

Gehl's Guernsey Farms Inc., USA

Our Order Confirmation No.: 110 850

Your Purchase Order No.: 43142 dated February 14th, 2002

DRAFT

We thank you for your purchase order, which we confirm based on our enclosed General Conditions as follows:

This order confirmation has an extent of 25 pages and includes the following parts:

- PART 1 General Conditions
- PART 2 Machine Price
- PART 3 Time Schedule
- PART 4 Basic Data for the Layout of the Machine
- PART 5 Power Supply
- PART 6 Machine Specification
- PART 7 General Requirements / Test Materials

The following documents (enclosure) are an integral part of this order confirmation:

- | | | |
|-------|---|---|
| B 1 | Assembly Regulations and Installation Recommendation
(WN 12 611) | 1 |
| B 2 | Format Drawing | |
| B 3 | Layout Plan | |
| G 1 | General Conditions (LW 188) | 4 |
| G 1.1 | ANNEX by the German Metal-Working Industry (LW 188) | 2 |
| G 2 | General Conditions of Erection and Assembling Works (VI) | 1 |
| G 3 | Conditions for the Delegation of Technicians No. 82 | 1 |
| G 4 | Assembly and Maintenance Conditions No. 85 | 2 |

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PART 1 - GENERAL CONDITIONS

Purchaser:	<p>Gehl's Guernsey Farms, Inc. P.O. Box 1004 N116W15970 Main Street Germantown, WI 53022-8204 USA</p> <p><i>Hereinafter referred to as purchaser or Gehl's.</i></p>
Vendor:	<p>Hassia Verpackungsmaschinen GmbH D-63691 Ranstadt Heegweg 19</p> <p><i>Hereinafter referred to as vendor or Hassia.</i></p>
Scope of delivery:	<p>One Hassia form, fill and sealmachine</p> <p>Type: TAS 16/80 (according to the following, detailed specification)</p>
Dispatch:	<p>April 2003 (checkout-date); assuming that the down payment has been received latest March 3rd, 2002</p>
Penalty on delayed delivery:	<p>If the purchaser has suffered any loss due to delayed delivery, caused by Hassia's intends or gross negligence, the purchaser has the right to claim compensation for loss occasioned by delay.</p> <p>This compensation can be claimed commencing May 15th, 2002</p> <p>It amounts to 0,25 % per full complete week of delay, not exceeding 2,5 % of the value of the part of delivery being delayed.</p> <p>The above mentioned compensation excludes any other claims for loss due to delayed delivery, except if the loss is due to intend or gross negligence of the vendor. In this case, any amount of compensation for loss occasioned by delay that might be due for payment is limited to the value of the goods to be supplied."</p>

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Terms of delivery: (according to INCOTERMS 2000)	FOB German Seaport „Free on board” according to INCOTERMS 2000 - excl. value added tax (VAT) - excl. installation and commissioning
Place of Delivery:	Gehl's Guernsey Farms, inc. P.O. Box 1004 N116W15970 Main Street Germantown, WI 53022-8204 USA
Dispatch by:	Seafreight
Transport insurance:	Until FOB by Hassia; from FOB by Gehl's
Terms of payment:	35 % Down-payment upon placing order (received) 55 % Upon information of readiness for delivery 10 % After successful installation, not to exceed 60 days after shipment of the machine all payments without discount - bank costs will be charged to purchaser's account If we should not receive above mentioned payments at the date given, Hassia reserves the right to fix a new delivery date after receipt of the respective payments.

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Payment to:	Frankfurt/ Main
Installation and commissioning:	Excluded; according to separate contract. Effective are the conditions according to PART 7, paragraph 5.
Training at Hassia:	approx. 1 - 2 weeks before dispatch; max. 4 persons for 10 days. Travelling, board and lodging costs to be borne by the purchaser.
Warranty:	<p>The warranty becomes valid with the date of delivery ex works Hassia, Ranstadt.</p> <p>The warranty period expires after 2.000 operation hours, but latest 12 months after delivery ex works Hassia, Ranstadt; whatever comes first.</p> <p>Wear parts incl. cutting and punching tools are not covered by any warranty. The same applies for parts, aggregates etc., which have been provided by the purchaser.</p>
Finish:	standard: VA silver 7955

