

# Attachment A Product License Addendum

This Product License Addendum is subject to the terms and conditions of the

- Certification Mark License Agreement** dated March 4, 2016 (the "Agreement") between the American Heart Association, Inc. ("AHA") and Grower Direct Nut Co. Inc. ("Participant").
- Certification Mark Promotional License Agreement** dated \_\_\_\_\_, 20\_\_\_\_ (the "Agreement") between the American Heart Association, Inc. ("AHA") and \_\_\_\_\_ ("Participant").

### Participant Type

- Consumer Packaged Goods (CPG)                       Private Label Manufacturer                       Retailer
- State Agency (CDAC)                                       Trade Association with Products
- Trade Association w/o Products                       Trade Association Member\*

\* Participant is a member/associate in good standing of California Walnut Board ("Association") and if Association is a participant in good standing in the AHA's Food Certification Program, Participant shall be charged a discounted rate per Product as set forth in the Fee Schedule(s) found in the Program Guide. In the event the Agreement between Association and the AHA terminates and Association is no longer a participant in the AHA's Food Certification Program, then Participant's right to the discounted rate will end at the date of termination of this Agreement.

### Certified Products

- California Shelled Walnuts

### Standard, Guideline or Criteria:

- Food Products must be eligible to make a coronary heart disease health claim consistent with FDA/USDA regulations and additionally meet AHA certification nutrition and category requirements as detailed in the H-C FC Program Guide available at [www.heartcheck.org/certify](http://www.heartcheck.org/certify) and online @ [www.heartcheck.org](http://www.heartcheck.org)

### Term of Agreement:

- This Product License Addendum shall be in effect for a period of 1 year(s) beginning on **April 1, 2020**.
- It may be renewed for additional periods by mutual written agreement of the parties.

### Additional Terms for Trade Associations and Trade Association Members

- Price cards/display signs in lieu of packaging must include the Certification Mark and any mention of certification must be limited to generic shelled walnuts. On the back of the price cards/display signs, directions about proper placement of the card in the grocery store must be specified for the retail grocery Produce Manager.
- If packaging and/or price cards/display signs in lieu of packaging are revised during the term of this Product/Promotional License Agreement, the revised packaging and/or price cards/display signs must be submitted to the AHA for review and approval.
- Product packaging and/or promotional materials may not position the mark near product attributes (written or graphic) which are either not criteria for certification or which imply endorsement by the AHA based on proximity to the mark.

### Fee Payment

- Fees are assessed and invoiced annually (see Program Guide Fee Schedule)
- Fees for this Product License Addendum are as set forth in the 2019-2020 Fee Schedule, which is attached to this Agreement and incorporated herein for all purposes
- Failure to pay annual fees may result in termination per section 9.1 of the Agreement
- All product fees paid are non-refundable

AGREED:

**AMERICAN HEART ASSOCIATION, INC.**

By: DAllen  
Printed Name: Douglas Allen  
Title: Director, Sales and Operations, Heart-Check Certification  
Date: 3/11/2020

**GROWER DIRECT NUT CO. INC.**

By: [Signature]  
Printed Name: Aaron Martella  
Title: President  
Date: 3/11/2020