed on the BE Supplemental Seed Documentation form and verify the quantity and kind of hybrids listed on the form were provided to the insured.</p> <table border="1" data-bbox="228 583 1430 961"> <thead> <tr> <th data-bbox="228 583 821 751">If the seed hybrid and/or number of units of qualifying hybrids listed for the insured on the BE Insured’s Certification form or BE Supplemental Seed Documentation form is incorrect and AIP determines ...</th> <th data-bbox="821 583 1430 751">Then AIP shall ...</th> </tr> </thead> <tbody> <tr> <td data-bbox="228 751 821 894">there was no fraud or intentional misrepresentation by the insured</td> <td data-bbox="821 751 1430 894"> <ul style="list-style-type: none"> • note the correct hybrid/amount on the applicable form • use the correct hybrid/amount when completing steps 3 and 4. </td> </tr> <tr> <td data-bbox="228 894 821 961">fraud or intentional misrepresentation on the part of the insured</td> <td data-bbox="821 894 1430 961">void the policy according to the Biotechnology Endorsement.</td> </tr> </tbody> </table>	If the seed hybrid and/or number of units of qualifying hybrids listed for the insured on the BE Insured’s Certification form or BE Supplemental Seed Documentation form is incorrect and AIP determines ...	Then AIP shall ...	there was no fraud or intentional misrepresentation by the insured	<ul style="list-style-type: none"> • note the correct hybrid/amount on the applicable form • use the correct hybrid/amount when completing steps 3 and 4. 	fraud or intentional misrepresentation on the part of the insured	void the policy according to the Biotechnology Endorsement.
If the seed hybrid and/or number of units of qualifying hybrids listed for the insured on the BE Insured’s Certification form or BE Supplemental Seed Documentation form is incorrect and AIP determines ...	Then AIP shall ...						
there was no fraud or intentional misrepresentation by the insured	<ul style="list-style-type: none"> • note the correct hybrid/amount on the applicable form • use the correct hybrid/amount when completing steps 3 and 4. 						
fraud or intentional misrepresentation on the part of the insured	void the policy according to the Biotechnology Endorsement.						
3	<p>Determine whether the seed hybrid(s) obtained by the insured is a qualifying hybrid by confirming the seed hybrid is listed as a qualifying hybrid on RMA’s Biotechnology Endorsement Qualifying Hybrids website. If the hybrid is not listed on the website, AIP may contact the applicable seed company using the contact information in subparagraph 21A.</p> <p>The data on the website is provided as a tool to assist in the administration of the Pilot BE program. However, the eligibility of corn hybrids for the Pilot BE premium rate reduction is based solely on whether the hybrid meets the definition of a qualifying hybrid.</p> <p>If none of the seed hybrids obtained by the insured are qualifying hybrids, the insured is not in compliance with the Pilot BE, and AIP is not required to complete step 4 of this table. See Part 4 when an insured is not in compliance with the Pilot BE.</p>						
4	<p>For each unit the insured indicated as eligible for the Pilot BE premium rate reduction, verify the quantity of qualifying hybrids obtained by the insured is sufficient to meet the Pilot BE planting requirement by following the procedure in subparagraph 21B.</p> <p>If a sufficient amount of qualifying hybrids was not obtained to meet the Pilot BE planting requirement for a unit identified as eligible for the Pilot BE, the insured is not in compliance with the Pilot BE on ANY unit. See Part 4 when an insured is not in compliance with the Pilot BE.</p>						

52 Collection of Plant Tissue and Trait Expression Testing

AIPs are not required to collect plant tissue samples for trait expression testing for policies spot-checked because of loss claims in excess of \$100,000.

53-60 (Reserved)

Part 4 Compliance

61 Noncompliance with Pilot BE Terms and Conditions

An insured shall be determined **not** to be in compliance with the Pilot BE if any of the following occur:

- insured does not have an eligible policy and plan of insurance
- the acreage in the unit identified as eligible for the Pilot BE is not physically located in the pilot area
- the Pilot BE planting requirement is not met on any unit identified on the insured's acreage report as eligible for the Pilot BE premium rate reduction
- insured does not provide all the following on or before the acreage reporting date:
 - completed, signed and dated BE Insured's Certification form
 - completed, signed and dated BE Supplemental Seed Documentation form, if the insured obtained qualifying hybrids free of charge for which there is no seed invoice
 - copies of purchase and return seed invoices corresponding to the insured's BE Insured's Certification form
 - an acreage report identifying acreage and unit(s) meeting the Pilot BE planting requirement
- the insured provides false or fraudulent certifications under the Pilot BE
- the trait expression test result for any unit is negative.

