Memorandum of Agreement

Between Handlers

Regarding Responsibilities for Tart Cherry Production under

The Marketing Order for Red Tart Cherries

Crop Year June _____ through July _____

There are circumstances when a handler might process cherries under agreement to and for the benefit of another handler. This causes some confusion regarding treatment of products processed under this arrangement.

This agreement delineates the responsibilities between handlers with respect to red tart cherries handled by the respective parties. The parties to this transaction are:

___________________________________    , the Selling Handler, and

___________________________________    , the Buying Handler,

who shall be referred to as “Seller” and “Buyer,” respectively.

The default position of the order is that the originating handler, the handler that first receives tart cherries, is responsible for all aspects, duties and responsibilities relating to the requirements of the marketing order for tart cherries. This default position will control unless there is written agreement between the seller and buyer by which the responsibilities are acknowledged and accepted.

The handlers hereby assign the duties and responsibilities relating to the requirements of the marketing order for tart cherries in the manner and by the entity as indicated below:

<table>
<thead>
<tr>
<th>Responsibility</th>
<th>Seller</th>
<th>Buyer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form 1 reporting</td>
<td>□</td>
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</tr>
<tr>
<td>Form 2 reporting</td>
<td>□</td>
<td>□</td>
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<tr>
<td>Form 4 reporting and restriction</td>
<td>□</td>
<td>□</td>
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<tr>
<td>Assessment obligation</td>
<td>□</td>
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</table>

The parties hereby acknowledge and agree to the allocation of responsibilities as outlined above.

Selling Handler: ______________________

By: ______________________

Signature: ______________________

Print Name: ______________________

Date: ___ / ___ / ___

Buying Handler: ______________________

By: ______________________

Signature: ______________________

Print Name: ______________________

Date: ___ / ___ / ___

ORIGINAL, signed by both parties, and sent to the CIAB. BLUE, with Selling Party’s signature, sent to CIAB at time of agreement. YELLOW, retained by Selling Party. PINK, with both signatures, returned to Selling Party. GOLD, retained by Buying Party for records.

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 0581-0177. The time required to complete this information collection is estimated to average 2 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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