

Agency Name:
 Address:
 Contact Name:
 Phone:
 Fax:
 Email:

Product Liability Application

All questions must be answered in full. Application must be signed and dated by the applicant.

Applicant's Name _____ Agent _____

 Applicant Mailing Address _____ Applicant's Phone Number _____
 _____ Web Address _____
 _____ Inspection Contact _____
 Proposed Policy Period _____ to _____ Phone Number for Inspection Contact _____
 Applicant is Individual Partnership Corporation Joint Venture Other _____

 Location #1 _____
 Location #2 _____
 Location #3 _____

UNDERWRITING INFORMATION

1. Business of Applicant is: Manufacturer Distributor Direct Importer Broker Other (Describe)

2. Description of operations: _____

3. Years in business: _____
4. Description of all acquisitions completed in the last five years: _____

5. Description of all discontinued products and historical sales for each: _____

| 6. Total Annual Gross Sales | YEARS | SALES | | |
|-----------------------------|-------|---------------|----------|-------|
| | | UNITED STATES | FOREIGN* | TOTAL |
| UPCOMING YEAR (ESTIMATE) | to | | | |
| CURRENT YEAR | to | | | |
| FIRST PRIOR YEAR | to | | | |
| SECOND PRIOR YEAR | to | | | |
| THIRD PRIOR YEAR | to | | | |
| FOURTH PRIOR YEAR | to | | | |

*If any foreign sales, list countries where your product is sold: _____

UNDERWRITING INFORMATION (Continued)

- 6. If you distribute products manufactured by others:
 - a. Do you directly import any products? Yes No
If yes, describe products and provide corresponding sales and countries of origin.

 - b. Do you obtain Certificates of Product Liability Insurance from each of your manufacturers/suppliers? ... Yes No
If yes, what are the minimum limits of insurance required? _____
 - c. Are you included as an Additional Insured-Vendor under each manufacturer's / supplier's Product Liability insurance? Yes No
- 7. If you contract the manufacturing of your product to others, do you have a formal written agreement with your sub-manufacturers? Yes No
If yes, **attach** those sections of the agreement(s) pertaining to Product Liability and Product Liability insurance.
- 8. Do you obtain Certificates of Insurance from all suppliers evidencing Product Liability insurance? Yes No
If yes, minimum limits of insurance required? _____
- 9. Do you or others on your behalf install, service, repair or maintain your products? Yes No
If yes, **attach** full details including a copy of your standard written contract and estimate the percentage of sales generated by these operations.
- 10. Do you maintain formal written quality control and testing procedures? Yes No
- 11. How long are quality control and testing records kept? _____
- 12. Can you identify your product from those of competitors? Yes No
- 13. Do you maintain records of the following:
 - a) When and where your product was manufactured? Yes No
 - b) To whom your product was sold and the date of sale? Yes No
 - c) Who supplied the parts and/or supplies going into the product? Yes No
 - d) Changes in design? Yes No
 - e) Changes in advertising material? Yes NoIf yes, how long do you maintain the records? _____
- 14. Who designs your products? _____
- 15. Are designs reviewed, tested and verified by others? Yes No
If yes, by whom? _____
List their credentials: _____
- 16. Are all warning labels and instructions for use reviewed by outside counsel? Yes No
- 17. Are your products subject to any government or industry standards?..... Yes No
If yes, are your products in full compliance? Yes No
Describe the standards and the documentation: _____
- 18. Have you attained ISO 9002, QS 9000 or similar Certification? Yes No
- 19. Do you offer training or instruction on the use of your products? Yes No
If yes, do you certify the trainees? Yes No
- 20. Do you have a formal written products recall procedure? Yes No
If yes, **attach** a copy.

UNDERWRITING INFORMATION (Continued)

21. Have you voluntarily or involuntarily recalled, or are you considering recalling, any known or suspected defective products from the market? Yes No
 If yes, describe. _____

22. Are you aware of any incident, condition, circumstance, defect or suspected defect in any product or work, which may result in a claim or claims against you that are not listed above? Yes No
 If yes, **attach** an explanation.

23. Are you aware of any complaint or notice filed in the last three years with any governmental agency or industry regulatory body including but not limited to the U.S. Consumer Product Safety Commission concerning your product? Yes No
 If yes, **attach** an explanation.

24. Desired Limits. _____ Deductible/SIR. _____

25. Current Carrier Information

| CARRIER | LIMITS | DEDUCTIBLE/SIR | RATE | PREMIUM |
|---------|--------|----------------|------|---------|
| | | | | |

Coverage Form: Occurrence Claims Made, Retro Date: _____
 Is current carrier offering renewal? Yes No

PRIOR CARRIER HISTORY & LOSS INFORMATION

PRIOR CARRIERS (LAST THREE YEARS):

| YEAR | CARRIER | POLICY NUMBER | LIMITS | PREMIUM |
|-------|---------|---------------|--------|---------|
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |

LOSS HISTORY (LAST FIVE YEARS)

| DATE OF LOSS | TYPE OF LOSS | DESCRIPTION OF LOSS | AMOUNT PAID | RESERVE |
|--------------|--------------|---------------------|-------------|---------|
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |

Has the applicant been cancelled or non-renewed in the last three years? Yes No
 If yes, Explain. _____

PLEASE READ BELOW AND COMPLETE SIGNATURE BLOCK ON LAST PAGE

I have reviewed this application for accuracy before signing it. As a condition precedent to coverage, I hereby state that the information contained herein is true, accurate and complete and that no material facts have been omitted, misrepresented or misstated. I know of no other claims or lawsuits against the applicant and I know of no other events, incidents or occurrences which might reasonably lead to a claim or lawsuit against the applicant. I understand that this is an application for insurance only and that completion and submission of this application does not bind coverage with any insurer.