62 Consequences for Noncompliance with Pilot BE Terms and Conditions

A. Loss of Premium Rate Reduction on Unit-by-Unit Basis

When an insured is determined to not meet the Pilot BE planting requirement on **ANY** unit reported as eligible for the Pilot BE **solely** because of either of the following, the insured will be ineligible for the Pilot BE premium rate reduction on that unit(s):

- AIP combines the insured's units due to the insured's failure to meet the requirements for separate units

A. Loss of Premium Rate Reduction on Unit-by-Unit Basis (continued)

- total insured corn acreage planted in the unit, excluding acreage designated as high-risk in the actuarial documents, is determined to be different than what the insured reported by 10 percent or less.

Ineligibility for the Pilot BE premium rate reduction due to the above described reasons does **not** result in such unit(s) being excluded from trait expression testing if the policy is selected for random spot-check according to Part 3. If the trait expression test for the unit(s) is negative, the policy will be void according to subparagraph B.

Example: Scenario: Insured A reports a unit as eligible for the Pilot BE with 300 total insured non-high-risk acres of corn for grain. Insured A obtained enough qualifying hybrids to plant 225 acres. Insured A's policy is selected for random spot-check. The AIP determines there is a total of 325 non-high-risk acres of corn planted and Insured A no longer meets the Pilot BE planting requirement because of the additional planted acreage.

Result: Because the policy was selected for spot-check, AIP must collect and mail plant leaves for trait expression testing for the unit.

If the result of the trait expression test is positive, then Insured A is ineligible for the Pilot BE premium rate reduction on the unit; however, the policy is not void. Insured A is ineligible for the premium rate reduction because the Pilot BE planting requirement is not met solely because the total insured corn acreage planted in the unit, excluding acreage designated as high-risk in the actuarial documents, is determined to be different than what the insured reported by 10 percent or less.

If the result of the trait expression test is negative, then Insured A's policy is void according to subparagraph B.

B. Voiding Policies

When an insured is determined to not meet the Pilot BE planting requirement on **ANY** unit reported as eligible for the Pilot BE because of any of the following, the insured's policy will be void:

- the trait expression test for a unit is negative
- the insured provides a false or fraudulent certification under the Pilot BE
- any reason other than those specified in subparagraph A.

The voidance will be effective on the first day of the insurance period for the crop year in which the insured is determined not to be in compliance. However, the voidance of the policy will not affect the policy for subsequent years.

62 Consequences for Noncompliance with Pilot BE Terms and Conditions (Continued)

B. Voiding Policies (continued)

Voidance of the policy will result in the insured having to refund all indemnities, prevented planting payments and replant payments paid for the crop year in which the voidance is effective.

AIP may require the insured to pay 20 percent of the premium due under the policy according to the Basic Provisions. If required by AIP, the 20 percent shall be calculated based on the premium amount that would have been due without the Pilot BE premium rate reduction.

In addition to the policy being voided, administrative, civil or criminal sanctions may be applicable according to the Basic Provisions.

63 Notification to Insured

A. Notification to Insured of Spot-Check Determinations

When an insured is determined **not** to be in compliance with the Pilot BE on any unit under the policy spot-checked, AIP shall notify the insured of all the following:

- they have been determined not to be in compliance with the Pilot BE
- reason for the determination
- the consequence of the non-compliance
- they are required to pay 20 percent of the premium due, if applicable
- they are required to refund all indemnities, prevented planting payments and replant payments paid for the crop year, if applicable
- they have a right to mediation and arbitration.

B. Mediation and Arbitration

When an insured is determined not to be in compliance with the Pilot BE, the insured shall be provided applicable rights according to the Basic Provisions of their policy.

64 Other Insureds with a Share in Acreage Determined Out of Compliance

When a unit is determined ineligible for the Pilot BE, AIP that made the determination must determine whether there are other insureds who share in some or all of the acreage in that unit. When there are other insureds that share in some or all of the acreage in the applicable unit, AIP must take action according to the following table.

IF the other insured(s) is insured by ...	THEN AIP ...
the same AIP	<p>must determine whether the other insured(s) is also out of compliance with the Pilot BE.</p> <p>If the acreage of the other insured(s) is the same acreage that was determined out of compliance, and the other insured(s) indicated their acreage was eligible for the Pilot BE, then the other insured(s) is also out of compliance.</p> <p>Example: Insured A’s policy was randomly selected for spot-check was determined out of compliance with the Pilot BE because the planting requirement was not met. AIP determines that Insured A shares in the corn crop with Insured B. Insured B has the same acreage insured under a separate policy with the same AIP as Insured A.</p> <p>Because it is the same acreage and the planting requirement was not met on the acreage, Insured B is also out of compliance with the Pilot BE.</p> <p>If the other insured(s) has more or less acreage than the acreage determined out of compliance, and the other insured(s) indicated their acreage was eligible for the Pilot BE, AIP must spot-check the other insured(s) policy according to Part 3.</p> <p>Example: Insured A’s policy was randomly selected for spot-check and was determined out of compliance with the Pilot BE because the planting requirement was not met. AIP determines that Insured A shares in the corn crop with Insured B. Insured B has a separate policy with the same AIP as Insured A; however, Insured B has more corn acreage insured under his policy than Insured A. Therefore, AIP must spot-check Insured B’s policy to determine whether Insured B is in compliance with the Pilot BE.</p>

