UNITED STATES BANKRUPTCY COURT _____ DISTRICT OF DELAWARE

PROOF OF CLAIM

Name of Debtor
FLEMING COMPANIES, INC

Case Number
03-10945-MFW

Note This form should not be used to make a claim for an administrative expense arising after the commencement of the case A "request" for payment of an administrative expense may be filed pursuant to 11 U S C § 503

Name of Creditor (The person or other entity to whom the debtor owes money or property)

McCORMICK FRESH HERB, LLC

Name and address where notices should be sent *
McCormick Fresh Herb LLC
5743 Smithway Street
Commerce, CA 90040
Attn Ms Diana Arriola
Telephone number (323) 278-9750

☐ Check box if you are aware that anyone else has filed a proof of claim relating to your claim Attach copy of statement giving particulars

☐ Check box if you have never received any notices from the bankruptcy court in this case

☑ Check box if the address differs from the address on the envelope sent to you by the court

THIS SPACE IS FOR COURT USE ONLY

Account or other number by which creditor identifies debtor *

Check here
☐ replaces
if this claim a previously filed claim dated _____
☐ amends

1 Basis for Claim

☑ Goods sold *
☐ Services performed
☐ Money loaned
☐ Personal injury/wrongful death
☐ Taxes
☐ Other _____ *

☐ Retiree benefits as defined in 11 U S C § 1114(a)
☐ Wages, salaries and compensation (fill out below)
Your SS # _____ _____ _____
Unpaid compensation for services performed
from _____ (date) to _____ (date)

2 Date debt was incurred Various to Petition Date *

3 If court judgment, date obtained N/A

4 Total Amount of Claim at Time Case Filed $ 411 60 *
If all or part of your claim is secured or entitled to priority also complete Item 5 or 6 below
☐ Check this box if claim includes interest or other charges in addition to the principal amount of the claim Attach itemized statement of all interest or additional charges

5 Secured Claim

☐ Check this box if your claim is secured by collateral (including a right of setoff) *
Brief Description of Collateral
☐ Real Estate ☐ Motor Vehicle
☐ Other _____ *

Value of Collateral $_____ *_____

Amount of arrearage and other charges at time case filed including in secured claim if any $ _____

6 Unsecured Priority Claim

☐ Check this box if you have an unsecured priority claim
Amount entitled to priority $
Specify the priority of the claim
☐ Wages salaries or commissions (up to $4 300) earned within 90 days before filing of the bankruptcy petition or cessation of the debtor s business whichever is earlier – 11 U S C § 507(a)(3)
☐ Contributions to an employee benefit plan – 11 U S C § 507(a)(4)
☐ Up to $1 950 of deposits toward purchase lease or rental of property or services for personal family or household use – 11 U S C § 507(a)(6)
☐ Alimony maintenance or support owed to a spouse former spouse or child 11 U S C § 507(a)(7)
☐ Taxes or penalties owed to governmental units – U S C § 507(a)(8)
☐ Other – Specify applicable paragraph of 11 U S C § 507(a)(_____)
** Amounts are subject to adjustment on 4/1/01 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment*

7 Credits The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim *

8 Supporting Documents Attach copies of supporting documents such as promissory notes purchase orders invoices itemized statements of running accounts, contracts, court judgments mortgages security agreements and evidence of perfection of lien DO NOT SEND ORIGINAL DOCUMENTS If the documents are not available explain If the documents are voluminous attach a summary *

9 Date-Stamped Copy To receive an acknowledgment of the filing of your claim enclose a stamped self-addressed envelope and copy of this proof of claim *

THIS SPACE IS FOR COURT USE ONLY

FILED
SEP 15 2003
BMC
Fleming Companies Claim
09539

Date
9/11/03

Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any)
PIPER RUDNICK LLP
By Daniel J Carrigan Attorney-in-Fact

Penalty for presenting fraudulent claim Fine of up to $500 000 or imprisonment for up to 5 years or both 18 U S C §§ 152 and 3571

