

APPLICATION FOR PURCHASE OF RESERVE PRUNES FOR GOVERNMENT PURCHASE

Date _____

Prune Marketing Committee
3841 North Freeway Blvd., Suite 120
Sacramento, CA 95834

Gentlemen:

Pursuant to your "Offer to Sell _____ Crop Reserve Prunes" dated _____ as the First Re-Offer provided in the resolution which was attached to the Initial Offer Application as a part thereof, the undersigned, hereinafter called the Handler, hereby applies to the Prune Marketing Committee, hereinafter called the Committee, for the acquisition of _____ crop year natural condition reserve prunes as described in the schedule, attached herewith and made a part hereof, in the amount of _____ tons in accordance with the following terms and conditions:

1. Price

It is understood and agreed that the price of said _____ tons in total shall be \$ _____ as shown on the attached schedule as the net after deducting adjustments of \$ _____ per ton for over-pack in the government purchase of _____ and agreed upon hauling allowance according to location of said reserve prunes.

2. Title

Title in the quantity of prunes acquired hereunder shall pass to the Handler upon receipt and approval hereof by the Committee through its duly authorized representative.

3. Condition of acquisition

This application, in order to be approved by the Committee, shall be received by the Committee not later than _____.

4. Failure to perform

If delivery by the Committee of prunes purchased hereunder shall be prevented or materially interfered with by exercise of Government authority, Act of God, or by embargo, civil commotion, fire, strikes, or any other cause beyond the control of the Committee, the Committee shall be excused from performance hereunder to the extent that any such condition interferes with present performance hereunder or prevents performance.

5. Records

The Handler shall maintain adequate records showing purchases hereunder. Such records, accounts, and other documents relating to any transactions involving such prunes shall be preserved for a period of at least two years after the termination of the current crop year ending _____ and shall be available during the regular business hours for inspection and audit by the Committee.

6. Contractual significance

When approved by the Committee, this document shall be a contract between the parties hereto which shall be effective on the date approved by the Committee.

Handler _____

Signature _____

Title _____

APPROVED: Prune Marketing Committee

Signature _____

Title _____

Date _____

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