



WATERMELON WAIVER FORMS

Stokes Seeds and its suppliers require a signed waiver on watermelon seed orders. Please follow the instructions below to ensure the process is completed correctly.

Instructions:

1. Read all information contained in these documents carefully.
2. Please feel free to consult a lawyer before signing.
3. Ensure you have filled out and signed the required fields on **ALL** documents.
4. Make a copy of the signed forms to keep for your personal records.
5. Send **ONE** signed copy of all documents **including supplier waiver (if applicable)** to Stokes Seeds using one of the following methods:

Email: stokes@StokeSeeds.com

Fax: 1-800-272-5560

CDN Post: Stokes Seeds Ltd.
PO Box 10
296 Collier Rd. S.
Thorold, ON
L2V 5E9

US Post: Stokes Seeds Inc.
PO Box 548
Buffalo, NY
14240-0548

If you have any questions or require clarification on the attached forms **please contact our Sales Department** at 1-800-263-7233.



NOTICE, WAIVER AND COMPLETE RELEASE AGREEMENT, INCLUDING
LIMITATION OF WARRANTY AND LIMITATION OF LIABILITY (GROWER)
NOT RECOMMENDED FOR PLANTING IN SOUTH CAROLINA

Watermelon Fruit Blotch (WFB), caused by Acidovorax avenae subsp. citrulli, and Gummy Stem Blight (GSB), caused by the fungus Didymella
Byroniae are serious diseases which have become a significant risk factor in many areas where watermelons are grown. The pathogens causing WFB
and GSB can be introduced into a field by infested seed, infected transplants, volunteer watermelon, mechanical means, or natural spread from alternate
hosts.

- 1. GROWER'S RELEASE OF ALL LIABILITY FOR WATERMELON FRUIT BLOTCH (WFB) AND GUMMY STEM BLIGHT (GSB).
2. GROWER'S AGREEMENT NOT TO RESELL SEEDS OR PLANTS.
3. GROWER'S INDEMNIFICATION AGREEMENT.
4. GROWER UNDERSTANDS THIS AGREEMENT.
5. ALL OTHER TERMS OF THE STOKES SEEDS LABEL APPLY.
6. CHOICE OF LAW AND CHOICE OF FORUM.
7. ATTORNEY'S FEES.

I have read and understand this release agreement
and I agree to be bound by all of its terms.

GROWER SIGNATURE
NAME
ADDRESS
CITY STATE ZIP CODE
TELEPHONE
DATE

Stokes Seeds
PER: STOKES SEEDS AUTHORIZED SIGNATURE
DATE:
FOR OFFICE USE ONLY
STATE ORDER NUMBER

IN U.S.A
P.O. Box 548
Buffalo NY 14240-0548
800-263-7233

IN CANADA
P.O. Box 10
Thorold ON L2V 5E9
800-263-7233

Table with 4 columns: STOKES SEEDS VARIETY REQUESTED, QTY/LBS, STOKES SEEDS VARIETY REQUESTED, QTY/LBS. Rows 1-4.



HOLLAR SEEDS



Where Good Ideas Grow™

P.O. Box 106, Rocky Ford, CO USA 81067-0106

TEL: +1(719) 254-7411 FAX: 719 254-3539 INTERNET: www.hollarseeds.com

IMPORTANT NOTICE - BACTERIAL FRUIT BLOTCH

Company: _____ Date: _____

| Variety: | Lot: | Quantity |
|----------|------|----------|
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A bacterial disease known as Bacterial Fruit Blotch (BFB) has caused severe damage to watermelon crops in various parts of the United States. The causal organism of BFB is *Acidovorax avenae* subs. *citrulli*. This bacterium may be seed-borne, but infection may also occur from many types of secondary sources before or after planting. Hollar Seeds (Hollar) makes no claim of resistance or tolerance to this disease, or freedom from any bacterial disease, including BFB, with regard to any of its seed.

Symptoms of BFB on seedlings appear as dark, water-soaked lesions on the lower surfaces of plant cotyledons or on true leaves. The lesions later become necrotic and may also have chlorotic halos surrounding the dead tissues. Many times, lesions will also appear on the hypocotyls of seedlings, resulting in the wilting and death of these plants. **The most dramatic and destructive phases of this disease are the fruit infections that occur later in the growing cycle.** The lesions on the top surface of the fruits appear as small, water-soaked areas, which under the right conditions of high temperature and humidity enlarge rapidly to cover most of the surface of the fruits. Fruit decay often follows. **This later condition of the disease cycle could lead to significant economic losses to the grower.**