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Machine inscription / monitortext / sign:	<i>Language: English</i>			
Extent of documentation:	<ul style="list-style-type: none"> - instruction manual - maintenance manual - wiring diagrams with electrical parts list <i>Language: English</i> <i>Versions: 2-fold</i> <i>Additionally 1 copy for HASSIA USA</i> - documentation of aggregates (subsupplier) (Appendix to maintenance manual) <i>Language: English</i> <i>Versions: 2-fold</i> <i>Additionally 1 copy for HASSIA USA</i> - parts list (mechanical) <i>Language: English</i> <i>Versions: 2-fold</i> <i>Additionally 1 copy for HASSIA USA</i> 			
Delivery of documentation:	<p>If requested by the purchaser - a preliminary documentation (German or English) can be forwarded with delivery of the machine.</p> <p>Regularly, the machine documentation in GERMAN/ENGLISH will be delivered 4 - 6 weeks after dispatch of the machine.</p> <p>In case a non-standard language should be requested, the delivery would be approx. 2 - 3 months after shipment of the machine.</p>			
Drawings:		number	revision	date
	format drawing:			
	carton - format drawing:			
	layout plan:			
	CIP / SIP plan:			
	aseptic function plan:			

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Test materials:	<p>For test runs at Hassia factory, the following items are requested (unless otherwise agreed upon in the time schedule):</p> <p>- latest until 12 calendar weeks before delivery date the following original materials (according to specifications in this order confirmation respectively in the format drawings):</p> <p style="margin-left: 40px;">bottom material: 6 reels, Ø 1.200 mm lid material: 2 reels, Ø 600 mm</p> <p>Total running length of approx. 5.500 m is required.</p> <p style="text-align: center;">Effective are the conditions according to PART 7.</p>		
Identification:	<p>Please apply marks for each consignment to Hassia as follows:</p> <table><tr><td>Hassia Order No.: 110 850</td></tr><tr><td>Machine - type: TAS 16/80</td></tr></table>	Hassia Order No.: 110 850	Machine - type: TAS 16/80
Hassia Order No.: 110 850			
Machine - type: TAS 16/80			
General items:	<ul style="list-style-type: none">* The safety and protection equipment of the machine meet the EU machinery regulations.* For all parts, which are not Hassia-standard parts, a stock keeping cannot be guaranteed.* Delivery subject to agreement with possible export restrictions of the Federal Republic of Germany and the EU.* The purchaser releases the contractor from all taxes prevailing in the purchaser's country.* For series trades within the EU, taxation has to be made by the purchaser.* The machine requires <u>qualified operation personnel</u>, for which the purchaser is responsible.		

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PART 2 - MACHINE PRICE

All following prices are declared in EURO:

Based on the enclosed machine specification (single items), the
total value of the machine is

3.972.420,00

Packing costs

Subtotal:

21.000,00

Total (EURO):

3.993.420,00

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PART 3 - TIME SCHEDULE

In order to meet the delivery date, the purchaser must consider the following schedule. The below listed dates are absolutely binding and to be understood as deadlines. Hassia reserves the right to alter the delivery date, in case the below mentioned dates fail to be kept.

20.03.2002	Down payment
20.04.2002	Providing of products and packaging materials for tests
20.04.2002	Confirmation about all product data as: density, viscosity, maximum particle sizes (diameter), etc. (see part 4) ; as well as specification of the coding types
20.04.2002	Confirmation of format drawings and return of the signed order confirmation to Hassia
20.04.2002	Confirmation layout drawing, placement of control cabinet as well as electrical connection data
01.10.2002	Confirmation, that the test material will be provided by the purchaser or instruction that Hassia should buy similar products.
05.12.2002	Arrival of test- and packaging materials for the test runs at Hassia factory Arrival of original product at Hassia factory.
01.04.2003	Confirmation „connection readiness“ of the machine (Energy supply, product- and CIP pipework to be installed up to 1 m from the connecting points at the machine; electrical connection prepared; enough packaging material and product available)
15.03.2003	Intermediate payment of 55 % upon information of readiness for delivery
15.04.2003	Delivery of machine ex works Ranstadt (checkout-date)