* Please see Exhibit 1 attached hereto and incorporated herein

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re

FLEMING COMPANIES, INC et al

Debtors

Chapter 11
Case Nos 03-10945 (MFW)
(Jointly Administered)

EXHIBIT 1 TO PROOF OF CLAIM

A The consideration for this claim (ground of liability) includes, but is not limited to, claims arising from sales of goods on open account by McCormick Fresh Herb, LLC ("Claimant") to one or more of the Debtors

B No judgment has been rendered on this claim to date The amount of all confirmed payments on this claim has been credited and deducted for the purpose of making this Proof of Claim The amount of all payments, if any, received or confirmed after the date this Proof of Claim is filed will be deducted from the amount claimed This claim may be subject to setoff/offset and/or recoupment in favor of Claimant This claim is a secured claim to the extent, if any, that Claimant has rights to secured status under Sections 506 (setoff/offset), 546 (reclamation), and/or 553 (setoff/offset) of the Bankruptcy Code, as to which the Claimant reserves all rights This claim is otherwise a general unsecured claim This claim does not include amounts, if any, to which the Claimant may be entitled as an administrative expense under Sections 503, 507 and/or 546 of the Bankruptcy Code, as to which the Claimant reserves all rights

C The amount of this claim, as well as the extent to which it is secured and/or entitled to priority may change depending upon, inter alia, further proceedings in the Debtors' Chapter 11 Cases, including, but not limited to, proceedings to assume, reject, or otherwise dispose of executory contracts under Section 365 of the Bankruptcy Code, or otherwise, proceedings under Section 546 of the Bankruptcy Code and the Court's Orders entered at Docket Nos 510 and 743, proceedings under Sections 361, 362, 363, 506(a) and/or 553 of the Bankruptcy Code, and proceedings with respect to allowance of administrative expenses under Sections 503, 507 and/or 546 of the Bankruptcy Code, action by governmental, quasi-governmental or regulatory authorities, or further investigation with respect to the operation and maintenance of the Debtors' business and property, or the reallocation of the claim among the Debtors

D Neither the filing of this Proof of Claim nor any action taken pursuant thereto by or on behalf of Claimant shall affect or impair, or be deemed to affect or impair, the provisions of any documents, certificates or agreements executed and/or delivered to Claimant in connection with any liability or obligation of Debtors or any other party to Claimant, including, without limitation *(1)* any covenant, warranty or other provision contained in any such agreement, document or certificate, and *(2)* any right, remedy, lien or security interest (including, without limitation, the priority of the lien and security interest), and Claimant's rights against any other person or entity created or granted to claimant pursuant to any other agreement, certificate, document or applicable law

E Claimant reserves the right to further amend and supplement this Proof of Claim and/or to file additional proofs of claim for additional claims and/or to file Applications for

Allowance of Administrative Expenses Claimant further reserves all rights accruing to it and the filing of this Proof of Claim is not intended to be and shall not be construed as *(1)* an election of remedy, *(2)* a waiver of any past, present or future defaults or events of default, *(3)* a waiver or limitation of any rights of claimant, *(4)* consent to the determination of the Debtors' liability to Claimant by any particular court, including, but not limited to, the Bankruptcy Court, or *(5)* consent to the jurisdiction or venue of any particular court, including but not limited to, the Bankruptcy Court

Claimant asserts the following additional claims, to the extent that any such claims exist, as to all of which Claimant expressly reserves and preserves all rights, notwithstanding anything contained in this Proof of Claim *(1)* interest, losses, fees costs, taxes and charges which, where applicable, have accrued as of the petition date and which continue to accrue, *(2)* attorneys' fees and costs which have been incurred as of petition date, and which continue to be incurred, *(3)* claims for administrative expenses in amounts not fully ascertainable but to be later provided by amendments, *(4)* claims arising out of non-performance and/or breaches of the agreements and documents referenced in this Proof of Claim, *(5)* claims arising out of mismanagement, fraud, negligence, intentional misconduct or any other action of any officer, director, employee, agent, present or former professional or representative of the Debtors, *(6)* rights of reclamation, setoff or recoupment, *(7)* rights to reimbursement or indemnification for any loss, liability, damage, expense or cost, *(8)* rights to estimate contingent claims, and *(9)* claims which may be presently in amounts not fully ascertainable but to be later provided if such claims are estimated and/or liquidated

