APPLICATION FOR PURCHASE OF RESERVE PRUNES FOR GOVERNMENT PURCHASE

Date: _________________________________

Prune Marketing Committee
3840 Rosin Court, Suite 170
Sacramento, CA  95834

Gentlemen:

Pursuant to your “Offer to Sell 20___ Crop Reserve Prunes,” dated ______________, 20___, as the First Re-Offer provided in the resolution that was attached to the Initial Offer Application as a part thereof; the undersigned, hereinafter called the Handler, hereby applies to the Prune Marketing Committee (Committee) for the acquisition of 20___ 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 ______________________, 20___.

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.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0178. The time required to complete this information collection is estimated to average 3 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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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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