64 Other Insureds with a Share in Acreage Determined Out of Compliance (Continued)

IF the other insured(s) is insured by ...	THEN AIP ...
a different AIP	<p>must contact the other AIP and inform them of the spot-check findings for the unit(s) determined out of compliance with the Pilot BE.</p> <p>The AIPs must work together to determine whether the acreage insured by the other insured(s) is the same acreage that was determined out of compliance.</p> <p>If it is the same acreage, the other insured(s) is out of compliance with the Pilot BE.</p> <p>If the other insured(s) has more or less acreage than the acreage determined out of compliance, and the other insured(s) indicated their acreage was eligible for the Pilot BE premium rate reduction, then AIP must spot-check the other insured(s) according to Part 3.</p>

When an AIP spot-checks a policy because the insured had a share in some or all of the acreage of a unit that was determined out of compliance, AIP may count that policy as part of the 2.5 percent or 5 percent, as applicable, required random spot-checks.

Acronyms

The following table provides approved acronyms used in this handbook.

Approved Acronyms	Term
AIP	Approved Insurance Provider
APH	Actual Production History
BE	Biotechnology Endorsement
CRC	Crop Revenue Coverage
DSSH	Document and Supplemental Standards Handbook
RA	Revenue Assurance

Definitions

The following are definitions of terms used in this handbook.

Agent means agent as defined in the Standard Reinsurance Agreement.

Approved Insurance Provider means approved insurance provider as defined in the Federal Crop Insurance Act. For the purposes of this handbook, approved insurance provider includes managing general agents as defined in the Standard Reinsurance Agreement.

Eligible Policy and Plan of Insurance means an APH, CRC, or RA plan of insurance that provides coverage for corn for grain, unless the policy has a Catastrophic Risk Protection Endorsement. Any successor plans to APH, CRC, or RA plans of insurance shall be an eligible plan of insurance. No other policies or plans of insurance are eligible. Any policy with a Catastrophic Risk Protection Endorsement is **not** an eligible policy.

Pilot Area means all counties in Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Minnesota, Nebraska, Ohio, South Dakota and Wisconsin in which an eligible policy and plan of insurance is offered.

Qualifying Hybrid: Qualifying hybrids vary by State and practice, as provided in the following table. In addition, to be a qualifying hybrid the corn hybrid planted must have been obtained for planting in the crop year in which the BE premium rate reduction will be applied. Corn hybrids planted using seed that was obtained for planting in a prior crop year do not qualify as a qualifying hybrid for the current crop year.

Example: Corn hybrid seed that was obtained for planting in the 2009 crop year, but was not planted, carried over and planted in 2010 crop year cannot be used to obtain the Pilot BE premium rate reduction for the 2010 or subsequent crop year.

Hybrid	Practice	Counties
<p>Corn hybrids that contain one of only the following specific trait combinations:</p> <ol style="list-style-type: none"> 1. YieldGard® Rootworm, YieldGard® Corn Borer and Roundup Ready® Corn 2, marketed under the trade name YieldGard® Plus with Roundup Ready® Corn 2; 2. YieldGard VT Rootworm/RR2® and YieldGard® Corn Borer, marketed under the trade name YieldGard VT Triple®; 3. YieldGard VT Rootworm/RR2® and YieldGard VT PRO™, marketed under the trade name Genuity™ VT Triple PRO™; 4. YieldGard VT Rootworm/RR2®, YieldGard VT PRO™, HERCULEX® I Insect Protection and HERCULEX® RW Rootworm Protection marketed under the trade name Genuity™ SmartStax™ or SmartStax™; 	<p>Non-irrigated and Irrigated</p>	<p>All counties in Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Minnesota, Nebraska, Ohio, South Dakota and Wisconsin.</p>

Definitions (Continued)