F Claimant expressly includes a claim, to the extent that any such claim is determined to exist, against each and every one of the Debtor's divisions, subsidiaries, and affiliates, and those purporting to act on their behalf, for imposition of a continuing security interest in proceeds, constructive trusts, equitable liens, subrogation, or any and all of the legal or equitable remedies, rights, and interests to which the Claimant may be entitled Claimant expressly reserves its rights and claims against the Debtor, its divisions, subsidiaries, affiliates, those purporting to act on their behalf, and their respective creditors under Section 510 of the Bankruptcy Code, 11 U S C §510, including claims of equitable subordination and the right and benefit at law or in equity to all other applicable rights and interests Claimant expressly reserves its rights to supplement the claims against the Debtors and their divisions, subsidiaries, and affiliates and those purporting to act on their behalf after full disclosure of all relevant facts in these bankruptcy proceedings, whether pursuant to Section 1104 or Section 1106 of the Bankruptcy Code, 11 U S C §§1104 and 1106, or pursuant to such adversary actions as may be necessary and appropriate Moreover, this Proof of Claim does expressly include a claim, to the extent that any such claim is determined to exist after a full investigation, against the Debtors, their divisions, subsidiaries and affiliates, whether as debtors or as debtors-in-possession, and all those purporting to act on their behalf for

1 failure to fulfill their contractual and fiduciary obligations to the Claimant,

2 allowing certain persons to exert undue influence and control over the business operations, affairs and decisions of the Debtors and its divisions, subsidiaries, and affiliates to the detriment of the Claimant,

3 negligently undertaking, authorizing or permitting the Debtors to engage or to continue to engage in businesses known to be unprofitable or not capable of becoming profitable,

4 making, causing or permitting to be made misleading statements regarding the businesses of the Debtors,

5 failure to take prudent and appropriate action regarding adverse business conditions affecting the business operations of the Debtors,

6 negligently undertaking, authorizing or permitting excessive borrowings by the Debtors,

7 the failure to require adequate financial and accounting controls for the Debtors and permitting misleading or inadequate internal financial and accounting procedures,

8 the failure to properly disclose all material and relevant facts relating to the financial condition of the Debtors,

9 the failure to disclose the relationship between the Debtors, and certain of its creditors and/or equity interest holders, which would operate to the detriment of the rights and interests of the Claimant,

10 the improper and fraudulent acts of the Debtors by certain persons, contrary to the rights and interests and the representations made to the Claimant,

11 the failure of the independent accountants for the Debtors to disclose the true financial condition of the Debtors and certain improper accounting

practices and procedures used by the Debtors and certain improper accounting practices and procedures used by the Debtors and such independent accounting firms,

12 the self-dealing and conflict of interest that certain persons may have had in connection with the Debtors to the detriment of the Claimant, and

13 the improper use, transfer and diversion of the assets of the Debtors to the detriment of the Claimant

Further details concerning these rights, claimants and causes of action cannot be given at this time due to the need for a full investigation into the acts, conduct, assets, liabilities, and financial condition of the Debtors and each of its divisions, subsidiaries and affiliates, and those purporting to act on their behalf

G The supporting documentation for this Proof of Claim including, but not limited to, the documents referenced in paragraphs A and B , above, is attached hereto Portions of these invoices have been redacted because they contain Claimant's trade secrets and/or other confidential commercial information It is Claimant's understanding that the redacted information has previously been made available to the Debtors but not to third parties If the Debtors find that they need the redacted information in order to resolve this Claim, Claimant is prepared to make it available to the Debtors subject to an appropriate confidentiality order to protect against unnecessary disclosure

McCormick Fresh Herb, LLC
5743 Smithway Street
P O Box 911370
Commerce, CA 90040

McCormick Fresh Herb, LLC

Tel (800) 769-6007
Tel (323) 278-9750
Fax (323) 278-9760

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INVOICE NO.	INVOICE DATE
55953	03/31/03

