



Risk Placement Services, Inc.

**SEEDSMEN'S ERRORS AND OMISSIONS
PROPOSAL FORM**
(THIS PROPOSAL FOR CLAIMS MADE INSURANCE)

This proposal form is for insurance that is limited generally to liability for only those claims that are first made against the Insured while the insurance is in force. Please review the insurance carefully and discuss the coverage thereunder with your insurance agent or broker.

- IMPORTANT**
1. Please complete this application leaving no blank spaces.
 2. If space is insufficient to complete answers, please continue on your firm's letterhead.
 3. Have this form signed and dated by a partner, or identified officer of your firm.
 4. Please attach a typical Seed Tag, Invoice, Disclaimer Clause, Letterhead used by the firm and additional Contract Forms as may be applicable.

1. Firm Name: _____

Address of Head Office: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ E-Mail: _____

Country: _____ Other: _____

2. Address(es) of Branch Offices,
if any: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ E-Mail: _____

Country: _____ Other: _____

Address(es) of Branch Offices,
if any: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ E-Mail: _____

Country: _____ Other: _____

3. Date established: _____

4. a. Of which Seed Trade Association(s) is the firm in good standing?

ASTA Other(s) _____

b. If "Others," do any of the associations have binding arbitration rules? Yes No

5. Is the Firm a co-operative, or a member of a co-operative? Yes No

6. Is the Firm a:

Primary Producer of Seed?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Seed Processor?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Seed Re-packager?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Distributor of seed pre-packed by third party/parties?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Other (please explain below)	Yes <input type="checkbox"/>	No <input type="checkbox"/>

7. Break down of your seed sales by kind of seed and source, last 12 months

Please attach a copy of your contract forms for each category below.

Category:

A. Please show **total Sales of Seeds** excluding Categories B, and C below.

If you sell seeds grown under Contract please explain if you or the contractor is responsible for the quality control of this category.

B. Show only **income** from performing custom conditioning services for others, not the value of the seed conditioned.

C. Show the Total sales of seed sold **using the supplier's packaging and labels**. Seed requiring re-testing before distribution should be declared as Category A sales, above.

<p>“Circle” to indicate type(s) within the groups below for which overall figures are given:</p>	<p>A. Total Seed Sales, In <u>your</u> bags, under <u>your</u> labels.</p>	<p>B. Income from Seed Custom Conditioned for others.</p>	<p>C. Distributor Sales: Total Sales of Seeds sold under <u>Third Party</u> labels in <u>unopened Third Party bags</u>. (See Q8 below)</p>
1) Watermelon			
2) Tomato Lettuce, Peppers, Brassica, Cucurbits, Melons (other than Watermelon)			
3) Other Garden Seed (Attach List of Types and Sales)			
4) Home Gardeners’ Packets			
5) Flower Seed			
6) Seed Potatoes: Certified, Non-Certified			
7) Rice			
8) Sugar Beets			
9) Wheat, Barley, Oats, Rye, Soybean, Hybrid Corn, Sweet Corn, Grain Sorghum, Hybrid Sunflowers, Canola, Cotton, Edible Dry Beans			
10) Grass Seed – Fodder:, (pure varieties and mixtures), Blue Grass, Fescue, Forage Sorghum, Alfalfa			
11) Grass Seeds – Amenity: Golf Courses and Sports Grounds:			
12) All Other Seeds (Attach List of Types and Sales)			

8. What is the average retained margin for the Distributor Sales, as shown in **Question 7, Column C.** above? _____

9. a. Do you use a standard limitation of liability limiting your liability to the replacement, or the cost of replacement, seed? (Please attach a copy) Yes No
If “No,” please explain:

b. Does your limitation of liability appear on all your seed tags, bags, labels and invoices? Yes No

10. a. Do you grow experimental stock seed? (defined as breeder, foundation or registered seed prior to commercial sales.) Yes No

b. If so, do you allow any retention of experimental (stock) seed by your growers for resale? Yes No

If "Yes", please explain the terms of contract, percent of retention, dollar value each category, and attach contract agreement used:

11. a. Do you have any involvement in research or development of "transgenic varieties"? Yes No

If "Yes" please describe in full, and confirm whether such seeds have been approved by any regulatory authority (APHIS, FDA, EPA, etc.):

b. Do you currently sell any transgenic varieties? Yes No

If "Yes" please identify and describe the types or kinds of transgenic seeds sold and set forth your dollar sales volume for each type or kind of transgenic seed sold.

12. a. Who is responsible for your Quality Control program? _____

b. To whom does this person report? _____

c. What training has this person had in Quality control? _____

d. Describe briefly your Quality Control program. (*Include sampling procedures and limits of confidence used.*)

13. a. Do you sell or condition green bean seeds? Yes No

If "Yes":

(1) Advise source of seed: _____

(2) Advise if seeds are exposed to Halo Blight and what, if any, eradication measures you have taken: _____

b. Do you sell or condition Watermelon Seeds? Yes No

If "Yes,"

i) Please advise the measures taken against Watermelon Fruit Blotch:

ii) Do you use a Waiver of Liability in respect of Watermelon Fruit Blotch on all your Watermelon Seed sales? Yes No

Please attach a copy of the Waiver of Liability which you use.

ii) Do you regularly use a standard sample of 30,000 seeds to test for Watermelon Fruit Blotch on all your Watermelon Seed sales? Yes No
Please briefly explain your testing procedures:

c. Do you sell or condition Potato Seeds? Yes No
If "Yes" please answer questions on the attached "Potato Seedsmen's Supplemental Questionnaire".