Hybrid	Practice	Counties
<p>5. HERCULEX[®] I Insect Protection and HERCULEX[®] RW Rootworm Protection, marketed under the trade name HERCULEX[®] XTRA Insect Protection; or</p> <p>6. HERCULEX[®] I Insect Protection, HERCULEX[®] RW Rootworm Protection and Roundup Ready[®] Corn 2, marketed under the trade name HERCULEX[®] XTRA Insect Protection with Roundup Ready[®] Corn 2.</p>		
<p>Corn hybrids that contain one of only the following specific trait combinations:</p> <p>1. Agrisure[®] CB/LL, Agrisure[®] RW and Agrisure[®] GT, marketed under the trade name Agrisure[®] 3000GT; or</p> <p>2. Agrisure[®] CB/LL and Agrisure[®] RW, marketed under the trade name Agrisure[®] CB/LL/RW.</p>	<p>Non-irrigated and Irrigated</p>	<p>All counties in Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Minnesota, Nebraska, Ohio, South Dakota and Wisconsin.</p>

Form Standards and Elements

AIPs are responsible for developing the BE Insured's Certification form. **AIPs are NOT authorized to modify or delete any of the required elements. In addition, AIPs are NOT authorized to add any elements to the BE Insured's Certification form or collect any additional information from the insured using the BE Insured's Certification form unless approved by RMA and the pilot submitters.**

The BE Insured's Certification form must contain **all** the following elements.

- "1. Insured's Name (Print):"
- "2. Crop Year:"
- "3. Insured's Policy Number:"
- "4. State:"
- "5. County:"
- "6. Seed Purchaser's Name (Print)"
- "7. Seed Purchaser Number"
- "8. Brand Name and Hybrid Name of Qualifying Hybrids*"
- "9. Number of Units of Qualifying Hybrid Seed**"
- "10. Average Seeding Rate (acres per unit of seed)"
- "11. Acres (item 9 times item 10)"
- "12. "By signing below, I certify to all of the following:
 - A. I have received and read a copy of the Pilot Biotechnology Endorsement (BE), and I am in compliance with all of its terms and conditions, including but not limited to the planting requirement provided in section 3 of the BE.
 - B. I have reviewed the information provided in items 1 through 11 above and certify they are true and correct. In addition, the accompanying copies of the seed invoice(s) and the Biotechnology Endorsement Supplemental Seed Documentation form, if applicable, attached hereto are true, correct and represent all qualifying hybrid seed I obtained for planting in the crop year identified in item 2 (the seed was NOT carried over from a previous year) and for the policy identified in item 3. Additionally, I authorize the seed company/dealer listed on the accompanying documents to disclose all purchase and return invoices for all corn seed that was purchased or returned by me or someone else on my behalf.

Form Standards and Elements (Continued)

C. I understand that failure to comply with all terms and conditions of the Pilot BE will result in loss of the premium rate reduction or my policy being voided. Further, I understand I may be subject to administrative, civil or criminal sanctions (18 U.S.C. §1006 and §1014; 7 U.S.C. §1506; 31 U.S.C. §3729, §3730 and any other applicable federal statutes).”

- “13. Insured’s Signature:” “Date:”
- the following informational language:

“*Qualifying Hybrids means a corn hybrid that meets the definition of Qualifying Hybrids as defined in the Pilot Biotechnology Endorsement.”

“**A unit of seed equals 80,000 kernels. Most qualifying hybrid seed is sold in a bag that contains 80,000 kernels (1 unit). However, qualifying hybrid seed may also be sold in a mini bulk unit that normally contains 4 million kernels (50 units). In rare situations, a bag of qualifying hybrid seed may contain only 40,000 kernels (0.5 units).”

The BE Insured’s Certification form must include both the following standard statements, as provided in FCIC-24040 DSSH.

- Collection of Information and Data (Privacy Act) Statement
- Nondiscrimination Statement.

See Exhibit 8 for an example of a BE Insured’s Certification form and a description of each of the required elements.

Planting Requirement Examples

The following are examples of the Pilot BE planting requirement.

1. Scenario: Insured A has two basic units (00100 and 00200) in Polk County Iowa, each comprised of 400 non-high-risk acres. Insured A plants all 400 acres of unit 00100 to soybeans. On unit 00200, Insured A plants 320 acres of non-irrigated corn for grain planted to a YieldGard VT Triple[®] hybrid and 80 acres of non-irrigated corn for grain planted to a non-traited hybrid.

Result: None of the acreage in unit 00100 is planted to corn. Accordingly, Insured A is not eligible for the Pilot BE premium rate reduction on unit 00100.

At least 75 percent of the total insured corn acreage planted, excluding planted acreage designated as high-risk, in unit 00200 is corn for grain planted to a qualifying hybrid ($400 \times .75 = 300$).

Accordingly, the Pilot BE planting requirement is met for unit 00200, and Insured A is eligible for the Pilot BE premium rate reduction on all 400 insured planted non-high-risk corn acres in unit 00200, provided all other eligibility requirements are met.