SOLD TO
2040
FLEMING CO - KANSAS CITY
P.O. BOX 24650
OKLAHOMA CITY OK 73124

SHIP TO
0
FLEMING CO. - KANSAS CITY
1100 ATLANTIC AVENUE
KANSAS CITY MO 64116

CUSTOMER P.O.	SALESMAN	DATE ORDERED	DATE SHIPPED	SHIP VIA	PAYMENT TERMS	
NEED PO	MARKET ME	03/31/03	03/31/03	DHL934775	NET 21 DAYS	1

PRODUCT CODE	QTY ORDERED	QTY SHIPPED	DESCRIPTION	UNIT	UNIT PRICE	EXTENDED AMOUNT
2786	2	2	HERB ASSTD 6PK-2/3OZ FLEMING 3 EA: DILL, BASIL	6PX		
2787	2	2	HERB ASSTD 6PK-2/3OZ FLEMING 3 EA: MINT, BASIL	6PX		
2995	1	1	HERB ASSTD TUBS #2 3 EA: ARRUGULA;CHIVES	6PX		
2788	1	1	HERB ASSTD 6 PK-2/3OZ. 2 EA· CHIVES;MINT;OREGANO	6PX	REDACTED	
2882	1	1	HERB ASSTD 6PK-2/3OZ FLEMING 2 EA: DILL;ITAL PARSLEY,SAGE	6PX		
2884	1	1	HERB ASSTD 6PK 2/3OZ FLEMING 2 EA: MARJORAM,SAGE;TARRAGON	6PX		
1542	1	1	ROSEMARY 6PK-2/3OZ. BOX	R6X		
			********** VENDOR #164954			

SPECIAL INSTRUCTIONS

SUB TOTAL	58.80
SHIPPING	00
OTHER	00
TOTAL	58 80

TOTAL P 08

TERMS AND CONDITIONS
DUE TO THE HIGHLY PERISHABLE NATURE OF THE MERCHANDISE *McCormick Fresh Herb LLC* (MFH) SHOULD BE INFORMED WITHIN 24 HRS OF RECEIPT OF THE PRODUCT VIA FACSIMILE OF ANY CLAIMS FOR SHORTS QUALITY ETC ALL CLAIMS OVER $250 00 SHOULD BE SUPPORTED BY A FEDERAL INSPECTION UNLESS OTHERWISE INFORMED BY MFH VIA FACSIMILE.
CUSTOMER AGREES TO PAY ALL COST INCLUDING COLLECTIONS AND ATTORNEY FEES INCURRED BY MFH IN COLLECTING PAST DUE INVOICES PRE-JUDGEMENT INTEREST SERVICE CHARGE OF 1½% PER MONTH (18% PER YEAR) WILL BE CHARGED ON ALL PAST DUE INVOICES IF LEGAL ACTION IS TAKEN TO COLLECT THE MONEY DUE

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INVOICE NO.	INVOICE DATE
55610	03/24/03

SOLD TO
2040
FLEMING CO. - KANSAS CITY
P.O. BOX 24650
OKLAHOMA CITY OK 73124

SHIP TO
0
FLEMING CO. - KANSAS CITY
1100 ATLANTIC AVENUE
KANSAS CITY MO 64116

CUSTOMER P.O.	SALESMAN	DATE ORDERED	DATE SHIPPED	SHIP VIA	PAYMENT TERMS	
NEED PO	MARKET ME	03/24/03	03/24/03	DHL934775	NET 21 DAYS	1