NOTE: Primary Producers/Processors please answer all questions.

Distributors, Re-packagers, Secondary Processors please omit questions marked * (14 to 18 inclusive), but **provide a copy of your standard order** listing specifications required in the product purchased from a primary producer/processor.

14. a. What parameters are used to determine a specific lot of seed?

b. How are lots separated until varietal purity, germination, and weed seed content have been determined?

15. * Are grow-out tests of seed lots conducted when such tests are required to determine quality? Yes No
If "Yes," on which crops and where?

16. * Do you determine that a grow-out lot of hybrid seed conforms to the Federal Seed Act Regulations regarding percentage requirements of hybridized seeds? Yes No
If "No," please explain:

17. * a. If seed it grown for you by contract growers, whose crew rogues the production field?

b. At what times do your representatives examine the planting and growing of the production field?

c. What experience have these representatives had in seed production?

d. If field inspection or rogueing raises questions as to the acceptability of the varietal purity of the lot, what procedures are followed to correct any indicated problem before the seed is marketed?

18. * a. In your production of cross-pollinated seeds, do you meet the isolation, roguing and pollen control requirements recommended by regulatory officials, extension departments, and Universities? Yes No

b. For self-pollinated crops, what kind of isolation measures do you observe to prevent accidental mechanical contamination of the crop?

19. In your processing plant or plants which have more than one processing line, do you ever process more than one variety of a given kind of seed at the same time? Yes No
If "Yes," how do you ensure mechanical mixtures are prevented?

20. a. Does the firm maintain a private laboratory staffed with a senior analyst? Yes No
If "No," does the firm use the facilities of a qualified commercial laboratory? Yes No
If so, name the laboratory used: _____

b. Are your germination tests made according to the procedures prescribed by the Association of Official Seed Analysts? Yes No
If "No," please explain the procedures followed:

21. a. If germination (plus hard seed percentage if applicable) is less than the higher of 75% or five percentage points above the minimum specified for the seed in the Federal Seed Act regulations, do you conduct a seedling vigor test? Yes No

b. How frequently do you retest germination of seed lots?

22. Do you keep a representative sample from each lot of seed, and store the sample under storage conditions equivalent to those for your seed inventory storage until a year after the lot has been entirely sold or disposed of? Yes No

23. a. What requirements as to germination percentage, origin and age of seed do you observe in blending seed?

b. What requirements are observed in dealing with formula mixes (i.e. pasture mixes, lawn mixes, alfalfa blends, etc.)?

24. Has any application for this type of insurance made on behalf of the firm or any of the present partners, or to the knowledge of the firm, on behalf of their predecessors in business, ever been declined or has any insurance ever been cancelled or renewal refused? Yes No
If "Yes," please give full particulars.

25. Have any claims been made during the past five years against the firm or its predecessors in business that would have been covered by the proposed insurance? Yes No
If "Yes," please give full particulars.

26. Is the firm aware of any circumstances which may result in any claim being made against the firm? Yes No
If "Yes," please give full particulars.

27. Do you currently carry Seedsmens Errors and Omissions Insurance? Yes No
If "Yes," please give full particulars.

Insurer: _____ Sum Insured: _____ Deductible: _____
Premium: _____ Period: _____
Retroactive Date: _____

28. Do you currently carry General and Products Liability Insurance, covering all territories where you sell seeds? Yes No
If "Yes," please give particulars:

Insurer: _____ Sum Insured: _____ Period: _____

29. Coverage Requested

Check the amount of indemnity required: \$250,000 \$500,000 \$1,000,000
Other : _____

Check the amount of deductible required: \$2,500 \$5,000
Other : _____

30. Do you desire coverage to be extended to include “multiple claims coverage”? Yes No

("Multiple Claims" means more than one claim arising from a single act, error or omission in respect of one lot of seed. "Multiple Claims Coverage" means that if more than 2 claims are made in respect of one lot, the insured shall bear only the first 2 deductibles. This coverage is available for an additional premium.)

I/WE DECLARE THAT THE ABOVE STATEMENTS AND PARTICULARS ARE TRUE AND THAT I/WE HAVE NOT SUPPRESSED OR MIS-STATED ANY MATERIAL FACTS AND I/WE AGREE THAT THE PROPOSAL FORM SHALL BE THE BASIS OF THE CONTRACT WITH UNDERWRITERS. HOWEVER, IT IS EXPRESSLY UNDERSTOOD AND AGREED THAT THIS APPLICATION DOES NOT PROVIDE COVERAGE OR BIND HEREUNDER IN ANY WAY NOR TO ANY EXTENT WHATEVER FOR ANY LOSS OR CLAIM AND COMPLETION OF THIS APPLICATION IS FOR QUOTATION PURPOSES ONLY.

NAME OF FIRM

SIGNATURE OF APPLICANT (PARTNER OR OFFICER)

DATED:

PLEASE ATTACH THE FOLLOWING

(Not needed for renewals unless there have been changes in the last 12 months):

LETTERHEAD used by the firm.

A typical SEED TAG,

INVOICE,

Copies of CONTRACTS, refer to **Questions 7 B.**

DISCLAIMER, refer to **Question 9.**

WAIVER of LIABILITY (Watermelon Fruit Blotch), refer to **Question 13 B.**

STANDARD ORDER, refer to **“Note” before Question 14.**