



**SUPPLIER CONTINUING GUARANTY AND HOLD HARMLESS AGREEMENT**

1. **Guaranty and Warranty:** Old Europe Cheese Inc., hereby guarantees:
  - A. That no article manufactured, packed, warehoused, distributed, shipped, delivered, labeled, or sold by Company (hereafter "Article") shall be adulterated or misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act ("FDCA"), as amended, the Federal Meat Inspection Act, as amended, or the Federal Poultry Products Inspection Act, as amended, or any rules and regulations promulgated thereunder; nor an article which may not, under the provisions of Section 404 of the FDCA, be introduced into interstate commerce; nor adulterated or misbranded within the meaning of any state or local law, or any rules and regulations promulgated thereunder.
  - B. That every Article shall be manufactured, packaged and labeled in accordance with the requirements of the Consumer Products Safety Act, as amended, the Federal Hazardous Substances Labeling Act, as amended, and all other federal, state and/or local laws, including all rules and regulations promulgated thereunder, concerning the manufacturing, packaging and labeling of Article.
  - C. Company also warrants that every Article is merchantable; fit for the particular purpose intended is free from defect.
2. **Indemnification:** Company hereby agrees to protect, indemnify, hold harmless and defend at the expense of Company (including reasonable attorneys' fees, costs and expenses) end-users and its agents, employees, officers and directors from any and all losses and damages, demands, claims, actions, liabilities, judgments, penalties, fines or any other proceedings of any kind or nature brought by an individual, entity or federal, state or local authority/agency arising out of or in any way related to Company's fault or negligent acts or omissions or Company's breach of the foregoing guaranties or warranties.
3. This Supplier Continuing Guaranty and Hold Harmless Agreement is continuing, and shall be in full force and effect and binding upon Company until revoked in writing.

Name of Company: Old Europe Chees, Inc.

Address: 1330 East Empire Avenue

Address: Benton Harbor, MI 49022

Authorized Signature: 

Title: Scott Ness - Plant Manager

Date: 1/21/2019