

January 4th, 2017

To Whom It May Concern:

Re: MALIC ACID FCC

(a) Each of the articles comprising each shipment or other delivery of any product or products made by the undersigned to you or on your order is hereby guaranteed, as of the date of such shipment or delivery, is neither adulterated nor misbranded and is free from known hazards including radiological hazards, mycotoxins, within the meaning of the Federal Food, Drug and Cosmetic Act of 1938, as amended, the Federal Fair packaging and Labeling Act of 1977, as amended and solely to the extent it applies to products if at all, the FDA Food Safety Modernization Act (FSMA) signed into law in 2011, or any other applicable food or drug law or regulation, the adulteration and misbranding provisions of which are substantially the same as those found in such Federal acts, and not an article which may not, under the provisions of section 404 or 505 of the Federal Food, Drug and Cosmetic Act be introduced into interstate commerce. Additionally, Tate & Lyle certifies that the products in question comply with the uniform Weights and Measures Law, the Uniform Packaging and Labeling Regulation, and any the laws or regulations which are substantially the same as such Uniform Laws and Regulations. This guaranty includes and is limited to those products which fall within the definitions contained in the various laws or to which the laws are applicable.

It is further guaranteed that any natural flavor supplied by the undersigned or any flavor designated as natural by the undersigned does not, to the best of the undersigned's knowledge and belief, contain any artificial flavor and the undersigned has added no artificial flavor to it.

The foregoing is a continuing guaranty and extends to your subsidiaries and divisions. It will remain in force and effect until termination by at least ten (10) days' notice given to you in writing by Tate & Lyle.

By the acceptance of this guaranty, you agree (i) to promptly notify us in writing of any demand, complaint or proceeding within your knowledge for claimed violation of said Act as so amended and resulting from or in any manner arising out of any such shipment or delivery, including the name and address of the complainant and the name of the article involved, and (ii) to promptly furnish us with samples of the product as well as photographs of the shipping container of such product and/or package sample from such shipment.

Please let me know if you have any questions or require any additional information.

Sincerely,



Angela Maurer-Hyett
Sr. Manager Customer Advocacy
Tate & Lyle