

PO Box 1151
Peterborough
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RAC BREEDER –GROWER PRODUCTION AGREEMENT

In order to protect the intellectual property rights of the breeders and breeders' agents (in this Agreement known as "the Breeders", whose names are set out in the Schedule), this Agreement sets out the terms of the Royalty Area Collection (RAC) Agreement made between the Breeders and the Grower (whose name and address is set out below).

Under the terms of this Agreement, seed of the varieties set out in the Schedule ("the Varieties") will be sold exclusive of certified seed royalties, but instead an area payment will be payable by the Grower at the rate per hectare set out in the Schedule for plantings of both certified seed and farm saved seed used in subsequent years.

1. The Grower will declare to BIPO Limited (which is acting on behalf of the Breeders) the area planted of each of the Varieties, by the date shown in the Schedule.
2. The Grower will keep clear and full records of all use and plantings of seed of the Varieties, including farm holding number where the seed was grown and the area sown.
3. The Grower will pay to BIPO within 28 days of receipt of the invoice the area payment due at the rate per hectare set out in the Schedule. BIPO shall be entitled to collect such area payment from the Grower on behalf of the Breeders under this agreement and BIPO shall have the right to enforce the above terms under the Contracts (Rights of Third Parties) Act 1999.
4. For the express purpose of auditing, monitoring and verifying compliance with this Agreement the Grower will permit an employee, officer, or authorised representative of BIPO to have access to the established crops of the Varieties and to all documents relating to the use and disposal of seed of the Varieties and the produce.
5. The Grower agrees that the merchant who supplied seed of the Varieties to the Grower may provide BIPO with the following information for all purchases of seed of the Varieties, solely for the purpose of collecting area payments, auditing, monitoring, verifying and enforcement: name and address of Grower, quantities of seed purchased, seed certification numbers, dates of transactions and intended hectares.
6. The Grower shall not sell, exchange or transfer seed for sowing of the Varieties.
7. The Breeders may at any time add further varieties to the Schedule on the same terms, by notice in writing. The area payment rate shall be reviewed annually by 30th June (for Autumn crops sown that year) and 31st December (for Spring crops sown the following year). Other terms of this Agreement may be amended by not less than three months notice in writing.
8. This Agreement will be reviewed on 30th May 2013, except that clauses 1 to 6 shall continue indefinitely where the Grower plants seed of any of the Varieties.

BIPO Limited

Registered office: Stag House, 4 The Hopgrounds, Finchingfield, Essex CM7 4LU
Registered in England No. 6137039 VAT Registration No. GB 988 3094 65



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Name of Grower	
Trading title and address	
Postcode	
Farm Holding numbers	
Contact Telephone Number	
E-mail Address	

Authorised signatory:

Print name:

Date:

If you already have a BIPO registered number, you do not need to sign this contract again.

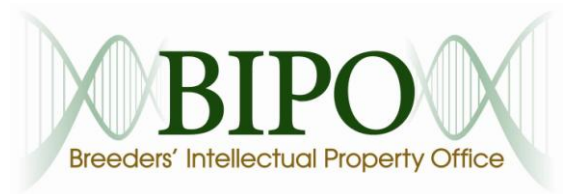
Signed by BIPO Ltd for and on behalf of the Breeders

Sara Seekings General Manager

Breeders; Wherry and Sons Ltd, JE & VM Dalton Ltd, LSPB Ltd, Senova Ltd

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Schedule

Variety/species	Area payment (rate/ha)	Name of Breeder or Breeder's Agent	Declaration date
Arthur Beans	£10/ha	Wherry and Sons	2010
Sultan Beans	£13/ha	Wherry and Sons	2010
Balado Oats	£9.25/ha	Senova	2010
Brochan Oats	£8.25/ha	Senova	2010
Tardis Oats	£8.25/ha	Senova	2010
Genki Peas	£21/ha	Dalton	2011
Sakura Peas	£21/ha	Dalton	2011
TBA	TBA	LSPB	TBA

**Schedule issued and up-dated October 2010
For season Autumn 2010 and Spring 2011**

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