

8.0 PHYTOGEN CROP LOSS POLICY

FIELDS ORIGINALLY PLANTED TO PHYTOGEN® COTTONSEED THAT ARE LOST AND DESTROYED AND CANNOT BE REPLANTED BACK TO PHYTOGEN OR MYCOGEN.

PHYTOGEN WILL REIMBURSE ALL PHYTOGEN TRAIT TECHNOLOGY FEES AT 100% AND 0% ON PHYTOGEN GERMLASM AND/OR PHYTOGEN PREMIUM FACTORY SEED TREATMENTS.

8.1 TO QUALIFY FOR PHYTOGEN CROP LOSS POLICY LOSS THE FOLLOWING CONDITIONS MUST BE MET:

- The grower has the appropriate and valid trait licenses, including but not limited to a Dow AgroSciences Technology Use Agreement.
- PhytoGen cottonseed crop loss claims are limited only to those fields that were originally planted to PhytoGen® cottonseed in the current crop year where those same field(s) cannot be reasonably replanted back to cotton.
- The crop loss of PhytoGen cottonseed must occur in an area of 10 or more acres before any replant claim may be filed.
- The appropriate PhytoGen sales representative is notified within 60 days of the original planting or by July 14, 2017 and prior to destruction of the cotton crop.
- The retailer or grower promptly provides proof of purchase to support any replant claim. The proof of purchase is the invoice from the retailer to the grower for the original seed purchase. This documentation must include date, retailer name and address, grower name and address, variety and quantity purchased.
- The grower promptly provides all necessary information requested by the retailer and PhytoGen to complete the claim, including seed variety, planting date, crop protection products used or other pertinent information that may have affected the crop loss claim and signs a Claim Release Form, when appropriate.
- PhytoGen sales representative completes all necessary documentation and submits the claim for final approval and reimbursement.
- Reimbursement for a Crop Loss Claim will be in the form of a check to the retailer.
- PhytoGen cottonseed crop loss claim is submitted by **JULY 14, 2017**. Crop loss claims received after this date will not be eligible for reimbursement.
- Grower must provide proof of Federal Crop Insurance claim for any PhytoGen Crop Loss Claim.
- All crop loss units will be deducted from the 2016-2017 PhytoGen Retailer Programs.
- The grower is responsible for any additional expenses not covered by the PhytoGen® cottonseed crop loss policy

9.0 2016 SOUTHWEST: DROUGHT RELIEF POLICY

FIELDS ORIGINALLY PLANTED TO PHYTOGEN® COTTONSEED THAT EXPERIENCED A DROUGHT RESULTING IN A DOCUMENTED LINT YIELD OF LESS THAN 175 LBS/ACRE ARE ELIGIBLE FOR THE PHYTOGEN SOUTHWEST DROUGHT RELIEF POLICY.

9.1 HARVESTED ACRES:

Growers who harvest a drought stricken field of PhytoGen® cotton that yields less than 175 lb's/acre

- PhytoGen will reimburse 50% of the suggested grower price for the PhytoGen Germplasm and Premium Factory Seed Treatment and 100% of all PhytoGen Trait Technology Fees for fields that meet the requirements below.
- PhytoGen retailer programs will only be paid on 50% of the cost of the PhytoGen Germplasm and Premium Factory Seed Treatments submitted through the southwest drought relief policy.

9.2 ABANDONED ACRES:

Growers who do not harvest the drought stricken field of PhytoGen® cotton and take an insurance adjustment of 175 lbs./acre

- PhytoGen will reimburse 25% of the suggested grower price for the PhytoGen Germplasm and Premium Factory Seed Treatment and 100% of all PhytoGen Trait Technology Fees for fields that meet the requirements below.
- PhytoGen retailer programs will only be paid on 50% of the cost of the PhytoGen Germplasm and Premium Factory Seed Treatments submitted through the southwest drought relief program.

9.3 TO QUALIFY FOR PHYTOGEN SOUTHWEST DROUGHT RELIEF POLICY, THE FOLLOWING CONDITIONS MUST BE MET:

- PhytoGen® cottonseed is planted in the eligible states **Texas, New Mexico and Oklahoma**.
- The grower has the appropriate and valid trait licenses, including but not limited to a Dow AgroSciences Technology Use Agreement.
- Growers must notify the appropriate PhytoGen representative of potential drought relief claims (fields and acreage) prior to harvest.
- The PhytoGen representative or authorized PhytoGen retailer will need to inspect all claimed acres while the crop is still in the field. PhytoGen further reserves the right to reject without settlement all claims for which potential claim notification was not received before harvest.
- PhytoGen drought relief claims must include Federal Crop Insurance documentation that verifies drought as the reason for the claimed acres yielding less than 175 pounds per acre on certified dryland acres and harvested yield or documentation of unharvested field's insurance adjustment due to drought.
- PhytoGen drought relief claim forms and all supporting documentation must be submitted using the same grower name and Technology Use Agreement number as when the seed was purchased along with proof of purchase of the PhytoGen cottonseed and PhytoGen Trait Technology used to plant the acres impacted by drought.
- PhytoGen drought relief policy covers only the final PhytoGen cotton planting of the season.
- PhytoGen cottonseed drought relief claims must be submitted by Jan 5, 2018. Drought relief claims received after this date will not be eligible for reimbursement.
- Partial Drought relief submissions on acres that claim damage under Multiple Peril Crop Insurance coverage, which have been affected and previously claimed damage resulting in yield reductions attributable to wind, hail, flood, disease, pests or any other reason(s), are not eligible for settlement under this policy.
- The grower is responsible for any additional expenses not covered by the PhytoGen cottonseed drought policy.