

THE UNDERSIGNED BUYER DOES HEREBY ORDER THE FOLLOWING SEED COATED BY SELLERS STANDARD COATING PROCEDURE OR AS OTHERWISE PROVIDED WHEREIN SUBJECT TO THE TERMS SET FORTH BELOW:

It is agreed by the Buyer and **SYNERGENE SEED** (Seller), that this order and sale shall be subject to the conditions set forth below.

Indicate Belt Size by Coating Desired:

SUPRA-CELL \_\_\_\_\_  13.0     11.5     MINI     SPLITKOTE     OTHER \_\_\_\_\_

BUYER \_\_\_\_\_ DESIRED DELIVERY DATE \_\_\_\_\_

ADDRESS \_\_\_\_\_ CUSTOMER ORDER NO. \_\_\_\_\_

SHIP TO \_\_\_\_\_ VIA \_\_\_\_\_

POUNDS	KIND - VARIETY	LOT NO.	SEED SOURCE	GERM DATE	SEED COUNT

### THIS TRANSACTION IS SUBJECT TO THE FOLLOWING CONDITIONS

**SELLER'S LIMITATION OF WARRANTY:**

"SEEDS FURNISHED BY PURCHASER SHALL BE SUBJECTED TO A VIABILITY TEST BEFORE AND AFTER COATING. PURCHASER AGREES THAT SELLER IS RESPONSIBLE ONLY FOR COATING THE SEED. SELLER ASSUMES NO RESPONSIBILITY FOR CONFORMITY OF THE SEEDS TO LABEL, DESCRIPTION OR FOR ADVERSE PERFORMANCE OF THE SEED DUE TO COATING EXCEPT AS OTHERWISE PROVIDED HEREIN. PURCHASER ACCEPTS BOTH THE COATING AND THE SEED AS IS, NO WARRANTY, EXPRESS OR IMPLIED, AS TO MERCHANTABILITY, FITNESS FOR PURPOSE SOLD, DESCRIPTION, QUALITY PRODUCTIVENESS, OR ANY OTHER MATTER, OF ANY SEEDS SENT OUT, AND RESPONSIBILITY FOR THE CROP, IS MADE BY SELLER AND SELLER WILL BE IN NO WAY RESPONSIBLE FOR THE CROP AND THE PURCHASER HEREBY WAIVES THE RIGHT OF REFUSAL AND RETURN OF GOODS WHICH IS USUALLY CONNECTED WITH NON-WARRANTY."

"THIS ORDER IS NOT BINDING UPON SELLER UNTIL ACCEPTED BY ITS HOME OFFICE AT SALINAS, CALIFORNIA, BY A CORPORATE OFFICER AND NO OTHER EMPLOYEE, AGENT OR SALESMAN HAS AUTHORITY TO WAIVE OR VARY ANY TERMS OF THE ORDER, TO TAKE ORAL ORDERS OR MAKE ANY SALE ON ANY OTHER TERMS THAN AS HEREIN STATED."

Please coat this seed even though your tests may show it to be of less than optimal quality. Purchaser accepts all responsibility for performance of the coated seed including but not limited to seed germination and vigor.

Please coat this seed without prior testing. Purchaser accepts all responsibility for its performance including but not limited to seed germination and vigor.

Please test this seed to determine germ, vigor and coatability and advise Buyer of results prior to coating seed.

BUYER'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

SYNERGENE SEED BY \_\_\_\_\_ DATE \_\_\_\_\_