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PART 4 - BASIC DATA

Product:	Filling temperature (°C)	Density (kg / dm ³)	Viscosity at filling temperature (cP acc. to Haake)	Maximum particle diameter (soft, cooked, without cores, skin or seeds) (mm)
Pudding	20 – 32 °C	1,08	approx. 1.200 – 2.000	-----

Filling quantity:	3,5 oz, corresponding to approx. 103,5 ml 4,0 oz, corresponding to approx. 118,3 ml		
Format:	24-up cup size: 67,5 x 67,5 mm (details according to format drawing) punching in units of: 2 – 4 – 12 (3 x 4) product distribution: A		
Wrapping material:		<u>material</u>	<u>approx. thickness</u>
	bottom web:	PS/K-Resin/EVOH/PE	1.600 µm
	lid material:	PET/Alu/PE	40 µm
	<i>Requirements for test materials: see PART 7.</i>		
Approx. Nominal output Q_n (acc. to DIN 8743):	appr.: 37.440 – 40.320 cups/hour; depending on product quality and behaviour, material quality, filling level and pack layout.		

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PART 5 - POWER SUPPLY

For proper production, the buyer has to provide the following basic utilities - free of charge - in sufficient quantity and in the required quality:

Electrical equipment: Pretransformer: (acc. to DIN IEC 38)	<p>voltage: Primarily: 480 VAC 3 phases The neutral can be used as conductor. A separate ground is available. Secondarily: 400 V</p> <p>tolerance: + 6 % / -10%; frequency: 60 Hz</p>
Electrical equipment: (acc. to DIN IEC 38)	<p>voltage: 230 / 400 V 3 phases The neutral can be used as conductor. A separate ground is available.</p> <p>tolerance: + 6 % / -10%; frequency: 50 Hz</p>
Compressed air:	<p>dust: particle size < 68 µm temperature: 10 - 35 °C working pressure: min. 7 bar - at machine inlet stud ← 102.9 psi consumption: approx. 6.000 NI / minute specification: clean, dry and oil-free</p>
Cooling water:	<p>inlet temperature: approx. 12 - 16 °C working pressure: max. 3,0 bar consumption: approx. 400 l/h specification: PH-neutral, water hardness 11° DHG (corresponding with 2 mol / m³). Cooling water will be supplied in a closed cycle by the cooling aggregate (except re-cooling condensate and dosing unit)</p>
Steam:	<p>working pressure: min. 8 bar consumption: approx. 200 kg/h specification: saturated steam (food grade quality)</p>
Environmental conditions:	<p>temperature: 20 - 35 °C atmospheric humidity: relative humidity max. 70 % air movement: direct draught around the machine is to be avoided.</p>

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PART 6 - MACHINE SPECIFICATION

Machine specification

01/3203 Basic Machine

100150/3206 TAS 16/80 EUR 1.964.560,00

Format Range:

- Draw-off length maximum 160 mm
- Material width maximum 800 mm
- Thermoform depth maximum 90 mm

Basic Machine, consists of:

- Base frame with thermoforming, sealing and punching stations. Lift movement for tool tables of thermoforming and sealing stations by means of elbow lever and eccentric in punch station. Upper table of sealing station movable
- Drives: Individual drives for each station, with precise positioning servo-drives
- Station for contact pre-heating
- Hammer shears for chopping punch waste, with waste discharge
- Base material feed with pre-draw-off for two (2) reels and with two (2) reel shafts
1st reel max. 1600 mm Ø
2nd reel max. 500 mm Ø
- Lid material feed with pre-draw-off for one (1) reel, Reel-Ø 400 mm
- Material is advanced by transporting and holding grippers, to an integrated cooling plate located in front of punching station
- Thermoforming by mechanically driven plug assists and compressed air into a water-cooled

