

Agreement

amending

the 2020 Supply Agreement

between

Zespri Group Limited

(ZGL)

and

(The Contractor)

Date: 17 August 2020

This **Agreement** is made on 17 August 2020

Between (1) Zespri Group Limited ("**ZGL**")

And (2) the Contractor as named in **Schedule 1 or 5** (the "Contractor")

Introduction

- A. The Parties have entered into an agreement for supply of Kiwifruit and Services for the 2020 Season ("the Supply Agreement").
- B. The Parties now seek to vary **Schedule 2 and Pricing and Payments Manual** of the Supply Agreement in accordance with **clause A14.1(c)** of the Supply Agreement and are entering into this Agreement to record the agreed variations.

It is agreed

1. Amended Terms

- 1.1 In accordance with clause A14.1(c), the parties agree to the following amendments to the Supply Agreement:
- (a) Clause **B3(b), B5(b), H9, H10** and **J1(e)** of **Schedule 2** shall be deleted in its entirety; and
 - (b) Clauses **A2.8(b), C3.1(b), C3.2(b)** and **Appendix 6** of the **Pricing and Payments Manual** are deleted; and
 - (c) Any references to "taste bands" and/or "Taste Zespri" payments contained in **Schedule 2** and/or the **Pricing & Payment Manual** shall be of no effect;
 - (d) the Indicative Period 1 and Time rates in the **Pricing & Payments Manual** are replaced by the rates set out in Appendix 1 of this Variation.
- 1.2 In all other respects, the parties confirm that the terms of the Agreement not affected by the Variation are unchanged and continue to have full force and effect.

Execution

Executed as an Agreement

For ZGL

Authorised Signatory

Print Name

Date

For (the Contractor)

Authorised Signatory

Print Name

Date

Authorised Signatory

Print Name

Date

Appendix 1 - 2020 INDICATIVE Period 1 and Time Rates by size (note rates will be updated after the 2020 August forecast)

ZESPRI® GREEN Kiwifruit									
ISO Week	Calendar Dates	16/18/22	25/27	30/33	36	39	42	Total Average	Comment
Week 12/13	21-Mar - 25-Mar	\$3.06	\$3.49	\$3.84	\$3.27	\$2.08	\$0.00	\$3.24	
Week 12/13	26-Mar - 27-Mar	\$3.06	\$3.49	\$3.84	\$3.27	\$2.08	\$0.00	\$3.24	Paid on Eurofins passed sample only, and picked on or before 26th March Extend cutoff out of 5 April for 5m tray allocated volume
Week 13/14	28-Mar - 05-Apr	\$1.38	\$1.86	\$2.27	\$1.52	\$0.66	\$0.00	\$1.50	
Week 14/15	06-Apr - 10-Apr	\$0.91	\$1.22	\$1.49	\$1.00	\$0.44	\$0.00	\$0.99	
Week 15/16	11-Apr - 17-Apr	\$0.53	\$0.71	\$0.86	\$0.59	\$0.27	\$0.00	\$0.58	
Week 16/17	18-Apr - 24-Apr	\$0.43	\$0.56	\$0.68	\$0.47	\$0.22	\$0.00	\$0.46	
Week 17/18	25-Apr - 01-May	\$0.28	\$0.37	\$0.45	\$0.30	\$0.14	\$0.00	\$0.30	
Week 18/19	02-May - 10-May	\$0.28	\$0.37	\$0.45	\$0.30	\$0.14	\$0.00	\$0.30	
Week 12/13	26-Mar - 27-Mar	\$1.93	\$2.61	\$3.19	\$2.13	\$0.93	\$0.00	\$2.10	Paid on Post Harvest passed samples or fruit picked on 27th March

ZESPRI® GREEN Organic Kiwifruit

ISO Week	Calendar Dates	16/18/22	25/27	30/33	36	39	42	Total Average
Week 13/14	28-Mar - 03-Apr	\$1.95	\$2.46	\$2.92	\$2.59	\$2.49	\$1.96	\$2.58
Week 14/15	04-Apr - 10-Apr	\$1.41	\$1.78	\$2.12	\$1.88	\$1.81	\$1.42	\$1.87
Week 15/16	11-Apr - 17-Apr	\$0.94	\$1.19	\$1.41	\$1.25	\$1.20	\$0.95	\$1.25
Week 16/17	18-Apr - 24-Apr	\$0.55	\$0.69	\$0.82	\$0.73	\$0.70	\$0.55	\$0.73
Week 17/18	25-Apr - 01-May	\$0.24	\$0.30	\$0.35	\$0.31	\$0.30	\$0.24	\$0.31
Week 18/19	02-May - 10-May	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