2. Scenario: Insured B has an enterprise unit (00100EU) in Polk County Iowa comprised of 1,280 non-high-risk acres. All 1,280 acres are planted to non-irrigated corn for grain. Insured B plants 320 acres to a HERCULEX[®] XTRA Insect Protection hybrid, 320 acres to an Agrisure[®] CB/LL/RW hybrid, 320 acres to a YieldGard VT Triple[®] hybrid and 320 acres to a non-traited hybrid.

Result: At least 75 percent of the total insured corn acreage planted, excluding planted acreage designated as high-risk, in unit 00100EU is corn for grain planted to a qualifying hybrid ($1,280 \times .75 = 960$). Accordingly, the planting requirement is met for unit 00100EU, and Insured B is eligible for the Pilot BE premium rate reduction on all 1,280 insured planted non-high-risk corn acres in unit 00100EU, provided all other eligibility requirements are met.

The determination of whether the planting requirement is met is made at the enterprise unit level, not the underlying basic or optional units that comprise the enterprise unit. Accordingly, neither of the following affects the determination of whether the planting requirement is met on enterprise unit 00100EU:

- the number or type of underlying units, basic or optional, that comprise the enterprise unit
- the number of acres within the underlying units, basic or optional, planted to non-irrigated corn for grain planted to a qualifying hybrid.

Planting Requirement Examples (Continued)

3. Scenario: Insured C has one basic unit in Becker County Minnesota comprised of 350 non-high-risk acres. Insured C plants 270 acres to non-irrigated corn for grain planted to an Agrisure[®] CB/LL/RW hybrid, and plants the remaining 80 acres to non-irrigated corn for silage planted to a non-traited hybrid. Corn for grain and corn for silage are insurable in the county.

Result: At least 75 percent of the total insured corn acreage planted, excluding planted acreage designated as high-risk, in the unit is corn for grain planted to a qualifying hybrid ($350 \times .75 = 262.5$). Accordingly, the planting requirement is met for the unit, and Insured C is eligible for the Pilot BE premium rate reduction on all 350 insured planted non-high-risk corn acres in the unit, provided all other eligibility requirements are met.

4. Scenario: Insured E has two basic units, 00100 and 00200, in Pope County Illinois each comprised of 400 acres. All 400 acres in unit 00100 are non-high-risk acres. 30 of the 400 acres in unit 00200 are designated as high-risk acreage in the actuarial documents.

Insured E plants all 400 acres in unit 00100 to non-irrigated corn for grain planted to a non-traited hybrid. Insured E plants 200 acres in unit 00200 to non-irrigated corn for grain planted to an Agrisure[®] CB/LL/RW hybrid, 75 acres to a non-traited hybrid and the remaining 125 acres are prevented from planting. 10 of the 200 acres planted to an Agrisure[®] CB/LL/RW hybrid are designated as high-risk acreage in the actuarial documents.

Result: None of the acreage in unit 00100 is planted to a qualifying hybrid. Accordingly, Insured E is not eligible for the Pilot BE premium rate reduction on unit 00100.

At least 75 percent of the total insured corn acreage planted, excluding planted acreage designated as high-risk, in unit 00200 is corn for grain planted to a qualifying hybrid [$(275 - 10) \times .75 = 198.8$]. The 125 prevented planting acres and the 10 planted acres designated as high-risk are not included when determining the 75 percent planting requirement and are not eligible for the Pilot BE premium rate reduction. Accordingly, the planting requirement is met for unit 00200, and Insured E is eligible for the Pilot BE premium rate reduction on the 265 insured planted non-high-risk corn acres in unit 00200, provided all other eligibility requirements are met.

5. Scenario: Insured F has one basic unit in Phillips County Colorado comprised of 100 non-high-risk acres. Insured F plants 30 acres of non-irrigated corn for grain planted to a YieldGard VT Triple[®] hybrid, 50 acres of non-irrigated corn for grain to an Agrisure[®] CB/LL/RW hybrid and 20 acres of non-irrigated corn for grain planted to a non-traited hybrid.

Result: Producer F does **not** meet the 75 percent planting requirement on the unit. A YieldGard VT Triple[®] hybrid is a qualifying hybrid for non-irrigated practice in Colorado; however, an Agrisure[®] CB/LL/RW hybrid is not a qualifying hybrid in Colorado. Therefore, in this example, only 30 percent of the total insured corn, excluding planted acreage designated as high-risk, in the unit is corn for grain planted to a qualifying hybrid. Accordingly, Insured F is not eligible for the Pilot BE premium rate reduction.

