

2009 PHYTOGEN® COTTONSEED AND WIDESTRIKE® *INSECT PROTECTION* REPLANT POLICY

A replant seed reimbursement will be made for any PhytoGen® cottonseed (including WideStrike® *Insect Protection* technology fees) originally purchased and planted in 2009 that requires replant due to insufficient stand.

To qualify for this replant reimbursement, the following requirements must be met:

- Eligible products: All PhytoGen cottonseed bought in the 2008-09 market year. Seed bought by the grower and/or the supplier from previous years is not eligible.
- Any applicable forms and signatures associated with the replant claim must be filled out.
- **Eligibility area: Seed planted in New Mexico, Oklahoma and Texas.**
- The replant program applies to one replant on any given acre in the 2009 crop season before July 20, 2009.
- The qualifying crop loss occurs in an area of 10 or more acres.
- A Dow AgroSciences sales representative must be notified within 30 days of original planting, prior to replanting, and prior to destruction of the insufficient stand.
- Replant seed reimbursement is contingent upon approved claim and verification of purchase of the initial seed and the replant seed. Farmer proof of purchase for original and replant seed must be provided and include date, supplier name and address, farmer name and address, variety and quantity.
- A check will be issued to the retailer for the original seed invoice for qualifying units based on a preset price and will include the WideStrike technology fee if applicable.
- The farmer is responsible for full payment of the seed and all technology fees used for replanting.
- The replant check reimbursement is for the PhytoGen cottonseed and WideStrike technology fee only. **Credit does NOT include premium seed treatments and/or Roundup Ready®/Roundup Ready Flex technology fees.** The farmer is responsible for obtaining any applicable refunds on seed treatments or Monsanto herbicide resistance technology fees.
- Replant acres must be planted to cotton in the current crop year and in place of the lost crop on the farm for which the replant refund is claimed.
- The grower selects the variety of PhytoGen cottonseed to replant; another brand may be used if it is so deemed by the Dow AgroSciences sales representative and the retailer that no PhytoGen cottonseed is available.
- The grower must be prepared to share in detail the seed variety, planting and tillage activities, as well as the crop protection activities and agronomic factors leading up to the possible replant situation.
- PhytoGen reserves the right to audit dealer sales and replant claims at any time.
- Proper claim filing procedures must be followed.
- PhytoGen retains the right to reject requests that in its sole opinion do not meet the eligibility requirements, as well as the right to investigate any situation where fraud is suspected.
- PhytoGen makes no warranties regarding the availability of seed of any variety for original or replanting purposes.
- Final submission for all claims is July 20, 2009. Replant claims received after this date will not be eligible.



Process for Making a Replant Claim

- The retailer contacts the local Dow AgroSciences sales representative for complete details on replant procedures and authorization.
- The retailer and the Dow AgroSciences sales representative investigate and verify the grower's replant claim.
- The grower promptly provides all necessary information requested by the retailer and PhytoGen/Dow AgroSciences to complete the claim, including a signed release form.
- Settlement for the replant seed claim will be issued via a check to the retail location that sold the PhytoGen cottonseed to the grower. The reimbursement is for the PhytoGen cottonseed and WideStrike technology fee only and does not include any premium seed treatments or Monsanto technology fees.

Roundup Ready and Roundup Ready Flex Service Policy

- The alleged issue should first be investigated by the local Dow AgroSciences sales representative.
- In the event any situation is unresolved or may result in a claim, the local Monsanto sales representative should be notified as soon as possible, in accordance with the Roundup Ready and Roundup Ready Flex Service Policy.

Cruiser®/Dynasty® and Avicta Complete Pak Service Policy

- The alleged issue should be referred to and investigated by the appropriate Syngenta sales representative.



OTHER WIDESTRIKE *INSECT PROTECTION* POLICY SPECIFICS

Crop Loss — Technology Fee Refund

Dow AgroSciences will reimburse WideStrike® *Insect Protection* technology fees when applicably purchased PhytoGen cottonseed containing WideStrike does not achieve a sufficient stand, is destroyed and cannot be replanted to cotton.

To qualify for this reimbursement, the following requirements must be met:

- Within 120 days of planting, your cotton crop containing WideStrike is lost or fails to make an acceptable stand and is destroyed.
- The qualifying crop loss involves 10 or more acres.
- Lost crop acreage cannot reasonably be replanted to cotton.
- All claims subject to review and approval by Dow AgroSciences.

Seed Loss — Technology Fee Reimbursement

Dow AgroSciences will reimburse WideStrike technology fees due to a seed loss catastrophe prior to planting.