ZESPRI® SUNGOLD Kiwifruit

ISO Week	Calendar Dates	16/22	25/27	30/33	36	39	Total Average	Comments
Week 11/12	14-Mar - 18-Mar	\$3.75	\$3.88	\$3.98	\$3.88	\$3.77	\$3.88	
Week 12/13	19-Mar - 26-Mar	\$2.75	\$2.86	\$2.93	\$2.86	\$2.77	\$2.85	Paid for passed samples collected up to Sunday 15 March - MUST be packed by midnight Wed 18 March
Week 13/14	27-Mar - 2-Apr	\$0.55	\$0.65	\$0.74	\$0.65	\$0.55	\$0.65	Paid for passed samples collected up to Sunday 22 March to a max of industry share of 8m TEs - MUST be packed by midnight Thurs 26 March Cutoff extended out to midnight Thursday 2 April

ZESPRI® SUNGOLD Organic Kiwifruit

ISO Week	Calendar Dates	16/22	25/27	30/33	36	39	Total Average
Week 12	18-Mar - 20-Mar	\$3.90	\$4.00	\$4.09	\$4.00	\$3.89	\$4.00
Week 12/13	21-Mar - 24-Mar	\$0.99	\$1.20	\$1.36	\$1.20	\$0.99	\$1.20
Week 13/14	25-Mar - 31-Mar	\$0.77	\$0.93	\$1.06	\$0.93	\$0.77	\$0.93
Week 14/15	1-Apr - 7-Apr	\$0.42	\$0.50	\$0.57	\$0.50	\$0.42	\$0.50

ZESPRI INTERNATIONAL LIMITED
Industry Rates For 2020 Season
Class 1 HW

\$ per TE

Week	Size Group 16/18/22	Size Group 25/27	Size Group 30/33	Size Group 36/39	Size Group 42
Pre 25	\$ -	\$ -	\$ -	\$ -	\$ -
25	\$ 0.1771	\$ 0.1779	\$ 0.1757	\$ 0.1709	\$ 0.1625
26	\$ 0.2564	\$ 0.2575	\$ 0.2545	\$ 0.2483	\$ 0.2374
27	\$ 0.3472	\$ 0.3486	\$ 0.3448	\$ 0.3366	\$ 0.3223
28	\$ 0.4519	\$ 0.4538	\$ 0.4488	\$ 0.4382	\$ 0.4195
29	\$ 0.5689	\$ 0.5714	\$ 0.5648	\$ 0.5511	\$ 0.5268
30	\$ 0.6930	\$ 0.6961	\$ 0.6877	\$ 0.6699	\$ 0.6386
31	\$ 0.8199	\$ 0.8239	\$ 0.8131	\$ 0.7904	\$ 0.7504
32	\$ 0.9503	\$ 0.9554	\$ 0.9417	\$ 0.9130	\$ 0.8624
33	\$ 1.0889	\$ 1.0953	\$ 1.0782	\$ 1.0422	\$ 0.9788
34	\$ 1.2423	\$ 1.2502	\$ 1.2289	\$ 1.1842	\$ 1.1055
35	\$ 1.4186	\$ 1.4283	\$ 1.4021	\$ 1.3469	\$ 1.2495
36	\$ 1.6281	\$ 1.6401	\$ 1.6077	\$ 1.5396	\$ 1.4196
37	\$ 1.8831	\$ 1.8979	\$ 1.8579	\$ 1.7739	\$ 1.6257
38	\$ 2.1969	\$ 2.2153	\$ 2.1658	\$ 2.0618	\$ 1.8785
39	\$ 2.5825	\$ 2.6053	\$ 2.5438	\$ 2.4147	\$ 2.1872
40	\$ 3.1829	\$ 3.2113	\$ 3.1348	\$ 2.9739	\$ 2.6904
41	\$ 3.8646	\$ 3.9022	\$ 3.8006	\$ 3.5870	\$ 3.2104
42	\$ 4.6914	\$ 4.7414	\$ 4.6065	\$ 4.3228	\$ 3.8229
43	\$ 5.6990	\$ 5.7653	\$ 5.5863	\$ 5.2099	\$ 4.5466
44	\$ 7.0674	\$ 7.1553	\$ 6.9179	\$ 6.4188	\$ 5.5391
45	\$ 8.6177	\$ 8.7343	\$ 8.4196	\$ 7.7582	\$ 6.5924
46	\$ 10.2850	\$ 10.4324	\$ 10.0346	\$ 9.1985	\$ 7.7249
47	\$ 12.3943	\$ 12.5808	\$ 12.0775	\$ 11.0194	\$ 9.1546
48	\$ 15.0674	\$ 15.3036	\$ 14.6661	\$ 13.3260	\$ 10.9639
49	\$ 18.4599	\$ 18.7593	\$ 17.9512	\$ 16.2524	\$ 13.2581
50	\$ 22.7690	\$ 23.1488	\$ 22.1238	\$ 19.9689	\$ 16.1711
51	\$ 29.0604	\$ 29.5578	\$ 28.2153	\$ 25.3929	\$ 20.4184
52	\$ 39.0284	\$ 39.7127	\$ 37.8660	\$ 33.9837	\$ 27.1411

