

Agricultural Act of 1949, as amended, and a prevented planting indemnity under the crop insurance program. Because the weather conditions in various parts of the midwest have not been conducive to timely planting of various 1995 program crops, an emergency situation exists for many producers which requires that this rule be made effective retroactive to January 1, 1995, without prior notice and comment. Comments are solicited for 60 days after the date of publication in the **Federal Register** and will be considered by FCIC before this rule is made final.

#### List of Subjects in 7 CFR Part 457

Crop insurance, Small grains, Coarse grains, Cotton, ELS cotton.

#### Interim Rule

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended (7 U.S.C. 1501 *et seq.*), the Federal Crop Insurance Corporation hereby amends the Common Crop Insurance Regulations (7 CFR Part 457) by amending the Small Grains (§ 457.101), Cotton (§ 457.104), Extra Long Staple Cotton (§ 457.105), and Coarse Grains (§ 457.113) Crop Provisions, applicable for the 1995 crop year only, to read as follows:

#### PART 457—[AMENDED]

1. The authority citation for 7 CFR part 457 continues to read as follows:

**Authority:** 7 U.S.C. 1506(1).

2. Section 457.101 is amended by revising paragraph 12.(d)(3)(iii)(C) to read as follows:

#### § 457.101 Small Grains Crop Insurance.

\* \* \* \* \*

#### 12. Late Planting and Prevented Planting

\* \* \* \* \*

(d) \* \* \*

(3) \* \* \*

(iii) \* \* \*

(C) Land used for conservation purposes or intended to be left unplanted under any program administered by the United States Department of Agriculture (Proof that the insured had the seed, chemicals and other materials available to plant and produce a crop with the expectation of at least producing the production guarantee may be required.);

\* \* \* \* \*

3. Section 457.104 is amended by revising paragraph 12.(d)(3)(iv)(C) to read as follows:

#### § 457.104 Cotton Crop Insurance Provisions.

\* \* \* \* \*

#### 12. Late Planting and Prevented Planting

\* \* \* \* \*

(d) \* \* \*

(3) \* \* \*

(iv) \* \* \*

(C) Land used for conservation purposes or intended to be left unplanted under any program administered by the United States Department of Agriculture (Proof that the insured had the seed, chemicals and other materials available to plant and produce a crop with the expectation of at least producing the production guarantee may be required.);

\* \* \* \* \*

4. Section 457.105 is amended by redesignating paragraphs 12.(e) (3) and (4) as paragraphs 12.(e) (4) and (5), by redesignating the second paragraph 12.(e)(2) as paragraph 12.(e)(3), and revising paragraphs 12.(e) (3) and (4) and 12.(e)(4)(iii) to read as follows:

#### § 457.105 Extra Long Staple Cotton Crop Insurance Provisions.

\* \* \* \* \*

#### 12. Prevented Planting

\* \* \* \* \*

(e) \* \* \*

(1) \* \* \*

(2) \* \* \*

(3) Acreage intended to be planted under an irrigated practice will be limited to the number of acres properly prepared to carry out an irrigated practice.

(4) A prevented planting production guarantee will not be provided for:

(i) \* \* \*

(ii) \* \* \*

(iii) Land used for conservation purposes or intended to be left unplanted under any program administered by the United States Department of Agriculture (Proof that the insured had the seed, chemicals and other materials available to plant and produce a crop with the expectation of at least producing the production guarantee may be required.);

\* \* \* \* \*

5. Section 457.113 is amended by revising paragraph 13.(d)(3)(iv)(C) to read as follows:

#### § 457.113 Coarse Grains Crop Insurance Provisions.

\* \* \* \* \*

#### 13. Late Planting and Prevented Planting

\* \* \* \* \*

(d) \* \* \*

(3) \* \* \*

(iv) \* \* \*

(C) Land used for conservation purposes or intended to be left unplanted under any program administered by the United States Department of Agriculture (Proof that the insured had the seed, chemicals and other materials available to plant and produce a crop with the expectation of at least producing the production guarantee may be required.);

\* \* \* \* \*

Done in Washington, D.C., on June 29, 1995.

**Kenneth D. Ackerman,**

*Manager, Federal Crop Insurance Corporation.*

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#### Commodity Credit Corporation

#### 7 CFR Part 1446

RIN 0560-AD90

#### Peanuts

**AGENCY:** Commodity Credit Corporation, USDA.

**ACTION:** Interim rule with request for comments.

**SUMMARY:** This rule adds to the peanut price support regulations in 7 CFR part 1446 a reference to crop insurance requirements contained in 7 CFR part 400 which effect the eligibility of peanut producers for price support. Under the provisions of part 400, producers generally must obtain crop insurance for all crops in which they have an interest in the county where the peanuts are produced. The crop insurance requirements of part 400, which implement provisions of the recently-enacted Federal Crop Insurance Reform Act of 1994 (1994 Act), are in addition to all existing eligibility requirements for price support for peanuts contained in part 1446 and elsewhere.

**DATES:** This interim rule is effective July 12, 1995. Written comments and data on this rule will be accepted until close of business August 11, 1995, and will be considered when the rule is to be made final.

**ADDRESSES:** All interested persons are invited to submit written comments and data concerning this interim rule to the Director, Tobacco and Peanuts Division, CFSA, U.S. Department of Agriculture, PO Box 2415, Washington, DC. 20013-2415, or deliver by hand or messenger to room 5750, South Building, USDA, 14th Street and Independence Avenue, SW, Washington, D.C. All written submissions received in response to this request will be made available for public inspection in room 5750, South Building, USDA, between the hours of 8:15 a.m. and 4:45 p.m., on regular Federal workdays.

**FOR FURTHER INFORMATION CONTACT:** Gary S. Fountain, Consolidated Farm Service Agency, USDA, PO Box 2415, Washington, DC. 20013-2415; telephone (202) 720-9106.