

SUGGESTED FORMAT FOR SURETY BONDS

BOND NO. _____

KNOW ALL MEN BY THESE PRESENTS, that we, _____ (Processor/Company) and _____ (hereinafter called the Principal) _____ a corporation, (hereinafter called the Surety), are held and firmly bound unto the _____ (name of distributing agency), (hereinafter called the Obligee), in the amount of _____ Dollars (\$_____), lawful money of the United States, for payment of which well and truly to be made, we hereby bind ourselves and our heirs, administrators, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, Obligee under this bond, is desirous of turning over to _____ Processor Principal hereunder, certain unfinished USDA donated foods for the purpose of processing said foods in accordance with the _____ (contract year) State Processing Agreement in writing made with said food processor, which the _____ (name of distributing agency) Agreement is hereby made a part of this bond as fully as if recited herein.

NOW THEREFORE, if the above bounden Principal Processor shall honestly and faithfully handle said materials and account for same, and process, manufacture, package or finish such foods according to the specifications in said Donated Food Processing Agreement, and returns said finished product(s) to the Eligible Recipient Agencies in satisfactory condition, keeping and truly performing any other applicable covenants or conditions in said Agreement recited, then this obligation shall be void, otherwise to remain in full force and effect.

PROVIDED HOWEVER, that if the Surety performance of said Agreement is prevented, hindered or delayed by Force Majeure, such as fire, flood, hurricane, earthquake, Executive Order of Government, war, civil commotion, strike or the similar cause beyond the control of the Surety, then the obligation under this bond shall be suspended to the extent that performance is prevented, hindered, or delayed thereby.

PROVIDED FURTHER, that the term of this bond shall be in effect from _____ to _____.

IN WITNESS WHEREOF, the Principal and Surety have hereunto set their hands and seals, this _____ day of _____, _____.

_____ PRINCIPAL

BY _____

_____ SURETY

BY _____
ATTORNEY-IN-FACT