ZESPRI INTERNATIONAL LIMITED
Industry Rates For 2020 Season
Class 1 HW Organic

\$ per TE

Week	Size Group 16/18/22	Size Group 25/27	Size Group 30/33	Size Group 36/39	Size Group 42
Pre 25	\$ -	\$ -	\$ -	\$ -	\$ -
25	\$ 0.1849	\$ 0.1884	\$ 0.1900	\$ 0.1851	\$ 0.1752
26	\$ 0.2718	\$ 0.2767	\$ 0.2788	\$ 0.2722	\$ 0.2586
27	\$ 0.3699	\$ 0.3763	\$ 0.3790	\$ 0.3704	\$ 0.3525
28	\$ 0.4753	\$ 0.4835	\$ 0.4870	\$ 0.4759	\$ 0.4530
29	\$ 0.5810	\$ 0.5912	\$ 0.5956	\$ 0.5818	\$ 0.5533
30	\$ 0.6843	\$ 0.6967	\$ 0.7020	\$ 0.6853	\$ 0.6506
31	\$ 0.7876	\$ 0.8026	\$ 0.8089	\$ 0.7888	\$ 0.7471
32	\$ 0.8969	\$ 0.9148	\$ 0.9225	\$ 0.8984	\$ 0.8483
33	\$ 1.0185	\$ 1.0400	\$ 1.0493	\$ 1.0202	\$ 0.9598
34	\$ 1.1594	\$ 1.1856	\$ 1.1968	\$ 1.1615	\$ 1.0881
35	\$ 1.3274	\$ 1.3597	\$ 1.3734	\$ 1.3300	\$ 1.2398
36	\$ 1.5313	\$ 1.5714	\$ 1.5885	\$ 1.5345	\$ 1.4226
37	\$ 1.7803	\$ 1.8305	\$ 1.8520	\$ 1.7843	\$ 1.6439
38	\$ 2.0833	\$ 2.1469	\$ 2.1740	\$ 2.0884	\$ 1.9107
39	\$ 2.4492	\$ 2.5302	\$ 2.5648	\$ 2.4556	\$ 2.2291
40	\$ 3.0207	\$ 3.1247	\$ 3.1691	\$ 3.0290	\$ 2.7384
41	\$ 3.6579	\$ 3.8003	\$ 3.8611	\$ 3.6693	\$ 3.2712
42	\$ 4.4555	\$ 4.6506	\$ 4.7339	\$ 4.4711	\$ 3.9257
43	\$ 5.4724	\$ 5.7398	\$ 5.8540	\$ 5.4938	\$ 4.7463
44	\$ 6.8999	\$ 7.2661	\$ 7.4226	\$ 6.9292	\$ 5.9054
45	\$ 8.6536	\$ 9.1550	\$ 9.3692	\$ 8.6937	\$ 7.2920
46	\$ 10.6475	\$ 11.3021	\$ 11.5818	\$ 10.6998	\$ 8.8697
47	\$ 13.2302	\$ 14.0860	\$ 14.4515	\$ 13.2987	\$ 10.9065
48	\$ 16.5948	\$ 17.7144	\$ 18.1926	\$ 16.6843	\$ 13.5547
49	\$ 20.9915	\$ 22.4572	\$ 23.0832	\$ 21.1087	\$ 17.0115
50	\$ 26.7480	\$ 28.6676	\$ 29.4876	\$ 26.9014	\$ 21.5351

Note the GA1CK and GA1OB time rates did not change because of this variation.