IMPORTANT NOTICE: As part of our underwriting procedure, a routine inquiry may be made to obtain applicable information concerning character, general reputation, personal characteristics, and mode of living. Upon written request, additional information as to the nature and scope of the report, if one is made, will be provided.

FRAUD STATEMENT – FOR THE STATE(S) OF:

Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Georgia, Idaho, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, North Carolina, North Dakota, Rhode Island, South Carolina, South Dakota, Texas, Utah, Vermont, West Virginia, Wisconsin, Wyoming:

NOTICE: In some states, any person who knowingly (For Maryland add: *or willfully*) presents a false or fraudulent claim for payment of a loss or benefit or knowingly (For Maryland add: *or willfully*) presents false information in an application for insurance is guilty of a crime and may be subject to (For Alabama add: *restitution*,) fines and confinement in prison (For Alabama add: *or any combination thereof*).

Maine, Tennessee, Virginia, Washington:

It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties may include imprisonment, fines, or a denial of insurance benefits.

Alaska

A person who knowingly and with intent to injure, defraud, or deceive an insurance company files claim containing false, incomplete, or misleading information may be prosecuted under state law.

Arizona

For your protection Arizona law requires the following statement to appear on this form. Any person who knowingly presents a false or fraudulent claim for payment of a loss is subject to criminal and civil penalties.

California

For your protection, California law requires that you be made aware of the following: Any person who knowingly presents false or fraudulent claim for the payment of a loss is guilty of a crime and may be subject to fines and confinement in state prison.

Colorado

It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado division of insurance within the department of regulatory agencies.

Florida

Any person who knowingly and with intent to injure, defraud or deceive any insurer files a statement of claim or an application containing any false, incomplete, or misleading information is guilty of a felony of the third degree.

District of Columbia

WARNING: It is a crime to provide false or misleading information to an insurer for the purpose of defrauding the insurer or any other person. Penalties include imprisonment and/or fines. In addition, an insurer may deny insurance benefits if false information materially related to a claim was provided by the applicant.

Hawaii

Intentionally or knowingly misrepresenting or concealing a material fact, opinion or intention to obtain coverage, benefits, recovery or compensation when presenting an application for the issuance or renewal of an insurance policy or when presenting a claim for the payment of a loss is a criminal offense punishable by fines or imprisonment, or both.

Idaho

Any person who knowingly, and with intent to defraud or deceive any insurance company, files a statement of claim containing any false, incomplete, or misleading information is guilty of a felony.

Indiana

Any person who knowingly and with intent to defraud an insurer files a statement of claim containing any false, incomplete, or misleading information commits a felony.

Kansas

Any person who commits a fraudulent insurance act is guilty of a crime and may be subject to restitution, fines and confinement in prison. A fraudulent insurance act means an act committed by any person who, knowingly and with intent to defraud, presents, causes to be presented or prepares with knowledge or belief that it will be presented to or by an insurer, purported insurer or insurance agent or broker, any written statement as part of, or in support of, an application for insurance, or the rating of an insurance policy, or a claim for payment or other benefit under an insurance policy, which such person knows to contain materially false information concerning any material fact thereto; or conceals, for the purpose of misleading, information concerning any fact material thereto.

Minnesota

Any person who files a claim with intent to defraud or help commit a fraud against an insurer is guilty of a crime.

New Hampshire

Any person who, with a purpose to injure, defraud or deceive any insurance company, files a statement of claim containing any false, incomplete, or misleading information is subject to prosecution and punishment for insurance fraud, as provided in RSA 638:20.

New Jersey

Any person who includes any false or misleading information on an application for an insurance policy is subject to criminal and civil penalties.

New Mexico

Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to civil fines and criminal penalties.

New York

Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime, and shall also be subject to a civil penalty not to exceed five thousand dollars and the stated value of the claim for each such violation.

Ohio

Any person who, with intent to defraud or knowing that he is facilitating a fraud against an insurer, submits an application or files a claim containing a false or deceptive statement is guilty of insurance fraud.

Oklahoma

WARNING – Any person who knowingly, and with intent to injure, defraud or deceive any insurer, makes any claim for the proceeds of an insurance policy containing any false, incomplete or misleading information is guilty of a felony.

Oregon

Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents materially false information in an application for insurance may be guilty of a crime and may be subject to fines and confinement in prison. In order for us to deny a claim on the basis of misstatements, misrepresentations, omissions or concealments on your part, we must show that:

- A. The misinformation is material to the content of the policy;
- B. We relied upon the misinformation; and
- C. The information was either:
 - 1. Material to the risk assumed by us; or
 - 2. Provided fraudulently.

For remedies other than the denial of a claim, misstatements, misrepresentations, omissions or concealments on your part must either be fraudulent or material to our interests. With regard to fire insurance, in order to trigger the right to remedy, material misrepresentations must be willful or intentional. Misstatements, misrepresentations, omissions or concealments on your part are not fraudulent unless they are made with the intent to knowingly defraud.

Pennsylvania

Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.

Producer's Signature

Date

Applicant's Signature

Date