



105 Keystone Industrial Park  
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Continuing Letter of Guarantee

## Guarantee

In consideration of purchases by **Valued Maid-Rite Customer** of the articles, products or commodities subject to the Federal Food, Drug and Cosmetic Act from Maid-Rite Specialty Foods, Inc. (EST. 77, 77A, and 118) or its wholly owned divisions, subsidiaries and affiliates (collectively "Maid-Rite"). Maid-Rite hereby guarantees and warrants to the Customer that each article comprising each shipment or other delivery directly from Maid-Rite shall be, at the time of delivery by Maid-Rite,

- a) not adulterated or misbranded within the meaning of the Federal Food, Drug and Cosmetic Act, or any other similar State or local law,
- b) not produced or introduced into Interstate Commerce in violation of Section 40 505 or 601 of said Act, and
- c) in compliance with the Bioterrorism Act of 2002.
- d) If an article which is or which contains a color additive, such color additive (where color additive regulations require certification) is or will be from a batch certified by a Seller or its suppliers, in accordance with the Federal Food, Drug and Cosmetic Act.

Maid-Rite agrees to indemnify, hold harmless and defend (including expenses and attorneys' fees) the Customer, its officers, agents and employees, from any and all loss, governmental action, damage, claim, liability or action ("Claim(s)") arising out of any breach of the foregoing guarantee or any part thereof, provided the Customer shall promptly notify Maid-Rite of any such Claim. Notwithstanding that fact, Maid-Rite shall not be liable or obliged to indemnify, defend, or hold harmless Customer to the extent that a Claim is caused by the negligence or willful misconduct of Customer or any third party. The foregoing guarantee shall not apply to articles manufactured solely by a third party or otherwise designated as "resale products" by Maid-Rite.

These provisions shall be binding upon Maid-Rite with respect to all purchases made by the Customer prior to receipt of written notice of its revocation.

### **Seller:**

**Maid-Rite Specialty Foods, Inc.**  
Kurt Sorensen  
Food Safety & Quality Assurance Manager  
Phone 570.343.4748 ext.166  
24/7 Contact Information 570-239-4005

**Date:** 1 January 2024