Planting Requirement Examples (Continued)

6. Scenario: Insured G has a whole farm unit in Becker County Minnesota comprised of 1,000 non-high-risk acres. Both corn for grain and corn for silage are insurable in the county. Insured G plants the following on the whole farm unit:

- 450 acres of non-irrigated corn for grain planted to HERCULEX[®] XTRA Insect Protection hybrid
- 150 acres of non-irrigated corn for silage planted to a non-traited hybrid
- 300 acres of soybeans
- 100 acres of wheat.

Result: At least 75 percent of the total insured corn acreage planted, excluding planted acreage designated as high-risk, in the whole farm unit is non-irrigated corn for grain planted to a qualifying hybrid ($600 \times .75 = 450$). Accordingly, the planting requirement is met for the whole farm unit, and Insured G is eligible for the Pilot BE premium rate reduction on the 600 insured planted non-high-risk corn acreage within the whole farm unit, provided all other eligibility requirements are met. The Pilot BE premium rate reduction does not apply to the soybean or wheat acreage in the whole farm unit.

The determination of whether the planting requirement is met is made at the whole farm unit level, not the underlying basic or optional units that comprise the whole farm unit. Accordingly, neither of the following affects the determination of whether the planting requirement is met on the whole farm unit:

- the number or type of underlying units, basic or optional, that comprise the whole farm unit
- the number of acres within the underlying units, basic or optional, planted to non-irrigated corn for grain planted to a qualifying hybrid.

7. Scenario: Insured I has one basic unit in Rock County Nebraska comprised of 200 non-high-risk acres. Insured I plants 75 acres of non-irrigated corn for grain planted to a YieldGard VT Triple[®] hybrid, 75 acres of irrigated corn for grain to an Agrisure[®] 3000GT hybrid and 50 acres of non-irrigated corn for grain planted to a non-traited hybrid.

Result: Insured I meets the 75 percent planting requirement on the unit. A YieldGard VT Triple[®] hybrid is a qualifying hybrid for non-irrigated practice in Nebraska and an Agrisure[®] 3000GT hybrid is a qualifying hybrid for irrigated practice in Nebraska. Therefore, at least 75 percent of the total insured corn acreage planted, excluding planted acreage designated as high-risk, in the unit is corn for grain planted to a qualifying hybrid ($200 \times .75 = 150$). Accordingly, the planting requirement is met for the unit, and Insured I is eligible for the Pilot BE premium rate reduction on the unit.

Written Agreement Examples

The following are examples of how written agreements affect **unit** eligibility for the Pilot BE.

1. Scenario: An insured has a unit that has a type TP written agreement, unrated practice, type, or variety, effective and attached to the unit.

Result: The unit is **not** eligible for the Pilot BE.

2. Scenario: An insured obtains a type NB written agreement for acreage not planted and harvested or insured in one of the three previous crop years to break out land within a unit. However, the insured never breaks out any land, never exercises the type NB written agreement and the written agreement never becomes effective on any acreage in the unit.

Result: Even though the insured obtained a type NB written agreement and it was attached to the unit, the insured never exercised the written agreement and it never became effective for any acreage in the unit. Therefore, the unit may be eligible for the Pilot BE, provided all eligibility requirements are met.

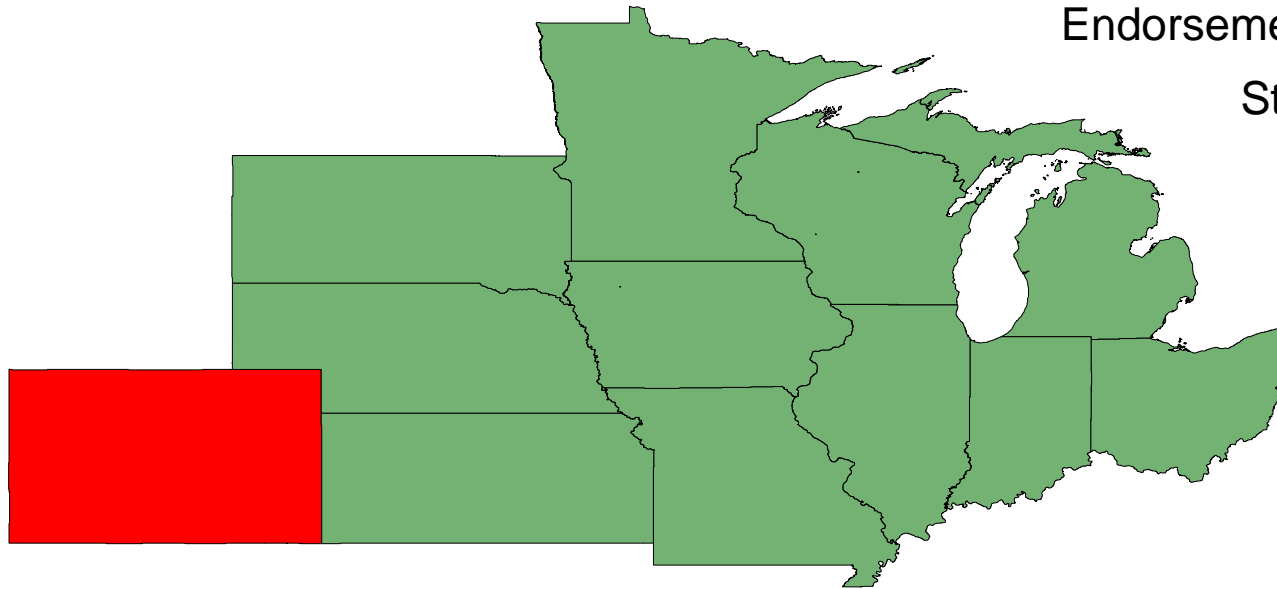
3. Scenario: An insured has a unit which is comprised of 20 acres of land designated as high-risk in the actuarial documents and 300 acres of non-high-risk acreage. The insured has a type HR written agreement to change the transitional yield for the high-risk acres. The written agreement does not change the designation of the 20 acres as high-risk, it only changes the transitional yield for those acres. There are no other written agreements attached to the unit.



