



# COUNTY OF SISKIYOU Department of Agriculture

525 SOUTH FOOTHILL DRIVE • YREKA, CALIFORNIA 96097-3036 • (530) 841-4025 • FAX (530) 842-6690  
JAMES E SMITH

AGRICULTURAL COMMISSIONER  
SEALER OF WEIGHTS AND MEASURES

AIR POLLUTION CONTROL OFFICER  
ANIMAL CONTROL OFFICER

## SISKIYOU COUNTY DEPARTMENT OF AGRICULTURE COMMON GARLIC SEED PRODUCTION PROGRAM

### Disclaimer of Warranties and Financial Responsibility

Each participant in the Siskiyou County Garlic Seed Production Permit program is required to sign this agreement as a condition of participation as provided in the Siskiyou County Code of Ordinances, Chapter 3, Sec. 4-3.01-4-3.03.

### PLEASE READ THIS CAREFULLY AND COMPLETELY BEFORE SIGNING Disclaimer of Warranties and Financial Responsibility; Implementing Agreements and Forms.

(a) The Permit requires that Siskiyou County Department of Agriculture (Department) employees or agents visually inspect the applicant's growing grounds and crops thereon as described in this Permit and any applicable local, State and Federal rules. By agreeing to the terms of this Permit, the applicant participant understands that the Department is not responsible for nuclear or parent stock or the inspection of such, and further understand that the Department has no control over the labeling of the stock by Program participants. This Permit does not guarantee nor warrant that the growing grounds and crops thereon are merchantable or fit for a particular purpose.

(b) The Department disclaims all express or implied warranties, including without limitation, implied warranties of merchantability and fitness for a particular purpose, regarding all plants, plant parts, and plant materials under any Nursery Stock Registration and/or Certification Program. The Department is not responsible for disease, genetic disorder, off-type, failure of performance, mislabeling, or otherwise, in connection with this Program.

(1) The undersigned grower is a participant in the Siskiyou County Department of Agriculture Common (non-certified) Garlic Seed Production Permit program.

The applicant understands that the following limitations apply:

#### LIMITS OF LIABILITY

(A) The Department disclaims all express or implied warranties, including without limitation, implied warranties of merchantability and fitness for a particular purpose.

(B) The Department is not responsible for disease, genetic disorders, off-types, failure of performance, mislabeling, or otherwise, in connection with the Program.

(2) Participant agrees to the above limitations of liability and further agrees:

(A) To waive any and all causes of action for damages, indemnification, or otherwise, which may accrue to the applicant in any manner against the Department, its officers, agents, and employees in connection with the Departments participation in the Program;

(B) To indemnify, defend and save harmless the Department and its officers, agents, and employees from any and all claims or losses occurring or resulting from the Department's participation in the Program in connection with participants activities;



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(C) To attach to each container of foundation, registered or certified nursery stock a tag, accurately and fully completed. In lieu of a tag on each container, a notice, accurately and fully completed, may be printed on or attached to each bulk delivery invoice. Each tag and notice will be in the form provided by California Code of Regulations, Section 3069(b); and

(D) Not to advertise or otherwise represent that the Department certifies freedom from disease, genetic disorder, off-type or any aspect of performance, nor that the Department has any financial responsibility with regard to the Program.

This agreement shall remain in effect for the current year of Program participation.

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Date Signature

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Name and Title of Grower Representative

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Name of Nursery

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Street Address

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City and Zip Code

Note: If participant applicant is a sole proprietorship, the owner shall sign; if the participant applicant is limited liability partnership or partnership, the managing partner shall sign the Permit; if the participant applicant is a corporation, at least two authorized officers for the corporation shall sign the Permit. Please keep a signed copy of the Permit for your records.