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mould

- Central lubrication with automatically operated grease pump. Control via the SPS-control program
- Automatic adjustment for sealing and punching stations with base material scanner. According to the base material shrinkage the stations re-adjust to precise position, ensuring centered sealing and punching
- Jam control in front of punching station
- Monitoring of base and lid material reels. Reel-end indications by audible or visible signal; after pre-set time machine stop
- Complete pneumatic installation with compressed air-maintenance unit with 2" connection, cooling water installation with 1" connection
- Separately placed air-conditioned switch cabinet with all control elements and the HASSIA stored, programmable control system HASSIA PROMECON. The control indicator board with Industrial-PC is centrally located
- Modem connection as preparation for separate diagnosis and teleservice
- HMI - Human Machine Interface
- Cable duct between machine and switch cabinet, 10 m are included in price of basic machine
- Printer for printing machine parameters integrated into machine switch cabinet
- Sterile filter combination, consists of:
Preliminary filter, sterile filter, charcoal filter completely installed with 1" connection. By-pass with reversing valves -manual- for steam sterilization of sterile filter

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Protection Systems to EN 60529

- switch cabinet IP 54
- machine IP 65

AS - Aseptic Equipment, consists of:

- Base material degermination with automatic temperature control
- Steam-heated lid material degermination chamber
- Sterile tunnel between base material degermination station and sealing station
- Sprayer for tunnel degermination with preparation of a steam-sterilizing mixture with sterile air generation by pre-filter
- High-efficiency sterile filter and ventilator to activate a constant sterile overpressure
- Steam-heated heatexchanger to heat the sterile air for the subsequent drying of the sterile tunnel
- Sprayer for sterilizing media for filter degermination
- Pre-sealing station for lid material, integrated into tunnel
- Automatic dosing supervision for sterilizing media
- Central hot steam feeding with automatic condensation discharge
- Steam sterilization with aligned sterile filter unit
- Integrated data printer for all machine settings and production documentation
- Multi-channel recorder for supervising the process

Aseptic operation is only possible, if sterile product is supplied to the filling system. Valid are the guide lines for installation and take-into operation of aseptic equipment - HASSIA WN 12555 -

X For aseptic machines a sterile test will be carried out by an independent institution at HASSIA. The sterile test will be documented and is binding. The purpose of the test is to prove that the machine operates under sterile conditions X

100188/4409

ODA - Batch Operating Data Acquisition:

EUR 4.320,00

The data acquisition starts with the input of parameters by the operator, such as batch number, date of minimum shelf life and optionally article

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number. - The data input will not be checked for reasonableness -.

Collected information:

- Recipe name which was selected as last one within this batch
- Production start time of the batch
- Production stand-by of machine during the batch
- Production time of the batch
- Machine down-time during the batch
- Cleaning time within the batch
- Sterilization time within the batch
- Absolute counter for material strokes (not re-settable)
- Counter for all material strokes of the batch
- Counter for filled production strokes of the batch
- Counter for delivered production strokes of the batch
- Article number (if pre-set)
- Minimum time of shelf life of the batch as pre-set
- Batch number

The charge data acquisition ends with input of "end of batch" by the operator. The batch data can be displayed on the operator's unit and printed out, (if the machine control unit is equipped with a printer).

100190/3203

Modem connection for HASSIA PROMECON control; already included in basic machine.

With this unit the technical requirements are given for a separate diagnosis and teleservice. The services for separate diagnosis and tele-service are NOT included and must be agreed upon separately.

Country specific regulations and technical environments could make it necessary to exchange the connection delivered by HASSIA. All costs will be charged to the customer.

100192/3203

HMI -Human Machine Interface
Standard Industrial-PC, Protection IP65

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- Windows operation system
- Resistive touch screen for graphical operator guiding
- Ethernet 10/100 interface

Additional buttons and switches for start, stop, fault acknowledge, activation of separate functions etc.

Emergency stop button

Graphical operator guiding:

- Selection of operation mode
- Recipe handling
- Password protected parameter modification (16 levels)
- Display of the actual operational data
 - Machine status
 - Faults
 - Cause of fault
 - Start conditions
- Logbook for
 - Recipe selection
 - Password used
 - Parameter modification
- Selectable control display
 - Signal exchange
 - Input/output status of control unit
 - Internal flags
 - Communication link of control unit
 - Actual servo axis data
- Onscreen operation manual
- Onscreen electrical drawings
- Language can be alternated between one pre-selected EU language and German, (other languages upon request)