Qualifications for a WideStrike technology fee seed loss reimbursement are:

- The stored qualifying PhytoGen cottonseed containing WideStrike is lost before planting due to theft, fire, flood or other natural disaster.
- A claim report from an insurance company or police report is submitted for verification of loss by July 20, 2009.
- For approved claims, refunds will be paid only if payment from the insurance company will not cover the loss.
- PhytoGen cottonseed containing WideStrike® *Insect Protection* must be purchased and applicable technology fees must be paid to replace the lost seed.
- All claims subject to review and approval by Dow AgroSciences in its sole discretion.

Seed Drop Rate Pricing Exceptions for Picker Cotton Crops

Compensation for high seeding rates of Dow AgroSciences WideStrike technology picker cotton: In some cases, a grower may plant cotton using higher seeding rates than WideStrike regionally customary cottonseed drop rate. This can be due to a variety of circumstances, including environmental conditions, conservation tillage practices, heavy soils, etc. The Seed Drop Rate (SDR) Pricing Exception Policy provides a method of adjusting WideStrike technology fee costs to better reflect the per-acre cost you would incur if seeding at WideStrike regionally customary seed drop rates.

Contact an authorized retailer or your Dow AgroSciences sales representative to find out the capped price per acre for your area if you use a planting practice that requires unusually high planting rates of seed.

All SDR pricing exception forms must be submitted in final form by July 20, 2009.



Qualifications for an SDR pricing exception for picker cotton crops include:

- The cotton is planted using higher seeding rates than are customary for the state and county. SDR pricing exceptions are available for all picker varieties of PhytoGen cottonseed containing WideStrike® *Insect Protection*. (Check with a Dow AgroSciences sales representative for your area's customary SDR.)
- To qualify for an SDR pricing exception, growers must apply through a Dow AgroSciences sales representative. SDR pricing exceptions must be applied for annually.
- Final notification of SDR must be made to the local seed retailer and the Dow AgroSciences sales representative within 90 days of planting. All claims are subject to review and approval by Dow AgroSciences.
- All growers who apply for the SDR pricing exception must have a valid WideStrike Technology Agreement on file. For approved exceptions, the SDR pricing adjustments will be provided by a rebate check through the authorized retailer where the grower purchased the product.

2009 PhytoGen and WideStrike *Insect Protection* Drought Relief Program

PhytoGen will reimburse 50% of the suggested grower price for cottonseed and 100% of the cost of the WideStrike for fields that experience drought resulting in a lint yield of less than 150 lbs.

Eligible products covered: PhytoGen cottonseed and WideStrike *Insect Protection* bought in 2009 and planted in 2009.

Eligibility Area: PhytoGen cottonseed planted in Texas, New Mexico, and Oklahoma

To qualify the following requirements must be met:

- If due to drought, you harvest less than 150 lbs. per acre, PhytoGen will credit the retailer for 50% of the suggested grower price of the cottonseed and 100% of the WideStrike *Insect Protection* for the units used in the acre impacted by drought.
- The credit will be for PhytoGen cottonseed and WideStrike only. You will need to work with your retailer and Monsanto for any drought relief programs related to Roundup Ready or Roundup Ready Flex herbicide tolerance traits.
- Farmers must notify PhytoGen of potential claim fields and acreage prior to harvest. PhytoGen or the retailer will need to inspect all claimed acres while the crop is still in the field and further reserves the right to reject without settlement all claims for which potential claim notification was not received before harvest.
- Deadlines for submitting claims are December 1, 2009.
- Claims must include your WideStrike Technology Agreement Number proof of purchase of the PhytoGen cottonseed and WideStrike *Insect Protection* used to plant the acres impacted by drought.
- Claims must include Federal Crop Insurance documentation which verifies drought as the reason for the claimed acres yielding less than 150 lbs. per acre. Acres not harvested or that experience yield reductions attributable to wind, hail, flood, disease, pests, or any other reason(s) are not eligible for settlement under this program.
- Final claims may only be submitted by a Dow AgroSciences representative on a PhytoGen Drought Relief claim form. Claim forms and all supporting documentation must be submitted using the same name and WideStrike Technology Agreement number as when the seed was purchased. Incomplete claims will be rejected.



- This program covers only the final planting of the season.

If you have questions, please contact your local PhytoGen sales representative or your retailer where you purchased your PhytoGen cottonseed.

Insect Resistance Management (IRM)

Please see the *WideStrike Product Use Guide 4th Edition* or visit www.WideStrike.com for information regarding IRM.

