

REPORT OF LOSS, NONPERFORMANCE OR DAMAGE

FILE NUMBER (For County Use Only)

TO: (AGRICULTURAL COMMISSIONER)

COUNTY

In accordance with Sections 11761 through 11765 of the Food and Agricultural Code, the following **Report of Loss** is submitted:

CLAIMANT'S NAME

TELEPHONE NUMBER

ADDRESS OR POST OFFICE BOX NO.

CITY

STATE

ZIP CODE

TYPE OF PROPERTY ALLEGEDLY INJURED OR DAMAGED

ACRES OR UNITS

FULLY DESCRIBE ALLEGED INJURY OR DAMAGE (Include symptoms, when first noticed, etc.)

LOCATION OF PROPERTY ALLEGEDLY INJURED OR DAMAGED

SECTION

TOWNSHIP

RANGE

BASE & MERIDIAN

DATE THE ALLEGED INJURY OR DAMAGE OCCURRED

TIME

NAME OF PERSON OR FIRM ALLEGEDLY RESPONSIBLE FOR LOSS OR DAMAGE

NAME OF OWNER OR OCCUPANT OF PROPERTY FOR WHOM SUCH PERSON OR FIRM WAS RENDERING LABOR OR SERVICES

LOCATION OF SUCH PROPERTY

ADDITIONAL INFORMATION

I declare under penalty of perjury that the above is true and correct.

CLAIMANT'S SIGNATURE:

DATE

Filing Information on Reverse Side of Form

FILING A REPORT OF LOSS, NONPERFORMANCE OR DAMAGE

Any person that alleges any loss, nonperformance or damage as a result of the use or application of any pesticide substance, method or device for the purpose of preventing, destroying, repelling, mitigating or correcting any disorder of plants or for the purpose of inhibiting, regulating, stimulating or otherwise altering plant growth by direct application to plants or soil, shall within 30 days from the time that such loss, nonperformance or damage became known to him, file with the commissioner of the county in which some part of the loss, nonperformance or damage is alleged to have occurred, a verified report of the loss, nonperformance or damage (Food and Agricultural Code, Section 11761).

The report need include only such information as is known to the claimant and may be given on information and belief. The word "unknown" should be inserted wherever the claimant has neither knowledge nor information on the subject.

The report must be verified. That is, the person signing the report must declare that it is true and correct under penalty of perjury. A report would also be verified if sworn to before a notary or other person authorized to administer oaths. Agricultural Commissioners and their deputies, as county officers, may attest the verification (Government Code, Section 24057).

Failure to file a report of loss, nonperformance or damage creates a rebuttable presumption that no such loss or damage occurred, but does not bar an action for recovery of such damages as can be provided.