Machine - Statistics

- Summary of duration and occurrence of machine down-times, separated according to reasons of down-time
- Summary of production, CIP, SIP and stop times
- Display pre-settable within the past 12 months for one (1) day, one (1) week, one (1) months or three (3) months

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02/3203	Accessories Basic Machine		
1033/4405	Blow-hole detector located at thermoforming station	EUR	3.260,00
114601/3203	Lateral feed of lid material to machine, designed for fast reel change	EUR	24.680,00
115101/3203	Registration unit for registering pack message with sensor head, amplifier with lid material stretching unit for ALUMINIUM foil. Heating bar for stretching mechanism for plastic lid material	EUR	21.340,00
126001/3203	Machine extension for installation of a further working station	EUR	19.160,00
1283/3203	* Special voltage - additional price - +/- variations in voltage from standard wiring 230/400 V, 50 Hz, of which we must be notified when order is placed or for voltage without neutral conductor to be loaded	EUR	32.170,00
03/3203	Format		
*2.1a-25	* Complete set format tools, aseptic design, for thermoforming, sterilizing and sealing 24-up, consisting of: - Contact heating plates for plastifying bottom web - Thermoforming tool incl. plug assists and thermoforming mould - Sterilization tool - 1 Set guide rails - 1 Sealing tool, consisting of sealing plate and sealing mold		
235024/3203	24-up	EUR	340.860,00
2420/3203	Further thermoforming mould, same pack surface, different height		
242024/3203	24-up	EUR	42.230,00

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2539/3202	Discharge for punched-out stars located underneath the punching station	EUR	4.230,00
2540/3203	Multi-punching tool - notch punch - for low-waste punching of - Multipacks of 2 - Multipacks of 3 - Multipacks of 12 (3 x 4) The punching tool consists of: - Water-cooled upper table, - Die for star punching, - Connection for rinsing with water, - Water-cooled lift table with die-plate pack support. 4 support columns for the guidance of lift table form the complete upper station.		
254024/3203	24-up	EUR	263.980,00
2571/4406	Rinsing appliance in punching tool with spray nozzles, drying out by pressure air. Sprayer for Paraffin oil, with hand valves, splash oiler and pressure air regulator	EUR	1.750,00
*2560/4402	Pack support in punching tool for better cleaning, to be lowered pneumatically	EUR	19.190,00
04/8503	Filler 1		
3040/8503	Membrane Valve Filling Pump type TLM-AS suitable for liquid to pasty products with fruit particulates up to 8 mm diameter consists of: - Pump construction placed above the base material - Membrane intake valves - Dosing pistons - Filling hoses with temperature control - Sterile hood with steam closure - Servo-electronic drive system - AS-valves and tubing for CIP/SIP cleaning according to drawing no. 86 110 19 98 - CIP/SIP computer program via PLC - Tool kit for filling pump - Immersion system for filling nozzles Not inclusive: product feed system		

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304044/8503	24-up 25-160 cm ³	EUR	240.750,00
4105/8503	Product distribution tube for one (1) product		
410524/8502	24-up	EUR	17.410,00
4138/8503	Product container (unheated) , CIP cleanable, consists of: - Frame for container - Product container - Safety valve - Level probe - Product intake valve - Cleaning valves - Sterile air feed with sterile filter and close-off valve		
413810/8502	100 l	EUR	41.430,00
425860/8503	Product container for aseptic operation, consists of: - Valve in aseptic design with electric reverse signals - Sterile filter with condensation discharge valve - Temperature gauge - Sterile air charge by electronic proportional pressure action controller - "Run-over" switch to prevent over-filling of container - additional price -	EUR	24.420,00
4439/8503	Filling nozzle system with single-tube nozzles inclusive membrane outlet valves in aseptic design consists of: - Filling nozzle plate - Membrane outlet valves - Round-shaped tube nozzles		
443924/8503	24-up	EUR	53.230,00
4844/8503	CIP return container underneath base material, mechanically lift-able, consisting of: - CIP return container - Displacement device, pneumatic - Draining device		
484424/8503	24-up	EUR	19.250,00
*4.1bb-40	Sterile air feed incl. sterile filter and close-off valve	EUR	9.360,00