In cases where the pathogen is carried by planted seed, the lesions described above will appear on the seedlings within 7 days of emergence. The ultimate user of watermelon seed is urged to inspect watermelon seedlings within two weeks of emergence for evidence of seed-borne diseases. **If no symptoms are observed on seedlings within the three (3) weeks following emergence, it is very unlikely that any subsequent BFB infection stems from seed-borne BFB bacteria. Any subsequent BFB infection will most likely be caused by other sources. It is imperative that each grower inspect seedlings during this early stage, in order to determine the presence or absence of these symptoms and to mitigate any potential economic losses.**

CAUTION: Symptoms that appear on plants in the early stages of growth, and especially those symptoms caused by secondary infections, may not be evident on new foliar parts as the plants develop. The pathogen, however, may still be alive in infected tissues, and may infect the fruits if favorable conditions of temperature and humidity prevail. Do not retain any plants that show any symptoms of BFB at any time. Remove such infected tissue from the field and dispose of away from fields that may be planted to vegetable crops in the future.

MEANS OF SEEDLING INFECTION

It is widely understood that precisely the same pathogens that Hollar tests for may be ever present in some soils, attacking otherwise healthy plants. BFB contamination of seedlings can come from a variety of sources. There is a wide variety of alternate host plants (including wild citron, melon, eggplant, and many others) that which, when growing in close proximity, can transmit bacteria and provide for the spread of BFB and many other diseases to otherwise uninfected plants. Bacteria can overwinter in diseased fields on organic matter and may be transmitted from field to field by improperly sterilized tools, the use of previously used plant trays or via human contact with plants. The 1990s saw the widespread occurrence of BFB in the United States. If the disease has not already become endemic (naturally occurring, much like Fusarium and Anthracnose), it will do so very soon.

Important notice continued on page 2.

Your Initials



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PRECAUTIONS TAKEN AND SEED TESTING

Hollar has undertaken reasonable precautions to identify and control seed-borne pathogens on the seed it sells. Irrespective of careful production, field rogueing, special treatments or lot testing techniques, any of Hollar's seed lots may contain infected seeds or be subject to genetic weaknesses that encourage seed-borne infections or other diseases beyond Hollar's control. These infections could lead to loss of plants or produce grown from seed of this variety.

A minimum of 30,000 seeds of each lot of watermelon seed sold by Hollar is tested for the presence of seed-borne bacterial fruit blotch by the grow-out method with an independent NSHS certified third party. Only lots of seed testing negative for *Acidovorax avenae* subsp. *citrulli* are sold by Hollar Seeds. Unfortunately, this test only can speak to the presence or absence of the BFB bacteria on the seeds tested. As a result, seed pathology tests cannot detect with 100% accuracy all pathogens within a seed lot. Hollar cannot warrant that any of its seed is completely free of the BFB bacteria.

There is no foolproof way to ensure that seeds are not contaminated with the BFB bacteria. While some seed treatments control seed-borne diseases on a very limited basis, nothing has been proven to ensure complete seed immunity to BFB. Even if seeds are clean, no way exists to ensure that the disease will not develop as a result of infection via a secondary source. Hollar is committed to provide growers clean seed, but we cannot and do not guarantee our seeds to be free of the BFB bacteria. By buying and planting our seed, purchaser accepts that Hollar's seeds may contain the BFB bacteria, and releases Hollar from any actions related to BFB. Do not plant seed under any circumstance if you do not understand or accept these facts.

WAIVER AND RELEASE AGREEMENT

The Seed is sold As Is. Hollar Seeds warrants that the seed conforms to the description on the label. Hollar Seeds disclaims all other warranties, expressed or implied, including warrant of merchantability or fitness for any particular purpose. As a condition of the sale of watermelon seed by Hollar, the undersigned acknowledges that they have been informed regarding the risks associated with the potential presence of the BFB bacteria, and hereby waives any right to recover damages, and releases Hollar, its agents, dealers, and suppliers from any and all claims relating to BFB with respect to all watermelon seed supplied by Hollar. The undersigned further agrees and acknowledges that all seed supplied by Hollar is subject to Hollar's standard terms and conditions of sale appearing on its price lists, on its seed containers, and in its contract documents. The undersigned expressly acknowledges that its exclusive and sole remedy (for any cause) against Hollar is limited to a return of the purchase price of the seed.

It is further agreed that in the event of resale of the seed sold hereunder, Hollar does not adopt or assume any warranties, expressed or implied, given by the undersigned. The undersigned further agrees to defend, indemnify and hold harmless Hollar against any and all claims, actions, proceedings or other liabilities of any nature whatsoever relating to any such resold or transferred seed. It is further agreed that in the event of the resale of these seeds, the purchaser agrees to obtain a signed release pertaining to bacterial fruit blotch from the subsequent buyer.

I have read both pages of this document and have discussed its implications with my attorney, and agree to be bound by it.

Signature _____

Name: _____

Date: _____

Company: _____

Address: _____

City, State, ZIP: _____