



MEL -  - CREAM® DONUTS

... Setting the standard in donuts since 1932!

CONTINUING PRODUCT GUARANTY

MEL-O-CREAM DONUTS INTERNATIONAL INC (Seller), hereby states that each and every article contained in and comprising each shipment or other delivery hereafter made by Seller is hereby guaranteed, as of the date of each shipment or delivery, to:

1. Not be adulterated or misbranded within the means of the Federal Food, Drug and Cosmetic Act, as amended, and not an article which may not, under this provisions of Section 404 or 505 of such Act, be introduced into interstate commerce;
2. Not contain additives which have not already been approved or exempted as safe for particular use to which each is put in the quantity permitted under the Food Additives Amendment of 1958 to the Federal Food, Drug and Cosmetic Act;
3. Not be adulterated or misbranded within the meaning of the pure food or drug laws or ordinances of any U.S. state or city which are applicable to such shipment or delivery;
4. Comply with all applicable and material U.S. federal, state, and local laws, including, but not limited to, the Consumer Product Safety Act.

Seller does not guarantee against goods becoming adulterated or misbranded after shipment or delivery to Buyer, by reason or cause beyond Seller's control, and in those cases where goods are shipped under Buyer's brand label, Seller's responsibility for misbranding shall be limited only to that resulting from failure of the article to conform to the purchase specifications or label furnished by Buyer, provided that Seller shall not be responsible for such misbranding if Buyer insists upon the use of Buyer's brand label after Seller has notified Buyer of the defects of the label giving rise to any such liability.

The Public Health Security and Bioterrorism Preparedness and Response Act of 2002 requires domestic and foreign facilities that manufacture, process, pack or hold food for human or animal consumption in the U.S. to register with the FDA by December 12, 2003. The Seller has registered with the FDA and is in full compliance of this Act. The Sellers facilities registrations number is 11607376340.

The Guaranty given herein is continuing and shall be in full force and effect until revoked in writing or replaced by subsequent updated Guaranty and nothing contained in any invoice, purchase order or other document shall modify this Guaranty until it has been revoked in writing with at a minimum 30 days notice.

For MEL-O-CREAM DONUTS INTERNATIONAL INC,

Chad Larson
Quality Assurance Manager