Result: The unit may be eligible for the Pilot BE, provided all other requirements are met. The type HR written agreement does not make the **unit** ineligible for the Pilot BE. However, the acreage designated as high-risk in the actuarial documents is **not** eligible for the Pilot BE regardless of the transitional yield or rate provided by a written agreement. See subparagraph 11D.

Pilot BE States

The following is a map of the Pilot BE states.

Pilot Biotechnology
Endorsement
States



-  Approved Monsanto, Pioneer/Dow AgroSciences, Monsanto/Dow AgroSciences (Genuity™ SmartStax™ and SmartStax™) and Syngenta specific trait combinations for non-irrigated and irrigated practices.
-  Approved Monsanto, Pioneer/Dow AgroSciences and Monsanto/Dow AgroSciences (Genuity™ SmartStax™ and SmartStax™) specific trait combinations for non-irrigated and irrigated practices.

Pilot BE States (Continued)

The following is the text equivalent of the map of the Pilot BE states.

State	Trait Combinations
Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Minnesota, Nebraska, Ohio, South Dakota and Wisconsin	Approved Monsanto, Pioneer/Dow AgroSciences, Monsanto/Dow AgroSciences (Genuity TM SmartStax TM and SmartStax TM) and Syngenta specific trait combinations specific trait combinations for non-irrigated and irrigated practices.
Colorado	Approved Monsanto, Pioneer/Dow AgroSciences and Monsanto/Dow AgroSciences (Genuity TM SmartStax TM and SmartStax TM) specific trait combinations for non-irrigated and irrigated practices.

Example of BE Insured’s Certification Form

The following is provided as an example only. AIPs must develop a BE Insured’s Certification form according to paragraph 14.

BIOTECHNOLOGY ENDORSEMENT INSURED’S CERTIFICATION					
1. Insured’s Name (Print): Insured A			2. Crop Year: 2010		
3. Insured’s Policy Number: xx-yyy-zzzzzz		4. State: Iowa		5. County: Polk	
6. Seed Purchaser’s Name (Print)	7. Seed Purchaser Number	8. Brand Name and Hybrid Name of Qualifying Hybrids*	9. Number of Units of Qualifying Hybrid Seed**	10. Average Seeding Rate (acres per unit of seed)	11. Acres (item 9 x item 10)
Insured A	1111111	Brand XXX 1234ABC	100	2.8	280
Producer C	2222222	Brand XXX 5678XYZ	200	2.5	500
			Total: 300		Total: 780
<p>* Qualifying Hybrids means a corn hybrid that meets the definition of Qualifying Hybrid as defined in the Pilot Biotechnology Endorsement.</p> <p>** A unit of seed equals 80,000 kernels. Most qualifying hybrid seed is sold in a bag that contains 80,000 kernels (1 unit). However, qualifying hybrid seed may be sold in a mini bulk unit that normally contains 4 million kernels (50 units). In rare situations, a bag of qualifying hybrid seed may contain only 40,000 kernels (0.5 units).</p> <p>12. By signing below, I certify to all of the following:</p> <p>A. I have received and read a copy of the Pilot Biotechnology Endorsement (BE), and I am in compliance with all of its terms and conditions, including but not limited to the planting requirement provided in section 3 of the BE.</p> <p>B. I have reviewed the information provided in items 1 through 11 above and certify they are true and correct. In addition, the accompanying copies of the seed invoice(s) and the Biotechnology Endorsement Supplemental Seed Documentation form, if applicable, attached hereto are true, correct and represent all the qualifying hybrid seed I obtained for planting in the crop year identified in item 2 (the seed was NOT carried over from a previous year) and for the policy identified in item 3. Additionally, I authorize the seed company/dealer listed on the accompanying documents to disclose all purchase and return invoices for all corn seed that was purchased or returned by me or someone else on my behalf.</p> <p>C. I understand that failure to comply with all terms and conditions of the Pilot BE will result in loss of the premium rate reduction or my policy being voided. Further, I understand I may be subject to administrative, civil or criminal sanctions (18 U.S.C. §1006 and §1014; 7 U.S.C. §1506; 31 U.S.C. §3729, §3730 and any other applicable federal statutes).</p>					
13. Insured’s Signature: /s/ Insured A				Date: 6/1/2010	

