

**GENERAL AND CONTINUING GUARANTY UNDER SECTION 303(c) OF THE
FEDERAL FOOD, DRUG, AND COSMETIC ACT**

Each shipment or delivery of sugar products marketed by National Sugar Marketing Cooperative INC, a Delaware marketing cooperative (NSM) to (Buyer) is hereby guaranteed, as of the date of such shipment or delivery, to be, on such date, not adulterated or misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act, and not an article which may not, under the provisions of Section 402 or 403 of the Act, be introduced into interstate commerce. The products are guaranteed to comply with applicable product specifications and all applicable federal and state laws.

NSM further warrants that it complies with the FDA's final regulations regarding the notice and registration provisions of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (the "Bioterrorism Regulations") and will remain in compliance with the Bioterrorism Regulations for the duration of its business relationship with Buyer. NSM agrees to provide Buyer with the information necessary to comply with the record-keeping provisions of the Bioterrorism Regulations, including information regarding the previous source of the food item and the transportation of the food item as those terms are defined by the Bioterrorism Regulations.

NSM will indemnify and hold Buyer harmless from all seizures, claims, losses, damages, liabilities, and expenses proximately caused by a violation of the above Guaranty; provided that the sugar is handled and used under normal trade conditions and that NSM is promptly notified of such actions and allowed to defend the same.

NSM has, and agrees to keep in force, public liability insurance with aggregate limits in excess of One Million Dollars (\$1,000,000) for each person and Two Million Dollars (\$2,000,000) for each occurrence.

This Guaranty is continuing and shall remain in effect until modified or revoked by NSM.

NATIONAL SUGAR MARKETING

By: 

Chris Simons

Its: President

Date: 6/1/2021