**CONDITIONS OF SALE:**

Terms of Sale:

Regular terms are cash. All checks returned for insufficient funds will have an additional $20.00 service charge added to the outstanding amount.

Credit will be extended to established parties. Open accounts are payable on or before the 30th of the following month after delivery. Overdue accounts are subject to a 1.5% monthly service charge. In the event that it becomes necessary for Seller to file suit to enforce payment, such suit may be brought in Stanislaus County, California, at Seller’s option, and Seller shall be entitled to its court costs, attorney’s fees, and other costs incurred at collection and interest at the highest legal rate allowable by law on all amounts found to be due and payable by the court in which such suit is brought.

Notice: Any purchases that are not paid in full for plant material used for a landscape job, the improved property may become subject to a mechanic’s lien.

Claims:

All claims must be made immediately upon receipt of goods. We will not entertain claims which are filled after goods have been accepted or which are not made within five days after arrival of stock.

Non-warranty Clause:

Generation Growers, Inc. exercises care to have all plants true to name, but give no warranty, expressed or implied, as to the variety description, life, or productivity of any nursery stock it sells. Liability in all instances is limited to the purchase price. No liability is assumed by the Seller for delay of failure to deliver goods that are beyond the Seller’s control.

Restocking Charge:

A 10% restocking charge will be added for plants returned without cause.

Pinto-tag Certificate D4939:

All of our nursery stock can be shipped to all counties in California and is released for planting without further inspection by the California Department of Agriculture.

Miscellaneous Items:

Nursery stock purchased by us for re-wholesaling when shortages exist in our inventory may have a higher price than listed in our catalog. If this situation should occur, we will inform the Buyer at the time of purchase.

Plants are available subject to inventory.

Prices are subject to change without notice.

**SHIPPING POLICIES:**

Minimum Amount for Delivery:

$1,000 ordered on established routes plus freight, otherwise an additional delivery charge may be added for delivery of the shipment. Please give Generation Growers, Inc. as much notice as possible to insure delivery.

Freight Charges: (based on net total of invoice)

6% Bay Area route, Sacramento Route, or Foothill Routes *($75.00 minimum fee)*

5% With-in 50 miles on established routes (Stockton, Tracy, Livermore, etc.) *($60 minimum fee)*

4% Local routes (within 20 miles on established routes) *($50 minimum fee)*

Pick up Orders:

No freight or minimum required. All pick up orders must be called in with a minimum of a twenty-four (24) hours notice to insure order will be pulled at time of pick up.