PRODUCT CODE	QTY ORDERED	QTY SHIPPED	DESCRIPTION	UNIT	UNIT PRICE	EXTENDED AMOUNT
2786	2	2	HERB ASSTD 6PK-2/3OZ. FLEMING 3 EA: DILL; BASIL	6PX		REDACTED
2787	2	2	HERB ASSTD 6PK-2/3OZ. FLEMING 3 EA. MINT, BASIL	6PX		
2995	1	1	HERB ASSTD TUBS #2 3 EA· ARRUGULA;CHIVES	6PX		
2788	1	1	HERB ASSTD 6 PK-2/3OZ. 2 EA: CHIVES;MINT;OREGANO	6PX		
2882	1	1	HERB ASSTD 6PK-2/3OZ. FLEMING 2 EA: DILL;ITAL PARSLEY;SAGE	6PX		
2884	1	1	HERB ASSTD 6PK 2/3OZ. FLEMING 2 EA MARJORAM;SAGE;TARRAGON	6PX		
1542	1	1	ROSEMARY 6PK-2/3OZ. BOX	R6X		
			********** VENDOR #164954			

SPECIAL INSTRUCTIONS

SUB TOTAL	58.80
SHIPPING	.00
OTHER	00
TOTAL	58.80

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INVOICE NO.	INVOICE DATE
55196	03/17/03

SOLD TO
2040
FLEMING CO. - KANSAS CITY
P.O BOX 24650
OKLAHOMA CITY OK 73124

SHIP TO
0
FLEMING CO. - KANSAS CITY
1100 ATLANTIC AVENUE
KANSAS CITY MO 64116

CUSTOMER P.O	SALESMAN	DATE ORDERED	DATE SHIPPED	SHIP VIA	PAYMENT TERMS	
745316	MARKET ME	03/14/03	03/17/03	DHL934254	NET 21 DAYS	1

PRODUCT CODE	QTY ORDERED	QTY SHIPPED	DESCRIPTION	UNIT	UNIT PRICE	EXTENDED AMOUNT
2786	2	2	HERB ASSTD 6PK-2/3OZ. FLEMING 3 EA- DILL, BASIL	6PX		
2787	2	2	HERB ASSTD 6PK-2/3OZ FLEMING 3 EA: MINT; BASIL	6PX		
2995	1	1	HERB ASSTD TUBS #2 3 EA: ARRUGULA;CHIVES	6PX		
2788	1	1	HERB ASSTD 6 PK-2/3OZ 2 EA: CHIVES;MINT;OREGANO	6PX		
2882	1	1	HERB ASSTD 6PK-2/3OZ. FLEMING 2 EA: DILL;ITAL PARSLEY;SAGE	6PX		
2884	1	1	HERB ASSTD 6PK 2/3OZ. FLEMING 2 EA: MARJORAM;SAGE;TARRAGON	6PX		
1542	1	1	ROSEMARY 6PK-2/3OZ. BOX	R6X		
			********** VENDOR #164954			

REDACTED

SPECIAL INSTRUCTIONS

SUB TOTAL	58 80
SHIPPING	00
OTHER	00
TOTAL	58 80

TERMS AND CONDITIONS.
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INVOICE NO.	INVOICE DATE
54818	03/10/03

SOLD TO
2040
FLEMING CO. - KANSAS CITY
P.O. BOX 24650
OKLAHOMA CITY OK 73124

SHIP TO
0
FLEMING CO. - KANSAS CITY
1100 ATLANTIC AVENUE
KANSAS CITY MO 64116

CUSTOMER P.O.	SALESMAN	DATE ORDERED	DATE SHIPPED	SHIP VIA	PAYMENT TERMS	
745278	MARKET ME	03/07/03	03/10/03	DHL933199	NET 21 DAYS	1

PRODUCT CODE	QTY ORDERED	QTY SHIPPED	DESCRIPTION	UNIT	UNIT PRICE	EXTENDED AMOUNT
2786	2	2	HERB ASSTD 6PK-2/3OZ. FLEMING 3 EA: DILL; BASIL	6PX		
2787	2	2	HERB ASSTD 6PK-2/3OZ FLEMING 3 EA· MINT; BASIL	6PX		
2995	1	1	HERB ASSTD TUBS #2 3 EA: ARRUGULA;CHIVES	6PX		
2788	1	1	HERB ASSTD 6 PK-2/3OZ. 2 EA: CHIVES;MINT;OREGANO	6PX		
2882	1	1	HERB ASSTD 6PK-2/3OZ. FLEMING 2 EA: DILL;ITAL PARSLEY;SAGE	6PX		
2884	1	1	HERB ASSTD 6PK 2/3OZ. FLEMING 2 EA: MARJORAM;SAGE;TARRAGON	6PX		
1542	1	1	ROSEMARY 6PK-2/3OZ BOX	R6X		
			********** VENDOR #164954			

