

2010 PHYTOGEN® COTTONSEED AND WIDESTRIKE® 2-GENE INSECT PROTECTION REPLANT POLICY

If any PhytoGen cottonseed originally purchased and planted in 2011 has insufficient stand[±] and requires a replant, the following conditions must be met to qualify for a reimbursement of the PhytoGen cottonseed and the WideStrike *Insect Protection* technology fee:

- The PhytoGen cottonseed must have been purchased in the 2010-2011 market year. Seed bought by the grower and/or retailer or other supplier from previous years is not eligible.
- The PhytoGen cottonseed must have been planted in the eligible areas of: Alabama, Arizona, Arkansas, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Virginia.
- The PhytoGen cottonseed must have been planted on any given acre before July 20, 2011 within the eligible areas in the 2011 crop season (eligible areas mentioned in the previous bullet).
- The PhytoGen cottonseed insufficient stand must occur in an area of 10 or more acres.

If the above conditions are met, the Dow AgroSciences sales representative must be notified by the retailer to initiate a replant claim for PhytoGen cottonseed. The Dow AgroSciences sales representative will have complete details on replant policies, procedures and authorization. The replant reimbursement policy includes the following points:

- The Dow AgroSciences sales representative must be notified within 30 days of the original planting and prior to replanting or destruction of the insufficient stand.
- The retailer or grower must provide proof of purchase for the PhytoGen cottonseed.
- The **proof of purchase is the original invoice from the retailer to the grower for the original seed purchase** and must include date, retailer name and address, grower name and address, variety and quantity.
- The retailer and the Dow AgroSciences sales representative investigate and verify the grower's replant claim together.
- 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 on the original PhytoGen cottonseed planted.
- The grower promptly provides all necessary information requested by the retailer and PhytoGen/Dow AgroSciences to complete the claim, including a signed Claim Release Form, when appropriate.
- The grower is responsible for full payment of the seed and all technology fees used for replanting.
- 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.
- All replant cottonseed units associated with the PhytoGen replant policy that are processed through authorized retailer locations must be ordered through the BOS and reported through EDI. The technology fees should still be billed to and paid by growers for WideStrike and Genuity® Roundup Ready® Flex.
- The WideStrike replant policy applies to the reimbursement of the WideStrike technology fee. This can be done at the same time as the PhytoGen cottonseed replant claim.



Once the above information is gathered, the Dow AgroSciences sales representative completes all necessary documentation and then submits the replant claim. Approval of PhytoGen cottonseed replant claims include the following points:

- Proper claim filing procedures must be followed.
- PhytoGen reserves the right to audit dealer sales and replant claims at any time.
- Replant cottonseed reimbursement is contingent upon approved claim and verification of purchase of the original seed and the replant seed.
- Final submission for all claims is July 20, 2011. Replant claims received after this date will not be eligible.

Once the submitted claim is approved for reimbursement, the PhytoGen cottonseed replant reimbursement policy includes the following points:

- Settlement for the replant seed claim will be issued via a check to the retail location that sold the originally planted PhytoGen cottonseed to the grower.
- The reimbursement check will be for the full market letter price for the qualifying cottonseed units and will include the WideStrike® *Insect Protection* technology fee if applicable.
- The replant reimbursement check is for the PhytoGen cottonseed and WideStrike technology fee only. **Credit does NOT include Syngenta premium seed treatments and/or Genuity Roundup Ready Flex technology fees.** The grower is responsible for obtaining any applicable refunds on Syngenta seed treatments or Monsanto technology fees.

Monsanto crop replant technology fee refund: You must contact your local Monsanto sales representative for any Roundup Ready or Roundup Ready Flex technology fee reimbursement claims.

Syngenta premium seed treatment refund: You must contact your local Syngenta Seed Care representative for any Syngenta premium seed treatment reimbursement claims.

*PhytoGen makes no warranties regarding the availability of seed of any variety for original or replanting purposes.

‡Insufficient stand is a loss of early season cotton stand due to soil crusting, cold temperatures or drought. Growers must use sound farm management practices, making every attempt to establish a stand and produce a crop. Damage from disease and insects are covered with demonstration of acceptable seeding rate, weed control and other acceptable farming practices.



WIDESTRIKE® 2-GENE 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. Crop loss is for WideStrike only and does not include the seed.

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® *Insect Protection* 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 *Insect Protection* 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, 2011.
- For approved claims, refunds will be paid only if payment from the insurance company will not cover the loss.
- PhytoGen cottonseed containing WideStrike 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.