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042/8503	Second Filler		
3040/8503	Membrane Valve Filling Pump type TLM-AS suitable for liquid to pasty products with fruit particulates up to 8 mm diameter consists of: - Pump construction placed above the base material - Membrane intake valves - Dosing pistons - Filling hoses with temperature control - Sterile hood with steam closure - Servo-electronic drive system - AS-valves and tubing for CIP/SIP cleaning according to drawing no. 86 110 19 98 - CIP/SIP computer program via PLC - Tool kit for filling pump - Immersion system for filling nozzles Not inclusive: product feed system		
304044/8503	24-up 25-160 cm ³	EUR	240.750,00
4105/8503	Product distribution tube for one (1) product		
410524/8502	24-up	EUR	17.410,00
4138/8503	Product container (unheated) , CIP cleanable, consists of: - Frame for container - Product container - Safety valve - Level probe - Product intake valve - Cleaning valves - Sterile air feed with sterile filter and close-off valve		
413810/8502	100 l	EUR	41.430,00
425860/8503	Product container for aseptic operation, consists of: - Valve in aseptic design with electric reverse signals - Sterile filter with condensation discharge valve - Temperature gauge - Sterile air charge by electronic proportional pressure action controller - "Run-over" switch to prevent over-filling of container	EUR	24.420,00
	- additional price -		

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4439/8503	Filling nozzle system with single-tube nozzles inclusive membrane outlet valves in aseptic design consists of: - Filling nozzle plate - Membrane outlet valves - Round-shaped tube nozzles		
443924/8503	24-up	EUR	53.230,00
4844/8503	CIP return container underneath base material, mechanically lift-able, consisting of: - CIP return container - Displacement device, pneumatic - Draining device		
484424/8503	24-up	EUR	19.250,00
*4.1bb-40	Sterile air feed incl. sterile filter and close-off valve	EUR	9.360,00
477201/8502	Lifting unit, manually operated, for easy filling nozzle system exchange	EUR	6.240,00

Quotation does not include the following:

- Sterile valve cluster for product feed
- Cleaning unit and treatment
- Initial water pump, return-pump as well as the necessary software.

*5.2a-33	12-lane walking beam for orderly pack discharge and transfer to customers 4-lane conveyor, incl. empty and faulty pack discharge	EUR	180.450,00
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07/3203 **Spare Parts**

2540 **Spare Multi-punching tool, 24-up** **EUR 232.300,00**

Machine Price : EUR 3.972.420,00

000900 **Packaging Costs:** **EUR 21.000,00**
One-way packing on pallets with
film cover

Total : EUR 3.993.420,00

*Purchase order
included everything
quoted.*

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PART 7 - GENERAL REQUIREMENTS / TEST MATERIALS

1. To achieve the requested output and to ensure a correct operation of the machine, the following conditions have to be fulfilled:

- continuous product feed
- suitable wrapping material
- capable service and maintenance personnel
- regular maintenance
- machine operation only according to the specified data

When filling pumpable, liquid products, the following applies:

- continuous density, viscosity and filling temperature without air in product
- no foam formation
- stable pre-pressure in the feed tubes of the filler / to the hoppers
- homogeneous products with a constant proportion of ingredients, flow behaviour (velocity) and particle sizes
- particle consistency (i. e. fruit pieces) : soft, cooked, without skin, cores or seeds

When running powdery, granular or products with particles, the following applies:

- constant bulk weight
- constant product forms and dimensions

2. Test Materials necessary for the Definition of the Machine Layout

The layout of the machine is based on original product and original packaging materials, the purchaser provided Hassia with before Hassia prepared this order confirmation.

The purchaser is obliged to provide Hassia with **all** original products and original packaging materials. Hassia cannot warrant for the processing of products and packaging materials, that have not been provided before.

In case no original product and no original packaging material or only some of the original products and original packaging materials that should be run on the machine have been provided until date of this order confirmation, the layout of the machine will be based on the information given by the purchaser so far according to the experience existing with Hassia.

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There is no warranty for the processing of products and packaging materials Hassia has not been provided with.

In case, the purchaser provides original products and original packaging materials on a later stage, the contract parties will reconcile if the machine shall be laid out for these products and materials.

