

BACK OF THE SEED LABEL:

Purchaser confirms and agrees with Sensako that:

1. Purchaser is aware that treated seed should be planted asap after treatment; that the germination level of seed being a biological product, will decrease after delivery dependant on a plurality of factors beyond the control of Sensako; that storage and handling conditions and carrying over of treated seed to subsequent seasons affect seed's germination and/or vigour; that different varieties of seed react differently to chemicals and that some varieties may have a specific sensitivity for particular chemical treatments. Any warranty given in respect of seed will immediately become void should any chemical substance be applied to seed after delivery or to germinated seed, plants and crop produced from planted seed and in those instances purchaser indemnifies the Seller against any claim.
2. The delivered seed corresponds with the label description prescribed by law. Except for this obligation, and subject to the CPA, seed, being a natural product exposed to unlimited factors, is provided 'voetstoots', free of any representations or influence, without any express, tacit or common law warranty of whatsoever nature or concerning quality or fitness for any purpose, which warranties purchaser expressly waived by accepting and planting seed. Purchaser expressly confirms that above voetstoots and waiver of rights clause is fair and reasonable owing to the biological nature of seed.
3. Purchaser shall make himself familiar with all characteristics of seed available at (www.sensako.co.za), within 5 days of acceptance of seed.
4. Any liability of Sensako in respect of breach of any term hereof shall be limited to substitution of such seed free of charge or refund of purchase price, provided purchase price has been paid. Except for this, purchaser shall not have any claim whatsoever against Sensako pursuant to purchase and/or use of seed or for any other cause, be it for damages or otherwise, for defective or incorrect seed (latent or patent).
5. Purchaser waives all other existing or future claims of whatsoever nature against Sensako not expressly recorded herein - Sensako shall not be liable to purchaser for any direct, indirect claims, consequential damages arising from the sale, late delivery, short or incomplete or defective performance, substituted seed, use, cancellation or return/repossession of seed.
6. No representative, agent or salesman has any authority to waive or vary any condition hereof or to make any representations on behalf of Sensako.

IMPORTANT NOTICE TO PURCHASER AND TERMS OF SALE: YOU ARE NOT ALLOWED TO OPEN THIS SEED BAG OR PLANT THIS SEED UNTIL YOU HAVE READ, UNDERSTOOD AND AGREED TO THIS NOTICE AND THE STANDARD TERMS AND CONDITIONS OF SENSAKO FOR THE SALE OF SEED AVAILABLE AT www.sensako.co.za. PURCHASE AND USE OF THIS SEED INDICATE PURCHASER'S ACCEPTANCE OF THE AGREEMENT THUS CONSTITUTING AN AGREEMENT BETWEEN SENSAKO AND THE PURCHASER ("THE AGREEMENT"). IF YOU DO NOT ACCEPT AND AGREE TO THESE TERMS, YOU HAVE TO RETURN THE SEED WITHIN 72 HOURS UNOPENED AND IN THE SAME CONDITION AS AT DELIVERY FOR A FULL REFUND, FAILING WHICH YOU INDICATE YOUR TACIT AGREEMENT TO THE TERMS THROUGH CONDUCT. THE MOST PERTINENT OF THESE TERMS ARE SUMMARISED BELOW.

WARNING: This seed is not suitable for consumption or feeding and purchaser undertakes to keep the seed out of reach of animals, children, illiterate persons, and any other party that could be harmed by the chemicals. The purchaser hereby acknowledges that he is aware that the seed has been treated with potentially harmful chemicals and has adequately been informed hereof by Sensako and the purchaser undertakes to take all precautionary measures and provide his employees, handling the seed, with protective gear and equipment to prevent any harm to either the purchaser or his employees as a result of handling the seed treated with the said chemicals. The purchaser hereby indemnifies Sensako against any liability or claims resulting from the handling of the seed. The potentially harmful chemicals are clearly stated on the label of the seed concerned.