



**Farmland**<sup>™</sup>  
★ FRESH DAIRIES ★

January 4, 2024

Ross Cooper  
Category Manager  
Driscoll Foods Inc.  
6 Westbelt  
Wayne, N.J. 07470

RE: Letter of Guarantee

Dear Ross,

We guarantee that no articles of foods (including Farmland Fresh Dairies Ultra Pasteurized 36% Heavy Cream) sold by us to you will be adulterated or misbranded within the meaning of the Federal Food, Drug and Cosmetic Act of June 25, 1938, as amended (the "Federal Act"), or within the meaning of any state food and drug law, the adulteration and misbranding provisions of which are identical with or substantially the same as those found in the Federal Act, and that such goods will not be produced or shipped in violation of Section 404 or 301(d) of said Federal Act. Notwithstanding the foregoing, (a) we do not guarantee against such goods becoming adulterated or misbranded within the meaning of the Federal Act or other acts by reason of causes beyond our control, and (b) where goods are shipped under your label, our responsibility for misbranding shall be limited to that resulting from the failure of the product to conform to the label furnished by you.

In the event action is brought to enforce any of the provisions of the agreement, the unsuccessful party in such action shall pay to the prevailing party reasonable attorney's fees.

Sincerely,

Wayne Richman  
Vice President Business Development  
Farmland Fresh Dairies, LLC

Confirmed and agreed by:

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Driscoll Foods Inc.