

Continuing Guarantee Under Federal Food, Drug, And Cosmetic Act

Sodium sulfite comprising each shipment or other delivery hereafter made by Solvay Chemicals, Inc. to, or on the order of, is hereby guaranteed as of the date of such shipment, or delivery, to be, on such date, not adulterated or misbranded within the meaning of the Federal Food, Drug and Cosmetics Act, as amended, including the Food Additives Amendment of 1958, and not an article which may not, under the provisions of Section 404 or 505 of the Act, be introduced into interstate commerce.

The guarantee herein given shall be a continuing guarantee and shall remain in full force and effect until revoked in writing by the undersigned. This guarantee shall not limit or preclude the operation and effect of any and all provisions of the Sales Contract(s) under which the articles covered by this guarantee are sold, and the provisions of such Sales Contract(s) shall govern in the event of any conflict or inconsistency herewith.

Supplier's liability for breach of this guarantee shall in no event exceed the value of such of the articles of the supplier shipped to or on the order of Purchaser hereunder as may fail to comply with this guarantee.

This guarantee shall be void and of no effect in any instance where the particular use by Purchaser of any article to which this guarantee would otherwise apply is a use which is not in accordance with the requirements of the Federal Food, Drug and Cosmetic Act.

Any and all prior guarantees and/or indemnity agreements heretofore given by Supplier, as they pertain to sodium sulfite, are hereby revoked, except as otherwise expressly provided in such sales contract(s).

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