

**Zeraim Gedera Seed Company, Ltd.**

**Waiver & Release**

Watermelon Fruit Blotch (WFB), *Acidovorax avenae subsp. citrulli*, and Gummy Stem Blight (GSB), *Didymella bryoniae*, may be caused by infected seeds, infested transplants, volunteer cucurbits, mechanical means, or natural spread from alternate hosts. Zeraim Gedera is using its best efforts to reduce the risks of seed borne infection of WFB and GSB. For instance, a sample of each lot of watermelon seeds is tested for presence of WFB and GSB at an accredited independent laboratory using the Polymerase Chain Reaction (PCR) test and all seeds are produced only in Israel in order to avoid production in highly infested areas. Nevertheless, Zeraim Gedera can not check every seed individually, and therefore can not guarantee that its seeds are 100% free of these diseases.

Since many seed companies have received in the past a disproportionate amount of claims relating to the performance of watermelon seeds in South Carolina and Arkansas, Zeraim Gedera has decided not to sell or recommend Zeraim Gedera watermelon seeds for use in South Carolina, or Arkansas, and shall in no case be held responsible for any damage whatsoever caused by the use of the seeds in such States.

The undersigned buyer ("Buyer") is aware of the potential presence of seedborne WFB or GSB and of the limitations on use of the seeds in South Carolina and Arkansas. Buyer hereby waives all rights to recover damages, and releases Zeraim Gedera, its agents, dealers, and suppliers from any and all claims relating to watermelon seeds used in United States of America or Mexico and/or to infection by WFB or GSB.

Zeraim Gedera does not assume and shall not be held responsible for any damages incurred by a third party, which purchases the seed from the Buyer. The undersigned agrees to defend, indemnify and hold Zeraim Gedera harmless against any and all claims, actions, proceedings or other liabilities of any nature whatsoever relating to any such resold or transferred seeds.

With respect to any cause of action relating to infection by WFB or GSB and/or use of the seeds in South Carolina and Arkansas, the undersigned expressly acknowledges that its exclusive and sole remedy against Zeraim Gedera is limited to the return of the purchase price of the seeds.

After having read this document and understood its implications, the Buyer has signed this document on the date set forth below.

Buyer's  
Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Seller's  
Signature: *Rick Siegers*

Name: Rick Siegers

Date: \_\_\_\_\_

Company: Siegers Seed Company

Address: 13031 Reflections Drive

City, State, Zip: Holland, MI 49424