Collection of Information and Data (Privacy Act) Statement and Nondiscrimination Statement

Example of BE Insured’s Certification Form (Continued)

Only qualifying hybrids planted on the acreage under the applicable policy shall be recorded on the BE Insured’s Certification form. See Exhibit 2 for definition of qualifying hybrids.

The insured is responsible for both of the following:

- ensuring the accuracy of the information entered on their BE Insured’s Certification form
- providing their AIP(s) all of the following on or before the acreage reporting date:
 - a completed, signed and dated BE Insured’s Certification Statement for each policy they wish to participate in the Pilot BE
 - copies of purchase and return seed invoices that substantiate the information provided on the BE Insured’s Certification form
 - completed, signed and dated BE Supplemental Seed Documentation form, if the insured obtained qualifying hybrids free of charge for which there is no purchase invoice.

Copies of the seed invoice(s) and BE Supplemental Seed Documentation form must be attached to the corresponding BE Insured’s Certification form.

The following are descriptions of the BE Insured’s Certification form required elements. See paragraph 14 for the required elements.

Item No.	Description
1. Insured’s Name	Full name of the insured.
2. Crop Year	Crop year in which the qualifying hybrid(s) was planted and the Pilot BE premium rate reduction will apply.
3. Insured’s Policy Number	Policy number of the insured identified in item 1.
4. State	State for which the insured’s policy number was issued.
5. County	County for which the insured’s policy number was issued.
6. Seed Purchaser’s Name	Name(s) of the person that purchased the corn seed. This is the name on the seed invoice, and may not be the name of the insured.

Example of BE Insured’s Certification Form (Continued)

Item No.	Description
7. Seed Purchaser Number	<p>The Seed Purchaser Number assigned to the seed purchaser in item 6. This number is normally provided to the seed purchaser by the applicable company, Dow AgroSciences, Monsanto, Pioneer or Syngenta, or the seed dealer that sold the seed.</p> <p>The Seed Purchaser Number is commonly referred to as “Herculex Grower Agreement Number” by Dow AgroSciences, “Monsanto Technology Stewardship Agreement License Number” by the Monsanto Company, “Account Identification Number” by Pioneer Hi-Breed International, and “Syngenta Technology Number” by Syngenta Seeds.</p> <p>The Seed Purchaser Number may be used as part of the Pilot BE quality control process, including the verification of seed purchases and returns, by AIPs, RMA or any employee of USDA authorized to investigate or review a matter related to crop insurance.</p>
8. Brand Name and Hybrid Name of Qualifying Hybrids	<p>Brand Name of the seed purchased, such as Dekalb, Becks, Pioneer or Brunner, and Hybrid name of the seed purchased, such as DKC51-39, 6722VT3 or YGPL-5106RR2.</p>
9. Number of Units of Qualifying Hybrid Seed	<p>The number of units of qualifying hybrid seed, derived from the accompanying seed invoice(s) and the Biotechnology Endorsement Supplemental Seed Documentation form, if applicable, the insured planted on the acreage insured under the policy number identified in item 3.</p> <p>Only enter the number of units of qualifying hybrid seed planted on the acreage for the applicable policy. This may be less than the total number of units listed on the accompanying seed invoice(s) and the Biotechnology Endorsement Supplemental Seed Documentation form.</p> <p>Enter the total at the bottom of the column.</p>
10. Average Seeding Rate (acres per unit of seed)	<p>Average seeding rate used by the insured when planting the qualifying hybrids, such as 2.7 acres per unit of seed.</p>
11. Acres	<p>Multiple item 9 times item 10 and enter results in item 11. This is the number of acres the insured planted with the qualifying hybrid.</p> <p>Enter the total at the bottom of the column.</p>
12. Informational/ Certification Language	<p>See paragraph 14 for the required informational/certification language.</p>
13. Insured’s Signature and Date	<p>Insured identified in item 1 must sign and date the form.</p>