REDACTED

SPECIAL INSTRUCTIONS

SUB TOTAL	58.80
SHIPPING	00
OTHER	.00
TOTAL	58.80

TERMS AND CONDITIONS
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INVOICE NO.	INVOICE DATE
54402	03/03/03

SOLD TO
2040
FLEMING CO. - KANSAS CITY
P.O. BOX 24650
OKLAHOMA CITY OK 73124

SHIP TO
0
FLEMING CO. - KANSAS CITY
1100 ATLANTIC AVENUE
KANSAS CITY MO 64116

CUSTOMER P.O.	SALESMAN	DATE ORDERED	DATE SHIPPED	SHIP VIA	PAYMENT TERMS	
745255	MARKET ME	02/28/03	03/03/03	DHL933199	NET 21 DAYS	1

PRODUCT CODE	QTY ORDERED	QTY SHIPPED	DESCRIPTION	UNIT	UNIT PRICE	EXTENDED AMOUNT
2786	2	2	HERB ASSTD 6PK-2/3OZ. FLEMING 3 EA. DILL; BASIL	6PX		
2787	2	2	HERB ASSTD 6PK-2/3OZ. FLEMING 3 EA· MINT; BASIL	6PX		
2995	1	1	HERB ASSTD TUBS #2 3 EA: ARRUGULA;CHIVES	6PX		
2788	1	1	HERB ASSTD 6 PK-2/3OZ. 2 EA: CHIVES;MINT;OREGANO	6PX		
2882	1	1	HERB ASSTD 6PK-2/3OZ. FLEMING 2 EA: DILL;ITAL PARSLEY;SAGE	6PX		
2884	1	1	HERB ASSTD 6PK 2/3OZ. FLEMING 2 EA: MARJORAM;SAGE;TARRAGON	6PX		
1542	1	1	ROSEMARY 6PK-2/3OZ. BOX	R6X		
			********** VENDOR #164954			

REDACTED

SPECIAL INSTRUCTIONS

SUB TOTAL	58 80
SHIPPING	.00
OTHER	.00
TOTAL	58 80

TERMS AND CONDITIONS
DUE TO THE HIGHLY PERISHABLE NATURE OF THE MERCHANDISE *McCormick Fresh Herb LLC* (MFH) SHOULD BE INFORMED WITHIN 24 HRS OF RECEIPT OF THE PRODUCT VIA FACSIMILE OF ANY CLAIMS FOR SHORTS QUALITY ETC ALL CLAIMS OVER $250 00 SHOULD BE SUPPORTED BY A FEDERAL INSPECTION UNLESS OTHERWISE INFORMED BY MFH VIA FACSIMILE
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INVOICE NO.	INVOICE DATE
54050	02/24/03

SOLD TO
2040
FLEMING CO. - KANSAS CITY
P.O. BOX 24650
OKLAHOMA CITY OK 73124

SHIP TO
0
FLEMING CO. - KANSAS CITY
1100 ATLANTIC AVENUE
KANSAS CITY MO 64116

CUSTOMER P.O.	SALESMAN	DATE ORDERED	DATE SHIPPED	SHIP VIA	PAYMENT TERMS	
745234	MARKET ME	02/24/03	02/24/03	169914368	NET 21 DAYS	1