If further modifications will be necessary, all costs will be borne by the purchaser. Hassia reserves the right to alter the delivery date respectively.

Under this circumstance, if it is found necessary to carry out modifications of the machine layout, all costs will be borne by the purchaser. Hassia reserves the right to alter the delivery date accordingly.

The following items are requested by Hassia latest 4 weeks after order placement (unless otherwise agreed upon):

- Approx. 10 m of each packaging material to be run on the machine as well as the names of preferred suppliers (wrapping material, bottom web; lid material; labels; cartons; etc.). A detailed specification of the desired manufacturer's products are necessary. In case, the materials will not meet the quality requirements for a smooth processing, Hassia reserves the right to use suitable, alternative packing materials.
- Approx. 50 litres of each product / flavour for dosing tests. In case these products are different to the ones specified in this order confirmation - or to the defined specifications discussed during the negotiations - Hassia reserves the right to alter the machine's technical layout according to the product and - if necessary - to alter as well the order confirmation with regard to technical and commercial details.

3. Delivery of Test Materials for the „RUNNING IN / TEST RUN“ of the Machine at Hassia Factory

The purchaser is responsible for delivery of all test materials. The materials have to be sent on schedule, "DDP Ranstadt" (Delivery duty paid) - acc. INCOTERMS 2000 - prepaid and free of charge. If these test materials are not received on time or in case of missing identification, Hassia reserves the right to change the delivery date.

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Latest 4 calendar weeks after receipt of this order confirmation, the purchaser is to confirm to the vendor, if the test materials will be delivered by the given date or if Hassia has to buy similar materials at the purchaser's account.

For an easy identification of each consignment, please attach a PROFORMA-invoice addressed to Hassia, double fold, indicating value, customs position number and exact manufacturer declaration. A copy of this PROFORMA-invoice should be sent separately to Hassia in advance.

4. Test Runs after Completion

Normally a function test / test run with original product and packaging material will take place at Hassia factory (according to the specification in the order confirmation). Unless otherwise agreed upon, only packaging materials of one quality / material thickness as well as one flavour will be tested.

If additional product / packaging material is to be tested, a special agreement must be made. All costs will be at purchaser's account.

Hassia reserves the right to prove the machine function with similar products (chosen by Hassia), in the absence of original product / original packaging material.

If we obtain the goods for the test run, we only guarantee the function of the machine with these test materials.

In case, the purchaser requires extended test runs (> 15 min.) during machine inspection, all costs regarding the disposal of product- and wrapping material waste will be at purchaser's account.

In the case, that a function test cannot be carried out (due to a special product quality / product infeed), because conditions at the place of installation may be different, final machine adjustments must be made during commissioning.

Possible additional costs will be charged to the purchaser.

5. System Optimising during Commissioning:

In case, the product / packaging material during the commissioning will behave different to former tests or test runs carried out at Hassia or in case different products (to those specified in the order confirmation) will be used, the complete installation has to be adjusted according to the conditions at site during commissioning.

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The same applies if the purchaser cannot specify clearly the products that will be used, respectively it is not possible to test original product under the same filling conditions at Hassia (product behaviour depending on Process / different feeding conditions / etc.).

In case, function tests at Hassia could only be carried out with alternative / similar products, a guarantee will only be given for exactly the same products under the same testing conditions.

For the above mentioned circumstances, Hassia offers the possibility to optimise the machine by a "system specialist". The optimising will be done according to expenditure separately or parallel to commissioning and will be charged separately. This will have no influence and will not touch an eventual agreed inclusive installation and commissioning at purchaser's site.

If above mentioned items will lead to a further necessary optimising of the machine (software or hardware), all additional costs will be charged to the purchaser.

For all items and facts of this order confirmation, the following applies:
„Furthermore the General Terms (enclosure) are valid.“

The applicable law is German law. Place of jurisdiction and performance is Nidda. Please send us by return mail one copy of the format drawings and of the complete order confirmation; both of them duly signed for approval. If we have not received the above mentioned 4 weeks after the date of this order confirmation, your consent will be taken as given.

Hassia Verpackungsmaschinen GmbH

Gehl's Guernsey Farms, Inc.

ENCLOSURE