PRODUCT CODE	QTY ORDERED	QTY SHIPPED	DESCRIPTION	UNIT	UNIT PRICE	EXTENDED AMOUNT
2786	2	2	HERB ASSTD 6PK-2/3OZ. FLEMING 3 EA DILL; BASIL	6PX		
2787	2	2	HERB ASSTD 6PK-2/3OZ. FLEMING 3 EA· MINT; BASIL	6PX		
2995	1	1	HERB ASSTD TUBS #2 3 EA: ARRUGULA;CHIVES	6PX		
2788	1	1	HERB ASSTD 6 PK-2/3OZ 2 EA: CHIVES,MINT;OREGANO	6PX		
2882	1	1	HERB ASSTD 6PK-2/3OZ. FLEMING 2 EA: DILL;ITAL PARSLEY;SAGE	6PX		
2884	1	1	HERB ASSTD 6PK 2/3OZ. FLEMING 2 EA: MARJORAM,SAGE;TARRAGON	6PX		
1542	1	1	ROSEMARY 6PK-2/3OZ BOX	R6X		
			********** VENDOR #164954			

REDACTED

SPECIAL INSTRUCTIONS

SUB TOTAL	58.80
SHIPPING	.00
OTHER	00
TOTAL	58 80

TERMS AND CONDITIONS
DUE TO THE HIGHLY PERISHABLE NATURE OF THE MERCHANDISE, *McCormick Fresh Herb, LLC* (MFH) SHOULD BE INFORMED WITHIN 24 HRS OF RECEIPT OF THE PRODUCT VIA FACSIMILE OF ANY CLAIMS FOR SHORTS, QUALITY ETC ALL CLAIMS OVER $250 00 SHOULD BE SUPPORTED BY A FEDERAL INSPECTION UNLESS OTHERWISE INFORMED BY MFH VIA FACSIMILE.
CUSTOMER AGREES TO PAY ALL COST INCLUDING COLLECTIONS AND ATTORNEY FEES INCURRED BY MFH IN COLLECTING PAST DUE INVOICES. PRE-JUDGEMENT INTEREST SERVICE CHARGE OF 1½% PER MONTH (18% PER YEAR) WILL BE CHARGED ON ALL PAST DUE INVOICES IF LEGAL ACTION IS TAKEN TO COLLECT THE MONEY DUE.

McCormick Fresh Herb, LLC
5743 Smithway Street
P O Box 911370
Commerce, CA 90040

McCormick Fresh Herb, LLC

Tel (800) 769-6007
Tel (323) 278-9750
Fax (323) 278-9760

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized by section 5(c) of the perishable agricultural commodities act, 1930 (7 U.S.C 499e (c)) The seller of these commodities retains a trust claim over these commodities all inventories of food or other products derived from these commodities and any receivables or proceeds from the sale of these commodities until full payment is received.

INVOICE NO.	INVOICE DATE
53666	02/17/03

SOLD TO
2040
FLEMING CO. - KANSAS CITY
P.O. BOX 24650
OKLAHOMA CITY OK 73124

SHIP TO
0
FLEMING CO. - KANSAS CITY
1100 ATLANTIC AVENUE
KANSAS CITY MO 64116

CUSTOMER P.O.	SALESMAN	DATE ORDERED	DATE SHIPPED	SHIP VIA	PAYMENT TERMS	
594473	MARKET ME	02/14/03	02/17/03	DHL	NET 21 DAYS	1

PRODUCT CODE	QTY. ORDERED	QTY. SHIPPED	DESCRIPTION	UNIT	UNIT PRICE	EXTENDED AMOUNT
2786	2	2	HERB ASSTD 6PK-2/3OZ. FLEMING 3 EA: DILL; BASIL	6PX		
2787	2	2	HERB ASSTD 6PK-2/3OZ. FLEMING 3 EA: MINT; BASIL	6PX		
2995	1	1	HERB ASSTD TUBS #2 3 EA· ARRUGULA;CHIVES	6PX		
2788	1	1	HERB ASSTD 6 PK-2/3OZ. 2 EA: CHIVES;MINT;OREGANO	6PX		
2882	1	1	HERB ASSTD 6PK-2/3OZ. FLEMING 2 EA: DILL,ITAL PARSLEY;SAGE	6PX		
2884	1	1	HERB ASSTD 6PK 2/3OZ. FLEMING 2 EA: MARJORAM;SAGE;TARRAGON	6PX		
1542	1	1	ROSEMARY 6PK-2/3OZ. BOX	R6X		
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REDACTED

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